



City of Colleyville City Council Agenda

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

Tuesday, December 16, 2014

City Council Chambers

COMMITTEE INTERVIEWS - 4:30 P.M.

PRE COUNCIL MEETING EXECUTIVE SESSION

4:45 P.M.

EXECUTIVE CONFERENCE ROOM THIRD FLOOR

CALL TO ORDER

- PC-1** Presentation and discussion of the 2014 Water and Wastewater Master Plan
- PC-2** Discussion and update on the SH26/Colleyville Boulevard School Safety Zone
- PC-3** Discussion of setting a date for a City Council infrastructure worksession
- PC-4** Presentation of the Quarterly Investment Report for quarter ending September 30, 2014
- PC-5** Discussion of the December 16, 2014, City Council regular agenda items

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

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

Section 551.071 - Legal - Consultation with attorney on contemplated litigation (Camden Lock LLC)

Section 551.071 - Legal - Consultation with attorney regarding litigation - Billy McCullough v. City of Colleyville

Section 551.071 - Legal - Consultation with attorney regarding litigation - Michael S. Newman v. City of Colleyville and City of Keller

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

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

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

INVOCATION: Ricky Texada, Colleyville Covenant Church

PLEDGE OF ALLEGIANCE: Assistant City Attorney Matt Butler

- 2. EXECUTIVE SESSION: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION**
- Resolution R-14-3814

- 3. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS**

Announcements of civic and charitable events

Presentation of calendar events and updates

Announcements of awards and recognition

In recognition of Colleyville's featured business - Citrus Bistro 5005 Colleyville Boulevard, Suite 240 - Chef Didier Viriot, Owner and Executive Chef; Jean-Loup Schyns, Owner; and Nanou Viriot, Owner - Mayor David Kelly and Economic Development Director Marty Wieder

Presentation of the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting - Mayor David Kelly, Assistant City Manager and Chief Financial Officer Terry Leake, and Finance Manager Karen Hines

Recognition of employees' years of service

4. CONSENT: READING AND PUBLIC HEARING - Resolution R-14-3815

- 4a** Approval of the minutes of the regular City Council meeting of December 2, 2014
- 4b** Approval of the Architectural Review Commission bylaws

5. ORDINANCE(S): SECOND READING AND PUBLIC HEARING**5a Ordinance O-14-1940**

Consideration of a Special Use Permit for an accessory building on Lot 2, Block 3, of the Quail Crest Estates Addition, located at 3512 Meadowlark Lane, Case ZC14-022

5b Ordinance O-14-1941

Consideration of a Special Use Permit for the sale of alcoholic beverages for on-premise consumption on Lot 1R1, Block 2, of the Town Center Colleyville Addition, located at 1205 Church Street, Case ZC14-023

5c Ordinance O-14-1942

Consideration of a zoning change from the CC-2 Shopping Center zoning district to the PUD-C-Planned Unit Development-Commercial zoning district on 1.94 acres of Abstract 352, of the Elizabeth Cox Survey, located at 5200 State Highway 121, Case ZC14-024

5d Ordinance O-14-1943

Consideration of a zoning change from the AG-Agriculture zoning district to PUD-R-Planned Unit Development-Residential zoning district on 11.22 acres of Abstract 1034, of the G. W. Minter Survey, Lot 1, Block A, of the Twin Oak Estates Addition, and Lot 1, Block 1, of the Hartley Addition, located at 5205, 5207, 5303, 5309, 5311, 5313, and 5317 Roberts Road, Case ZC14-019

5e Ordinance O-14-1944

Consideration of a zoning change from the AG-Agricultural zoning district to the PUD-R-Planned Unit Development-Residential zoning district on 2.62 acres of Abstract 1034, of the G. W. Minter Survey, located at 5017, 5113, and 5201 Roberts Road, Case ZC14-025

5f Ordinance O-14-1945

Approval to amend various sections of the Colleyville, Texas, Code of Ordinances and the Land Development Code, setting fees and charges for City services

6. RESOLUTION(S): READING AND PUBLIC HEARING**6a Resolution R-14-3816**

Consideration of appointments to the Colleyville Center Advisory Committee

6b Resolution R-14-3817

Consideration of appointments to the Architectural Review Commission

6c Resolution R-14-3818

Consideration of appointments to the Colleyville Events Steering Committee

6d Resolution R-14-3819

Consideration of appointments to the Colleyville Sidewalks Committee

6e Resolution R-14-3820

Consideration of appointments to the Parks and Recreation Advisory Board

6f Resolution R-14-3821

Consideration of appointments to the Traffic Safety Advisory Committee

6g Resolution R-14-3822

Consideration of appointments to the Tax Increment Finance District Board

6h Resolution R-14-3823

Consideration of an appointment to the Park Land Dedication Committee

6i Resolution R-14-3824

Approval of a resolution requesting the Texas Department of Transportation (TxDOT) complete the reconstruction of State Highway 26/Colleyville Boulevard from John McCain Road to Brown Trail

6j Resolution R-14-3825

Approval of a resolution to utilize the Turnback Program as consideration for the full reconstruction of State Highway 26/Colleyville Boulevard

6k Resolution R-14-3826

Approval of a resolution approving a License Agreement with Dallas Area Rapid Transit (DART) for the Cotton Belt Trail, and authorizing the city manager to execute the agreement

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

8. REPORTS

Monthly Financial Report - November 2014

9. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR DECEMBER 16, 2014 - Reading and Public Hearing -Resolution R-14-3827**10. ADJOURNMENT**

I hereby certify this agenda was posted on City Hall bulletin boards *Friday, December 12, 2014* by 5:00 p.m.

Amy Shelley, TRMC
City Secretary

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

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



City of Colleyville City Council Agenda Briefing

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

Agenda Number PC-1

Agenda Date 12/16/2014

Type Pre Council

Department Public Works

Title

Presentation and discussion of the 2014 Water and Wastewater Master Plan

Explanation

City staff and Garver, LLC, the engineering consultant, will be providing a summary presentation of the Water and Wastewater Master Plan.

At the January 21, 2014 Pre Council meeting, staff made a presentation to City Council explaining the need for a comprehensive water and wastewater master plan to determine the condition and adequacy of the city's existing water and wastewater systems. Staff explained the existing water master plan was incomplete, in need of an update, and that no master plan existed for the wastewater system; and without accurate and up-to-date information, it was not possible to prioritize system renewal and replacement projects for the Capital Improvement Plan. The January 21, 2014 presentation is attached for reference. At the conclusion of the presentation and discussion, there was consensus among the City Council to bring an engineering services agreement back to City Council for approval.

On February 18, 2014, City Council approved the engineering services agreement with Garver by Resolution R-14-3723, attached to this agenda briefing. Since the execution of the agreement, Garver has been working diligently to complete this comprehensive Water and Wastewater Master Plan.

Some of the highlights of the master plan to be discussed during the presentation given by Garver include:

❖ Facility Assessments

- Recommendation for the decommissioning of the Overland Trail Ground Storage Tank and Pump Station
- Recommendation of various site improvements
- Recommendation of changes to watering zones and policies
- Manhole assessment - 1,134 manholes assessed, representing 37 percent of the network

❖ GIS Updates

❖ Water Model

- Identification of needed improvements
- Simulation of changes to the network

❖ Wastewater Model

- Identification of needed improvements
- Simulation of changes to the network

❖ Wet Weather Modeling**❖ CIP Recommendations (20 year planning period)**

- 27 water projects
- 17 wastewater projects

❖ Rate Study - Proposed changes include:

- Removal of the initial 2,000 gallons included in the minimum bill over a two year period
- Revised base rate structure based on meter size
- Differentiation of the base charge for wastewater for residential and non-residential accounts

An executive summary is attached, which illustrates the main points of the new master plan.

The recommended CIP projects and changes to the billing rate structure, will have an effect on how the City moves forward with the operation of the systems.

The 2014 Water and Wastewater Master Plan identified a total of 44 projects that should be considered over the next 20 years. These projects were developed based on various triggers, which include: Regulatory, Capacity, Fire Flow, Condition, City Identified, and Operational. The projects were then prioritized and now provide a listing of needed capital improvement projects that will be considered in the development of future five year capital improvement plans. Examples of the various triggers and the resulting projects are shown in the following chart:

Project Names	Primary Trigger	Secondary Trigger	Project Description
Water Group A - Capital Improvements	Regulatory	Capacity	New elevated storage tank in the southern part of the City. A new elevated storage tank in this area addresses elevated storage concerns plane-wide across the low pressure plane. The tank also addresses local pressure and fire flow concerns in the southern portion of the system. The 16" and 12" upgraded piping provides additional fire flow throughout this area. Furthermore, the additional elevated storage provides extra security to the system in the event of a power outage or supply issue.
Water Group U - Overland Trail Decommissioning and Demolition	Condition	Operational	This project includes decommission of the existing pump building, chlorine building, ammonia building, and salvage of major mechanical equipment, such as pumps, and valves for future use by the City. The project also includes demolition of the ground storage tank and yard piping that connect directly to the City's distribution system.
Sewer Group O - Manhole Improvements	Condition	None	This project involves the rehabilitation of Priority 1 manholes throughout the City, which were identified in the manhole assessment. Methods for repair will vary depending on the type and severity of the defect.
Sewer Group C - Line Improvements	Capacity	None	This project includes replacement of four, 10" pipelines, with 10" PVC at an improved slope design, in order to provide adequate capacity at existing and future flows.

Project Names	Primary Trigger	Secondary Trigger	Project Description
Water Group B – Capital Improvements	Capacity	Operational	This project includes the addition of two pressure release and flow control valves to regulate flow from the northeast section of the high pressure plane into the northwest portion of the low pressure plane. This project also includes associated vaults and connecting 8" and 12" piping. During normal and low flow demands, no flow is expected to pass through the valves. However, during high demand or an emergency situation, flow will be allowed through the valves to maintain acceptable pressures.
Water Group E – Capital Improvements	Fire Flow	City Identified	This project includes the addition of an 8" PVC line to connect Apple Valley Drive to Bills Lane, and replacement of a 2" water line along Black Drive with an 8" water line. This project addresses looping issues of the water line, and bottleneck concerns of the existing 2" water line.
Water Group Q – Capital Improvements	City Identified	Operational	This project will implement 8" and 10" lines in the low plane to provide looping as required by City of Colleyville design criteria.

A complete listing of all of the identified projects and the entire proposed 2014 Water and Wastewater Master Plan can be viewed at the City Hall Public Works Offices. The total of all of the identified water and wastewater projects over the next 20 years, totals nearly \$55M in today's dollars.

The proposed 2014 Water and Wastewater Master Plan will be the guiding document for both the water and the wastewater systems. This master plan will play a key role in long term operation, maintenance, replacement, and improvement of the City's water and wastewater systems. This plan will aid in the development of future capital improvement plans and has provided a prioritized and ranked list of potential projects. Finally, the plan recommends a rate structure, which produces revenue that is more consistent with fixed and variable expenses, and will generate funding for necessary system capital improvements.

Attachments

1. Water and Wastewater Master Plan summary presentation
2. January 21, 2014 Presentation
3. Resolution R-14-3723
4. Executive Summary



COLLEYVILLE WATER & WASTEWATER MASTER PLAN

City Council
December 16, 2014

The following items mirror today's agenda and the scope of services



**Master Plan
Purpose**



**W / WW
Facility Field
Evaluations**



**City GIS
Updates**



**W / WW
Model
Development**



**CIP
Development
and Results**



Rate Study



The Master Plan was commissioned to properly plan for the future

Purpose

Master Plan Goals

Prepared by
GARVER
TBPE Registration No. 5713

COLLEYVILLE



CITY OF COLLEYVILLE
2014 Water and Wastewater
Master Plan

Assess current
systems

Project water usage
and sewer flow

Update water model

Create a wastewater model

Future development planning

Recommend projects
for a 20-year plan

No in-depth assessment
to date

Unknown level of service

Infrastructure growth plan





WATER & WW FACILITY FIELD EVALUATIONS

Water facility field evaluations were completed at two PS and three ESTs

FINDINGS



Overall good condition
of active facilities



Minor site
improvements needed

Fencing, drainage, painting

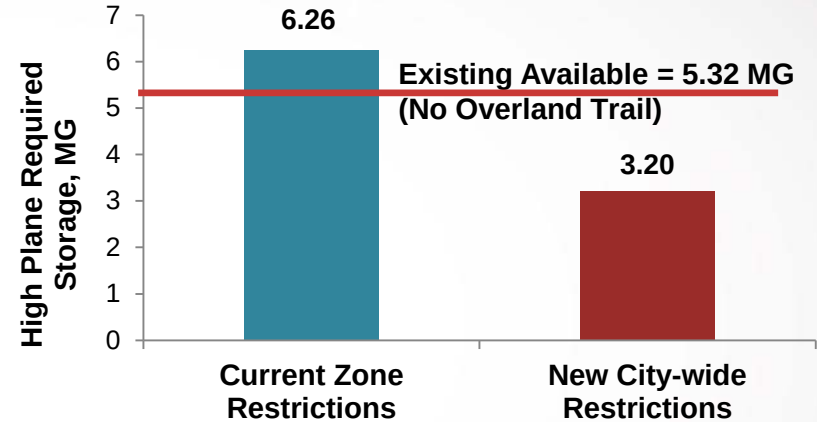
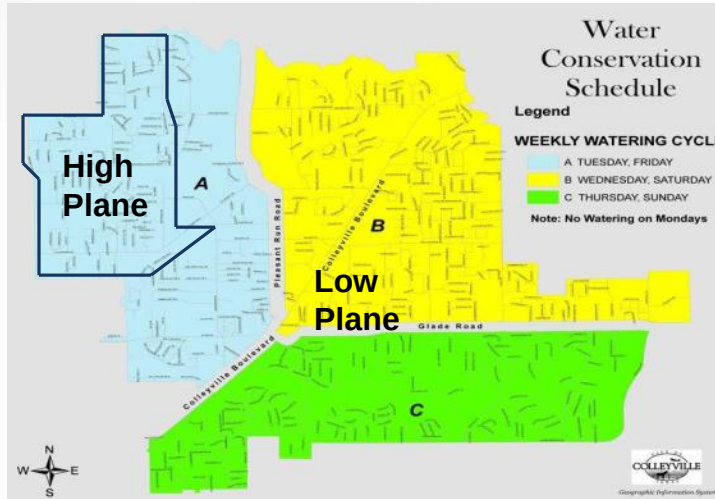


Overland Trail is in poor
condition

Decommissioning recommended



Modifications to the watering zones were recommended



Current Watering Zones:

Cause large regionalized demands

Modification of restrictions will save the City at least \$5M in additional infrastructure

Wastewater facility field investigations were completed at two lift stations

RESULTS



Overall good condition
of facilities

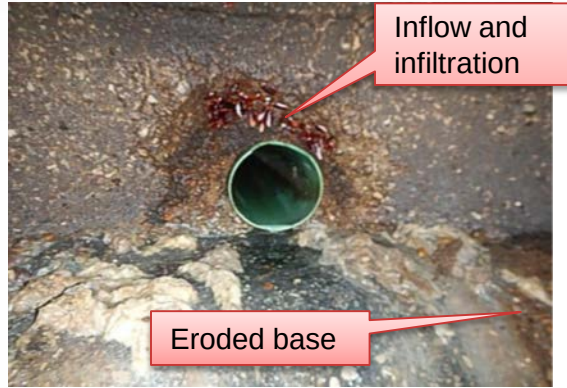


Minor site
improvements needed

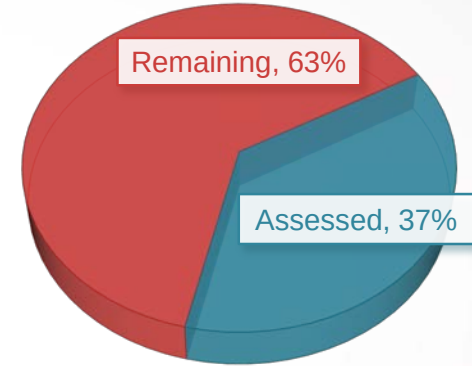
Fencing



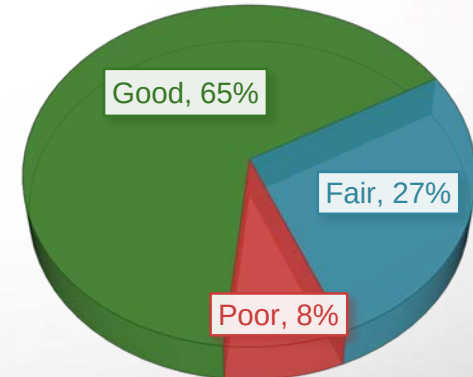
Wastewater manhole assessments were conducted on 1,134 manholes



Manhole Assessment Coverage



Manhole Condition Ratings



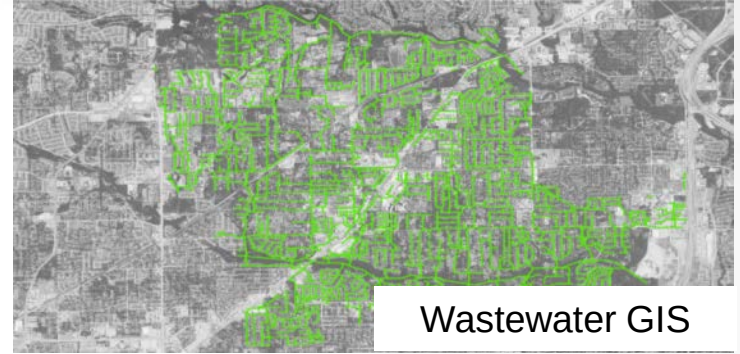


CITY GIS UPDATES

The existing City GIS system was updated



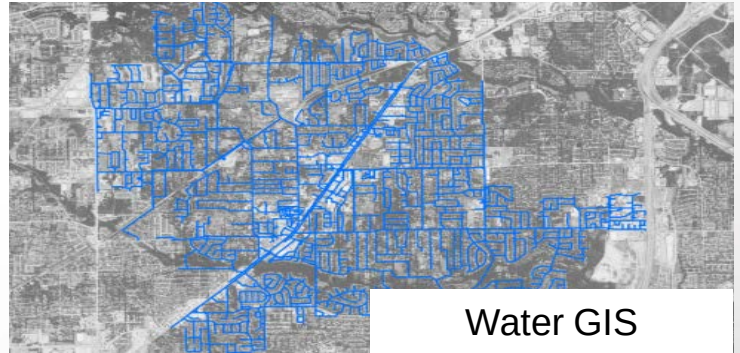
Garver used updated GIS
for model development



Wastewater GIS



Updated current GIS
model with existing and
proposed improvements



Water GIS





WATER MODEL DEVELOPMENT

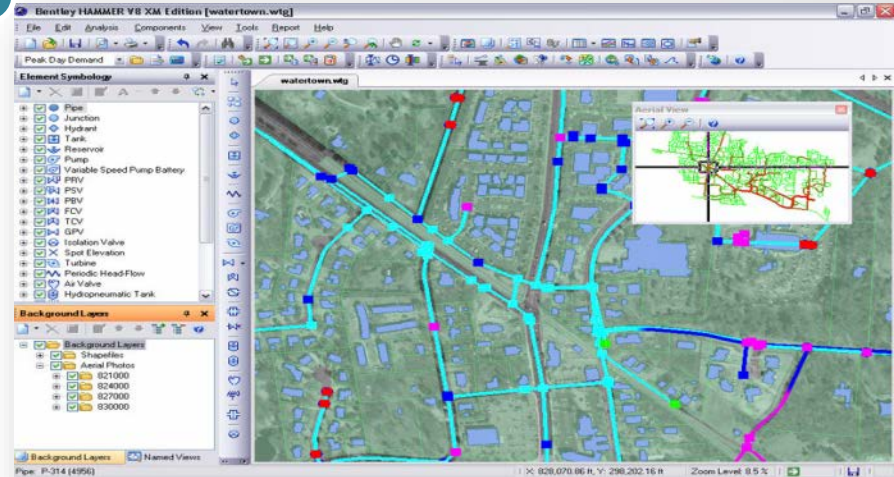


Bentley WaterGEMS was used to model the system

Computer program allows the user to input

- Elevations
- Pipe types
- Tower sizes
- Pump sizes
- Level of Service
 - Demands
 - State Regulations
 - Insurance Requirements
 - O&M Considerations

Output helps determine what improvements are needed to provide the identified level of service



The Water Model allows us to identify issues within the system



Low pressures,
capacity, fire
flow, excessive
velocities, etc.



Water Capital
Improvements Plan





WASTEWATER MODEL DEVELOPMENT

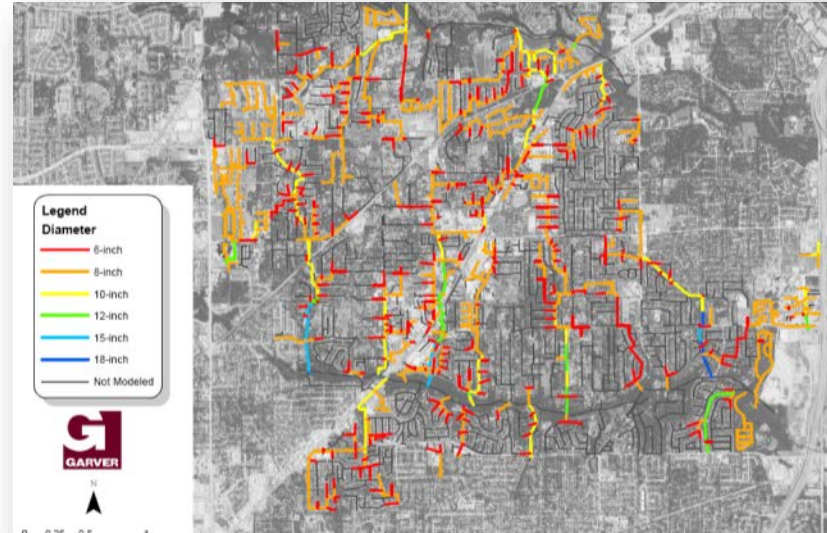
Bently SewerGEMS was used to identify capacity concerns in the sewer

Purpose:

Identify
Issues with
System

Results:

Wastewater Capital
Improvements Plan



Flow monitoring was conducted

Purpose:

Establish current dry and wet weather flows



Results:

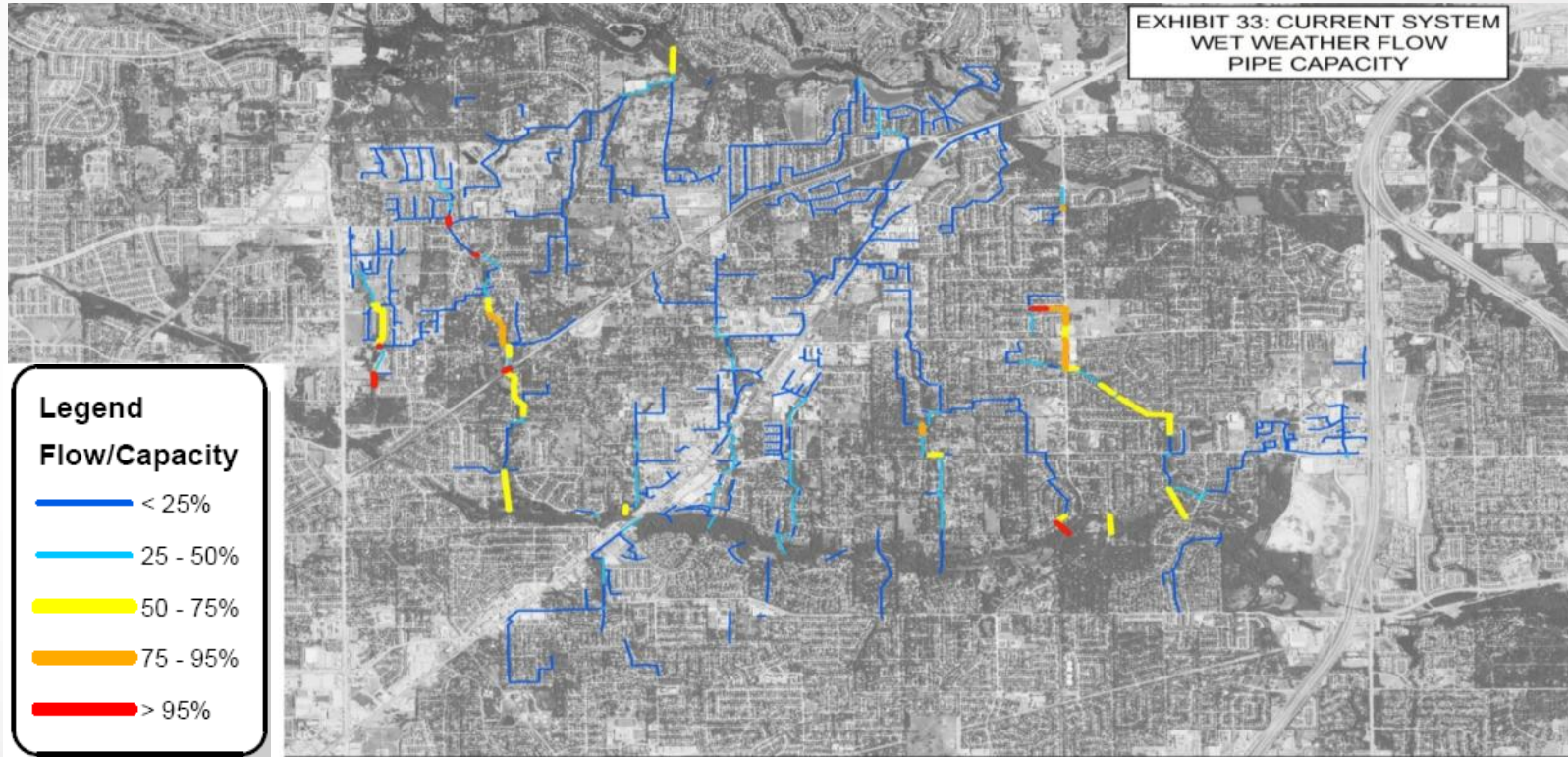
Overall system is in good shape

Majority of basins exhibit only a small reaction to rain events

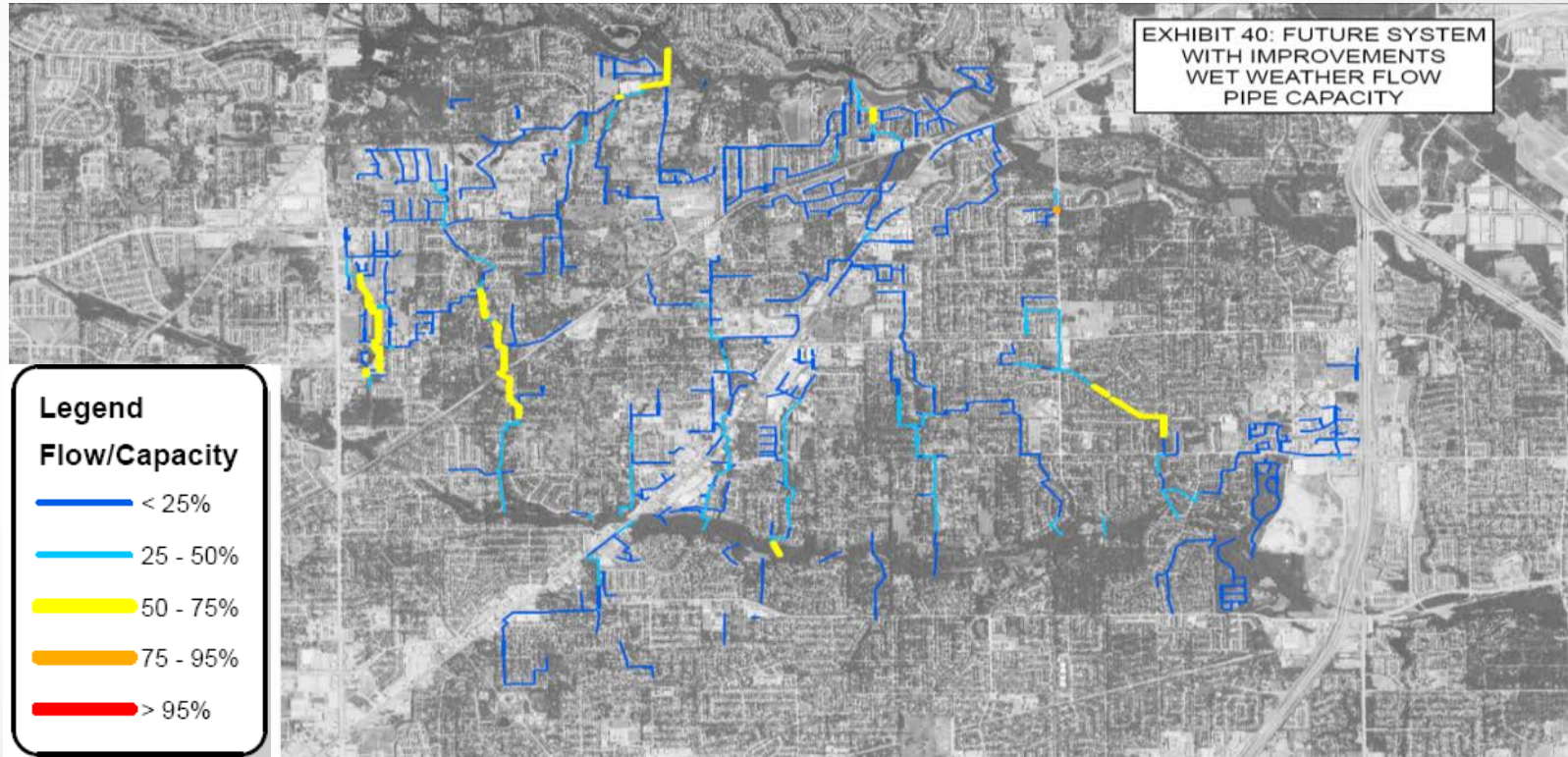
~7.75 MG of 624.2MG (1.2%) annual sewer flow due to I/I



An example of a sewer capacity model iteration



An example of a sewer capacity model iteration





CIP DEVELOPMENT

Capital Improvement triggers were defined and analyzed

WATER

- Regulatory
- Capacity
- Fire Flow
- Condition
- City-Identified
- Operational

WASTEWATER

- Capacity
- Condition
- City-Identified
- Operational



A method for prioritization of projects was developed

Regulatory and Capacity triggers take first precedence



Flexibility impacts precedence

For water, fire flow improvements
are less flexible

For sewers, more limited capacity
decreases flexibility



Similar triggers are grouped geographically when possible





CIP RESULTS

The Capital Improvements Plan identified
44 separate projects

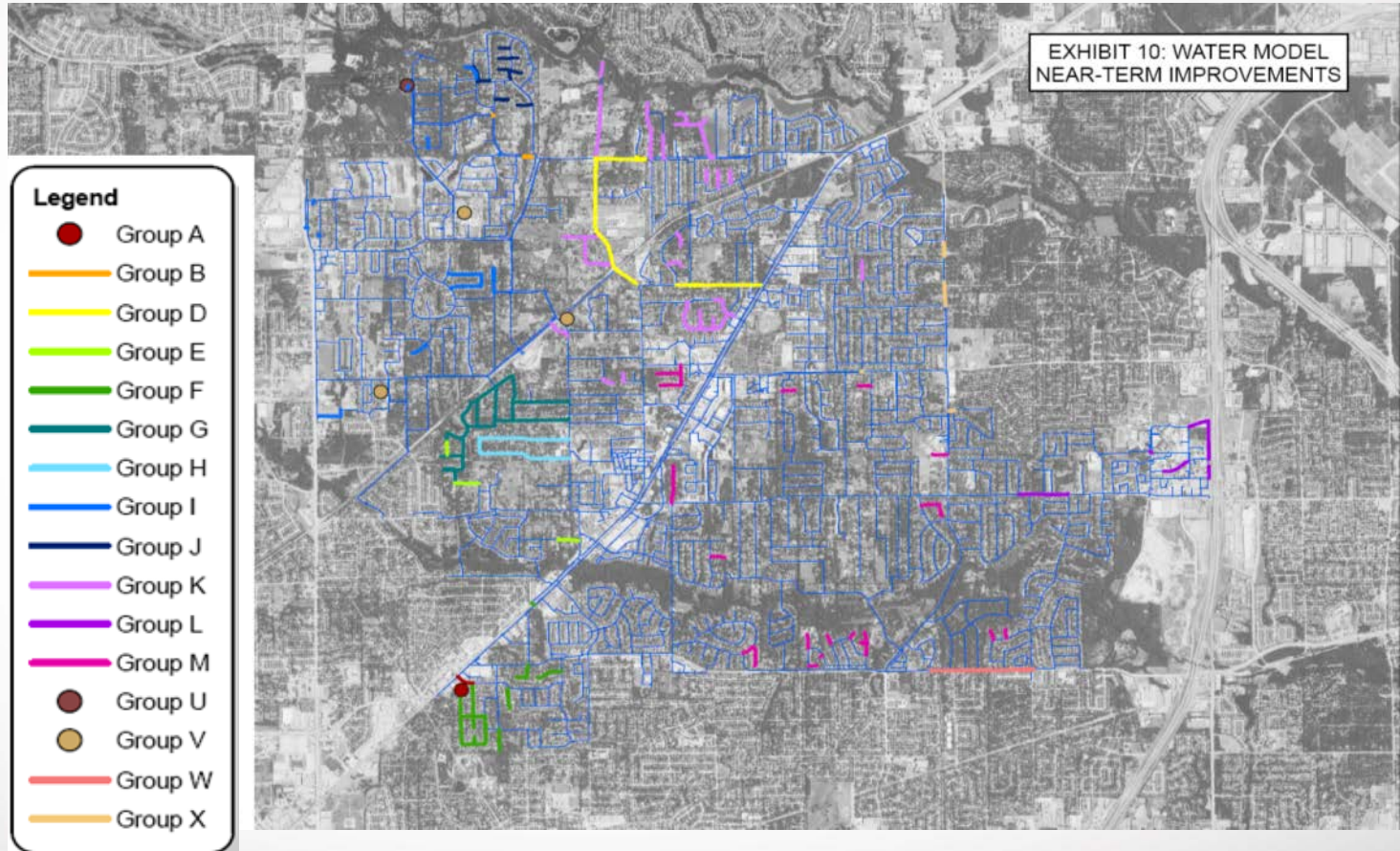
Projects Developed:

27 Water Projects
12% of system

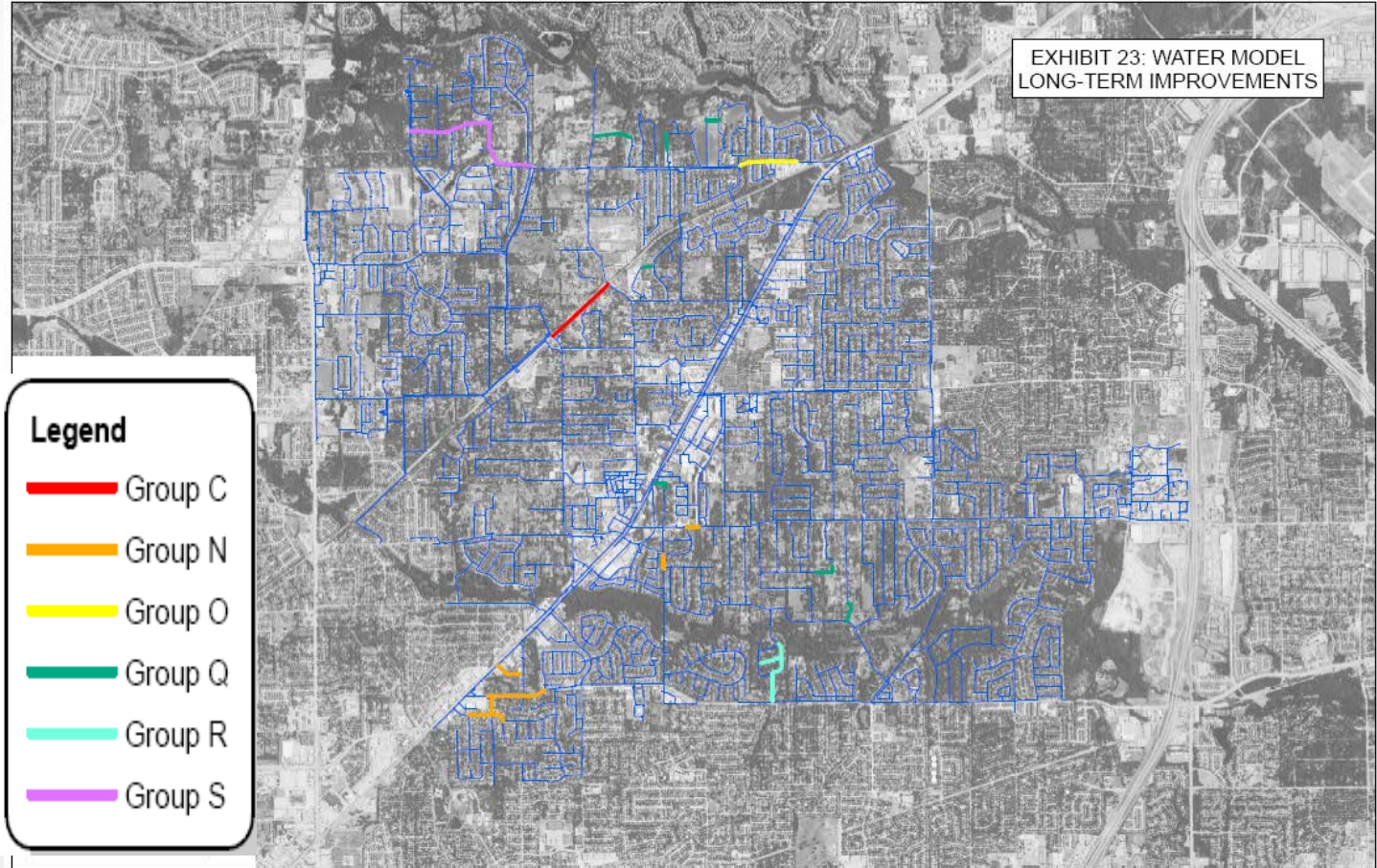
17 Wastewater Projects
4% of system



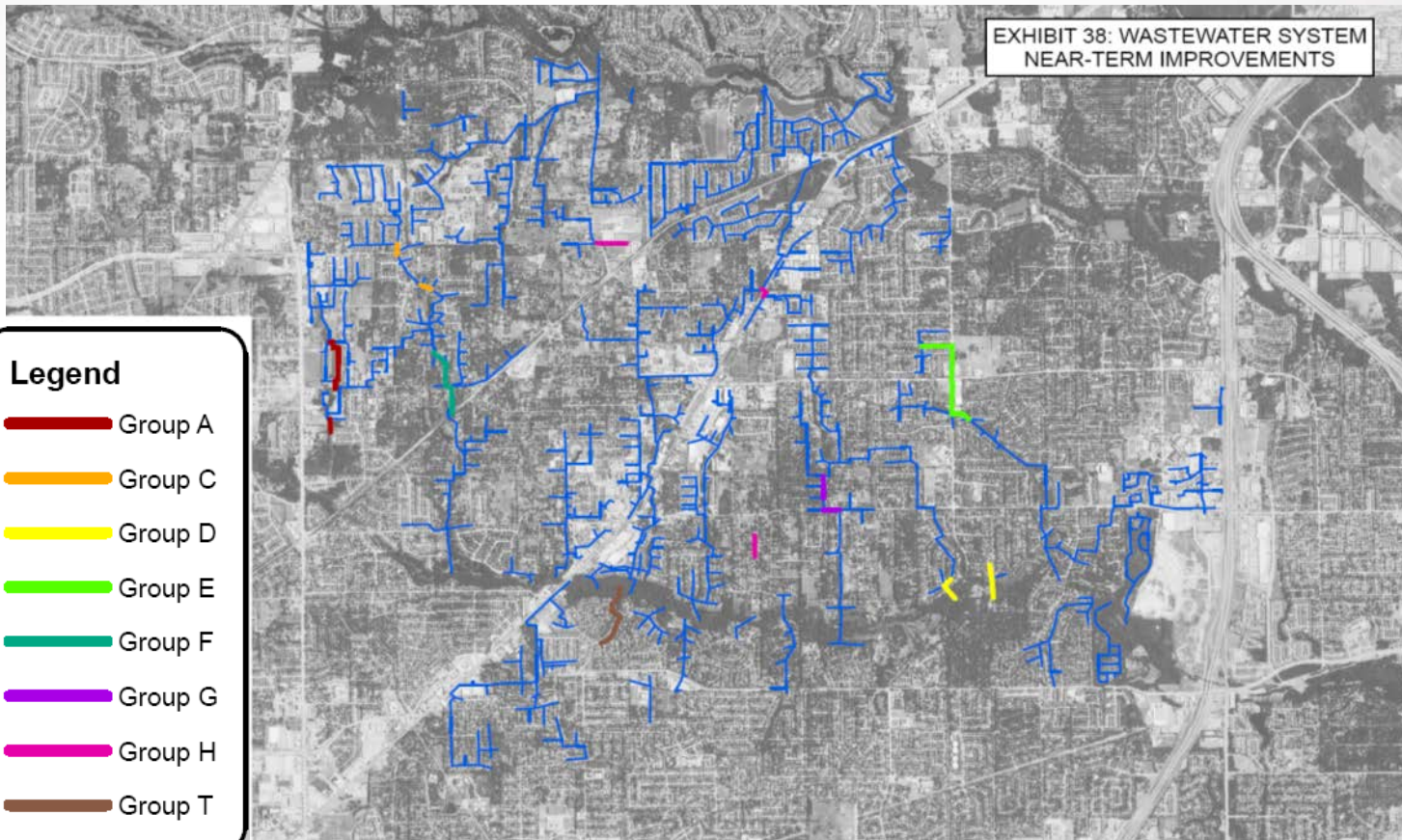
Near-term water improvements



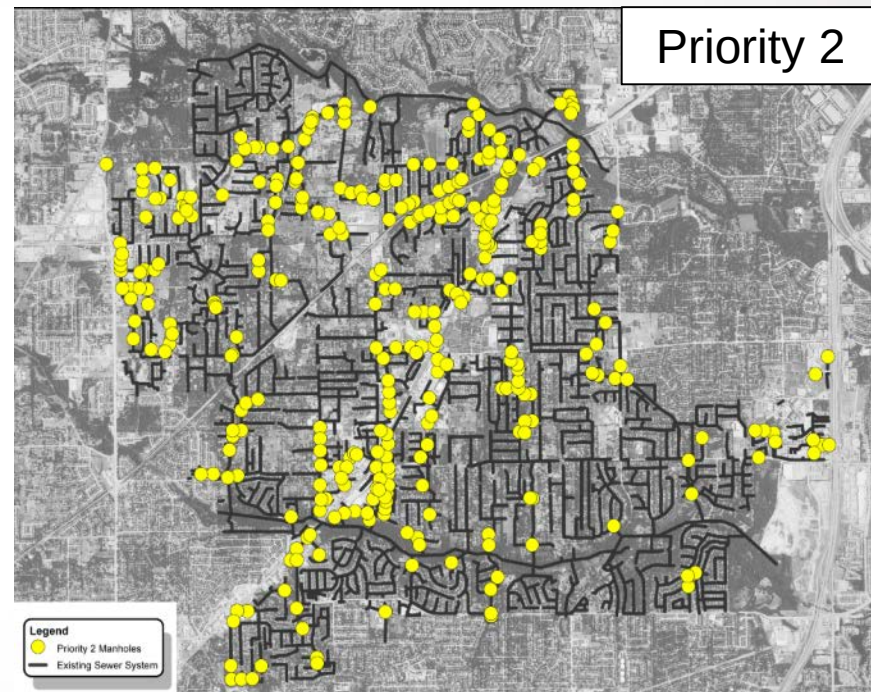
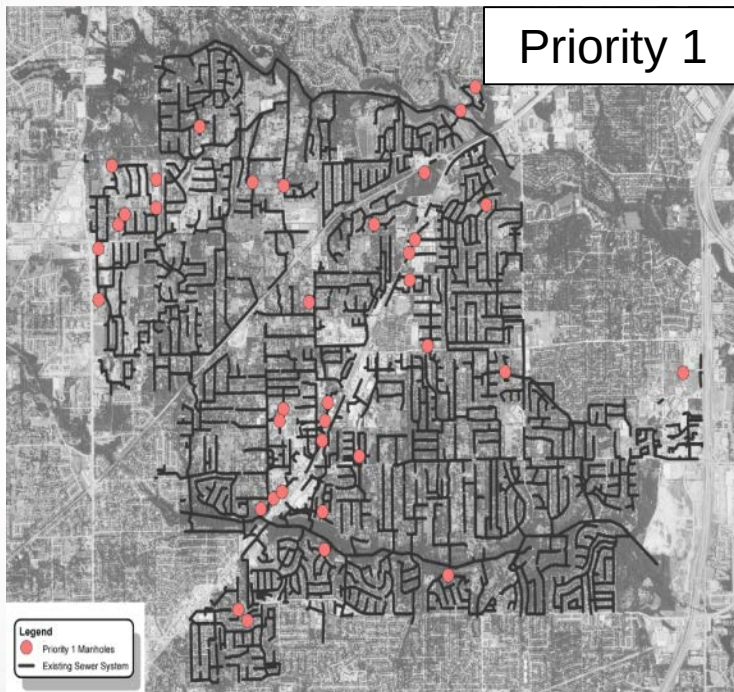
Long-term water improvements



Near-term sewer improvements



Near-term sewer improvements – identified manholes





Sample Sewer Projects

Wastewater project example – capacity

SEWER GROUP C



North of L.D. Lockett Road



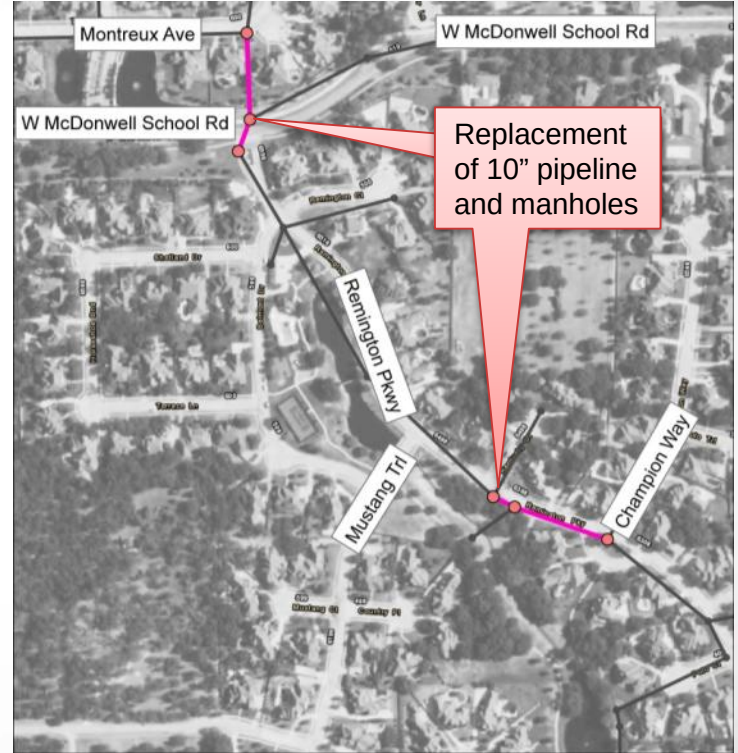
Upsizing of existing pipe



Addresses capacity during
wet weather flows



Trenchless technology
likely preferred



Wastewater project example – condition

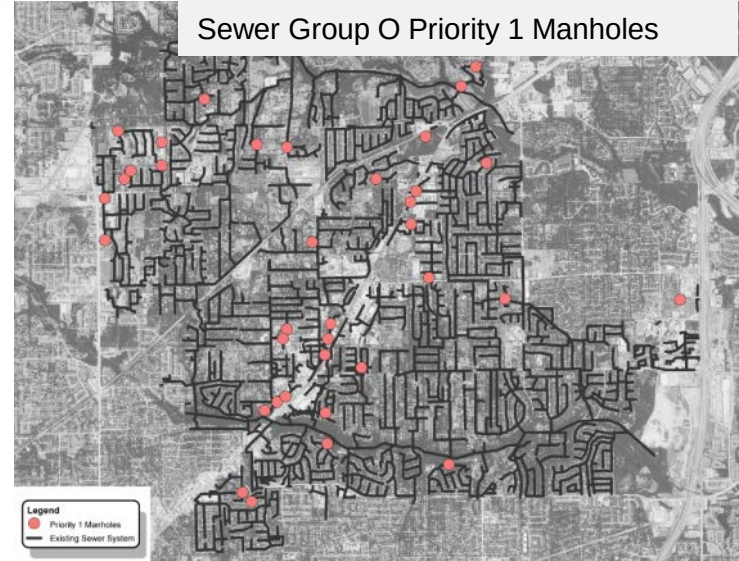
SEWER GROUP O



Repair of
assessed manholes



Upsizing of existing pipe



Wastewater project example – city identified

SEWER GROUP H



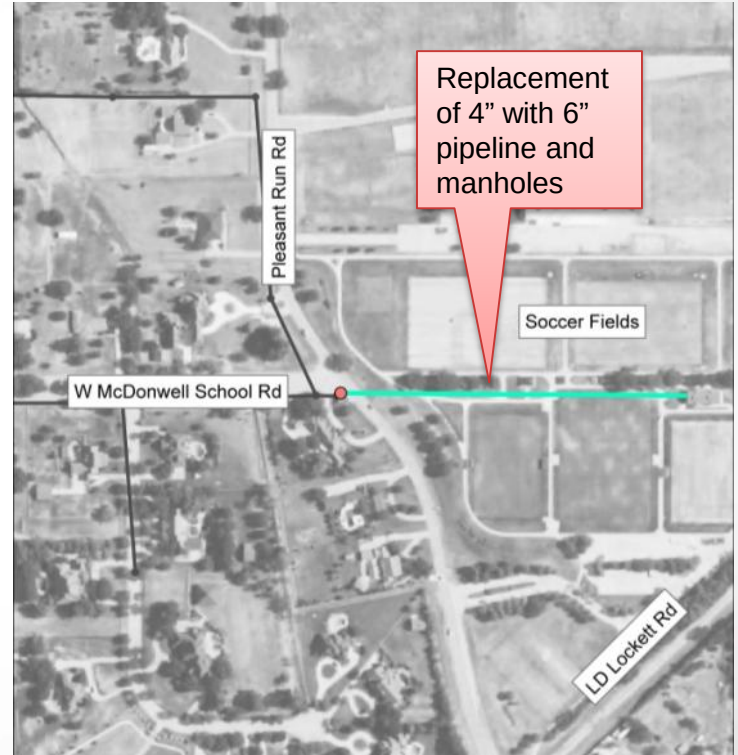
Near City soccer field



Replacement of existing
pipe with new slopes



Replaces bottlenecks



Wastewater project example – operational and city identified

SEWER GROUP T



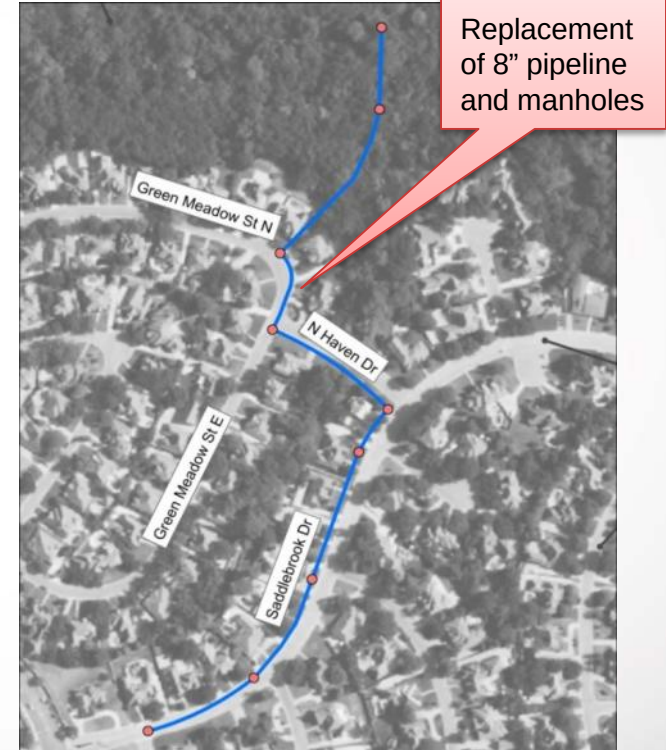
Near Little Bear Creek



Replacement of pipe
with slope issues



Addresses maintenance
concerns





Sample Water Projects

Water project examples – regulatory and capacity

WATER GROUP A



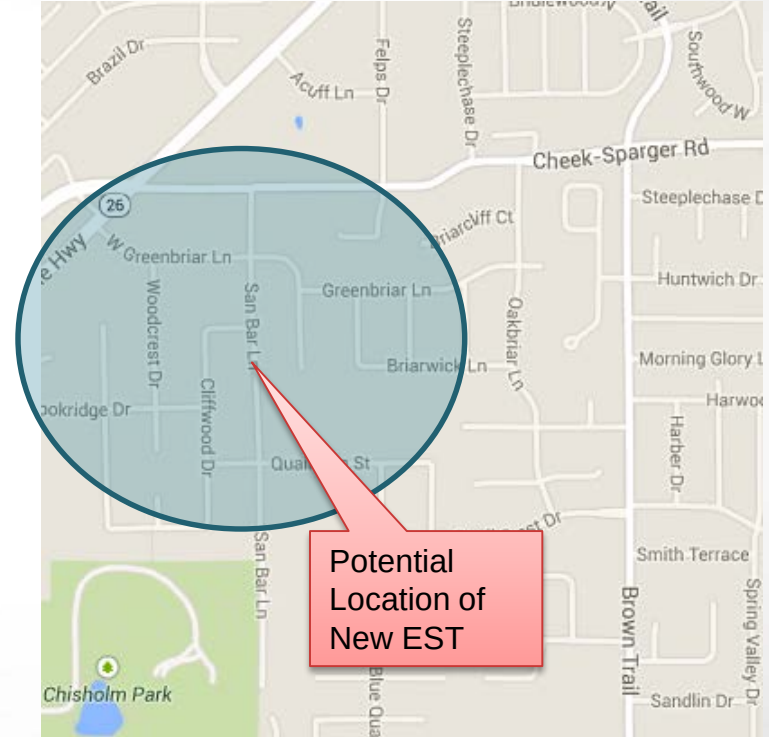
South portion of town



Address storage for
max day demands

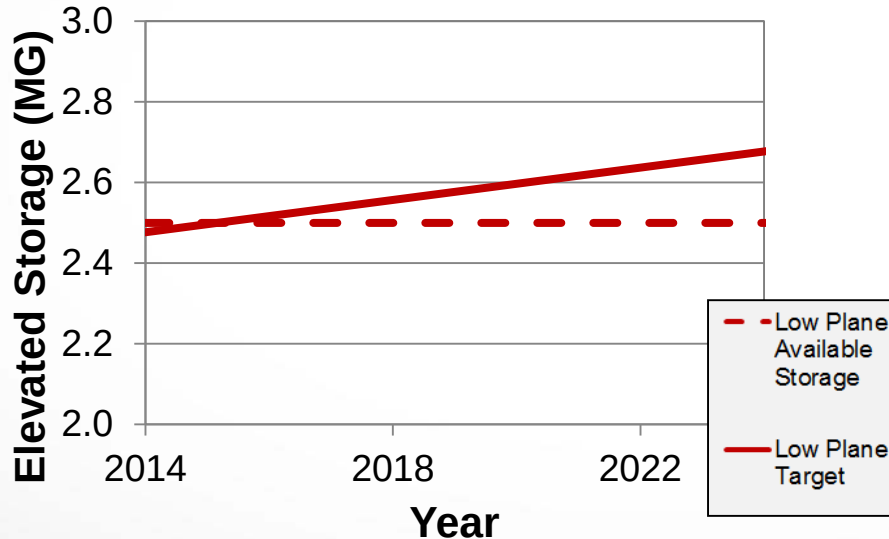


EST and
replacement of pipe



The tank is necessary to meet two requirements

- Storage



- Pressures

- Current minimum pressure during maximum day falling below 35 PSI requirement



Our evaluation included three additional alternatives



Large Diameter Conveyance Pipelines

- Negatively impacts pressures and flows throughout low plane



In-line booster station

- Causes regionalized low pressures



Ground storage and booster station

- Additional mechanical infrastructure



None of these alternatives provided the required elevated storage

Water project example - fire flow and city identified

WATER GROUP E



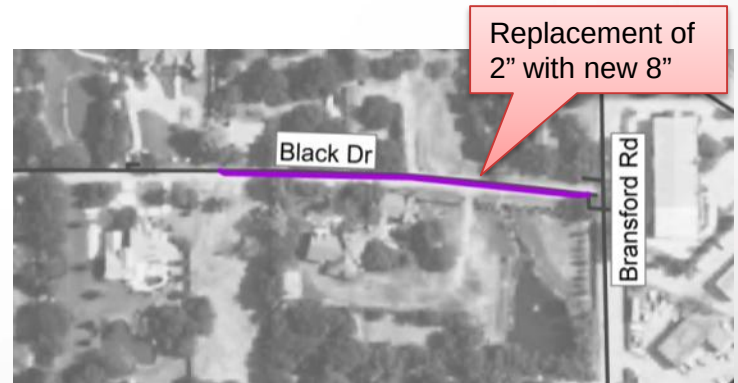
Between Glade Road and
Colleyville Blvd



Installation of
connecting pipelines



Improves fire flow, looping



Water project example - condition and operational

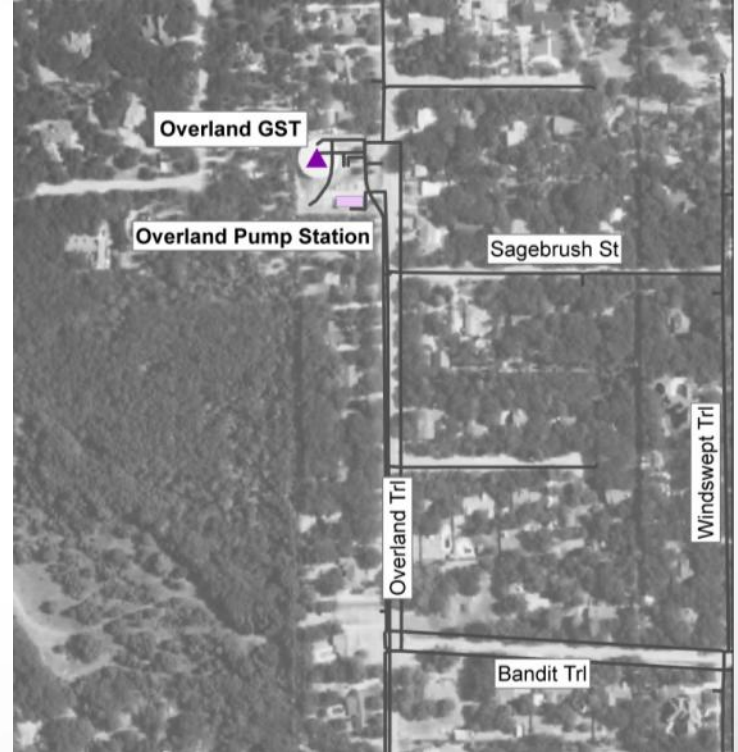
WATER GROUP U



Decommissioning of
Overland Trail

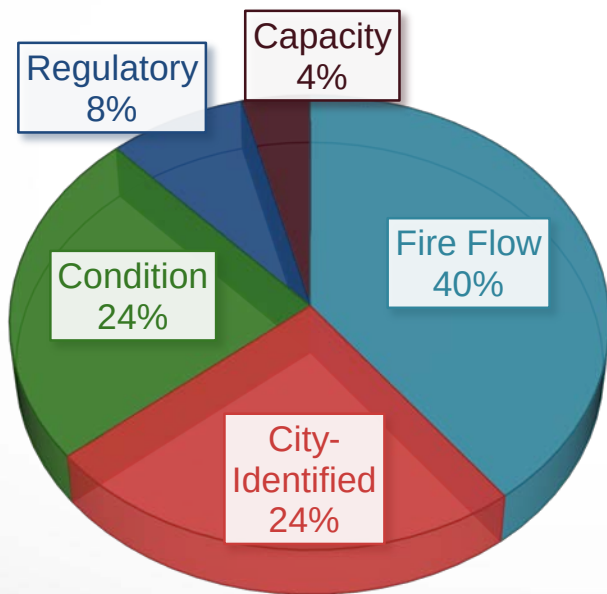


Addresses conditional
concern and reduces
maintenance

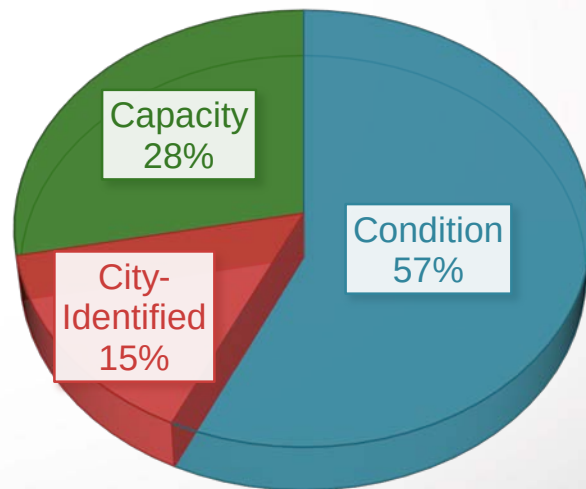


Capital Improvements Program based on triggers

DISTRIBUTION OF WATER BY PRIMARY TRIGGER



DISTRIBUTION OF WASTEWATER PROJECTS BY PRIMARY TRIGGER



Previous studies identified capital projects

Previously Identified Capital Projects (in 2015 dollars):		
	Water	Wastewater
2002 Water Improvements Study	\$18,362,000	\$-
2012 Impact Fee (Without TRA projects)	\$1,915,000	\$664,000
Total	\$20,277,000	\$664,000
<i>Completed Projects</i>	<i>\$9,017,000</i>	<i>\$-</i>
Identified Projects Not Constructed	\$11,260,000	\$664,000



Capital Improvement Plan

Master Plan CIP (in 2015 dollars):

	Water CIP	Wastewater CIP
City's Current 5 Year CIP	\$4,408,000	\$1,556,000
Master Plan Identified	\$35,455,000	\$13,488,000
Total	\$39,863,000	\$15,044,000

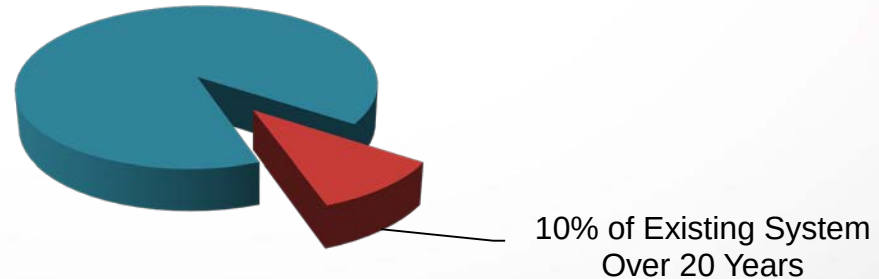
Short Term Needs	\$33,108,000	\$4,624,000
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How do these numbers relate to the overall system?

	Water	Wastewater	Total
Existing System (estimated replacement value)	\$302M	\$237M	\$539M
Master Plan CIP	\$40M	\$15M	\$55M

■ Existing System ■ Master Plan CIP





RATE STUDY

Rate study objectives



Evaluate current rate structure

- Are fixed/variable revenues in-line with fixed/variable expenses?



Evaluate rate structures of surrounding cities with same wholesale rates

- Do volumetric rates apply to all consumption?
- How are larger meters billed?
- Are commercial rates differentiated from residential rates?



Provide a rate structure that will allow the City to cover fixed expenses by incorporating

- Volumetric rate for first two thousand gallons
- Meter size based minimum charges
- Different minimum charge for non-residential services



Evaluation of fixed and variable components

	Water			Wastewater		
	Fixed	Variable	Total	Fixed	Variable	Total
Personnel	\$1,522,882		\$1,522,882	\$251,189		\$251,189
Operating	\$1,660,087	\$6,949,456	\$8,609,543	\$115,778	\$2,635,049	\$2,750,826
Capital Outlays	\$200,000		\$200,000	\$50,000		\$50,000
Debt Service	\$490,100		\$490,100	\$0		\$0
Total Expenses	\$3,873,069	\$6,949,456	\$10,822,525	\$416,966	\$2,635,049	\$3,052,015
Total, %	36%	64%	100%	14%	86%	100%
Average Residential Bill	15%	85%	100%	16%	84%	100%



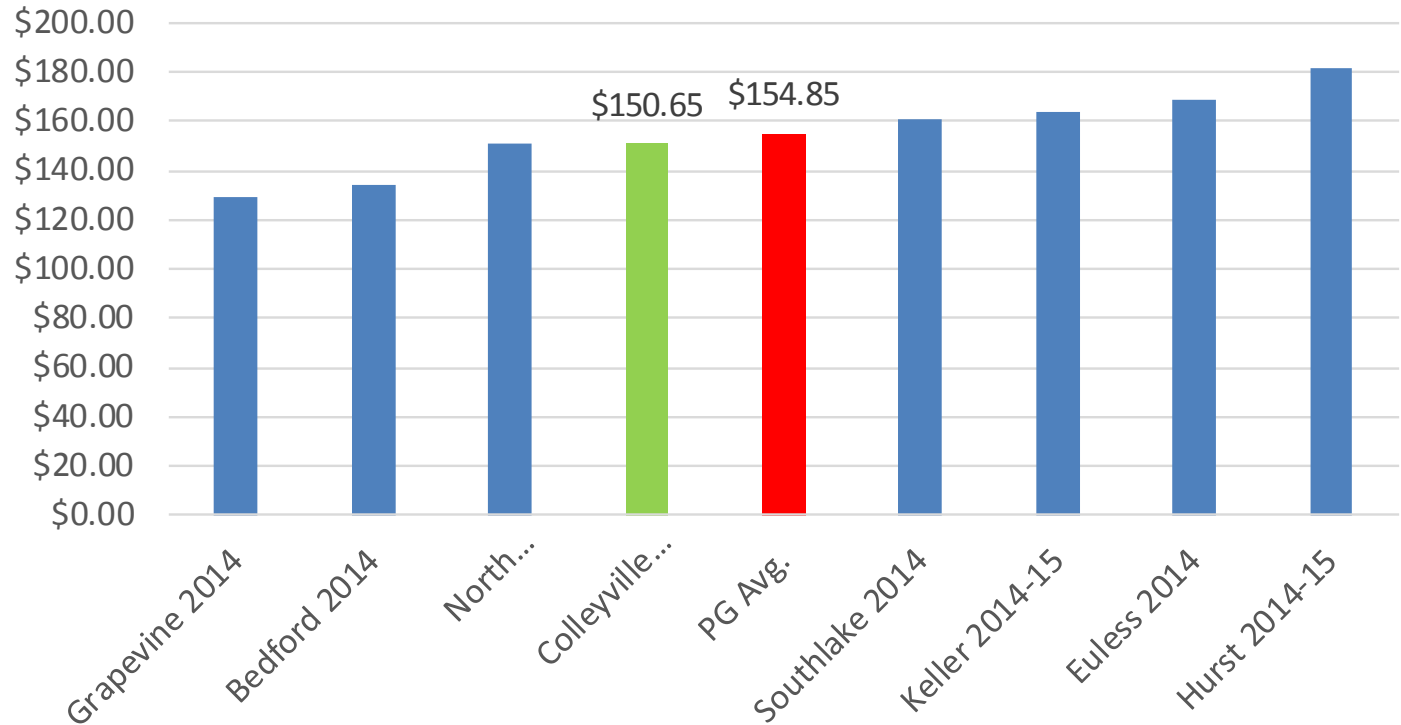
Benchmarking the current rate structure

City	Volumetric rates charged for all metered consumption?	Do larger meters pay a higher min. charge?	Residential and non-residential rates differentiated?
Colleyville 2014-15	No	No	No
Grapevine 2014	No	Yes	Yes
Eules 2014	Yes	Yes	Yes
Bedford 2014	Yes	Yes	No
NRH 2014	Yes	Yes	No
Southlake 2014	No	Yes	Yes
Keller 2014-15	Yes	Yes	Yes
Hurst 2014-15	Yes	Yes	Yes
= TRA Water Customers			



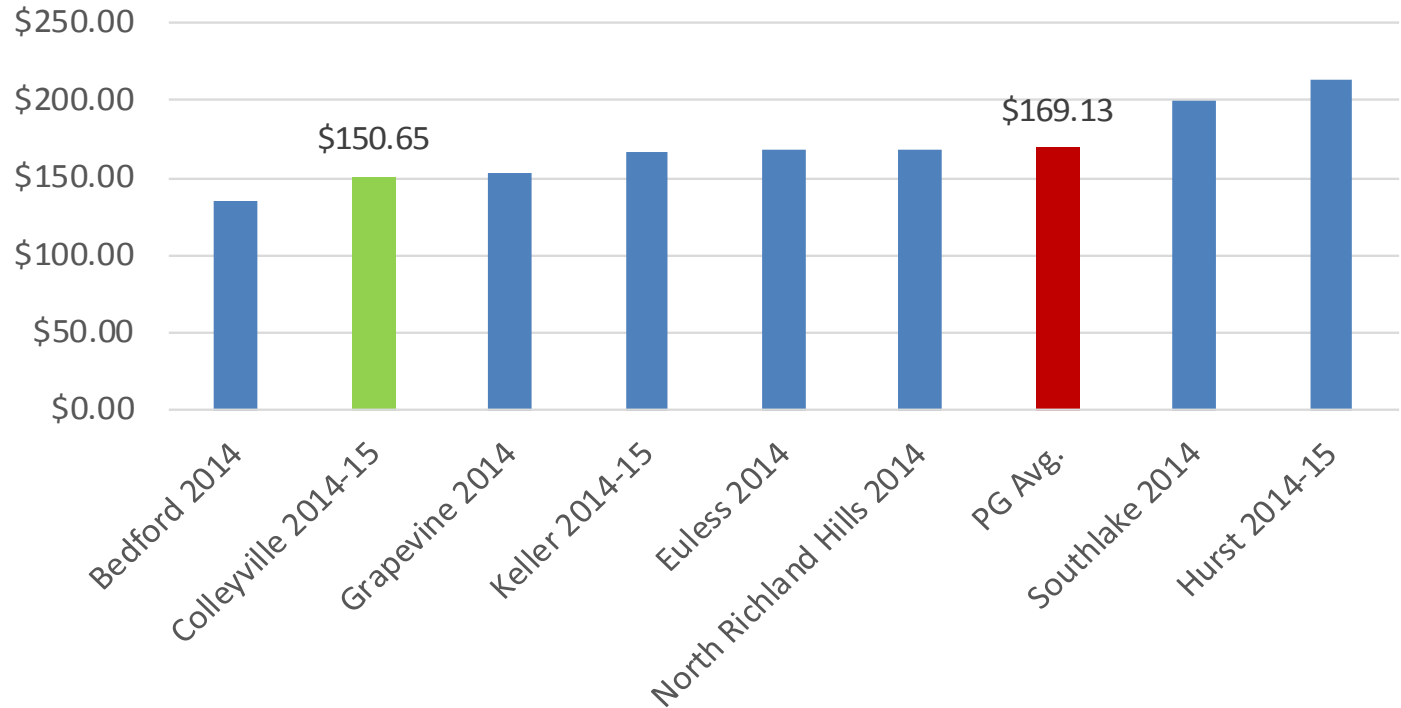
Benchmarking the current rates

Current Res. W & WW Bill @ 20k Gallons



Benchmarking the current rates

Current Non Res. W & WW Bill @ 20k Gallons



Summary of findings



Fixed to variable
water rate structure
ratio does not reflect
expense ratios



Rate structure is
independent of
meter size



Residential and non-
residential services
are provided at the
same rate structure



Summary of findings



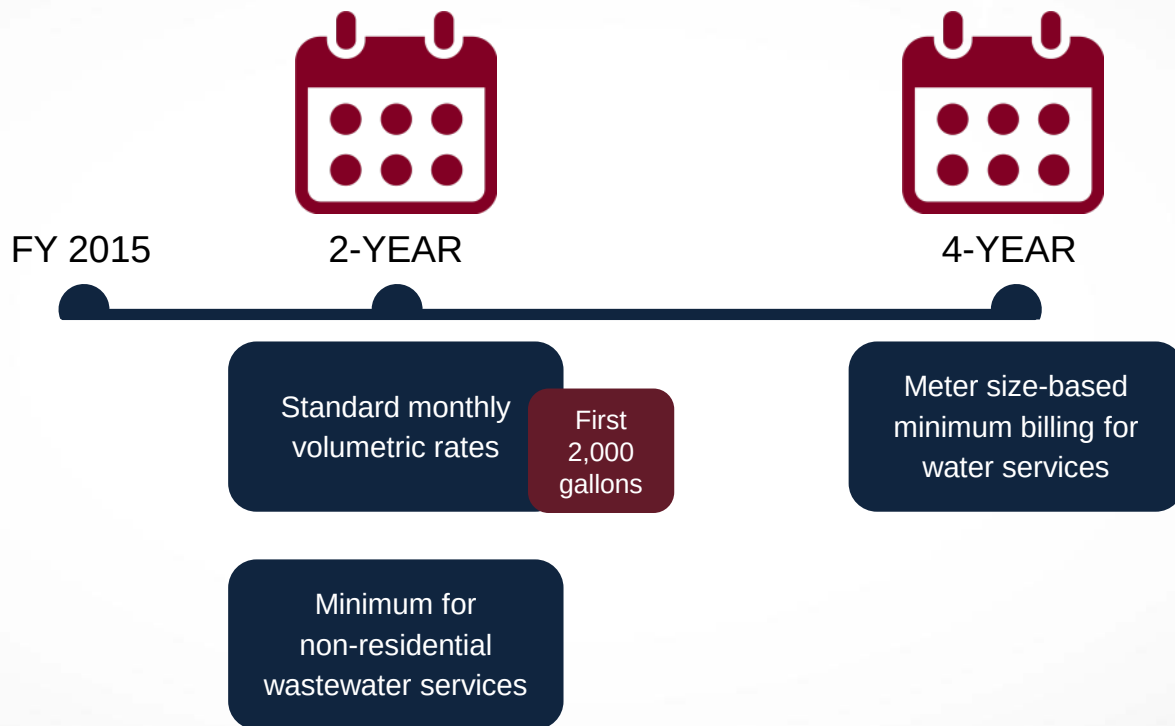
Fixed to variable
water rate structure
ratio does not reflect
expense ratios



Residential and non-
residential services
are provided at the
same rate structure

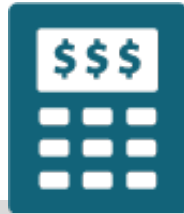


Proposed rate structure change



Impact of 2-year transition

VOLUMETRIC CHARGE FOR FIRST 2,000 GALLONS



Average monthly
bill change
\$7.27/year (4.6%)



Reflective of
variable treated
water expense

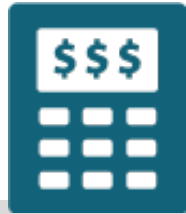


Rate structures
consistent with
3 of 4 peer group
water customers



Impact of 2-year transition

DIFFERENTIATED MINIMUM RATE FOR NON-RESIDENTIAL WASTEWATER SERVICE



Average monthly bill
change \$3.00/year (0.1%)
for non-residential



Rate structures consistent
with 5 of 7 peer group
wastewater customers



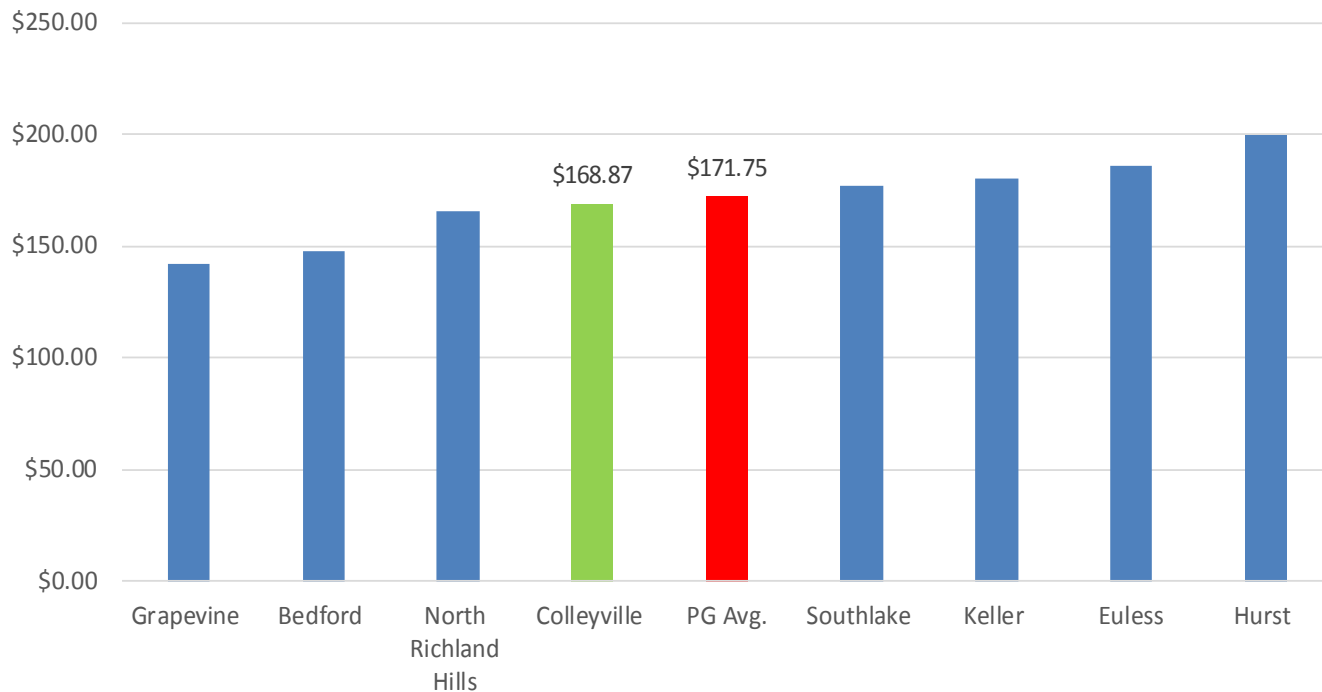
Impact of 4 year transition to meter size - based minimum charges

Meter Size (in.)	# in City	Average usage (Gal/Mo)	Existing Minimum Bill (/Mo)	Proposed Minimum Bill (/Mo)
<1.5 Res.	4,227	20,000	\$13.28	\$20.40
<1.5 Non- Res.	406	30,000	\$13.28	\$31.63
1.5	128	40,000	\$13.28	\$40.73
2	207	50,000	\$13.28	\$84.24
3	12	250,000	\$13.28	\$150.81
4	2	500,000	\$13.28	\$154.50



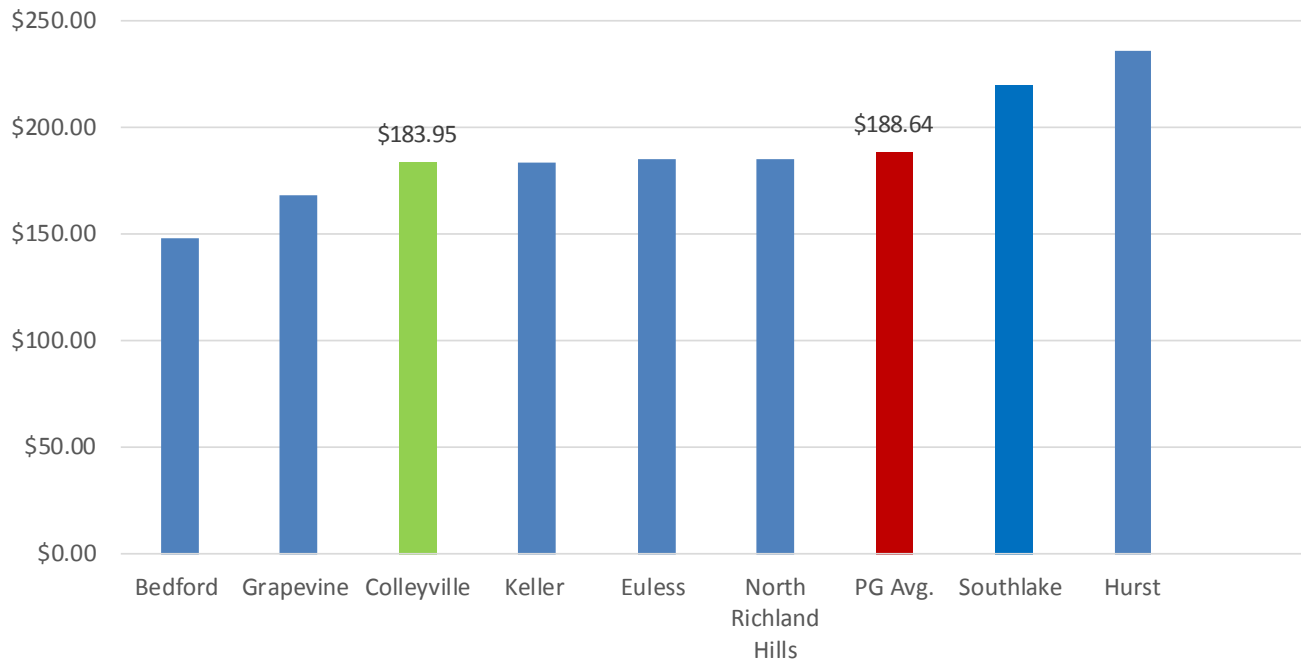
Comparison of member cities – proposed rate structure

**FYE 2017 Residential W & WW Bill @ 20,000 Gallons Comparison -
5% Annual Increase Assumed for Peer Group**



Comparison of member cities – proposed rate structure

FYE 2017 Non Residential W & WW Bill @ 20,000 Gallons Comparison-
5% Annual Increase Assumed for Peer Group



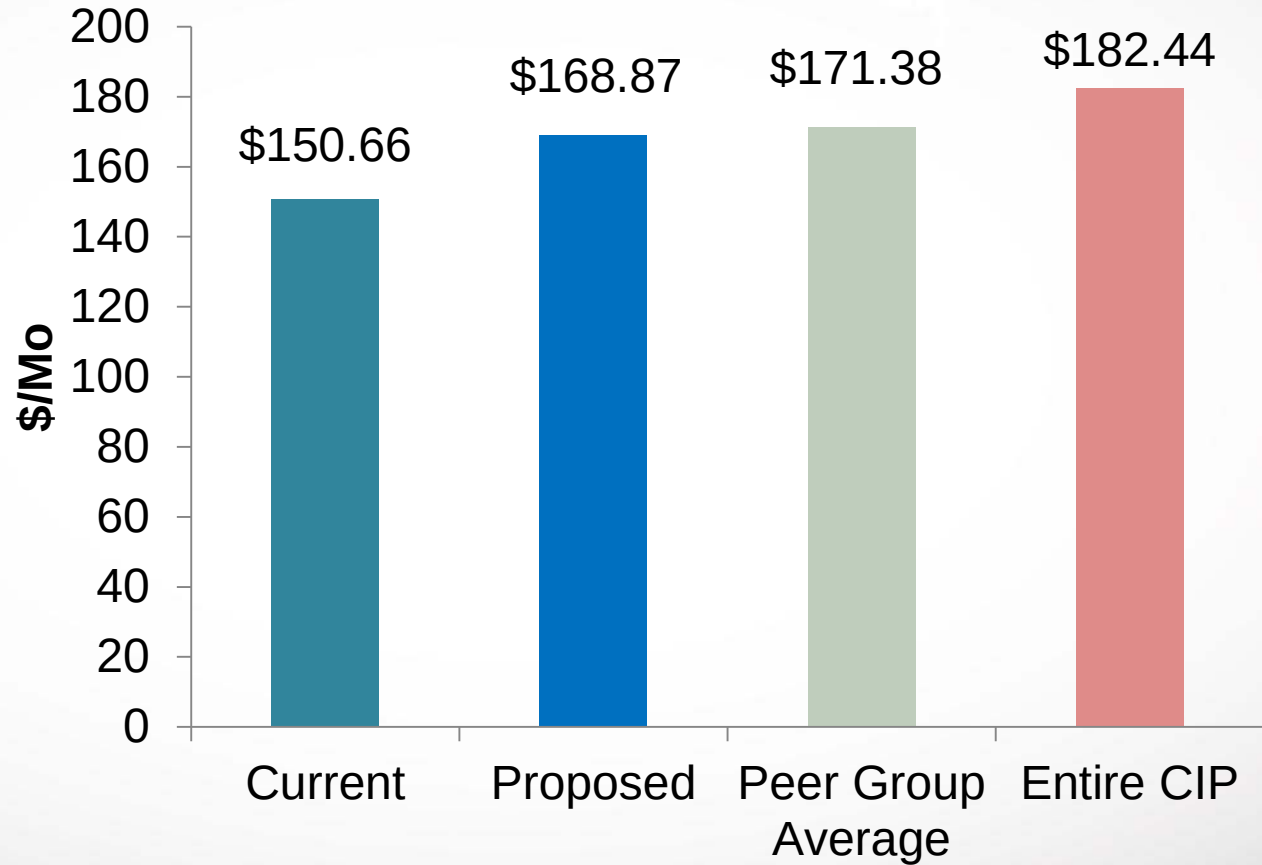
Cash flow projection

(assumes proposed structure is implemented)

	2016	2017	2018	2019
Total Revenues	\$16,722,262	\$17,792,328	\$18,122,224	\$18,389,502
O&M, Net of Dept.	\$13,929,163	\$14,779,132	\$15,688,411	\$16,661,372
CIP Funding	\$2,354,710	\$2,581,316	\$2,245,023	\$1,628,130
Total Expenses	\$16,283,872	\$17,360,448	\$17,993,434	\$18,289,502
Net Rev. Avail. For Debt Svc.	\$438,390	\$431,880	\$188,790	\$100,000
Total All Debt Services	\$365,325	\$359,900	\$157,325	\$0
FY End Balance	\$73,065	\$71,980	\$31,465	\$100,000



Rates to fund the entire CIP – example of residential 20,000 gallon bill





QUESTIONS?

Infrastructure Update Water and Sewer Systems

Pre Council Meeting
January 21, 2014

Overview

- Background
- Accomplishments
- Current Status of Assets
- Challenges
- Needs
- Water and Sewer Master Plan
- Questions and Discussion

Background

- December 8, 2011 – City Council Worksession on Infrastructure Management
- May 31, 2012 – City Council Worksession on Pavement Management
- November 5, 2012 – Pre Council presentation and discussion on Infrastructure Management and Rehabilitation Policies and Practices
- January 29, 2013 – City Council Worksession on Creating a Comprehensive Capital Improvement Plan
- April 16, 2013 – Pre Council presentation on Utility Infrastructure Update
- June 26, 2013 – City Council Worksession on Facility Needs

Accomplishments

- Acquired and implemented Pavement Management Software (Street Saver) and Asset Management Software (VueWorks)
- Developed and adopted a five year comprehensive Capital Improvement Program (CIP)
- Increased funding for street maintenance and rehabilitation
- Successfully executed more than \$3M in maintenance and rehabilitation projects in FY 2013
- Initiated drainage fee methodology study
- Hired a GIS technician to update and maintain infrastructure layers
- Fully staffed the engineering division to better manage and inspect design and construction projects

Current Status of Asset Classes

- Streets -
 - Pavement Management System in place
 - 2nd condition assessment completed in December 2013
 - Awaiting input from vendor to update data base and street condition ratings
- Signs -
 - Sign inventory complete
 - Replacement plan complete and being implemented
- Traffic Signals, Opticom Devices, and School Flashers -
 - Annual maintenance and service contract in place
 - Two hour response time required for traffic signal malfunctions
- Drainage System -
 - New GIS Technician working on updating and completing GIS layer for storm sewers and corresponding attribute files
 - \$24M(+) in drainage projects identified, but lacking funding
 - Master Plan completed in 1998 needs updating

Current Status of Asset Classes

- **Water Utility -**
 - Design initiated to upsize water lines in selected neighborhoods
 - The 1998 Water Master Plan was last updated in 2002
- **Sewer Utility -**
 - Design initiated to replace clay tile sewer mains and services where they still exist
 - No Master Plan exists for sewer system
- **Fleet -**
 - Long term Equipment Replacement Plan developed for fleet projecting needs out for 15 years
 - Fleet Need Study completed resulting in right-sizing fleet and eliminating numerous vehicles and equipment from inventory
- **Information Technology -**
 - Five year technology plan adopted by City Council and currently being implemented
- **Facilities –**
 - Needs assessment completed for City Hall, Library, and Justice Center
 - Need to complete one for the fire stations

Challenges

- Recent ice storm “aged” our unimproved streets significantly

Pleasant Run Road
just south of
Tinker Road



Challenges

- Many of our underground utilities have exceeded their expected useful life



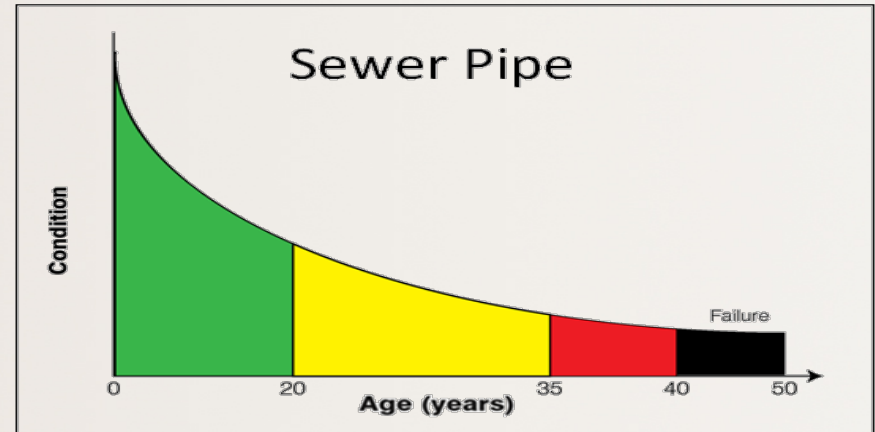
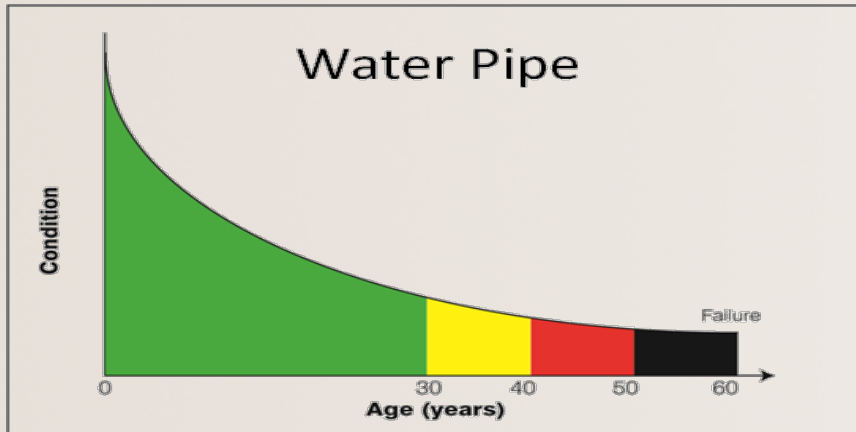
- Current levels of funding are not adequate to keep up with the rate of deterioration/failure

Most Pressing Need

- The highest value of our asset classes is streets, with an estimated replacement cost of more than \$290 million
- Water and sewer lines are a close second with an estimated replacement cost of almost \$280 million
- Because water and sewer lines are underground, they are more difficult to inspect and evaluate
- The absence of a comprehensive water and sewer master plan and condition assessment makes it difficult to effectively program resources for resizing, renewal, and replacement
- We currently operate in a reactive mode, making repairs to water and sewer lines when things break
- Unlike most responsible utility operators, we don't have a Master Plan for our utilities, and the current rate structure is not driven by capital replacement needs

What's the Urgency?

- Approximately 20% of the City's current water and sewer system was in place when Colleyville incorporated in 1956
- Those utilities were acquired from Tarrant Utilities in 1974 at a cost of \$1.75M
- Fewer than 40% of them have been replaced



What's the Urgency?

- The recently adopted 2014-2018 CIP includes approximately \$1M annually for water and sewer infrastructure renewal
- The existing system was constructed to keep up with new development and has never been completely modelled to ensure expansion capacity for distribution was built in as new subdivisions came on line
- A comprehensive update to the water and sewer master plans ensures that we will be making good decisions about where and how to spend our scarce resources and will validate (or not) our current CIP projects
- Failure to address this issue now could easily overwhelm our ability to maintain the systems



December Water Main Break at the 99 Cent Store

Why Do We Need a Master Plan?

- A Master Plan is a road map for future investment and renewal
- It includes an inventory, a condition assessment, and a model that allows us to:
 - Determine pipe sizes needed to accommodate the demands
 - Assess system condition (more than 250 miles of pipes)
 - Develop a capital reinvestment plan that will ensure continuity of services
 - Determine whether or not we need to retain the Overland Trail storage tank and pump station
 - Develop a rate structure that will provide for reinvestment costs just like other utility operators do
 - Optimize future system investments in the system

How Do We Get There?

- In July of 2013 staff issued a request for qualifications and interest (RFQI) to the engineering community to update the water master plan and develop a sewer master plan
- Staff has developed a scope of services that are needed to update/develop the Master Plans
 - Data Collection and Field Investigations
 - Complete modelling of water and sewer systems
 - Comprehensive Rate Study
 - Final Master Plan Report, including a list of capital projects and justification for them

Data Collection and Field Investigation

- Review all existing documents and interview staff
- Facility field investigation and operational analysis of all storage and pump station sites by engineers for condition, operational efficiency and compliance with regulations
- Manhole mapping (using GPS/GIS) and inspection for condition
- Condition assessment of sewer lines
- Flow monitoring for capacity determination
- Identify inflow and infiltration (I&I) issues

Water and Sewer Model

- Update existing water model with current data
- Develop sewer model using manhole survey and flow monitoring data
- Optimize both models for energy savings and water quality
- Develop new GIS layers with updated model information

Rate Study

- Review historical data comparing budgeted expenses for O&M and CIP projects with water and sewer rates
- Determine the actual fixed costs of operating the system independent of demand (consumption and treatment volumes)
- Determine if existing rates adequately cover ALL expenses, both fixed costs and variable costs, including CIP projects, and confirm they are in-line with rates in the area

Master Plan Report

- Develop layout maps showing water and sewer systems with any deficiencies noted
- Develop a 20 year horizon master plan for both systems
- Review projects included in the current Five Year Capital Improvement Plan
- Develop a Five Year Capital Improvement Plan for water and sewer projects to systematically address critical areas
- Develop cost estimates for recommended projects
- Moderate City Council worksession to discuss plan results and recommended actions

Reasons to Update Master Plan

- Our utility system is aging - we have pipes in the ground that are more than 50 years old which have outlived their useful life
- The City does not currently have a plan for its rehabilitation needs. This plan will prioritize these needs and allow for improved efficiency in the efforts
- It will validate (or not) the need for the projects in our current CIP
- The plan will provide cost estimates and funding recommendations to complete the recommended projects
- The cost of the study will easily be recovered by providing the direction to do what we need to be doing

What Does a Master Plan Cost?

- A Water and Sewer Master Plan is an investment in a **\$280,000,000** system
- The estimated costs for the major components of the plan development are:
 - Field investigations \$ 235,000
 - Modelling \$ 85,000
 - Analysis and report preparation \$ 150,000
 - Rate Study \$ 28,000
 - \$ 498,000

How Will the Water and Sewer Master Plans be Funded?

- Uncommitted funds are available in the water and sewer impact fee accounts to pay for the project
- There are legal restrictions on what impact fees can be used for, and this is one of the allowable uses

Questions & Discussion

RESOLUTION R-14-3723

**A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER
CONSENT ITEMS AT THE REGULAR CITY COUNCIL MEETING OF
FEBRUARY 18, 2014**

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

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

- Sec. 1. THAT the agenda decisions approved by City Council action under Consent Items as follows are hereby adopted:
- a. Approval of the minutes of the regular City Council meeting of February 4, 2014
 - b. Approval of an engineering services agreement with Garver, LLC, to develop a comprehensive master plan for the City's water and wastewater systems, in an amount not to exceed \$497,999, and authorize the city manager to execute the agreement

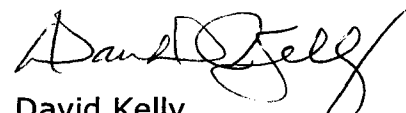
AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF 7 AYES, 0 NAYS, AND 0 ABSTENTIONS
ON THIS THE 18TH DAY OF FEBRUARY 2014.

ATTEST:


Amy Shelley, TRMC
City Secretary

CITY OF COLLEYVILLE


David Kelly
Mayor

Prepared By:



TBPE Registration No. 5713



EXECUTIVE SUMMARY

Water and Wastewater Master Plan

DECEMBER 2014



CITY HALL

INTRODUCTION

The City of Colleyville is a wholesale customer of the Trinity River Authority (TRA) for treated water and wastewater treatment. The City does not own or operate any water or wastewater treatment facilities. Therefore, Colleyville's conveyance and storage infrastructure is critical to providing adequate water and sewer services to its citizens.

The City commissioned this Water and Wastewater Master Plan in order to evaluate the current condition of the existing infrastructure, and to adequately prepare for future growth and facility maintenance through a 20-year planning period. The project team has documented the existing system condition, identified

future growth and usage for the 20-year Master Plan life cycle, and has developed a 20-year, \$55 million capital improvements plan (CIP), which will allow the City to properly maintain the existing infrastructure investments and plan for the future.



THIS EXECUTIVE SUMMARY CONTAINS

Field Evaluations and Findings	.2
Model Development	.4
CIP Development	.5
Rate Study Summary	.5

FIELD EVALUATIONS AND FINDINGS

Garver conducted field evaluations and condition assessments for key infrastructure of both the water and wastewater system.

WATER SYSTEM

The City purchases wholesale treated water from TRA, and has the ability to receive this water from four metered take points. The southern meter is located at Jackson and Cheek-Sparger, the western meter is located at 4892 Bransford Road, the eastern meter is located at 5485

Pool Road, and the northwest meter, which supplies the L.D. Lockett Pump Station, is on Glade Road at Little Bear Creek in Hurst.

CONDITION EVALUATION

Garver conducted a condition evaluation of the pump stations and storage tanks which identified minor needed improvements, such as tank painting, site drainage, and site security which are captured in a separate capital improvements project.

The assessment also determined the Overland Trail Ground Storage Tank was in poor condition and in need of extensive rehabilitation if it were to be placed back into service.



The Overland Trail Ground Storage Tank is in poor physical condition. The Master Plan recommends decommissioning this tank.

WASTEWATER SYSTEM

Twelve major sewer drainage basins exist within the City, and send flow to two TRA interceptors. A northern interceptor follows Big Bear Creek, ranges in size from 12-inch to 15-inch, and accepts four of the twelve major basins. A southern interceptor runs along Little Bear Creek, ranges in size from 36-inch to 42-inch, and accepts the

THE CITY'S WATER SYSTEM CONSISTS OF:



**200 MILES
OF PIPELINES**



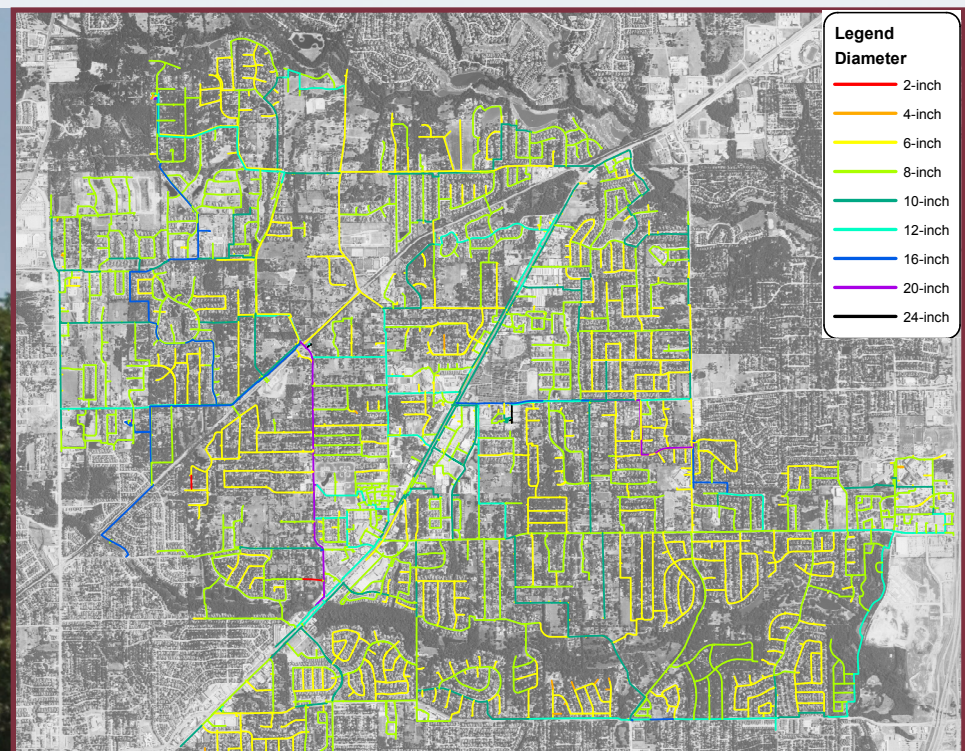
**TWO PRESSURE
PLANES**
High - Low



**TWO PUMP STATIONS
AND GROUND
STORAGE TANKS**
Overland Trail & L.D. Lockett



**THREE ELEVATED
STORAGE TANKS**
Bransford, Hall-Johnson,
and McPherson



CURRENT WATER SYSTEM

remaining eight drainage basins. Several studies were conducted as a part of this Master Plan to evaluate the condition of the existing infrastructure and evaluate current flow rates.

CONDITION EVALUATION

Garver conducted a site investigation of the two major lift stations. The evaluation assessed the condition of items such as mechanical infrastructure, controls, operation, instrumentation, safety, environmental issues, and site drainage. The overall condition of the wastewater lift stations is good, with only minor fencing improvements necessary.

MANHOLE ASSESSMENT

A manhole condition assessment was conducted by the project team on 37 percent of the system

manholes. Each identified manhole was inspected for defects, photographed on interior and exterior, and surveyed by coordinates and address.

The assessment found that a majority of the system's manholes are in good condition and do not require any form of rehabilitation. However, 35 percent of the assessed manholes were determined to require some form of rehabilitation.

The assessed manholes were categorized by priority and placed into capital improvements projects to address the deficiencies.

Remaining manhole conditions were projected based on these findings, and incorporated as future condition-based projects.

FLOW MONITORING

Flow monitoring was conducted to establish current dry and wet weather flows. The study found the overall system inflow and infiltration is low, with approximately 1.2 percent of the annual sewer flow due to rain events. This information was utilized to project future flow rates during storm events, to determine what flow rates the system would see during the 20-year projected planning period.

THE CITY'S WASTEWATER SYSTEM CONSISTS OF:



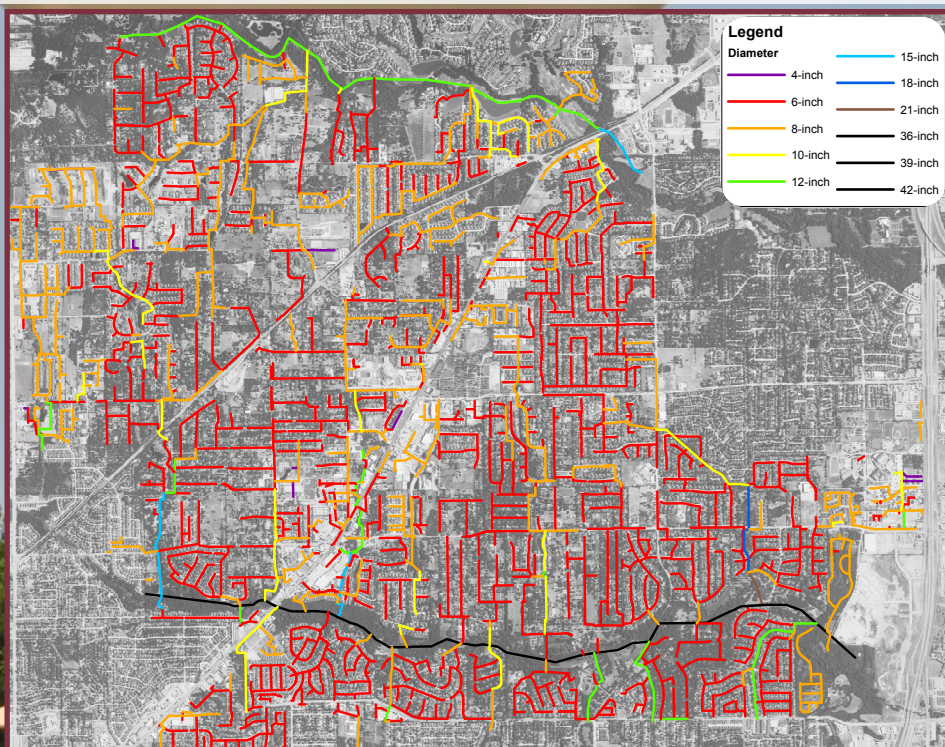
**838,997 LINEAR FEET
OF SANITARY SEWERS**



3,029 MANHOLES



TWO LIFT STATIONS
Overland Trail and Reserve



CURRENT WASTEWATER SYSTEM

MODEL DEVELOPMENT

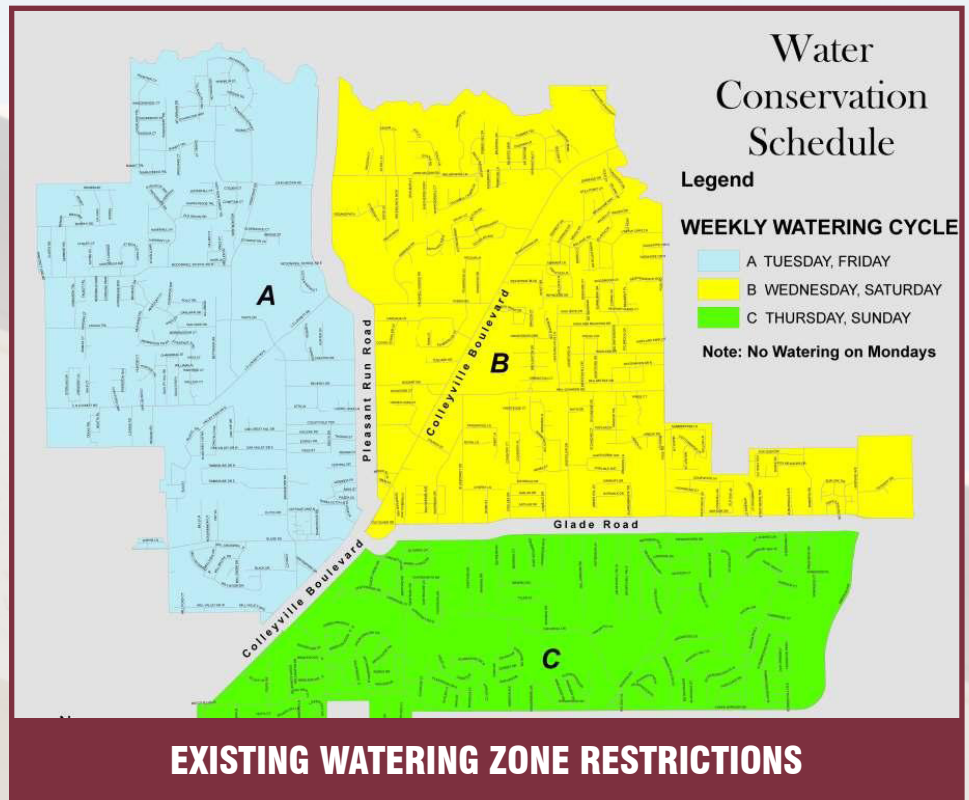
Bently WaterGEMS and SewerGEMS and the City's existing GIS database was used to model current and future flow rates in the water and wastewater systems.

These programs allow the user to input elevations, pipe types, tower sizes, pump sizes, demands, etc. The output allows the engineer to determine what improvements are needed to meet the anticipated flow rates.

As a result of the effort, the City has an accurate, computerized model of their existing infrastructure. This model allows the City to plan for future growth, evaluate existing system operation, and ensure future improvements follow the City's road map for growth and service.

WATERING ZONE RESTRICTIONS

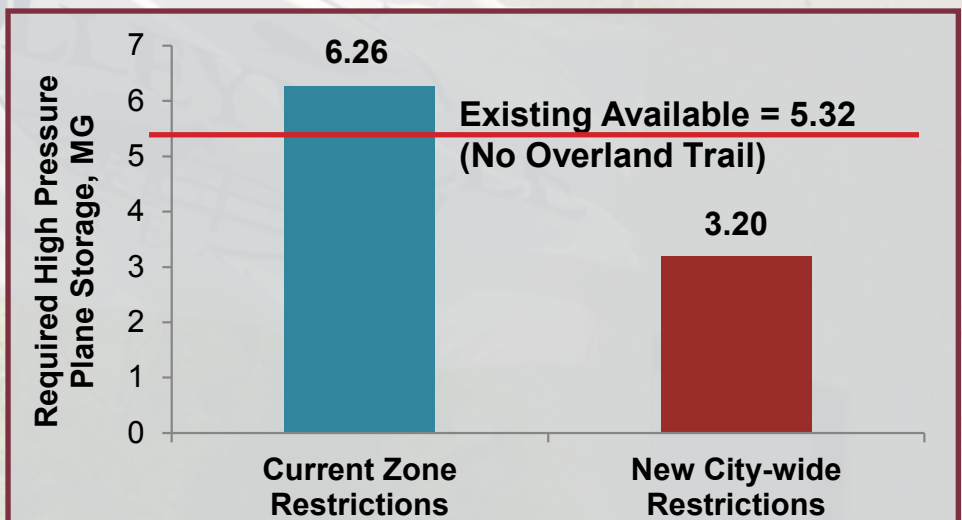
The model determined that the existing watering zone restrictions were causing large regionalized demands. These regionalized demands required the need for major additional infrastructure. This is illustrated in the bar chart to the right, which demonstrates the reduced high plane storage necessary if a new city-wide watering schedule, different from the current geographic-based schedule, is implemented. If existing restrictions remain in place, it is anticipated that a minimum of 1 million gallons of additional storage



would be needed for the high plane alone, through a new storage tank or renovation of the existing Overland Trail Ground Storage Tank.

This Master Plan recommends changing the zoned watering restrictions to an even-odd watering

day restriction. The proposed modifications to the watering zone restrictions in the Master Plan will save the City approximately \$5 million in additional infrastructure.



CIP DEVELOPMENT

Capital improvement triggers, for both water and wastewater projects, were identified and utilized to classify a deficiency and determine when a project is necessary. Those projects are referenced by the following primary triggers.

TRIGGERS

Regulatory This trigger includes TCEQ regulations, such as minimum pressures and flow rates.

Capacity This trigger is activated if a section of the system is unable to provide the necessary flow rate, or if the water system does not have storage during peak demand.

Fire Flow This trigger is activated if the suggested fire flows are not met in a specific area.

Condition Condition triggers are based upon deteriorating conditions of existing infrastructure that is near or past its useful life.

City-Identified This trigger is activated for areas the City has identified as areas of concern or the need for additional infrastructure, such as upsized piping along Colleyville Boulevard to provide for future growth. Projects previously identified by the City prior to this master plan fall here as well.

Operational Operational triggers are activated when a project will address a known operation and maintenance issue, such as deteriorated pipelines in need of replacement that currently require increased maintenance.

Overall, 27 water projects and 17 wastewater projects were developed to address the challenges discovered. The total 20-year CIP is \$54.9M in 2015 dollar estimates of which \$48,943,000 was identified by this master planning effort.

In order to determine the order of the recommended improvements, the projects were then ranked by the following priority:

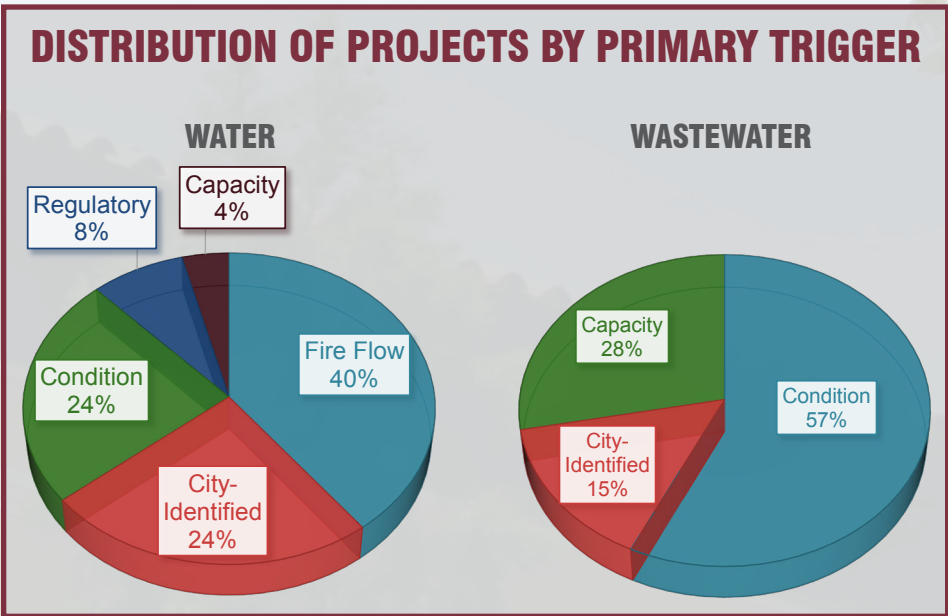
Regulatory and Capacity triggers take first precedence	
Flexibility impact precedence	
Water	Sewer
Fire flow improvements are less flexible	More limited capacity decreases flexibility
Similar triggers are grouped geographically when possible	

RATE STUDY SUMMARY

In conjunction with the Master plan, a rate study was conducted to evaluate if the City's current rate structure accurately recovers expenses of operating and maintaining the system. The following modifications are recommended to the rate structure:

- Implement standard volumetric rates for initial monthly 2,000 gallons of usage
- Differentiate the minimum charge for non-residential services
- Utilize meter size-based minimum billing

These modifications are recommended to allow the City's water and sewer revenues to more fully recover fixed expenses.





**SPOONER &
ASSOCIATES**
REGISTERED PROFESSIONAL LAND SURVEYORS

 **PIPELINE ANALYSIS**^{LLC}

 **CAPEX** Consulting
Group
Project Finance & Economics

 **Pacheco Koch**

3010 Gaylord Parkway
Suite 190
Frisco, Texas 75034
972.377.7480

 **GARVER**



City of Colleyville City Council Agenda Briefing

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

Agenda Number PC-2

Agenda Date 12/16/2014

Type Pre Council

Department Police

Title

Discussion and update on the SH26/Colleyville Boulevard School Safety Zone

Explanation

The purpose of this item is to provide the City Council an update on the requested Texas Department of Transportation (TxDOT) review of the school safety zone located on SH26 at Hall-Johnson Road. The SH26 school safety zone runs both north and south of Hall-Johnson Road on SH26. The posted speed limit is 35 mph during the times that the school safety zone is active. This is normally 7:15 a.m. - 8:25 a.m. and 2:30 p.m. - 3:55 p.m., Monday through Friday during the school year. The school safety zone is marked by flashing lights when active. The school safety zones were last updated in April 2011, by attached Ordinance O-11-1793, when the school safety zone in the 3700-3900 block of Wayne Drive was added.

At the December 17, 2013, Pre Council meeting staff presented an analysis of the school safety zone conducted by TxDOT in 2009. Per the attached August 28, 2009 correspondence from TxDOT, the 2009 analysis determined that even though TxDOT does not typically place school zones at signalized crossings, they felt it was appropriate to retain the school safety zone at that time. In addition, TxDOT recommended additional signage be installed on Hall-Johnson Road, advising approaching drivers that they will be entering a school safety zone, once they enter onto SH26. The advance warning signs were installed on Hall-Johnson Road on both the east and westbound directions after receiving the TxDOT recommendations. Staff also presented information compiled by the Police Department. This included a sampling of crosswalk usage by students, number of accidents within the school safety zone, and affected campus populations. The sampling of usage found that four to eight students utilized the crosswalks during the active school zone period. The review of accident data over the preceding three years found that the Police Department had worked two accidents during an active school zone period and the total student and staff population of all campuses serviced by the school safety zone was approximately 1,200.

After being provided the 2009 TxDOT recommendation and information compiled by the Police Department, at the December 17, 2013 Pre Council meeting, City Council discussed several possible options moving forward. The options included, lowering the speed limit of the school safety zone from 35 mph to 30 mph and/or shortening the length of it considerably. However, considering that the 2009 TxDOT review was several years old, the City Council directed staff to request TxDOT to conduct an

updated review. Staff contacted TxDOT in February 2014, and asked that they conduct another review to determine if the school safety zone was still needed in its current configuration, could be eliminated, or needed modification. Per the attached TxDOT correspondence dated April 1, 2014, TxDOT agreed to conduct another analysis and their findings determined that all students crossed SH26 at the signalized Hall-Johnson Road intersection by pushing the pedestrian button, waiting for the walk signal, and then proceeding to cross the intersection. Considering that the observed crosswalk users followed safe pedestrian practices at the signalized intersection, TxDOT recommends the school safety zone be eliminated.

Staff informed the Grapevine-Colleyville Independent School District (GCISD) of the on-going evaluation of the school safety zone, and sought their input. GCISD officials recognize that the signalized intersection and crosswalk provides a safe crossing. If the TxDOT recommendation is followed, staff recommends it occurs in conjunction with the anticipated SH26 road construction. If road construction does not occur, staff recommends the school safety zone be eliminated, during the summer of 2015, to limit driver confusion. Since school safety zones are established and amended by City ordinance, if it is decided to eliminate the SH26 school safety zone, staff will prepare an ordinance for City Council consideration at a future date.

Attachments

1. Ordinance O-11-1793
2. TxDOT correspondence dated August 28, 2009
3. TxDOT correspondence dated April 1, 2014

ORDINANCE O-11-1793

AN ORDINANCE REPLACING ORDINANCE O-09-1722, CHAPTER 94, TRAFFIC AND VEHICLES, MAXIMUM PRIMA FACIE SPEED LIMIT AND SCHOOL SAFETY ZONES

WHEREAS, the City Council of the City of Colleyville, Texas deems it necessary for the health, safety and protection of school children and the public in general to establish the maximum prima facie speed limit and the modified school safety zones within the City; and

WHEREAS, the City has conducted an engineering and traffic investigation and study to determine the proper prima facie speed limits for vehicles in compliance with state law; and

WHEREAS, all statutory and legal prerequisites for the passage of this ordinance have been met.

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

Sec. 1. THAT all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

Sec. 2. THAT City Code, Chapter 94, Traffic and Vehicles, Section 94-48, Speed Limits – Generally, be amended as follows

- (a) *When posted and un-posted.* It shall be unlawful for any person to run, drive, direct or permit the running or driving of any motor-driven vehicle in, upon, along or across any public highway, street, alley or thoroughfare in the business, commercial, or residential districts within the corporate limits of the City at a greater rate of speed than 30 miles per hour unless otherwise posted. It shall be unlawful for any person to run, drive or permit the running or driving of any vehicles on roads, streets and highways designated as school safety zone at a speed greater than specified in section 94-49 on designated streets.
- (b) *Emergency vehicles.* The provisions of subsection (a) of this section shall not apply to emergency vehicles when responding to emergency calls.
- (c) *When police officer directs.* Nothing in this section shall be construed as prohibiting the driver of a motor vehicle from obeying the instructions of any police officer directing traffic, or any sign, signal, or device directing the movement of traffic.

Sec. 3. THAT City Code, Chapter 94, Traffic and Vehicles, Section 94-49. Same on Specific Streets, be amended as follows:

Upon the basis of an engineering and traffic investigation, the following prima facie speed limits for vehicles are hereby determined and declared for vehicles traveling upon the named streets and highways, or parts thereof. The location of such school zones hereby established in Exhibit "A".

Sec. 4. THAT this Ordinance shall become effective from and after its passage as provided by law.

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

Sec. 6. THAT the effective date of this ordinance shall be immediate upon its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 5th day of April 2011.

The second reading and public hearing being conducted on the 19th day of April 2011.

ATTEST:


Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE


David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C.G. Boyle
City Attorney

Exhibit "A"

School Safety Zones will be marked by signs erected on specific roads, streets and highways, during the school season and between the hours designated on such signs, or when indicated by flashing lights and a sign stating when flashing.

Street by Block Number	Portion of Street	Maximum Speed in Miles Per Hour
Glade Road 400 - 700	307 feet west of the western property line and 161 feet east of the eastern property line of the school located at 601 Glade Road	20
Bransford Road 4700 - 4900	326 feet north of the intersection of Glade Road and 221 feet south of the intersection of Center Park	20
Center Park 500	104 feet southeast of the property line of the school located at 601 Glade Road	20
Cheek-Sparger Road 600 - 900	850 feet west of Mockingbird Lane and 200 feet east of Wayne Drive	20
Bogart Drive 900 - 1200	Entire length of Bogart Drive from Pleasant Run Road to Hall-Johnson Road and from Hall-Johnson Road to the cul-de-sac	20
Colleyville Boulevard (SH26) 4800 - 6000	656 feet south of the southern property line and 345 feet north of the northern property line of the school located at 5800 Colleyville Boulevard (SH26)	35
Hall-Johnson Road 1200	Hall-Johnson Road from Colleyville Boulevard (SH26) to Bogart Drive	20
Heritage Avenue 5300 - 5400	At the southern property line of the school located at 5401 Heritage Avenue north to the city limit	20
Pool Road 5200 - 5400	318 feet north of the northern property line and 240 feet south of the southern property line of the school located at 5300 Pool Road	20
Glenhope Circle North 6600	Entire length of Glenhope Circle North from Pool Road to Glenhope Circle	20
Glenhope Circle South 6500	Entire length of Glenhope Circle South from Pool Road to Glenhope Circle	20
Glenhope Circle 6600	Parallel to the property of the school located at 6600 Glenhope Circle From Glenhope Circle north to Glenhope Circle South	20
McDonwell School Road West 1000 -1100	180 feet west of the western property line and 260 feet east of the eastern property line of the school located at 1101 McDonwell School Road West	20
Pleasant Run Road 5600 - 6100	472 feet south of the southern property line and 291 feet north of the northern property line of the school located at 5911 Pleasant Run Road	20
Wayne Drive 3700 - 3900	Entire length of Wayne Court contained within the City limits of Colleyville, Texas	20



Texas Department of Transportation

P.O. BOX 6868 • FORT WORTH, TEXAS 76115-0868 • (817) 370-6500

August 28, 2009

The Honorable David Kelly
Mayor of Colleyville
100 Main Street
Colleyville, TX 76034

Re: School Zone on SH 26

Dear Mayor Kelly,

Thank you for your recent letter regarding the existing school zone on SH 26 at Hall Johnson Road. We also appreciate the additional information that you have provided regarding the accident history on SH 26 in this area. In the spring of this year, we received several citizen complaints about this school zone, which prompted us to investigate further. The public's perception was that it was no longer needed due to the relocation of Colleyville Elementary School. We initially recommended removal of the school zone. Recently, my staff has visited with Mr. Steve Chutchian, as well as members of the police force. We were able to gather more information regarding the children's crossing patterns and the location of the other schools in this area. While we typically do not provide a school zone where there is a signalized crossing, we understand the city's concerns and at this time agree to leave the school zone in place.

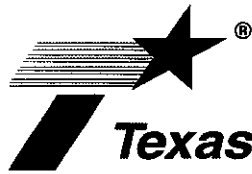
We have received other citizen inquiries about additional signage of the school zone. The main concern is that motorists turning onto SH 26 from Hall-Johnson do not have warning that they have turned into a school zone. We respectfully request that the city investigate installing advanced signing on Hall-Johnson indicating that there is a school zone ahead. My staff would be happy to work with you to recommend the appropriate signage.

We appreciate the city working with us on this issue. If you should have any other questions about this school zone, please contact Ms. Theresa Lopez, P.E., Assistant Director of Transportation Operations, at (817) 370-6614.

Sincerely,

FR Maribel P. Chavez, P.E.
Fort Worth District Engineer

TAL:cas



125 EAST 11TH STREET | AUSTIN, TEXAS 78701-2483 | (512) 463-8700 | WWW.TXDOT.GOV

April 1, 2014

Fort Worth District
Traffic Operations
2501 Southwest Loop 820
Fort Worth, Texas 76133-2300

Michael Holder
Chief of Police
Colleyville Police Department
5201 Riverwalk Drive
Colleyville, Texas 76034-5893

RE: School Zone on SH 26 at Hall-Johnson Road

Dear Chief Holder:

The Texas Department of Transportation (TxDOT) Fort Worth District is in receipt of your letter dated February 10, 2014, in which you requested our office to perform a review of the school zone on SH 26 at Hall-Johnson Road. The purpose of the review was to determine if the school zone was still needed in its current configuration, could be eliminated, or needed modification to its configuration.

On the dates of March 18, 2014, and March 19, 2014, a TxDOT representative made observations of the pedestrian activity that crossed SH 26 during the times of operation of the school zone, both in the morning and the afternoon. The observations made were as follows:

- March 18, 2014
 - Morning: No students were observed crossing SH 26, however two adult joggers crossed SH 26 at the Hall-Johnson Road intersection.
 - Afternoon: Two students (one from Bridges Alternative School and one from the Middle School) and one adult crossed SH 26 at the Hall-Johnson Road intersection.
- March 19, 2014
 - Morning: No pedestrians were observed crossing SH 26.
 - Afternoon: One student from the Middle School and one adult crossed SH 26 at the Hall-Johnson Road intersection. There was also one adult that crossed SH 26 in front of the funeral home.
- Other observations made:
 - The intersection with Hall-Johnson Road is signalized and has pedestrian push buttons, as well as crosswalks.
 - Since our initial observation in May 2009, the crosswalk which was approximately 360 feet north of Hall-Johnson Road has been eliminated.
 - There are no pavement markings on the ground at the location of the school zone flashers.

OUR GOALS

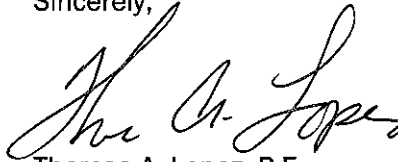
MAINTAIN A SAFE SYSTEM ▪ ADDRESS CONGESTION ▪ CONNECT TEXAS COMMUNITIES ▪ BEST IN CLASS STATE AGENCY

An Equal Opportunity Employer

During the two-day observation, all students that crossed SH 26 did so at the signalized Hall-Johnson Road intersection. The students arrived at the intersection, pushed the pedestrian button, waited for the walk signal and then proceeded to cross SH 26. It is the recommendation of TxDOT that the current school zone be eliminated.

Should you have any further questions regarding this matter, please contact Clark Fulbright at (817) 370-6771.

Sincerely,

A handwritten signature in black ink, appearing to read "Theresa A. Lopez". The signature is fluid and cursive, with the first name "Theresa" being more prominent.

Theresa A. Lopez, P.E.
Director of Transportation Operations
Fort Worth District

TAL:dcfj

cc: Ricardo Gonzales, P.E., North Tarrant County Area Engineer
Smokey Phillips, North Tarrant County Maintenance Supervisor



City of Colleyville City Council Agenda Briefing

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

Agenda Number PC-3
Type Pre Council
Department City Manager

Agenda Date 12/16/2014

Title

Discussion of setting a date for a City Council infrastructure worksession

Explanation

The purpose of this item is to discuss a date for an infrastructure worksession, at a time and date convenient for City Council, either during the month of February or March 2015.

The following dates would not be available due to scheduled meetings or events:

- February 3, 2015 – Regular City Council Meeting
- February 11, 2015 – Comprehensive Plan Advisory Committee (CPAC) - Preliminary plan draft review
- February 17, 2015 – Regular City Council Meeting
- February 24, 2015 – Final public meeting to present the draft comprehensive plan
- March 3, 2015 – Regular City Council Meeting
- March 4, 2015 – Final CPAC worksession to review feedback from the public meeting, consider changes to final draft, and formally endorse the plan
- March 9 – 13, 2015 – Spring Break Week
- March 17, 2015 – Regular City Council Meeting
- March 23, 2015 – Planning and Zoning Commission consideration and recommendation for adoption of the comprehensive plan

The following dates are available with no conflicts:

- February 19, 2015
- February 25, 2015
- March 5, 2015



City of Colleyville City Council Agenda Briefing

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

Agenda Number PC-4

Agenda Date 12/16/2014

Type Pre Council

Department City Manager

Title

Presentation of the Quarterly Investment Report for quarter ending September 30, 2014

Explanation

During the period of July 1, 2014 through September 30, 2014, the City of Colleyville had an average of \$50,996,629 invested on a daily basis, which earned \$27,494, with an average yield of 0.21%. The average yield on investments for this quarter is .01% higher than the prior quarter's average of 0.20%. As of September 30, 2014, the City had \$51,018,034 invested in the LOGIC Investment Pool, CDARS Certificates of Deposit, and various debt instruments in the following percentages:

Logic	46.70%	FFCB Notes	28.42%
FHLB Notes	13.43%	CDARS CD's	8.90%
Treasury Note	2.55%		

These percentages are within the guidelines for portfolio diversification in the City's investment policy. The market value of the City's investments on September 30, 2014 was \$22,648,663 as compared to a purchase price of \$22,679,123 (this excludes LOGIC Investment Pool and CDARS Certificates of Deposit). The Colleyville Economic Development Corporation currently holds a Treasury Note (\$500,000) with a market value of \$500,703 and a purchase price of \$500,395. Additionally, \$998,038 was invested in the Corporation's name in the LOGIC Investment Pool. These funds earned interest of \$477 for the quarter.

This report was presented to the Audit Committee at their November 18, 2014 meeting.

Attachments

1. Quarterly investment report for quarter ending September 30, 2014

QUARTERLY INVESTMENT REPORT

FOR QUARTER ENDING SEPTEMBER 30, 2014

THIS REPORT IS IN COMPLIANCE WITH THE PUBLIC FUNDS INVESTMENT ACT
AND ADOPTED INVESTMENT POLICY STRATEGY

Handwritten signature and initials, possibly "JH" and "12/14", located in the bottom right corner of the page.

OUTSTANDING INVESTMENTS AT SEPTEMBER 30, 2014

	PURCHASE PRICE	PAR VALUE	MARKET VALUE @ 9/30/14	MATURITY DATE	YIELD ON INVESTMENT
FHLB NOTE	\$1,300,000	\$1,300,000	\$1,300,043	10/8/2014	0.230%
FFCB NOTE	\$999,800	\$1,000,000	\$1,000,153	11/14/2014	0.270%
FFCB NOTE	\$1,198,956	\$1,200,000	\$1,200,136	11/24/2014	0.260%
FFCB NOTE	\$1,000,000	\$1,000,000	\$1,000,653	2/25/2015	0.320%
TREASURY NOTE	\$1,303,495	\$1,300,000	\$1,302,792	6/15/2015	0.190%
FHLB NOTE	\$753,559	\$750,000	\$752,061	6/19/2015	0.320%
FFCB NOTE	\$1,000,200	\$1,000,000	\$1,001,334	6/24/2015	0.330%
FFCB NOTE	\$999,850	\$1,000,000	\$1,001,656	7/13/2015	0.308%
FFCB NOTE	\$1,003,705	\$1,000,000	\$1,002,377	9/16/2015	0.335%
FFCB NOTE	\$1,400,000	\$1,400,000	\$1,400,967	11/4/2015	0.350%
FFCB NOTE	\$500,478	\$500,000	\$500,346	11/4/2015	0.300%
FFCB NOTE	\$1,000,000	\$1,000,000	\$998,914	11/13/2015	0.330%
FFCB NOTE	\$1,199,280	\$1,200,000	\$1,198,032	11/27/2015	0.250%
FHLB NOTE	\$1,222,800	\$1,200,000	\$1,215,325	12/11/2015	0.390%
FFCB NOTE	\$1,000,000	\$1,000,000	\$999,057	12/18/2015	0.400%
FHLB NOTE	\$1,400,000	\$1,400,000	\$1,396,625	3/3/2016	0.350%
FFCB NOTE	\$1,000,000	\$1,000,000	\$994,872	3/23/2016	0.440%
FFCB NOTE	\$999,600	\$1,000,000	\$993,939	4/25/2016	0.330%
FHLB NOTE	\$1,198,200	\$1,200,000	\$1,196,207	6/10/2016	0.450%
FFCB NOTE	\$999,500	\$1,000,000	\$995,543	8/4/2016	0.575%
FFCB NOTE	\$1,199,700	\$1,200,000	\$1,197,631	9/23/2016	0.693%
TOTAL OUTSTANDING INVESTMENTS	\$22,679,123	\$22,650,000	\$22,648,663		

CITY OF COLLEYVILLE BALANCES AT SEPTEMBER 30, 2014

INVESTMENT PURCHASES	\$22,650,000
CDAR'S CERTIFICATES OF DEPOSIT	\$4,541,804
LOGIC INVESTMENT POOL	\$23,826,230
TOTAL CITY INVESTMENTS HELD AT SEPTEMBER 30, 2014	\$51,018,034

COLLEYVILLE ECONOMIC DEVELOPMENT CORPORATION (CEDC) BALANCES AT SEPTEMBER 30, 2014

INVESTMENT PURCHASES	\$500,000
LOGIC INVESTMENT POOL	\$998,038
TOTAL CEDC INVESTMENTS HELD AT SEPTEMBER 30, 2014	\$1,498,038

TOTAL INVESTMENTS HELD BY CITY OF COLLEYVILLE AND COLLEYVILLE ECONOMIC DEVELOPMENT CORPORATION AT SEPTEMBER 30, 2014	\$52,516,073
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INTEREST EARNINGS ON CITY OF COLLEYVILLE INVESTMENTS FOR THE PERIOD OF JULY 1 - SEPTEMBER 30, 2014

	PURCHASE PRICE	PAR VALUE	MATURITY DATE	YIELD ON INVESTMENT	INTEREST EARNED
FHLB NOTE	\$1,018,000	\$1,000,000	9/12/2014	0.132%	\$264
FFCB NOTE	\$1,200,000	\$1,200,000	9/25/2014	0.270%	\$763
FHLB NOTE	\$1,300,000	\$1,300,000	10/8/2014	0.230%	\$754
FFCB NOTE	\$999,800	\$1,000,000	11/14/2014	0.270%	\$681
FFCB NOTE	\$1,198,956	\$1,200,000	11/24/2014	0.260%	\$786
FFCB NOTE	\$1,000,000	\$1,000,000	2/25/2015	0.320%	\$807
TREASURY NOTE	\$1,303,495	\$1,300,000	6/15/2015	0.190%	\$623
FHLB NOTE	\$753,559	\$750,000	6/19/2015	0.320%	\$605
FFCB NOTE	\$1,000,200	\$1,000,000	6/24/2015	0.330%	\$832
FFCB NOTE	\$999,850	\$1,000,000	7/13/2015	0.308%	\$776
FFCB NOTE	\$1,003,705	\$1,000,000	9/16/2015	0.335%	\$844
FFCB NOTE	\$1,400,000	\$1,400,000	11/4/2015	0.350%	\$1,235
FFCB NOTE	\$500,478	\$500,000	11/4/2015	0.300%	\$378
FHLB NOTE	\$1,000,000	\$1,000,000	11/13/2015	0.330%	\$832
FFCB NOTE	\$1,199,280	\$1,200,000	11/27/2015	0.250%	\$756
FHLB NOTE	\$1,000,000	\$1,000,000	12/11/2015	0.390%	\$983
FFCB NOTE	\$1,000,000	\$1,000,000	12/18/2015	0.400%	\$1,008
FFCB NOTE	\$1,400,000	\$1,400,000	3/3/2016	0.350%	\$1,235
FFCB NOTE	\$1,000,000	\$1,000,000	3/23/2016	0.440%	\$1,109
FFCB NOTE	\$999,600	\$1,000,000	4/25/2016	0.330%	\$832
FHLB NOTE	\$1,198,200	\$1,200,000	6/10/2016	0.450%	\$1,361
FFCB NOTE	\$999,500	\$1,000,000	8/4/2016	0.575%	\$552
FFCB NOTE	\$1,199,700	\$1,200,000	9/23/2016	0.693%	\$114

TOTAL INTEREST EARNED ON CITY INVESTMENTS HELD JULY 1, 2014 THROUGH SEPTEMBER 30, 2014

\$18,129

RECAP OF MARKET VALUES ON CITY OF COLLEYVILLE INVESTMENTS HELD JULY 1 - SEPTEMBER 30, 2014

INVESTMENT	PURCHASE DATE	MATURITY DATE	PURCHASE PRICE	PAR VALUE	MARKET VALUE @ 6-30-14	LESS MATURITY PROCEEDS	PLUS PERIOD PURCHASES	MARKET VALUE @ 9-30-14
FFCB NOTE	9/25/2012	9/25/2014	\$1,200,000	\$1,200,000	\$1,200,577	\$1,200,000	N/A	N/A
FFCB NOTE	1/14/2013	11/14/2014	\$999,800	\$1,000,000	\$1,000,612	N/A	N/A	\$1,000,153
FHLB NOTE	4/8/2013	10/8/2014	\$1,299,266	\$1,300,000	\$1,300,616	N/A	N/A	\$1,300,043
FFCB NOTE	6/12/2013	11/24/2014	\$1,198,856	\$1,200,000	\$1,200,499	N/A	N/A	\$1,200,136
FFCB NOTE	6/24/2013	6/24/2015	\$1,000,200	\$1,000,000	\$1,002,085	N/A	N/A	\$1,001,334
FFCB NOTE	6/25/2013	2/25/2015	\$1,000,000	\$1,000,000	\$1,001,353	N/A	N/A	\$1,000,653
FHLB NOTE	7/23/2013	6/19/2015	\$753,559	\$750,000	\$753,196	N/A	N/A	\$752,061
FFCB NOTE	8/13/2013	7/13/2015	\$999,850	\$1,000,000	\$1,002,198	N/A	N/A	\$1,001,656
FHLB NOTE	11/1/2013	9/16/2015	\$1,003,705	\$1,000,000	\$1,002,968	N/A	N/A	\$1,002,377
FFCB NOTE	11/1/2013	11/4/2015	\$1,400,000	\$1,400,000	\$1,400,226	N/A	N/A	\$1,400,967
FFCB NOTE	12/3/2013	11/4/2015	\$500,478	\$500,000	\$500,081	N/A	N/A	\$500,346
FFCB NOTE	12/31/2013	6/15/2015	\$1,303,495	\$1,300,000	\$1,303,402	N/A	N/A	\$1,302,792
FHLB NOTE	1/3/2014	12/11/2015	\$1,222,800	\$1,200,000	\$1,219,727	N/A	N/A	\$1,215,325
FHLB NOTE	2/14/2014	9/14/2014	\$1,018,000	\$1,000,000	\$1,008,840	\$1,000,000	N/A	N/A
FHLB NOTE	3/3/2014	3/3/2016	\$1,400,000	\$1,400,000	\$1,398,011	N/A	N/A	\$1,396,625
FFCB NOTE	3/27/2014	11/13/2015	\$1,000,000	\$1,000,000	\$1,002,201	N/A	N/A	\$998,914
FFCB NOTE	4/25/2014	4/25/2016	\$1,000,000	\$1,000,000	\$999,495	N/A	N/A	\$993,939
FHLB NOTE	5/27/2014	11/27/2015	\$1,199,280	\$1,200,000	\$1,199,300	N/A	N/A	\$1,198,032
FFCB NOTE	6/12/2014	6/10/2016	\$1,198,200	\$1,200,000	\$1,198,105	N/A	N/A	\$1,196,207
FFCB NOTE	6/23/2014	3/23/2016	\$1,000,000	\$1,000,000	\$1,000,125	N/A	N/A	\$994,872
FFCB NOTE	6/26/2014	12/18/2015	\$1,000,000	\$1,000,000	\$1,000,055	N/A	N/A	\$999,057
FFCB NOTE	8/4/2014	8/4/2016	\$999,500	\$1,000,000	N/A	N/A	\$999,500	\$995,543
FFCB NOTE	9/25/2014	9/23/2016	\$1,199,700	\$1,200,000	N/A	N/A	\$1,199,700	\$1,197,631
TOTALS					\$22,693,672	\$2,200,000	\$2,199,200	\$22,648,662

LISTING OF INVESTMENTS

BY GENERAL LEDGER

ACCOUNT NUMBER

OUTSTANDING INVESTMENTS AT 9-30-14

ACCOUNT	ALLOCATION OF INVESTMENT	INVESTMENT- G/L TOTAL
001-1172	GENERAL FUND OPERATING	\$7,863,557.59
002-1166	UTILITY DEBT SERVICE RESERVE	\$648,072.20
002-1172	UTILITY FUND OPERATING	\$5,752,976.38
002-1178	CUSTOMER DEPOSITS	\$442,785.00
002-1557	THE RESERVE LIFT STATION	\$62,103.77
003-1180	BEDFORD BRIDGE ESCROW	\$35,936.99
003-1188	TOWN CENTER/HWY26	\$36,326.67
003-1192	MCDONWELL WOODS EST ESCROW	\$10,996.31
003-1200	LONGWOOD-PARKING ESCROW	\$13,380.01
003-1204	BEDFORD LAKES/SOMERSET	\$227,978.36
003-1228	PLEASANT RUN HARDAGE ESTATES/ESC	\$46,796.98
003-1229	GLADE RD SUMMERBROOK	\$56,097.48
003-1231	LAKEWOOD ESCROW	\$26,103.65
003-1236	E. GLADE CRANBROOK ESCROW	\$117,794.09
003-1237	E. GLADE ASHMORE I ESCROW	\$51,849.16
003-1247	GLADE/WAYSIDE ESCROW	\$42,420.01
003-1250	REATTI PLACE	\$98,462.36
003-1257	ASHMORE II A GLADE RD ESCROW	\$27,730.00
003-1268	MILL CREEK/ GLADE ESCROW	\$30,168.65
003-1271	ASHMORE III/ GLADE ESCROW	\$63,971.57
003-1278	GLADE RD/ASHMORE IIB ESCROW	\$35,519.75
003-1301	LAKEWOOD PH IV	\$77,477.53
003-1304	VILLAS DEL MAR	\$60,324.37
003-1307	STREET RECONSTRUCTION	\$1,996,989.14
003-1309	COVENANT CHRISTIAN	\$140,608.29
003-1313	APPLEBEE'S	\$43,849.86
003-1319	REMINGTON PARK	\$27,836.90
003-1323	SHALIMAR	\$69,691.33
003-1325	PECAN GARDENS	\$32,415.39
003-1330	REMINGTON PARK	\$81,134.20
003-1340	CASTLETON MANOR	\$81,253.94
003-1357	CITGO/LD LOCKETT	\$56,809.28
003-1392	CLAIRMONT-PH I	\$104,974.96
003-1404	TANGLEWOOD	\$26,111.30
003-1418	CLAIRMONT-PH II	\$146,949.72
003-1429	WARWICK PARC	\$89,300.02
003-1434	ROCKRIMMON	\$65,177.99
003-1486	CHANEL'S COURT	\$47,862.62
003-1563	VILLAS OF COLLEYVILLE	\$52,943.23
005-1172	VOLUNTARY PARK FUND	\$599,589.18
011-1172	LIBRARY DONATIONS FUND	\$359,179.58
012-1172	PARK LAND DEDICATION FUND	\$1,405,283.73
017-1172	DRAINAGE FUND OPERATING	\$219,497.34
024-1172	CEDC OPERATING	\$500,395.19
026-1172	TIF OPERATING	\$376,301.66
032-1172	CAPITAL EQUIPMENT RESERVE	\$450,000.00
034-1172	COLLEYVILLE TOMORROW	\$375,409.40
PER GENERAL LEDGER		\$23,178,393.13
MARKET VALUE		\$23,149,365.60
VALUE AT MATURITY		\$23,150,000.00
INTEREST RECEIVED TO MATURITY		\$149,884.03

OUTSTANDING INVESTMENTS AT 9-30-14

INVESTMENT	FFCB NOTE	FHLB NOTE	FFCB NOTE	FFCB NOTE	FFCB NOTE
DATE ACQUIRED	14-Jan-13	08-Apr-13	12-Jun-13	24-Jun-13	25-Jun-13
MATURITY DATE	14-Nov-14	08-Oct-14	24-Nov-14	24-Jun-15	25-Feb-15
26 WEEK T-BILL AUCTION DISCOUNT/WEEK OF PURCHASE	0.105%	0.095%	0.080%	0.105%	0.105%
YIELD TO MATURITY	0.270%	0.230%	0.260%	0.320%	0.330%
ACCOUNT	ALLOCATION OF INVESTMENT				
001-1172	GENERAL FUND OPERATING		450,000.00		96,123.92
002-1166	UTILITY DEBT SERVICE RESERVE				
002-1172	UTILITY FUND OPERATING	789,785.81	448,956.00	1,000,200.00	
002-1178	CUSTOMER DEPOSITS	244,877.58			
002-1557	THE RESERVE LIFT STATION				
003-1180	BEDFORD BRIDGE ESCROW				
003-1188	TOWN CENTER/HWY26				
003-1192	MCDONWELL WOODS EST ESCROW				
003-1200	LONGWOOD-PARKING ESCROW				
003-1204	BEDFORD LAKES/SOMERSET				
003-1228	PLEASANT RUN HARDAGE ESTATES/ESC				
003-1229	GLADE RD SUMMERBROOK	56,097.48			
003-1231	LAKEWOOD ESCROW				
003-1236	E. GLADE CRANBROOK ESCROW				
003-1237	E. GLADE ASHMORE I ESCROW	51,849.16			
003-1247	GLADE/WAYSIDE ESCROW				
003-1250	REATTI PLACE				
003-1257	ASHMORE II A GLADE RD ESCROW	27,730.00			
003-1268	MILL CREEK/ GLADE ESCROW	30,168.65			
003-1271	ASHMORE III/ GLADE ESCROW	63,971.57			
003-1278	GLADE RD/ASHMORE IIB ESCROW	35,519.75			
003-1301	LAKEWOOD PH IV				
003-1304	VILLAS DEL MAR				
003-1307	STREET RECONSTRUCTION	999,800.00			903,376.08
003-1309	COVENANT CHRISTIAN				
003-1313	APPLEBEE'S				
003-1319	REMINGTON PARK				
003-1323	SHALIMAR				
003-1325	PECAN GARDENS				
003-1330	REMINGTON PARK				
003-1340	CASTLETON MANOR				
003-1357	CITGO/LD LOCKETT				
003-1392	CLAIRMONT-PH I				
003-1404	TANGLEWOOD				
003-1418	CLAIRMONT-PH II				
003-1429	WARWICK PARC				
003-1434	ROCKRIMMON				
003-1486	CHANEL'S COURT				
003-1563	VILLAS OF COLLEYVILLE				
005-1172	VOLUNTARY PARK FUND		200,000.00		
011-1172	LIBRARY DONATIONS FUND				
012-1172	PARK LAND DEDICATION FUND		100,000.00		
017-1172	DRAINAGE FUND OPERATING				
024-1172	CEDC OPERATING				
026-1172	TIF OPERATING				
032-1172	CAPITAL EQUIPMENT RESERVE				
034-1172	COLLEYVILLE TOMORROW				
PER GENERAL LEDGER	\$999,800.00	\$1,300,000.00	\$1,198,956.00	\$1,000,200.00	\$999,500.00
MARKET VALUE	\$1,000,153.00	\$1,300,042.90	\$1,200,135.60	\$1,001,334.00	\$1,000,653.00
VALUE AT MATURITY	\$1,000,000.00	\$1,300,000.00	\$1,200,000.00	\$1,000,000.00	\$1,000,000.00
INTEREST RECEIVED TO MATURITY	\$4,939.97	\$4,489.10	\$4,532.15	\$6,399.20	\$5,516.59

OUTSTANDING INVESTMENTS AT 9-30-14

INVESTMENT	FHLB NOTE	FFCB NOTE	FHLB NOTE	FFCB NOTE	FFCB NOTE
DATE ACQUIRED	23-Jul-13	13-Aug-13	01-Nov-13	01-Nov-13	03-Dec-13
MATURITY DATE	19-Jun-15	13-Jul-15	16-Sep-15	04-Nov-15	04-Nov-15
26 WEEK T-BILL AUCTION DISCOUNT/WEEK OF PURCHASE	0.070%	0.075%	0.080%	0.080%	0.100%
YIELD TO MATURITY	0.320%	0.308%	0.335%	0.350%	0.300%
ACCOUNT	ALLOCATION OF INVESTMENT				
001-1172	GENERAL FUND OPERATING		1,003,080.00		500,478.00
002-1166	UTILITY DEBT SERVICE RESERVE				
002-1172	UTILITY FUND OPERATING	230,846.13	999,850.00	300,000.00	
002-1178	CUSTOMER DEPOSITS				
002-1557	THE RESERVE LIFT STATION				
003-1180	BEDFORD BRIDGE ESCROW				
003-1188	TOWN CENTER/HWY26				
003-1192	MCDONWELL WOODS EST ESCROW				
003-1200	LONGWOOD-PARKING ESCROW				
003-1204	BEDFORD LAKES/SOMERSET				
003-1228	PLEASANT RUN HARDAGE ESTATES/ESC				
003-1229	GLADE RD SUMMERBROOK				
003-1231	LAKEWOOD ESCROW				
003-1236	E. GLADE CRANBROOK ESCROW				
003-1237	E. GLADE ASHMORE I ESCROW				
003-1247	GLADE/WAYSIDE ESCROW				
003-1250	REATTI PLACE				
003-1257	ASHMORE II A GLADE RD ESCROW				
003-1268	MILL CREEK/ GLADE ESCROW				
003-1271	ASHMORE III/ GLADE ESCROW				
003-1278	GLADE RD/ASHMORE IIB ESCROW				
003-1301	LAKEWOOD PH IV				
003-1304	VILLAS DEL MAR				
003-1307	STREET RECONSTRUCTION				
003-1309	COVENANT CHRISTIAN	140,608.29			
003-1313	APPLEBEE'S				
003-1319	REMINGTON PARK				
003-1323	SHALIMAR				
003-1325	PECAN GARDENS				
003-1330	REMINGTON PARK				
003-1340	CASTLETON MANOR				
003-1357	CITGO/LD LOCKETT				
003-1392	CLAIRMONT-PH I				
003-1404	TANGLEWOOD				
003-1418	CLAIRMONT-PH II				
003-1429	WARWICK PARC	89,300.02			
003-1434	ROCKRIMMON	65,177.99			
003-1486	CHANEL'S COURT				
003-1563	VILLAS OF COLLEYVILLE				
005-1172	VOLUNTARY PARK FUND			200,000.00	
011-1172	LIBRARY DONATIONS FUND				
012-1172	PARK LAND DEDICATION FUND	227,626.32		300,000.00	
017-1172	DRAINAGE FUND OPERATING			150,000.00	
024-1172	CEDC OPERATING				
026-1172	TIF OPERATING				
032-1172	CAPITAL EQUIPMENT RESERVE			450,000.00	
034-1172	COLLEYVILLE TOMORROW				
PER GENERAL LEDGER	\$753,558.75	\$999,850.00	\$1,003,080.00	\$1,400,000.00	\$500,478.00
MARKET VALUE	\$752,061.00	\$1,001,656.00	\$1,002,377.00	\$1,400,967.40	\$500,345.50
VALUE AT MATURITY	\$750,000.00	\$1,000,000.00	\$1,000,000.00	\$1,400,000.00	\$500,000.00
INTEREST RECEIVED TO MATURITY	\$4,576.64	\$5,895.81	\$6,278.90	\$9,840.27	\$2,880.82

OUTSTANDING INVESTMENTS AT 9-30-14

INVESTMENT	TREASURY NOTE	TREASURY	FHLB NOTE	FHLB NOTE	FFCB NOTE
DATE ACQUIRED	31-Dec-13	31-Dec-13	03-Jan-14	03-Mar-14	27-Mar-14
MATURITY DATE	31-Jul-15	15-Jun-15	11-Dec-15	03-Mar-16	13-Nov-15
26 WEEK T-BILL AUCTION DISCOUNT/WEEK OF PURCHASE	0.090%	0.090%	0.070%	0.080%	0.060%
YIELD TO MATURITY	0.200%	0.190%	0.390%	0.350%	0.330%
ACCOUNT	ALLOCATION OF INVESTMENT				
001-1172	GENERAL FUND OPERATING		366,098.61	1,400,000.00	1,000,000.00
002-1166	UTILITY DEBT SERVICE RESERVE		648,072.20		
002-1172	UTILITY FUND OPERATING		176,296.18		
002-1178	CUSTOMER DEPOSITS		32,333.01		
002-1557	THE RESERVE LIFT STATION				
003-1180	BEDFORD BRIDGE ESCROW	35,936.99			
003-1188	TOWN CENTER/HWY26				
003-1192	MCDONWELL WOODS EST ESCROW				
003-1200	LONGWOOD-PARKING ESCROW				
003-1204	BEDFORD LAKES/SOMERSET				
003-1228	PLEASANT RUN HARDAGE ESTATES/ESC	46,796.98			
003-1229	GLADE RD SUMMERBROOK				
003-1231	LAKEWOOD ESCROW				
003-1236	E. GLADE CRANBROOK ESCROW				
003-1237	E. GLADE ASHMORE I ESCROW				
003-1247	GLADE/WAYSIDE ESCROW				
003-1250	REATTI PLACE				
003-1257	ASHMORE II A GLADE RD ESCROW				
003-1268	MILL CREEK/ GLADE ESCROW				
003-1271	ASHMORE III/ GLADE ESCROW				
003-1278	GLADE RD/ASHMORE IIB ESCROW				
003-1301	LAKEWOOD PH IV				
003-1304	VILLAS DEL MAR				
003-1307	STREET RECONSTRUCTION				
003-1309	COVENANT CHRISTIAN				
003-1313	APPLEBEE'S				
003-1319	REMINGTON PARK				
003-1323	SHALIMAR				
003-1325	PECAN GARDENS	32,415.39			
003-1330	REMINGTON PARK	81,134.20			
003-1340	CASTLETON MANOR				
003-1357	CITGO/LD LOCKETT				
003-1392	CLAIRMONT-PH I				
003-1404	TANGLEWOOD				
003-1418	CLAIRMONT-PH II				
003-1429	WARWICK PARC				
003-1434	ROCKRIMMON				
003-1486	CHANEL'S COURT				
003-1563	VILLAS OF COLLEYVILLE				
005-1172	VOLUNTARY PARK FUND	199,589.18			
011-1172	LIBRARY DONATIONS FUND				
012-1172	PARK LAND DEDICATION FUND	461,823.45			
017-1172	DRAINAGE FUND OPERATING	69,497.34			
024-1172	CEDC OPERATING	500,395.19			
026-1172	TIF OPERATING	376,301.66			
032-1172	CAPITAL EQUIPMENT RESERVE				
034-1172	COLLEYVILLE TOMORROW				
PER GENERAL LEDGER	\$500,395.19	\$1,303,495.19	\$1,222,800.00	\$1,400,000.00	\$1,000,000.00
MARKET VALUE	\$500,703.00	\$1,302,792.40	\$1,215,325.20	\$1,396,624.60	\$998,914.00
VALUE AT MATURITY	\$500,000.00	\$1,300,000.00	\$1,200,000.00	\$1,400,000.00	\$1,000,000.00
INTEREST RECEIVED TO MATURITY	\$1,580.82	\$3,593.34	\$9,073.25	\$9,813.42	\$5,388.49

OUTSTANDING INVESTMENTS AT 9-30-14

INVESTMENT	FFCB NOTE	FFCB NOTE	FHLB NOTE	FFCB NOTE	FFCB NOTE
DATE ACQUIRED	25-Apr-14	27-May-14	12-Jun-14	23-Jun-14	26-Jun-14
MATURITY DATE	25-Apr-16	27-Nov-15	10-Jun-16	23-Mar-16	18-Dec-15
26 WEEK T-BILL AUCTION DISCOUNT/WEEK OF PURCHASE	0.050%	0.130%	0.060%	0.061%	0.061%
YIELD TO MATURITY	0.400%	0.250%	0.451%	0.440%	0.400%
ACCOUNT	ALLOCATION OF INVESTMENT				
001-1172	GENERAL FUND OPERATING	700,000.00	847,850.00	1,000,000.00	499,927.06
002-1166	UTILITY DEBT SERVICE RESERVE				
002-1172	UTILITY FUND OPERATING	2,273.67	499,280.00		
002-1178	CUSTOMER DEPOSITS				
002-1557	THE RESERVE LIFT STATION	62,103.77			
003-1180	BEDFORD BRIDGE ESCROW				
003-1188	TOWN CENTER/HWY26	36,326.67			
003-1192	MCDONWELL WOODS EST ESCROW	10,996.31			
003-1200	LONGWOOD-PARKING ESCROW	13,380.01			
003-1204	BEDFORD LAKES/SOMERSET	227,978.36			
003-1228	PLEASANT RUN HARDAGE ESTATES/ESC				
003-1229	GLADE RD SUMMERBROOK				
003-1231	LAKEWOOD ESCROW	26,103.65			
003-1236	E. GLADE CRANBROOK ESCROW	117,794.09			
003-1237	E. GLADE ASHMORE I ESCROW				
003-1247	GLADE/WAYSIDE ESCROW	42,420.01			
003-1260	REATA PLACE	98,462.36			
003-1257	ASHMORE II A GLADE RD ESCROW				
003-1268	MILL CREEK/ GLADE ESCROW				
003-1271	ASHMORE III/ GLADE ESCROW				
003-1278	GLADE RD/ASHMORE IIB ESCROW				
003-1301	LAKEWOOD PH IV				
003-1304	VILLAS DEL MAR	60,324.37			
003-1307	STREET RECONSTRUCTION				
003-1309	COVENANT CHRISTIAN				
003-1313	APPLEBEE'S	43,849.86			
003-1319	REMINGTON PARK				
003-1323	SHALIMAR	69,691.33			
003-1325	PECAN GARDENS				
003-1330	REMINGTON PARK				
003-1340	CASTLETON MANOR				
003-1357	CITGO/LD LOCKETT	56,809.28			
003-1392	CLAIRMONT-PH I	104,974.96			
003-1404	TANGLEWOOD	26,111.30			
003-1418	CLAIRMONT-PH II				
003-1429	WARWICK PARC				
003-1434	ROCKRIMMON				
003-1486	CHANEL'S COURT				
003-1563	VILLAS OF COLLEYVILLE				
005-1172	VOLUNTARY PARK FUND				
011-1172	LIBRARY DONATIONS FUND				359,179.58
012-1172	PARK LAND DEDICATION FUND				115,833.96
017-1172	DRAINAGE FUND OPERATING				
024-1172	CEDC OPERATING				
026-1172	TIF OPERATING				
032-1172	CAPITAL EQUIPMENT RESERVE				
034-1172	COLLEYVILLE TOMORROW		350,350.00		25,059.40
PER GENERAL LEDGER	\$999,600.00	\$1,199,280.00	\$1,198,200.00	\$1,000,000.00	\$1,000,000.00
MARKET VALUE	\$993,939.00	\$1,198,032.00	\$1,196,206.80	\$994,872.00	\$999,057.00
VALUE AT MATURITY	\$1,000,000.00	\$1,200,000.00	\$1,200,000.00	\$1,000,000.00	\$1,000,000.00
INTEREST RECEIVED TO MATURITY	\$8,010.96	\$4,512.33	\$10,809.17	\$7,703.01	\$5,924.81

OUTSTANDING INVESTMENTS AT 9-30-14

INVESTMENT	FFCB NOTE	FFCB NOTE
DATE ACQUIRED	04-Aug-14	25-Sep-14
MATURITY DATE	04-Aug-16	23-Sep-16
26 WEEK T-BILL AUCTION DISCOUNT/WEEK OF PURCHASE	0.050%	0.040%
YIELD TO MATURITY	0.575%	0.693%
ACCOUNT	ALLOCATION OF INVESTMENT	
001-1172	GENERAL FUND OPERATING	
002-1166	UTILITY DEBT SERVICE RESERVE	
002-1172	UTILITY FUND OPERATING	999,500.00
002-1178	CUSTOMER DEPOSITS	165,574.41
002-1557	THE RESERVE LIFT STATION	
003-1180	BEDFORD BRIDGE ESCROW	
003-1188	TOWN CENTER/HWY26	
003-1192	MCDONWELL WOODS EST ESCROW	
003-1200	LONGWOOD-PARKING ESCROW	
003-1204	BEDFORD LAKES/SOMERSET	
003-1228	PLEASANT RUN HARDAGE ESTATES/ESC	
003-1229	GLADE RD SUMMERBROOK	
003-1231	LAKEWOOD ESCROW	
003-1236	E. GLADE CRANBROOK ESCROW	
003-1237	E. GLADE ASHMORE I ESCROW	
003-1247	GLADE/WAYSIDE ESCROW	
003-1250	REATTI PLACE	
003-1257	ASHMORE II A GLADE RD ESCROW	
003-1268	MILL CREEK/ GLADE ESCROW	
003-1271	ASHMORE III/ GLADE ESCROW	
003-1278	GLADE RD/ASHMORE IIB ESCROW	
003-1301	LAKEWOOD PH IV	77,477.53
003-1304	VILLAS DEL MAR	
003-1307	STREET RECONSTRUCTION	93,813.06
003-1309	COVENANT CHRISTIAN	
003-1313	APPLEBEE'S	
003-1319	REMINGTON PARK	27,836.90
003-1323	SHALIMAR	
003-1325	PECAN GARDENS	
003-1330	REMINGTON PARK	
003-1340	CASTLETON MANOR	81,253.94
003-1357	CITGO/LD LOCKETT	
003-1392	CLAIRMONT-PH I	
003-1404	TANGLEWOOD	
003-1418	CLAIRMONT-PH II	146,949.72
003-1429	WARWICK PARC	
003-1434	ROCKRIMMON	
003-1486	CHANEL'S COURT	47,862.62
003-1563	VILLAS OF COLLEYVILLE	52,943.23
005-1172	VOLUNTARY PARK FUND	
011-1172	LIBRARY DONATIONS FUND	
012-1172	PARK LAND DEDICATION FUND	200,000.00
017-1172	DRAINAGE FUND OPERATING	
024-1172	CEDC OPERATING	
026-1172	TIF OPERATING	
032-1172	CAPITAL EQUIPMENT RESERVE	
034-1172	COLLEYVILLE TOMORROW	
PER GENERAL LEDGER	\$999,500.00	\$1,199,700.00
MARKET VALUE	\$995,543.00	\$1,197,631.20
VALUE AT MATURITY	\$1,000,000.00	\$1,200,000.00
INTEREST RECEIVED TO MATURITY	\$11,515.75	\$16,609.22

CDARS CERTIFICATE OF DEPOSIT ALLOCATION

CDARS CERTIFICATES OF DEPOSIT

FUND ALLOCATION	AMOUNT	PURCHASE DATE	MATURITY DATE	INTEREST RATE	INTEREST EARNED DURING QUARTER
UTILITY FUND	\$506,822.35	7/31/2014	7/30/2015	0.30%	\$443.84
GENERAL FUND	\$505,871.92	6/26/2014	6/23/2016	0.50%	\$637.54
GENERAL FUND	\$505,257.33	3/27/2014	3/26/2015	0.30%	\$382.06
GENERAL FUND	\$1,515,607.06	9/25/2014	9/24/2015	0.22%	\$838.72
GENERAL FUND	\$504,998.83	9/25/2014	9/22/2016	0.50%	\$623.70
GENERAL FUND	\$503,246.43	9/25/2014	9/24/2015	0.30%	\$375.35
GENERAL FUND	\$500,000.00	3/27/2014	3/24/2016	0.50%	\$630.14
TOTAL	\$4,541,803.92				\$3,931.33

LOGIC INVESTMENT POOL ALLOCATION

AND GENERAL INFORMATION

LOCAL GOVERNMENT INVESTMENT COOPERATIVE / "LOGIC"
ACCOUNT ALLOCATION AT SEPTEMBER 30, 2014

ACCT #	DESCRIPTION	BALANCE
	<i>GENERAL FUND</i>	
001-1115	GENERAL OPERATING	\$13,556.29
	<i>UTILITY FUND</i>	
002-1115	UTILITY OPNS	\$885,206.49
002-1116	IMPACT FEES WATER	\$1,245,176.55
002-1119	UTILITY LINE RESTORATION	\$1,362,728.12
002-1130	UTILITY INTEREST & SINKING FUND	\$533,077.81
002-1294	IMPACT FEES SEWER	\$365,225.21
	<i>CAPITAL PROJECTS FUND</i>	
003-1113	IMPACT FEES/SA I	\$21,187.29
003-1508	MICRO-RESURFACING	\$304,308.96
003-1509	STREET RESURFACING	\$2,229,187.10
	<i>DEBT SERVICE FUND</i>	
004-1115	DEBT SERVICE OPERATING	\$899,765.95
	<i>DRAINAGE FUND</i>	
017-1115	DRAINAGE OPERATING	\$624,994.68
017-1159	DRAINAGE INT & SINKING FUND	\$240,918.57
017-1380	2001 DRAINAGE BONDS	\$2,325.29
	<i>TIF FUND</i>	
026-1115	TIF OPERATING	\$10,342,112.37
026-1383	2001 TIF BONDS	\$123,235.44
	<i>CCCPD FUND</i>	
027-1115	CCCPD OPERATING	\$909,241.22
027-1147	99 POLICE/COURT BLDG FUND	\$3,865.44
	<i>SALES TAX INCENTIVE AGREEMENT FUND</i>	
031-1115	SALES TAX INCENTIVE AGREEMENT OPERATING	\$354,092.45
	<i>CAPITAL EQUIPMENT REPLACEMENT FUND</i>	
032-1115	CAPITAL EQUIPMENT REPLACEMENT FUND	\$81,837.13
	<i>COLLEYVILLE TOMORROW FUND</i>	
034-1115	COLLEYVILLE TOMORROW FUND	\$1,643,530.51
	<i>PARKS TOMORROW FUND</i>	
035-1115	PARKS TOMORROW FUND	\$1,195,001.57
	<i>STRATEGIC INITIATIVES FUND</i>	
036-1115	STRATEGIC INITIATIVES FUND	\$295,911.56
TOTAL LOGIC POOL BALANCE		<u>\$23,676,486.00</u>



LOGIC Newsletter

September 2014

Performance

As of September 30, 2014

Current Invested Balance	\$3,010,891,831.13
Weighted Average Maturity (1)*	59 Days
Weighted Average Maturity (2)*	59 Days
Net Asset Value	1.000069
Total Number of Participants	472
Management Fee on Invested Balance	0.0875%
Interest Distributed	\$388,028.78
Management Fee Collected	\$191,536.45
% of Portfolio Invested Beyond 1 Year	0.00%
Standard & Poor's Current Rating	AAAm

September Averages:

Average Invested Balance	\$3,006,898,499.09
Average Monthly Yield, on a simple basis	0.0795%
Average Weighted Average Maturity (1)*	57 Days
Average Weighted Average Maturity (2)*	57 Days

*Definition of Weighted Average Maturity (1) & (2)

- (1) This weighted average maturity calculation uses the SEC Rule 2a-7 definition for stated maturity for any floating rate instrument held in the portfolio to determine the weighted average maturity for the pool. This Rule specifies that a variable rate instrument to be paid in 397 calendar days or less shall be deemed to have a maturity equal to the period remaining until the next readjustment of the interest rate.
- (2) This weighted average maturity calculation uses the final maturity of any floating rate instruments held in the portfolio to calculate the weighted average maturity for the pool.

Rates reflect historical information and are not an indication of future performance.

Economic Commentary

The bullish sentiment in financial markets during the second quarter softened in July, as improving U.S. economic data led market participants to anticipate that the Federal Reserve might push up the timing of its first rate hike in years. Large cap equity markets hit new record highs in September. However, disappointing global growth, particularly in Europe and China, as well as softer inflation in the U.S. and a Fed signaling its patience in normalizing monetary policy left markets marginally more risk averse. The U.S. Treasury yield curve between two- and five-year maturities steepened by 2 basis points (bps), with the yield of the two-year note increasing 11 bps to 0.57% and the yield of the five-year note increasing 13 bps to 1.76%. U.S. economic data released in the third quarter was mixed. Notably, consumption – the largest component of GDP – remained strong and is poised to continue as consumers have built up their savings. Labor market data added fuel to the Fed debate as the September unemployment rate fell to 5.9%, having not seen unemployment below 6.0% since 2008. Market sentiment appeared to improve in August as the European Central Bank (ECB) acknowledged the need to act in the face of falling inflation rates. The ECB's move to negative deposit rates and new Targeted Long-Term Refinancing Operations reflect concern in the euro zone regarding the risk of prolonged low inflation and slow growth. The base case remains that the global subtrend recovery will continue into 2015, within an environment of lower expectations for potential GDP and central bank rates. It is expected that the U.S. is headed toward a GDP rate of approximately 3% into year-end and that the Fed will provide the necessary liquidity for the U.S. to continue to expand until it perceives broader housing strength and/or material wage inflation. The sequencing of Fed normalization now involves continued reinvestment of principal and interest paydowns on existing balance sheet holdings and a more nuanced management of its lending rates via interest on excess reserves and its reverse repo facility. The Fed understands the potential risk of the first increase in the fed funds rates in over seven years, and it is anticipated that it will therefore be cautious in beginning to raise rates. The powerful technical factors of strong demand for yield and relatively limited supply have driven valuations to more expensive levels. Low global interest rates and low volatility will likely continue to force investor cash into bond markets. While the extremely low levels of market volatility have been rewarding, they are concerning if markets become too complacent.

This information is an excerpt from an economic report dated September 2014 provided to LOGIC by JPMorgan Asset Management, Inc., the investment manager of the LOGIC pool.

News

New Participants

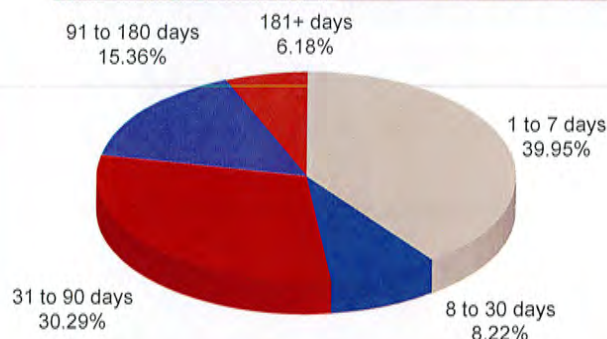
We would like to welcome the following entities who joined the LOGIC program in September:

- ★ City of Paris
- ★ Wimberley ISD

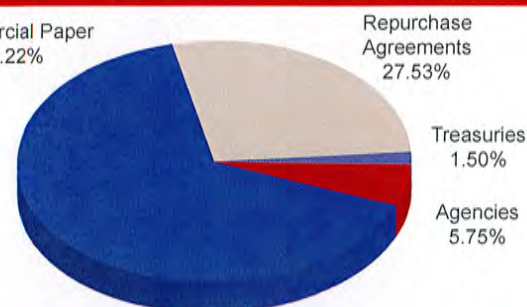
Holiday Reminder

Please note that in observance of the Columbus Day holiday, **LOGIC will be closed Monday, October 13, 2014.** All ACH transactions initiated on Friday, October 10th will settle on Tuesday, October 14th. This is an unusual holiday where the investment markets are open but the banks are closed. Please plan accordingly for your liquidity needs.

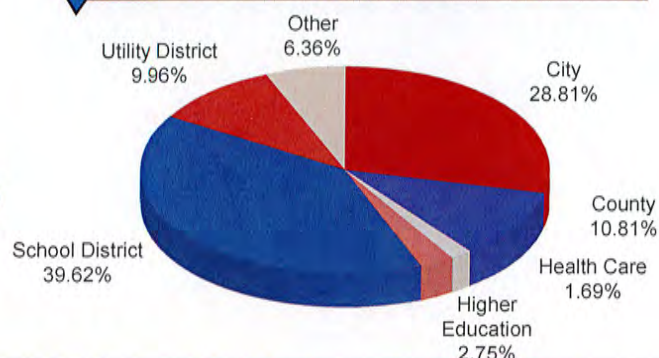
**Portfolio by
Type of Investment
As of September 30, 2014**



Commercial Paper
65.22%



**Portfolio by
Maturity
As of September 30, 2014**



**Distribution of
Participants by Type
As of September 30, 2014**

Historical Program Information

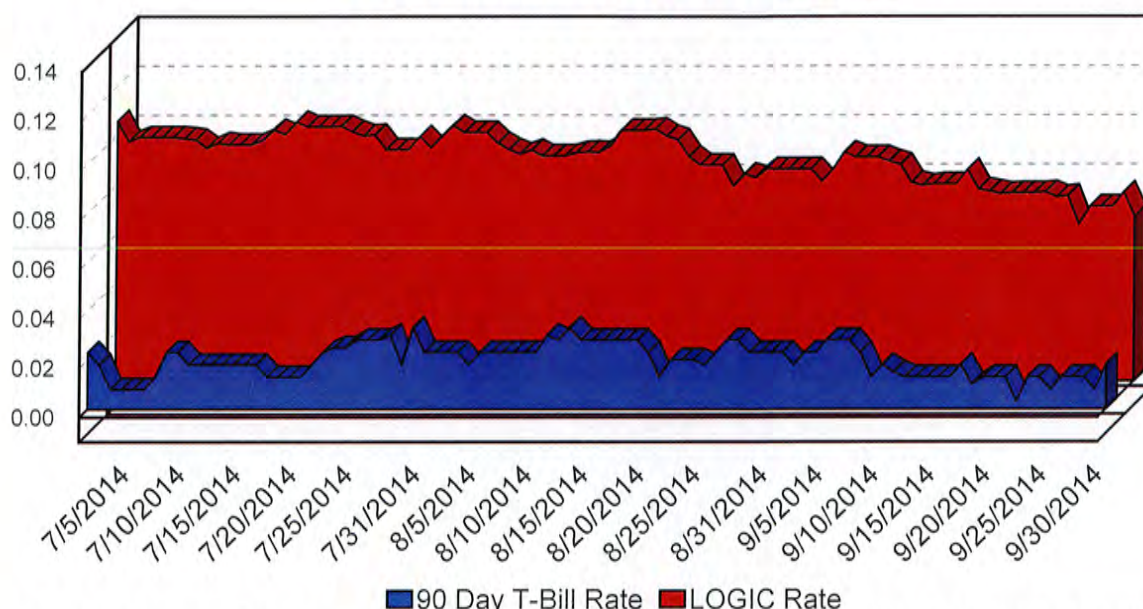
Month	Average Rate	Book Value	Market Value	Net Asset Value	WAM (1)*	WAM (2)*	Number of Participants
Sep 14	0.0795%	\$3,010,891,831.13	\$3,011,100,863.54	1.000069	57	57	472
Aug 14	0.0927%	3,093,141,562.93	3,093,305,609.22	1.000049	56	56	470
Jul 14	0.0989%	3,271,203,541.22	3,271,345,878.40	1.000043	51	52	469
Jun 14	0.1087%	3,151,733,734.40	3,151,964,150.60	1.000073	53	54	468
May 14	0.0989%	3,243,303,034.57	3,243,535,797.71	1.000067	56	57	466
Apr 14	0.0829%	3,476,248,436.44	3,476,500,191.58	1.000072	57	58	466
Mar 14	0.0874%	3,812,702,878.85	3,812,891,555.62	1.000049	58	58	464
Feb 14	0.0842%	3,747,022,814.38	3,747,173,249.71	1.000033	56	57	462
Jan 14	0.0884%	3,698,616,046.51	3,698,785,064.48	1.000038	56	57	461
Dec 13	0.0965%	2,921,403,267.91	2,921,614,572.98	1.000068	54	58	461
Nov 13	0.1085%	2,296,577,540.51	2,296,787,500.24	1.000087	57	63	460
Oct 13	0.1183%	2,396,619,880.39	2,396,833,669.59	1.000089	57	63	460

Portfolio Asset Summary as of September 30, 2014

	Book Value	Market Value
Uninvested Balance	\$ 659.59	\$ 659.59
Accrual of Interest Income	69,516.17	69,516.17
Interest and Management Fees Payable	(420,975.64)	(420,975.64)
Payable for Investment Purchased	0.00	0.00
Receivable for Investment Sold	0.00	0.00
Repurchase Agreements	828,943,000.00	828,943,000.00
Commercial Paper	1,964,104,358.12	1,964,262,515.30
Government Securities	218,195,272.89	218,246,148.12
Total	\$ 3,010,891,831.13	\$3,011,100,863.54

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by J.P. Morgan Chase & Co. and the assets are safekept in a separate custodial account at the Federal Reserve Bank in the name of LOGIC. The only source of payment to the Participants are the assets of LOGIC. There is no secondary source of payment for the pool such as insurance or guarantee. Should you require a copy of the portfolio, please contact LOGIC Participant Services.

LOGIC versus 90-Day Treasury Bill



This material is for information purposes only. This information does not represent an offer to buy or sell a security. The above rate information is obtained from sources that are believed to be reliable; however, its accuracy or completeness may be subject to change. The LOGIC management fee may be waived in full or in part at the discretion of the LOGIC co-administrators and the LOGIC rate for the period shown reflects waiver of fees. This table represents historical investment performance/return to the customer, net of fees, and is not an indication of future performance. An investment in the security is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency. Although the issuer seeks to preserve the value of an investment at \$1.00 per share, it is possible to lose money by investing in the security. Information about these and other program details are in the fund's Information Statement which should be read carefully before investing. The yield on the 90-Day Treasury Bill ("T-Bill Yield") is shown for comparative purposes only. When comparing the investment returns of the LOGIC pool to the T-Bill Yield, you should know that the LOGIC pool consist of allocations of specific diversified securities as detailed in the respective Information Statements. The T-Bill Yield is taken from Bloomberg Finance L.P. and represents the daily closing yield on the then current 90-day T-Bill.

Daily Summary for September 2014

Date	Mny Mkt Fund Equiv. [SEC Std.]	Daily Allocation Factor	LOGIC Invested Balance	Market Value Per Share	WAM Days (1)*	WAM Days (2)*
9/1/2014	0.0860%	0.000002355	\$3,093,141,562.93	1.000049	56	56
9/2/2014	0.0810%	0.000002219	\$3,090,969,784.38	1.000060	56	56
9/3/2014	0.0860%	0.000002355	\$3,098,800,357.34	1.000061	58	58
9/4/2014	0.0927%	0.000002541	\$3,084,015,212.42	1.000060	58	58
9/5/2014	0.0908%	0.000002489	\$3,083,118,645.65	1.000053	57	57
9/6/2014	0.0908%	0.000002489	\$3,083,118,645.65	1.000053	57	57
9/7/2014	0.0908%	0.000002489	\$3,083,118,645.65	1.000053	57	57
9/8/2014	0.0890%	0.000002438	\$3,079,779,011.88	1.000061	58	58
9/9/2014	0.0877%	0.000002403	\$3,024,817,759.49	1.000062	59	59
9/10/2014	0.0804%	0.000002203	\$3,000,148,727.14	1.000061	59	59
9/11/2014	0.0792%	0.000002171	\$2,984,950,197.43	1.000063	59	59
9/12/2014	0.0798%	0.000002187	\$2,983,493,136.92	1.000056	57	57
9/13/2014	0.0798%	0.000002187	\$2,983,493,136.92	1.000056	57	57
9/14/2014	0.0798%	0.000002187	\$2,983,493,136.92	1.000056	57	57
9/15/2014	0.0856%	0.000002344	\$2,898,053,194.29	1.000064	58	59
9/16/2014	0.0777%	0.000002130	\$2,906,614,381.87	1.000062	59	59
9/17/2014	0.0769%	0.000002106	\$2,906,653,542.88	1.000061	58	58
9/18/2014	0.0759%	0.000002080	\$2,936,789,670.76	1.000058	57	57
9/19/2014	0.0762%	0.000002089	\$2,909,253,871.42	1.000055	56	56
9/20/2014	0.0762%	0.000002089	\$2,909,253,871.42	1.000055	56	56
9/21/2014	0.0762%	0.000002089	\$2,909,253,871.42	1.000055	56	56
9/22/2014	0.0766%	0.000002099	\$2,922,203,639.73	1.000067	57	57
9/23/2014	0.0746%	0.000002045	\$2,901,117,510.65	1.000070	59	59
9/24/2014	0.0751%	0.000002058	\$2,896,371,635.54	1.000069	59	59
9/25/2014	0.0635%	0.000001741	\$3,146,908,012.85	1.000068	54	54
9/26/2014	0.0707%	0.000001937	\$3,087,839,759.99	1.000058	56	56
9/27/2014	0.0707%	0.000001937	\$3,087,839,759.99	1.000058	56	56
9/28/2014	0.0707%	0.000001937	\$3,087,839,759.99	1.000058	56	56
9/29/2014	0.0764%	0.000002094	\$3,033,612,698.19	1.000071	59	59
9/30/2014	0.0666%	0.000001824	\$3,010,891,831.13	1.000069	59	59
Average	0.0795%	0.000002177	\$3,006,898,499.09		57	57

LOGIC Participant Services
c/o First Southwest Asset Management, Inc.
325 North St. Paul Street, Suite 800
Dallas, TX 75201



LOGIC Board Members

Philip G. Roberson	Arlington ISD	Board President
Fred L. Werner	Municipal Finance Director	Board Vice President
Judd R. Sanderson	North Texas Municipal Water District	Board Treasurer / Investment Officer
Sandra Newby	Tarrant Regional Water District	Board Member
Wes Vela	City of Missouri City	Board Member

For more information contact LOGIC Participant Services ★ 1-800-895-6442 ★ www.logic.org



J.P.Morgan
Asset Management



City of Colleyville City Council Agenda Briefing

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

Agenda Number PC-5

Agenda Date 12/16/2014

Type Pre Council

Department City Secretary

Title

Discussion of the December 16, 2014, City Council regular agenda items



City of Colleyville City Council Agenda Briefing

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

Agenda Number 1

Agenda Date 12/16/2014

Type Executive Session

Department City Secretary

Title

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

Section 551.071 - Legal - Consultation with attorney on contemplated litigation (Camden Lock LLC)

Section 551.071 - Legal - Consultation with attorney regarding litigation - Billy McCullough v. City of Colleyville

Section 551.071 - Legal - Consultation with attorney regarding litigation - Michael S. Newman v. City of Colleyville and City of Keller

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

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

Attachments

RESOLUTION R-14-3814

**A RESOLUTION APPROVING COUNCIL ACTION
REGARDING EXECUTIVE SESSION ITEMS AT THE REGULAR
CITY COUNCIL MEETING OF
DECEMBER 16, 2014**

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

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

Sec. 1. THAT

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 16TH DAY OF DECEMBER 2014.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor



City of Colleyville City Council Agenda Briefing

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

Agenda Number 3

Agenda Date 12/16/2014

Type Announcements, Proclamations, and Presentations

Department City Secretary

Title

In recognition of Colleyville's featured business - Citrus Bistro 5005 Colleyville Boulevard, Suite 240 - Chef Didier Viriot, Owner and Executive Chef; Jean-Loup Schyns, Owner; and Nanou Viriot, Owner - Mayor David Kelly and Economic Development Director Marty Wieder

Presentation of the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting - Mayor David Kelly, Assistant City Manager and Chief Financial Officer Terry Leake, and Finance Manager Karen Hines

Recognition of employees' years of service

Attachments

1. Recognition of employees' years of service

**City of Colleyville Employee Recognition
Fiscal Year 2015 – First Quarter
Years of Service – October to December 2014**

1 YEAR

JUSTIN GRAHAM

Fire

PETITE KIRKENDOLL

Public Works

CHRISTINE KUDERER

Library

LAUREN LECREN

Information Services Management

TREY LEE

Fire

BILL LEGRAND

Building Inspections

MATT PICCHIOTTINO

Fire

TYLER RAMSEY

Fire

CHARLES SELF

Police

KYLE SMITH

Public Works

JOHN THOMPSON

Police

5 YEARS

CHRIS PEÑA

Information Services Management

LARRY PERRY

Public Works

**City of Colleyville Employee Recognition
Fiscal Year 2015 – First Quarter
Years of Service – October to December 2014**

10 YEARS

CHAD BEASLEY

Fire

ERICA GILL

Library

AMY SHELLEY

City Secretary's Office

ROBERT STEWART

Fire

15 YEARS

NICK CUSHING

Fire

ROY FERGASON

Fire

TIM FOLDEN

Fire

SCOTT GILL

Fire

JEREMY H. LEWIS

Fire

EDDIE MORAN

Fire

20 YEARS

JEFF INGRAM

Fire

DOROTHY POSEY

Human Resources

RESOLUTION R-14-3815

**A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER
CONSENT ITEMS AT THE REGULAR CITY COUNCIL MEETING OF
DECEMBER 16, 2014**

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

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

- Sec. 1. THAT the agenda decisions approved by City Council action under Consent Items as follows are hereby adopted:
- a. Approval of the minutes of the regular City Council meeting of December 2, 2014
 - b. Approval of the Architectural Review Commission bylaws

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _____ AYES, _____ NAYS, AND _____ ABSTENTIONS ON THIS THE 16TH DAY OF DECEMBER 2014.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor



City of Colleyville City Council Minutes - Draft

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

Tuesday, December 2, 2014

City Council Chambers

Mayor David Kelly called the Pre Council meeting of the Colleyville City Council to order on December 2, 2014, at 5:35 p.m.

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

City Manager Jennifer Fadden, Assistant City Manager and Chief Financial Officer Terry Leake, Executive Director of Development and Infrastructure Chris Fuller, Police Chief Mike Holder, Assistant Police Chief Robert Hinton, Fire Chief Brian Riley, Economic Development Director Marty Wieder, Recreation and Library Director Mary Rodne, Parks Manager James Hubbard, City Engineer Jeremy Hutt, Finance Manager Karen Hines, Community Development Director Ron Ruthven, Communications and Marketing Director Mona Gandy, Information Systems Manager Chris Pena, City Attorney Matthew Boyle, and City Secretary Amy Shelley

PC-1 Discussion and update on the SH26/Colleyville Boulevard Reconstruction Project

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

Councilmember Mogged questioned staff regarding if Weatherford and Mansfield have or are working on the Turnback Program. Engineer Hutt replied they are in the final stages of the agreement.

Councilmember Putnam asked staff if the cities of Allen and Fort Worth provided any feedback on any issues or concerns they have had so far. Engineer Hutt replied the City of Allen has had more experience with the Turnback Program, and nothing unexpected has come out of the program.

Councilmember Mogged questioned staff regarding if there is a turnback option, providing some portion of the funding, with the option to have six lanes. City Manager Jennifer Fadden replied there is an option to identify, either City or other funds, the fifth and sixth lanes of construction, as well as the additional design cost.

Councilmember Mogged asked staff if it will be roughly \$6 million dollars, including the design cost. City Manager Jennifer Fadden replied yes, that is the estimate we were told.

Councilmember Mogged stated having concerns regarding a definite solution, or an engineered design which indicates a solution, that has not been given for the use of right-turn lanes in the heavier retail areas.

Councilmember Short stated the capacity numbers being considered are based on an assumption. He stated to achieve those capacity numbers is going to be an issue, given that we do not have them in the current design.

Mayor Kelly stated by taking it off-line, we will control the roadway, and we could install more driveway cuts, if necessary.

Councilmember Mogged stated a right-turn lane may be considered. Mayor Kelly stated the roadway intersections will be improved. Councilmember Mogged stated it is the retail turning that is the concern.

Mayor Pro Tem Taylor stated more curb cuts allow for potential traffic issues. He stated better ingress and egress or parking may help.

Councilmember Putnam stated we have the right-of-way for six lanes, which will help with the turning traffic. Councilmember Mogged concurred, for at least in the retail area on the northbound side.

Mayor Kelly stated TxDOT has said Colleyville does not need six lanes.

Councilmember Putnam stated he does not follow TxDOT and COG's interest in doing this project; understanding that they are not addressing a transportation problem, unless the intersections are addressing the transportation problem. He added it has been difficult to understand their intersection data. Councilmember Short stated he could not make sense of it either.

Mayor Kelly stated Michael Morris, Head of Transportation with NCTCOG, has stated the intersection improvements will improve capacity by 50 percent. Councilmember Putnam added the data does not reflect that statement.

Mayor Pro Tem Taylor stated the data is reflective of a multiple level of service, being straight through, rather than at particular intersections.

Mayor Kelly stated the peak traffic situations are not going to be taken away.

Councilmember Short stated TxDOT has stated that at some point, in the future, six lanes is going to be needed; therefore, how long are we willing to wait to build to that capacity. Councilmember Putnam added that time would be 12 years after the completion of this project.

Mayor Kelly stated having concerns with losing the community aspect with a six lane roadway. He stated if the roadway is taken off-line, Colleyville will gain control over it.

Councilmember Short stated the current volume levels indicate this roadway is in the 90th percentile with all of the highways in the Dallas/Fort Worth area.

Councilmember Short questioned staff regarding if TxDOT provided a sampling of those roadways that are operating at those levels. City Manager Jennifer Fadden replied no. Councilmember Short stated he would like to see that data.

Mayor Kelly stated traffic flows pretty well at the four lane capacity, except during peak times.

Mayor Pro Tem Taylor stated the traffic signal timing software may help with the structure of the intersections.

Councilmember Putnam stated he views Colleyville in two distinct ways, the residential and commercial sectors. He stated SH26 is in the commercial sector, and it is there to serve and solve a transportation purpose. He stated the businesses do not want the four lanes with the medians.

Mayor Kelly stated the transportation experts are stating six lanes are not necessary.

Councilmember Putnam stated municipalities have influenced the design decisions relative to medians. Mayor Pro Tem Taylor stated we were told numerous times, if we do not want the medians, they will not build the medians.

Mayor Pro Tem Taylor stated 14 years ago we were led to believe this was going to be six lanes; however, last year, TxDOT stated something different.

Councilmember Putnam stated it is not Colleyville responsibility to address the traffic problem, especially since nothing is done currently. Mayor Kelly stated money needed for transportation is the issue.

Councilmember Mogged stated the Turnback Program makes the most sense, since it puts the roadway back in our hands, and we can make the necessary improvements.

Mayor Kelly stated if we use the Turnback Program, TxDOT may help with turn lanes in those retail centers. Councilmember Mogged stated he has seen roadways with four lanes on one side and six lanes on the other, such as in Phoenix.

Councilmember Putnam stated not having an issue with slower speed.

Councilmember Short stated our roadway section will be different than Grapevine, in that our lanes will be narrower; Colleyville has more development; there will be different landscaping; and the signals are spaced closer together.

Councilmember Hart stated the extra lanes on the side makes sense, and previously it was taken from a six lane to a four lane, slip lane. He stated we have all been dealt this hand, and all of these suggestions will help to get the highway fixed. He stated he does not want the money to slip away, which creates the slowing down of the project.

Councilmember Hart asked Councilmember Putnam if he would prefer there to be more money spent on the extra lanes. Councilmember Putnam replied that if we are not going to make it ready for the future, then we should not move forward.

Councilmember Hart asked Councilmember Putnam if more of the City's money should be put toward this project. Councilmember Putnam replied if we have to do this project now, then we should explore ways to pick-up the extra money to finish the six lanes and negotiate with TxDOT and COG to do so. He stated if there is not a transportation solution, then it is not worth putting the community through it at this time. He suggested the six lanes should be done, or do nothing at all.

Councilmember Hart asked Councilmember Putnam where the money will come from. Councilmember Putnam stated the conversation has not taken place on the funding.

Mayor Kelly stated 15 months ago the decision was made to move forward with the design plans of moving from six lanes, with the option to go to four lanes.

Councilmember Putnam stated he was in favor of the suggestion of the Turnback Program, if the six lanes are constructed now, or with the commitment of funding of the six lanes, in the future, if four lanes are constructed now.

Councilmember Short stated if someone is willing to fix the roadway, when it is needed, he is comfortable with moving forward with the four lanes.

Councilmember Wollin stated having concerns of the safety of the roadway.

Councilmember Putnam asked Mayor Kelly who is responsible for improving the intersection at Tinker Road and Oak Point. Mayor Kelly replied it is TxDOT's roadway, and there is an extreme shortage of transportation funds.

Mayor Pro Tem Taylor stated TxDOT was not going to do the Tinker Road intersection, knowing they were going to do the roadway.

Councilmember Short questioned staff regarding if the addition of the third lane, through the retail centers, can be done with the change order. Engineer Hutt replied staff has not discussed any change orders, of that magnitude.

Mayor Kelly stated the project has not been let yet, but there is an opportunity to commit to something.

Mayor Pro Tem Taylor stated he does not want to do the Turnback Program. He stated the TIF funding would be tied up in the roadway. He stated this money needs to be flowing back into the local needs. He stated not being in favor of encumbering the future generations, especially since it is hard to estimate the increases over time. He added he is supportive of the decision of the group; however, he stated he does not like the Pass-Through option either.

Mayor Pro Tem Taylor stated TxDOT said they would see what they could do as a turnback option for the six lanes. City Manager Jennifer Fadden added, but only if there was direction given by City Council.

Councilmember Hart asked Mayor Kelly if the roadway remains with the state with the pass-through option. Mayor Kelley said yes. Councilmember Hart stated with this option we know what we are going to be out today, relative to funds.

Mayor Pro Tem Taylor stated the reality is that transportation is a huge issue in this state.

Councilmember Putnam stated the transportation problem should be solved, but do it now and be done with it, or do nothing.

Councilmember Short stated businesses may not locate here because our infrastructure is not sufficient to handle the business.

Councilmember Mogged stated he believed Councilmember Hart and Mayor Pro Tem Taylor are in favor of the Pass-Through option and Councilmember Short and Mogged are in favor of the Turnback Program.

Councilmember Wollin stated she may be in favor of the Turnback Program; however, she has concerns with the future generations and their responsibility of the roadway.

Mayor Kelly stated being in favor of the Turnback Program; however, being concerned for the addition of this roadway with the other infrastructure needs of the City for the future generations to have to encumber.

Councilmember Putnam stated being in favor of the Turnback Program with six lanes, or nothing be done at all.

Mayor Pro Tem Taylor stated the Turnback Program is for the four lanes.

Councilmember Mogged stated there is an option for six lanes with the Turnback Program.

Mayor Pro Tem Taylor stated TxDOT will not build six lanes, especially since they cannot justify it. He stated he is not in favor of putting the burden on the future generations.

Councilmember Wollin questioned staff regarding if the Turnback Program is chosen, and the TIF money is encumbered, will the intersection improvements along Glade Road remain possible. City Manager Jennifer Fadden replied based on current funding, there is a capacity to exercise the Turnback Program, building six lanes is approximately \$7.3 million; therefore, the funding is still available to do Bransford Road to Manning Drive, today.

Mayor Pro Tem Taylor stated once the obligation of the TIF district has been met, the taxpayers have a decision to make as to whether or not to keep the TIF district alive, or collapse it, which it then will go into the general fund.

Councilmember Short stated it is being pessimistic to believe the entire burden would be upon the City. He stated he believes there will still be partnerships in place.

Councilmember Short stated the Pass-Through option will cost \$7 million over 12 years.

Councilmember Putnam stated the Turnback Program does not work unless six lanes are constructed.

Councilmember Mogged stated the Turnback Program makes the most sense.

Councilmember Hart stated the Turnback Program is only for Phase III, (John McCain to Brown Trail).

Councilmember Putnam asked Mayor Kelly how we reconcile the long term obligation for the lane expansion. Mayor Kelly stated if there is a need, the partners will help address that need.

Councilmember Short stated there would be \$7 million that could be set aside to do the third lane, by using the Turnback Program. Mayor Pro Tem Taylor stated that is the money we have today, but it may have to be used for something in the future.

Councilmember Hart stated being in favor of whatever makes progress.

Councilmember Mogged stated the Turnback Program allows the City to take care of what needs to be addressed. Mayor Pro Tem Taylor stated the roadway is future proofed, except for the two middle lanes. He stated the businesses will not have to worry about the roadway being disrupted, given that the two center lanes will be the only item disrupted.

Mayor Kelly stated with the Turnback Program, we will control the roadway with being able to cut-out a third lane, not necessarily the entire parkway, through the retail section by Colleyville Downs.

Councilmember Putnam stated the business owners along SH26 do not want to do this. He stated there is no survey data which indicates the impact to the businesses. Mayor Pro Tem Taylor stated he has talked with some of the business owners and most just want something to move forward.

Councilmember Mogged stated he would like to know what the change order limits will be to get to the six lanes. Mayor Kelly stated TxDOT and COG have been willing to discuss options, which is something they were not willing to do 10 years ago. Councilmember Putnam stated, as a newcomer to this process, it does not feel that way.

City Manager Jennifer Fadden stated a resolution will appear on the December 16th agenda seeking COG's assistance in making the Turnback Program happen.

Mayor Pro Tem Taylor asked Councilmember Putnam if he will vote for the Turnback Program with six lanes. Councilmember Putnam said yes.

PC-2 Discussion and update on the SH26/Colleyville Boulevard School Safety Zone

This item was not discussed; however, it was moved to the December 2, 2014 meeting agenda.

PC-3 Presentation of the Quarterly Investment Report for quarter ending September 30, 2014

This item was not discussed; however, it was moved to the December 2, 2014 meeting agenda.

PC-4 Discussion of the December 2, 2014, City Council regular agenda items

There was no discussion of this item.

Mayor Kelly adjourned the Pre Council meeting at 7:25 p.m.

The regular meeting of the Colleyville City Council was called to order by Mayor Kelly at 7:50 p.m.

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

City Manager Jennifer Fadden, Assistant City Manager and Chief Financial Officer Terry Leake, Executive Director of Development and Infrastructure Chris Fuller, Police Chief Mike Holder, Assistant Police Chief Robert Hinton, Fire Chief Brian Riley, Economic Development Director Marty Wieder, Parks Manager James Hubbard, City Engineer Jeremy Hutt, Community Development Director Ron Ruthven, Communications and Marketing Director Mona Gandy, Information Systems Manager Chris Pena, City Attorney Matthew Boyle, and City Secretary Amy Shelley

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

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

Section 551.071 - Legal - Consultation with attorney regarding contemplated litigation (Camden Lock LLC)

Section 551.071 - Legal - Consultation with attorney regarding litigation - Billy McCullough v. City of Colleyville

Section 551.071 - Legal - Consultation with attorney regarding litigation - Michael S. Newman v. City of Colleyville and City of Keller

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

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

Mayor Kelly explained the Executive Session had been called in accordance with the Texas Government Code, Chapter 551, Subchapter D, Section 551.071, Legal, Section 551.072, Real Estate, and Section 551.087, Economic Development. He further explained there would be no decisions made or action taken during this time. The meeting was recessed at 7:26 p.m. and reconvened at 7:27 p.m.

INVOCATION: Reverend Cameron Veazey, Colleyville Assembly of God**PLEDGE OF ALLEGIANCE: City Attorney Matthew Boyle****2. EXECUTIVE SESSION: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - Resolution R-14-3810**

This resolution was not needed.

3. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

Announcements of civic and charitable events

Presentation of calendar events and updates

Announcements of awards and recognition

Councilmember Wollin announced the Colleyville Woman's Club 30th Annual Holiday Home Tour on Sunday, December 7 from 11:00 a.m. to 5:00 p.m. She stated the following, "five beautiful Colleyville homes will be showcased—each exquisitely decorated for the holidays. Santa's Sweet Stop returns at Tara Village Shopping Center with sweet treats and holiday décor ideas. Tickets may be purchased in advance for \$20 at Market Street, Whole Foods, and Alternative Health Shoppe, as well outlets in Grapevine, Hurst, North Richland Hills, and Southlake. Tickets are \$25 on the day of the tour and will also be available at the tour homes. Raffle tickets may also be purchased. The money from this event is used towards charities in this area, and the Colleyville Woman's Club gave out over \$93,000 last year."

Councilmember Mogged announced the Lions Club Breakfast with Santa on Saturday, December 6 from 7:00 a.m. to 11:00 a.m. at Colleyville Center. He stated advance tickets are \$8 for the entire family, and photos with Santa are \$5. He stated there is a request to bring a can of food for GRACE, or eye glasses to be recycled.

Mayor Kelly announced the Christmas Tree Lighting to be held on Friday, December 5, 2014 at 5:30 p.m. at City Hall. He stated once the trees are lit, the celebration continues next door at the library for lots of reindeer games, carriage rides, treats and refreshments, and free photos with Santa. He added this is the only City holiday event scheduled this year.

Mayor Kelly announced the Home Town Hero ceremony to be held on Saturday, December 6, 2014 at 11:00 a.m. at Heroes Park in the Village at Colleyville. He stated the Home Town Hero program was designed to recognize those individuals who have made significant contributions to the Colleyville community.

Mayor Kelly announced the Mayor for a Day contest is celebrating its tenth year. He stated, "this year's contest opened Monday, November 3, and all entries must

be received by 5:00 p.m. on Monday, December 15, 2014. Announcement of the winner will be made later that week. The contest is open to Colleyville residents only, in grades 2-7. To enter, all contestants must submit a one-to-two page essay addressing three ideas he or she would implement to make Colleyville an even better place to live. For the Mayor for a Day essay contest winner, a day as the city's "mayor" is the beginning of an unforgettable year. The student will serve as honorary mayor in January, touring city facilities and co-presiding with Mayor David Kelly at a City Council meeting. Additional activities will be scheduled throughout the year, according to the student's availability."

Presentation of the Mayor's Community Spirit Award to the Hall Family

Mayor Kelly presented the Mayor's Community Spirit Award to Charlie and Faye Hall. Charlie and Faye Hall expressed their appreciation for the recognition.

4. CONSENT: READING AND PUBLIC HEARING - Resolution R-14-3811

4a Approval of the minutes of the regular City Council meeting of November 18, 2014

Mayor Kelly read Resolution R-14-3811 in its entirety.

Mayor Kelly opened the public hearing at 8:06 p.m.

There was no one present wishing to speak and Mayor Kelly closed the public hearing at 8:06 p.m.

Councilmember Wollin moved to approve Resolution R-14-3811. Mayor Pro Tem Taylor seconded the motion.

The motion to approve carried by the following vote:

Aye: 7 – Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Carol Wollin, Chuck Mogged, Chris Putnam, Jody Short, and Tom Hart

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

5a Ordinance O-14-1940

Consideration of a Special Use Permit for an accessory building on Lot 2, Block 3, of the Quail Crest Estates Addition, located at 3512 Meadowlark Lane, Case ZC14-022

Mayor Kelly read the caption of Ordinance O-14-1940.

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

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

Terry Muno, 3512 Meadowlark Lane, property owner and applicant, presented this item and briefed the City Council. Mr. Muno explained that an updated plan had been submitted to staff.

Mayor Kelly questioned staff regarding the new plan. Director Ruthven replied he had not seen the revised plan, and staff would ensure it will be in the second reading agenda packet.

There were no others present wishing to speak and Mayor Kelly closed the public hearing at 8:13 p.m.

Mayor Pro Tem Taylor questioned staff regarding if the Planning and Zoning Commission recommended changes in the roof and if the removal of the covered patio would change staff's recommendation of denial to approval of this request. Director Ruthven replied yes, staff would recommend approval based on the Planning and Zoning Commission's recommendations.

Mayor Kelly asked Mr. Muno regarding the intended use of the covered patio. Mr. Muno replied it would be used for shade while washing cars and such.

Mayor Kelly questioned staff regarding if the 90 degree wall is an issue. Director Ruthven replied that given the height of the wall it would need to be moved further from the property line to accommodate the angle.

Councilmember Hart asked Mr. Muno if the building will have heating and air conditioning. Mr. Muno replied yes.

Councilmember Hart asked Mr. Muno if the building will have a kitchen. Mr. Muno replied no, and it will not have any plumbing.

Mayor Pro Tem Taylor asked Mr. Muno if the building would be covered all the way around. Mr. Muno replied no, since it would take away from the Tudor design of the main house.

Mayor Pro Tem Taylor asked Mr. Muno if the building will be used for entertainment purposes for the back yard area. Mr. Muno replied yes, it could be.

Mayor Pro Tem Taylor questioned staff regarding if the Planning and Zoning Commission had an issue with the building foot print. Director Ruthven replied they had reservations that it may have the appearance of a carport.

Mayor Kelly asked staff if this building is at the back of the house; therefore, minimally visible. Director Ruthven replied yes.

Mayor Pro Tem Taylor asked Mr. Muno if the covered patio area is located directly from the driveway. Mr. Muno concurred.

Mayor Pro Tem Taylor questioned staff regarding if they could put in a covered carport, in the future. Director Ruthven replied a different type of Special Use Permit would be needed for a carport.

Mayor Kelly stated the elevation with the covered patio looks better. Councilmembers Putnam and Short concurred.

Mayor Pro Tem Taylor stated he agrees the roof should be changed, based on the Planning and Zoning Commission recommendations.

Mayor Kelly asked Mr. Muno if the roof change could be made and remain a covered patio. Mr. Muno replied yes.

This is the first reading of this item; therefore, City Council did not take any action on this item during this meeting.

5b Ordinance O-14-1941

Consideration of a Special Use Permit for the sale of alcoholic beverages for on-premise consumption on Lot 1R1, Block 2, of the Town Center Colleyville Addition, located at 1205 Church Street, Case ZC14-023

Mayor Kelly read the caption of Ordinance O-14-1941.

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

Mayor Kelly opened the public hearing at 8:23 p.m.

Allen Frank, on behalf of Black Forest Café, presented this item and briefed the City Council.

There were no others present wishing to speak and Mayor Kelly closed the public hearing at 8:24 p.m.

Councilmember Mogged asked Mr. Frank if the existing trees will be retained during the pond improvements, along Riverwalk Drive. Mr. Frank replied their landscape architect will be working to add more trees to the property.

Mayor Kelly asked Mr. Frank if the pond will be finished out with stone, around the perimeter. Mr. Frank replied no, they like to keep things in their natural state, as much as possible.

Mayor Kelly asked Mr. Frank if there are any erosion concerns. Mr. Frank replied no.

Mayor Kelly asked Mr. Frank if there is a natural source of water for the pond. Mr. Frank replied rainfall and then from pond to pond.

Mayor Pro Tem Taylor expressed his appreciation to Mr. Frank for choosing Colleyville, and asked if the exhibits presented this evening will be what is constructed. Mr. Frank replied yes.

Mayor Kelly asked Mr. Frank if the restaurant will serve breakfast, lunch, and dinner. Mr. Frank replied yes.

Mayor Kelly asked Mr. Frank if they have an approximate opening date. Mr. Frank replied in approximately seven months.

This is the first reading of this item; therefore, City Council did not take any action on this item during this meeting.

5c Ordinance O-14-1942

Consideration of a zoning change from the CC-2 Shopping Center zoning district to the PUD-C-Planned Unit Development-Commercial zoning district on 1.94 acres of Abstract 352, of the Elizabeth Cox Survey, located at 5200 State Highway 121, Case ZC14-024

Mayor Kelly read the caption of Ordinance O-14-1942.

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

Mayor Kelly opened the public hearing at 8:38 p.m.

Matt Cragun, Cumulus Design, on behalf of the applicant, presented this item and briefed the City Council.

Bruce Williams, Director of Operations, La Hacienda Ranch, 5250 State Highway 121, spoke in opposition to this request with concerns for parking.

Jeff Lowery, General Manager, La Hacienda Ranch, 5250 State Highway 121, spoke in opposition to this request with concerns for noise, the height of the proposed building, safety, and parking.

Alexis Georgiades, 5250 State Highway 121, spoke in opposition to this request with concerns for the hotel use in general.

Thomas M. Whelan, attorney for 121 Compadres, LTD. (owner of La Hacienda Ranch) spoke in opposition to this request with concerns for the size of the structure on such a small lot; parking; emergency access; and traffic.

There were no others wishing to speak and Mayor Kelly closed the public hearing at 8:55 p.m.

Mayor Kelly questioned staff regarding the method the city of Frisco uses to calculate the required parking. Director Ruthven replied not knowing how Frisco calculates parking, especially since there could be other factors considered, such as a restaurant within the hotel.

Mayor Kelly questioned staff regarding the calculations used for acquiring the number of parking spaces. Director Ruthven replied the parking calculations are done similar to traffic counts, in that they do not accommodate 100 percent usage or occupancy. Mayor Kelly stated he did not know the number of employees that are going to be there daily, which will reduce the number of parking spaces for hotel occupants.

Mayor Kelly questioned staff regarding the emergency access. Fire Chief Brian Riley replied emergency access was considered and the layout is good.

Mayor Kelly asked staff the height of the Colleyville Heritage High School, for reference. Director Ruthven replied approximately 48 feet, although he stated not knowing for sure.

Mayor Kelly asked staff if a hotel is allowed by right. Director Ruthven replied yes, without the waiver requests.

Mayor Kelly stated the proposed hotel is requesting to be set back further from the roadway. Director Ruthven concurred.

Councilmember Short stated there is a concern of blocking out sunlight, but what time of year or day would that be an issue for the adjacent property. Director Ruthven replied the summertime may be the only time in which the proposed hotel would block the property to the south.

Mayor Pro Tem Taylor stated having the same concerns with parking, especially with trucks, trailers, and buses.

Mayor Kelly stated there is an emergency access gate, possibly at the back of the hotel, which may help reduce the hotel traffic and parking.

Councilmember Hart questioned staff regarding the number of compact parking spaces. Director Ruthven replied 27 spaces.

Councilmember Hart questioned staff regarding if a large car can park in a compact parking space. Director Ruthven replied in theory.

Councilmember Hart questioned staff regarding if a compact car can park in a regular parking space. Director Ruthven replied yes.

Councilmember Putnam questioned Mr. Cragun regarding the maximum occupancy. Mr. Cragun replied 68 percent is expected.

Councilmember Putnam questioned Mr. Cragun regarding if there is any possibility to offer any policing of the parking. Mr. Cragun replied they did reach out to the properties to the north and south end, but they had no interest.

Mayor Kelly questioned staff regarding the number of rooms. Director Ruthven replied 96.

Mayor Kelly questioned Mr. Lowery regarding if an emergency access gate would be a good compromise. Mr. Lowery replied he would have to visit with the applicant.

Councilmember Putnam questioned Mr. Lowery regarding ideally what use would be acceptable in that location. Mr. Lowery replied anything that would fit on that property, something other than a five story building.

Mayor Pro Tem Taylor questioned Mr. Lowery regarding what else would be an issue, if the parking can be protected. Mr. Lowery stated it is everything that comes along with the hotel. He stated it does not fit with the properties in this area; the noise; the visibility; the parking; and safety issues with traffic movement.

Mr. Cragun asked if City Council would approve of the hotel providing a physical barrier and gate access, maybe through landscaping or ornamental fencing along the side adjacent to the restaurant. Mayor Kelly replied yes, that could help with the parking issues.

Councilmember Mogged questioned Mr. Cragun regarding what could be done in the event additional parking is needed. Mr. Cragun stated the primary market is of the business partner who may ride-share, but the hotel will also have a van service to pick people up from the airport, so that they do not have to rent a car. He stated they do have parking agreements, with other businesses, in other areas, so that cars can be valet parked.

Mayor Pro Tem Taylor questioned Mr. Cragun regarding if he will be the operator. Mr. Cragun replied he is a representative of the owner and operator.

Councilmember Hart questioned Mr. Cragun regarding if there are four story options with this owner/operator. Mr. Cragun replied yes, but it depends on the brand.

Councilmember Mogged questioned Mr. Cragun regarding if the parking information could be provided. Mr. Cragun replied they can provide that information.

Councilmember Putnam questioned Mr. Cragun regarding if the occupancy information could be provided as well. Mr. Cragun replied yes.

Mayor Pro Tem Taylor questioned Mr. Cragun regarding the room count for this location. Mr. Cragun replied yes, for this location, the brand dictated the room count.

Mayor Pro Tem Taylor questioned Mr. Cragun regarding if the brand looked at the lot to the north for this location. Mr. Cragun replied yes, there were several attempts to make a purchase, but there was no interest.

Mayor Kelly questioned Mr. Whelan regarding the concern for shadows on the restaurant's kitchen side. Mr. Whelan stated it would be the darkening of the restaurant and the patio area.

Mr. Whelan stated being concerned with the waiver request to the height of the building. He stated knowing that the Code allows for a 35 foot building is good, but to allow for a waiver from that is not.

This is the first reading of this item; therefore, City Council did not take any action on this item during this meeting.

5d Ordinance O-14-1943

Consideration of a zoning change from the AG-Agriculture zoning district to PUDR-Planned Unit Development zoning district on 11.22 acres of Abstract 1034, of the G. W. Minter Survey, Lot 1, Block A, of the Twin Oak Estates Addition, and Lot 1, Block 1, of the Hartley Addition, located at 5205, 5207, 5303, 5309, 5311, 5313, and 5317 Roberts Road, Case ZC14-019

Mayor Kelly read the caption of Ordinance O-14-1943.

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

Mayor Kelly opened the public hearing at 9:32 p.m.

Pat Atkins, applicant, 3064 N. McArthur Boulevard, Irving, presented this item and briefed the City Council.

Marietta Klein, 200 Fremont Court, spoke in support of this request.

Denny Wiles, 200 Fremont Court, spoke in support of this request.

Mark Wines, 5317 Roberts Road, spoke in support of this request.

Barbara Belknap-King, 5313 Roberts Road, spoke in support of this request.

Fred King, 5313 Roberts Road, did not wish to speak, but did register his support of this request.

The following did not wish to speak, but did register their opposition to this request: Richard Bangs, 3509 Fox Meadows Drive; and Shiryll Thompson Gillaspie, 3511 Fox Meadows Drive.

Anthony Pardini, 3504 Fox Glen Drive, spoke in opposition of this request with concerns for density.

There were no others wishing to speak and Mayor Kelly closed the public hearing at 9:51 p.m.

Mayor Kelly questioned staff regarding if retention/detention is required. Director Ruthven replied the preliminary drainage analysis indicates the open space contains this area.

Mayor Kelly questioned Mr. Atkins regarding the open space requirement and lot density. Mr. Atkins replied they determined their open space based on other developments in Colleyville. He added they have more open space than some, and less than others.

Mayor Kelly questioned Mr. Atkins regarding if the new site plan contains 13 percent open space. Mr. Atkins replied yes.

Mayor Kelly asked staff if 20 percent open space has always been required for this development. Director Ruthven replied yes, and the Land Development Code requires 20 percent. Mr. Atkins added the development is adjacent to a school that has a lot of open space.

Mayor Kelly asked staff if the property to the east is Grapevine. Director Ruthven replied the property to the north is Grapevine, with the property to the east being Colleyville.

Mayor Kelly questioned Mr. Atkins regarding if there will be rear fencing on the eastern lots. Mr. Atkins replied there will be a wrought iron fence adjacent to the middle school, then a trail, then another wrought iron fence along the eastern property line. He stated this allows the trail to be adjacent to the drainage area, and it will link the trail system.

Mayor Kelly questioned Mr. Atkins regarding if the lots have been reduced from 60 to 54, with a lot density of 4.99 dwelling units per acre. Mr. Atkins replied yes. Mayor Kelly suggested the lot ratios be clarified.

Mayor Kelly questioned staff regarding if the retention and detention area is allowed in the larger open space area. Director Ruthven replied yes, staff recommended this in terms of the preliminary drainage analysis. He stated the plan was reviewed and accepted by the Engineering Division, but it was not approved. He added the actual engineered plans will come later; however, it did not meet the Land Development Code requirements of open space, in terms of the amount of open space and the amount of retention and detention allowed within the open space.

Councilmember Short questioned staff regarding if the development will dedicate the right-of-way needed along Roberts Road. Director Ruthven replied yes.

Councilmember Short questioned if the development will be required to improve Roberts Road along the development of this property. Director Ruthven replied the road is not proposed to be improved by the applicant, and given the impact fees to be collected, that would not be something the applicant would be obligated to do.

Councilmember Short questioned Mr. Atkins regarding if the home exhibits are representative of what you can put on the lots. Mr. Atkins replied yes; however, a builder has not been committed for this development.

Mayor Pro Tem Taylor questioned Mr. Atkins regarding the sidewalk that does not continue into the sidewalk. Mr. Atkins stated the developer will build a portion of the sidewalk, and the builder would build the remaining.

Mayor Kelly questioned Mr. Atkins regarding tree preservation. Mr. Atkins replied they will meet the ordinance requirements of the City.

Councilmember Mogged questioned staff regarding the current zoning, is it Agricultural? Director Ruthven replied yes.

Councilmember Mogged asked staff if this is being proposed as a transition area. Director Ruthven replied yes. Councilmember Mogged stated he does not view this as a transitional area. Director Ruthven stated the uses to the east are institutional uses which does create and allow this as a transition area.

Mayor Kelly suggested and encouraged Mr. Atkins to review other similar developments and their percentages of open space. He stated 18.3 percent is the smallest open space allowed in a development since 2004.

Mayor Kelly asked Mr. Atkins if this is his first time to develop in Colleyville. Mr. Atkins replied yes. Mayor Kelly stated most developments are created with more open space for more amenities for the residents of that neighborhood, which creates a more attractive community.

Mayor Pro Tem Taylor asked Mayor Kelly if he desires to have more open space or larger lots in this development. Mayor Kelly replied he would like to see more open space, which may mean a reduction in the number of lots.

Mayor Pro Tem Taylor agreed this is a transition area; however, the lot footprints do appear to be small.

Mayor Pro Tem Taylor questioned staff regarding why this developer is not improving his half of Roberts Road. City Engineer Jeremy Hutt replied there are two things when determining the perimeter street situation, the roadway impact fees and the cost necessary for street development. He stated the developer is responsible for the higher of the two. He stated for this situation, and given the lot count, more than likely it will be the roadway impact fee, paid at the time of the building permit, which would cover the cost of the perimeter street.

Mayor Pro Tem Taylor questioned staff regarding the overall plan for Roberts Road. Engineer Hutt replied City Developer Agreements have been created for situations such as these, and staff will review to see if there is value in having an agreement to cost-share the roadway improvement.

This is the first reading of this item; therefore, City Council did not take any action on this item during this meeting.

5e Ordinance O-14-1944

Consideration of a zoning change from the AG-Agricultural zoning district to the PUD-R-Planned Unit Development-Residential zoning district on 2.62 acres of Abstract 1034, of the G. W. Minter Survey, located at 5017, 5113, and 5201 Roberts Road, Case ZC14-025

Mayor Kelly read the caption of Ordinance O-14-1944.

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

Mayor Kelly opened the public hearing at 10:20 p.m.

Charles Starnes, applicant, 204 West Nash Street, Grapevine, presented this item and briefed the City Council. He stated being hopeful he could provide an update for the December 16th meeting.

Councilmember Hart asked Mayor Kelly if the applicant does not have enough time, before the December 16th meeting, if a continuance may be allowed. Mayor Kelly said yes, especially since staff will need to review any amendments to the plan.

Mayor Pro Tem Taylor questioned Mr. Starnes regarding if he is planning to work something out with the adjacent developer. Mr. Starnes replied no, not necessarily. He stated he would like to see the revised site plan to see if revisions have been made to the lot sizes and the compliance with the open space requirements. He stated it may determine the layout of this development.

Mayor Pro Tem Taylor questioned Mr. Starnes regarding why the plan would not work for having the homes to face Roberts Road. Mr. Starnes replied he did not believe the Master Plan would allow homes to front collector streets. Director Ruthven stated the Master Plan does not recommend homes fronting collector streets on lots of less than an estate sized lot.

Mayor Kelly asked staff if a slip-street would work. Director Ruthven replied it is something to be considered. Mayor Pro Tem Taylor stated there is a slip-street along Martin Lane; however, the design of this development does need some revision so that the product works.

Mayor Kelly suggested Mr. Starnes drive-by the homes along Martin Lane to see the slip-street, and how this development may be revised so that it works in this area. Councilmember Hart concurred.

There were no others present wishing to speak and Mayor Kelly closed the public hearing at 10:32 p.m.

Mayor Pro Tem Taylor questioned staff regarding the lot depth. Director Ruthven replied these lots have been this size for a long time.

This is the first reading of this item; therefore, City Council did not take any action on this item during this meeting.

5f Ordinance O-14-1945

Approval to amend various sections of the Colleyville, Texas, Code of Ordinances and the Land Development Code, setting fees and charges for City services

Mayor Kelly read the caption of Ordinance O-14-1945.

Mayor Kelly opened the public hearing at 10:35 p.m.

There was no one present wishing to speak and Mayor Kelly closed the public hearing at 10:35 p.m.

This is the first reading of this item; therefore, City Council did not take any action on this item during this meeting.

6. RESOLUTION(S): READING AND PUBLIC HEARING

6a Resolution R-14-3812

Approval of changing the dates of the May 19, August 4, October 6, and November 3, 2015 regular City Council meetings

Mayor Kelly read Resolution R-14-3812 in its entirety.

Mayor Kelly opened the public hearing at 10:37 p.m.

There was no one present wishing to speak and Mayor Kelly closed the public hearing at 10:37 p.m.

Mayor Pro Tem Taylor moved to approve Resolution R-14-3812. Councilmember Mogged seconded the motion.

The motion to approve carried by the following vote:

Aye: 7 – Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Carol Wollin, Chuck Mogged, Chris Putnam, Jody Short, and Tom Hart

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

There was no discussion on this item.

8. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR DECEMBER 2, 2014 - Reading and Public Hearing - Resolution R-14-3813

This resolution was not needed.

9. ADJOURNMENT

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

The motion to approve carried by the following vote:

Aye: 7 – Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Carol Wollin, Chuck Mogged, Chris Putnam, Jody Short, and Tom Hart

Mayor Kelly adjourned the City Council meeting at 10:37 p.m.

APPROVED BY A VOTE OF __ AYES, __ NAYS, AND __ ABSTENTIONS ON THIS THE 16TH DAY OF DECEMBER 2014.

Minutes taken and prepared by:

*Amy Shelley, TRMC
City Secretary*



City of Colleyville City Council Agenda Briefing

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

Agenda Number 4b

Agenda Date 12/16/2014

Number Resolution R-14-3815

Type Resolution

Department City Secretary

Title

Approval of the Architectural Review Commission bylaws

Explanation

Reading and Public Hearing

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

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

The Architectural Review Commission approved the attached bylaws at the December 1, 2014 meeting.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. City Charter Excerpts
2. Architectural Review Commission bylaws

City Charter Excerpts

Section 7.07 Other Departments, Boards and Commissions:

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

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

ARTICLE XI PLANNING AND ZONING, BOARD OF ADJUSTMENTS

Section 11.01 The Planning and Zoning Commission:

There shall be established a Planning and Zoning Commission, which shall consist of seven (7) citizens of the City of Colleyville. Members of said Commission shall be appointed by the City Council for a term of two (2) years and will serve at the will and pleasure of the City Council. Three (3) members of the Planning and Zoning Commission shall be appointed each odd numbered year and four (4) members shall be appointed each even numbered year. The Commission shall elect a chairman from its membership and shall meet in the City Hall not less than once each month. The chairman of the Commission shall be a voting member. 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. A majority of the members shall constitute a quorum; however, no action shall be approved with less than four (4) affirmative votes. Attendance requirements for members shall be the same as for members of the City Council. The Commission shall keep minutes of its proceedings which shall be of public record. The Commission shall serve without compensation. (Amended May 7, 2005)

Section 11.02 Powers and Duties:

The Planning and Zoning Commission shall:

- (A) Recommend a City Plan for the physical development of the City.
- (B) Recommend to the City Council, approval or disapproval of proposed changes in the Zoning Plan.

(C) Exercise 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 (Amended April 4, 1981)

The 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.

Section 11.05 Zoning Board of Adjustment:

There shall be a Zoning Board of Adjustment as specified by State law. Vacancies which are created by resignation, or for any other reason shall be filled by the City Council for the remainder of the term. (Amended May 7, 2005)

Section 11.06 Separation of Planning and Zoning Commissions:

The City Council may by ordinance, at such time as deemed in the best interest of the citizens of Colleyville, create a separate Commission to perform the duties of Planning. This Commission shall have the same structure as provided for the Zoning Commission in

Section 11.01, and will perform all duties listed in Section 11.01 through 11.05 of this Charter, for Planning only. The Zoning Commission will perform only the duties described in the same Sections for Zoning, and as advisory board to the Planning Commission.

ARCHITECTURAL REVIEW COMMISSION BYLAWS

ARTICLE I – Identification and Purpose

The Architectural Review Commission was established by the City Council of Colleyville, Texas, by Resolution R-11-3313 on January 18, 2011. The purpose of the Architectural Review Commission is to review applications related to façade improvements or pole signage removal and replacement. The Architectural Review Commission helps to further engage the Colleyville community in the City's economic development efforts by providing an analysis of issues, such as the quality and effectiveness of Colleyville's Commercial Design Standards, and the possibility of an Overlay District within the core of the Colleyville Boulevard corridor.

ARTICLE II – Duties and Responsibilities

- 2.1 The Architectural Review Commission shall serve in an advisory role to the City Council and has been charged with the following:
 - A. To evaluate and make recommendations on matching grant program applications for façade improvements and/or pole signage replacements; and
 - B. To evaluate the quality and effectiveness of Colleyville's Commercial Design Standards as outlined in Chapter 6 – Commercial Design Standards of the Land Development Code; and
 - C. To evaluate the possibility of an Overlay District within the core of the Colleyville Business Corridor, as well as oversee recommendations on any related Design Guidelines which may be subsequently adopted; and
 - D. To conduct other architectural and design-related studies as requested by the City Council.
- 2.2 The Architectural Review Commission members will take the Attorney General Texas Open Meetings Act on-line training course or obtain a DVD of the training course from the City Secretary, and provide a copy of the Certificate of Course Completion to the City Secretary. The training must be completed not later than the 90th day after the date the member takes the oath of office, or otherwise assumes responsibilities as a member of the governmental body.

ARTICLE III – Membership

- 3.1 The Architectural Review Commission shall consist of seven (7) members. Three (3) members shall be appointed by the City Council for an initial term of one (1) year, and four (4) members shall be appointed by City Council for a term of two (2) years, with subsequent appointees serving two year terms.
- 3.2 Members shall serve without compensation and until their successors are appointed.
- 3.3 Members must be residents of Colleyville, Texas unless City Council waives the residency requirement.
- 3.4 Vacancies on the Architectural Review Commission shall be reported to the City Secretary, and filled by appointment of the City Council for the length of the unexpired term.
- 3.5 If a member of the Architectural Review Commission fails to maintain a seventy-five (75%) attendance record for all regularly scheduled meetings, the Chair or staff liaison will notify the City Secretary. City Council may, at its discretion, declare a vacancy, advertise the open position, or appoint a replacement without advertising.

ARTICLE IV – Officers

- 4.1 The officers of the Architectural Review Commission shall be the Chair and the Vice Chair.
- 4.2 The Architectural Review Commission shall elect the Chair and Vice Chair from among the members annually. The officers shall serve one-year terms or until a successor is elected.
- 4.3 In the event of resignation or incapacity of the Chair, the Vice Chair shall serve as the Chair for the unexpired portion of the term.
- 4.4 Staff liaison shall take minutes of the meeting and serve as custodian of Architectural Review Commission records.

ARTICLE V – Meetings

- 5.1 Meetings are held on an as needed basis. If an applicant is requesting a variance to a requirement outlined in Chapter 6 – Commercial Design Standards of the Land Development Code, the Commission shall convene not later than 30 days from date of the application, and a quorum of the Architectural Review Commission shall review the variance request.
- 5.2 Any Commission member who has designed, worked on, or consulted with a matching grant program applicant or agenda subject, shall recuse themselves from voting in those circumstances.
- 5.3 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 200 hundred 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 10 days before the date set for hearing by depositing letters properly addressed and postage paid in the United States Post Office.
- 5.4 A majority of the voting Architectural Review Commission shall constitute a quorum to conduct business of the Architectural Review Commission. The act of the Architectural Review Commission members, present at a meeting, at which a quorum is in attendance, shall constitute the act of the Architectural Review Commission. For example, four members constitute a quorum, and three affirmative votes are required for an item to be approved.
- 5.5 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, and distributed to each member 72 hours prior to a meeting.
- 5.6 Approved meeting minutes will be included in City Council agenda packets under Reports.

ARTICLE VI – Appeal Procedures

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

ARTICLE VII – Amendments

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



City of Colleyville City Council Agenda Briefing

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

Agenda Number 5a

Agenda Date 12/16/2014

Number Ordinance O-14-1940

Type Ordinance

Department Community Development

Title

Consideration of a Special Use Permit for an accessory building on Lot 2, Block 3, of the Quail Crest Estates Addition, located at 3512 Meadowlark Lane, Case ZC14-022

Explanation

Second Reading and Public Hearing

There were no speakers at the December 2, 2014 City Council meeting.

Per the direction of the City Council, the applicant has submitted revised building elevations showing the covered patio with the modified roof. The floor plan remains unchanged from the previous briefing per the City Council's direction to leave the covered patio in place. Both the floor plan and the revised building elevation have been added to Ordinance O-14-1940.

First Reading and Public Hearing

Terry Munro has submitted a request for a Special Use Permit (SUP) to construct an approximately 1,900 square foot detached accessory building on 0.37 acres located at 3512 Meadowlark Lane.

Existing Conditions and Zoning. The property is zoned R-15-Single Family Residential zoning district and is currently developed as a 3,190 square foot single family residence.

Applicant's Request. In the Statement of Planning Objectives the applicant states that the total area of the accessory building will be 1,204 square feet. However, the plans submitted by the applicant indicate an additional 684 square feet that is unenclosed and open on three sides. The applicant states that this area will not be used as a carport and, instead, used as an open patio.

The applicant plans to construct a masonry with stucco trim accessory building at the northwest portion of the lot, six (6) feet from the rear lot line and five (5) feet from the side lot line. The masonry color will match the house, which is composed of red brick. The accessory building will be located behind the house and will be 29 feet, five inches to the highest roof ridge, three feet less than the height of the house.

There is an existing 96 square foot accessory building that will remain on the property. Under Section 3.27 (A)2, three accessory buildings are the maximum amount of

accessory buildings permitted, and this request for an SUP complies with the maximum number of buildings portion of that section.

The applicant intends to use the accessory building as a detached garage that is intended to house antique and collectible automobiles.

Accessory buildings are regulated in the Land Development Code by Section 3.27 - Accessory Buildings and Residential Carport Regulations (attached). Section 3.27 requires a Special Use Permit for any accessory building that does not meet the conditions of this section. The conditions allow up to a 750 square foot accessory building for a lot that is one half (0.5) acre or less; therefore, a Special Use Permit is required for the proposed accessory building.

A detached accessory building shall comply with the setback lines established for the applicable zoning district, unless the accessory building is located totally behind the rear of the principal building, then it shall not be placed closer than five (5) feet to any side or rear lot line. Since the proposed building is located totally behind the rear of the principal building, the setbacks may be five (5) feet. The proposed accessory structure will be located five (5) feet from the side and six (6) feet from the rear property lines.

Non-Compliant Factors. The proposed accessory structure does not comply with the following provisions of the Land Development Code:

1. Section 3.27(A)2 – Maximum Size and Number of Buildings:

For lots below one-half acre in size, the maximum size for all accessory buildings on the site is 750 square feet. The proposed size of the accessory building is 1,888 square feet including the covered patio area.

2. Section 3.27(A)4 – Maximum Height:

“No accessory building shall penetrate a vertical height envelope defined as being a point five feet from a side or rear lot line and extending vertically 8 feet to a point, then extending at a 45 degree angle to the height of the primary building”.

The proposed accessory building is 29 feet, five inches in height and is located five feet from the side (north) property line. Based on the attached building elevation, the north wall extends vertically at a 90 degree angle to the maximum height of the building at five feet from the side property line. Therefore, the proposed building does not comply with this requirement.

3. Section 3.24.G - Lot coverage:

The maximum lot coverage allowed for all buildings on a lot for the R-15-Single Family

Residential district is 30 percent. Lot coverage is calculated as the total square footage under the roof of a building. The total lot coverage for the home is 3,190 square feet, which constitutes a total lot coverage of 20 percent. With the addition of a 1,888 square foot accessory building in addition to the existing 96 square foot accessory building, the lot coverage increases to 33 percent for the property.

The proposed accessory building complies with the other requirements of Section 3.27.

The site plan, floor plan, and elevations are incorporated as exhibits to the ordinance.

Surrounding Zoning and Development. All surrounding properties are zoned R-15-Single Family Residential zoning district and are developed as single family detached homes.

Public Notification. Staff mailed notices to 19 adjacent property owners as well as all Homeowners Associations within 500 feet of the subject property regarding this request. Notice was sent to the Hurst-Euless-Bedford Independent School District as required by state law. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. No correspondence has been received to date.

Planning and Zoning Commission Recommendation. The Planning and Zoning Commission recommended approval of this request by a vote of 6-0, subject to the following conditions:

- The accessory building roof shall be redesigned such that all height requirements are met;
- The area labeled as the covered patio on the plans shall be removed.

These conditions are not contained in the proposed ordinance as no revisions that match the recommendations of the Planning and Zoning Commission have been received from the applicant to date.

Summary. The applicant proposes to construct a detached garage that includes a large covered patio that extends 18 feet from the garage face. Given the number of non-compliant factors associated with this request, staff recommends denial.

Financial Impact

There is no financial impact to the City.

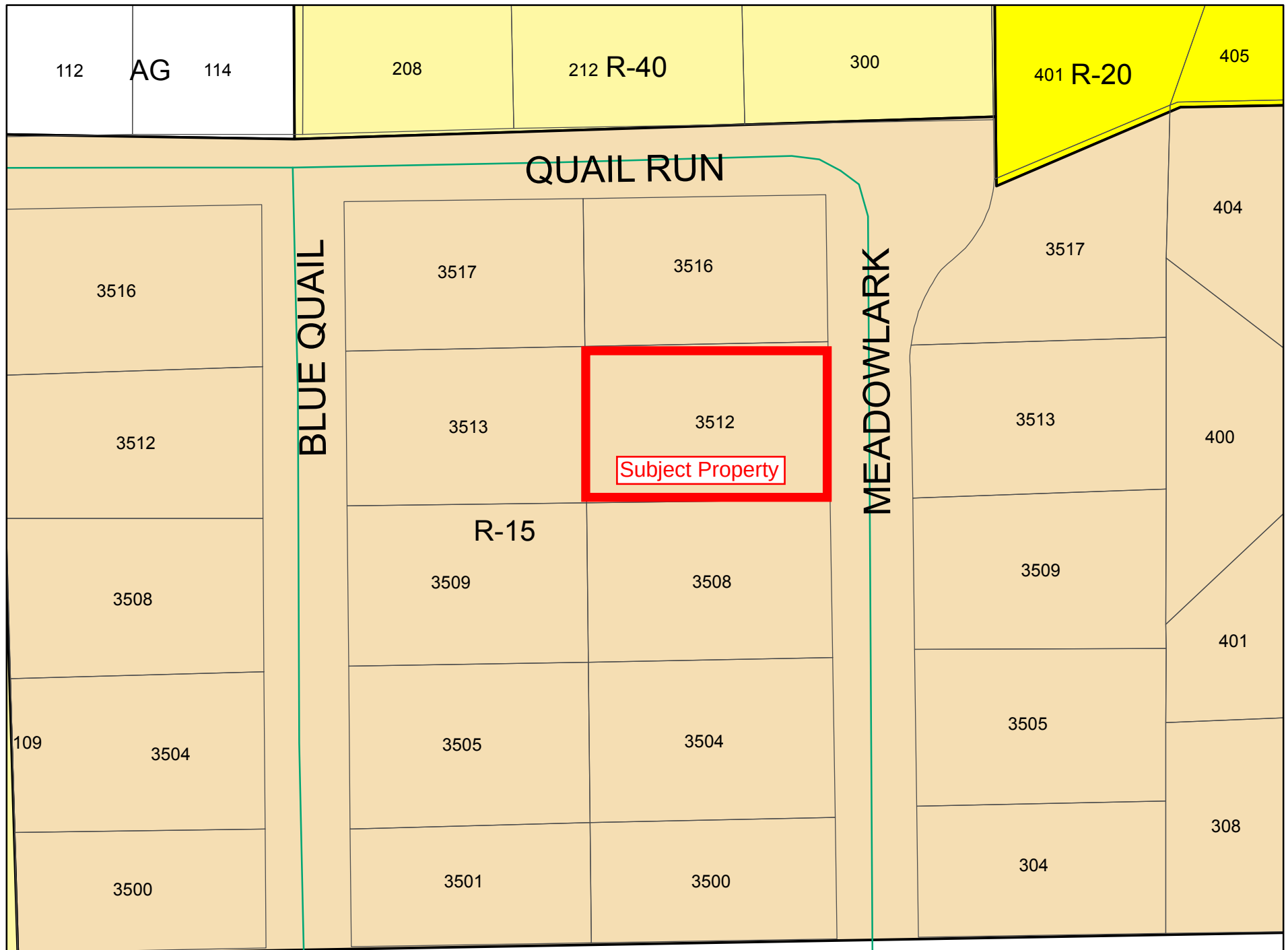
Recommendation

Denial

Attachments

1. Location and Zoning Map
2. Aerial
3. Future Land Use Map
4. Buffer Map
5. Notification List
6. Revised Building Elevation
7. Statement of Planning Objectives
8. Site Plan
9. Floor Plan
10. Original Building Elevations
11. Section 3.27 - Land Development Code
12. Ordinance O-14-1940

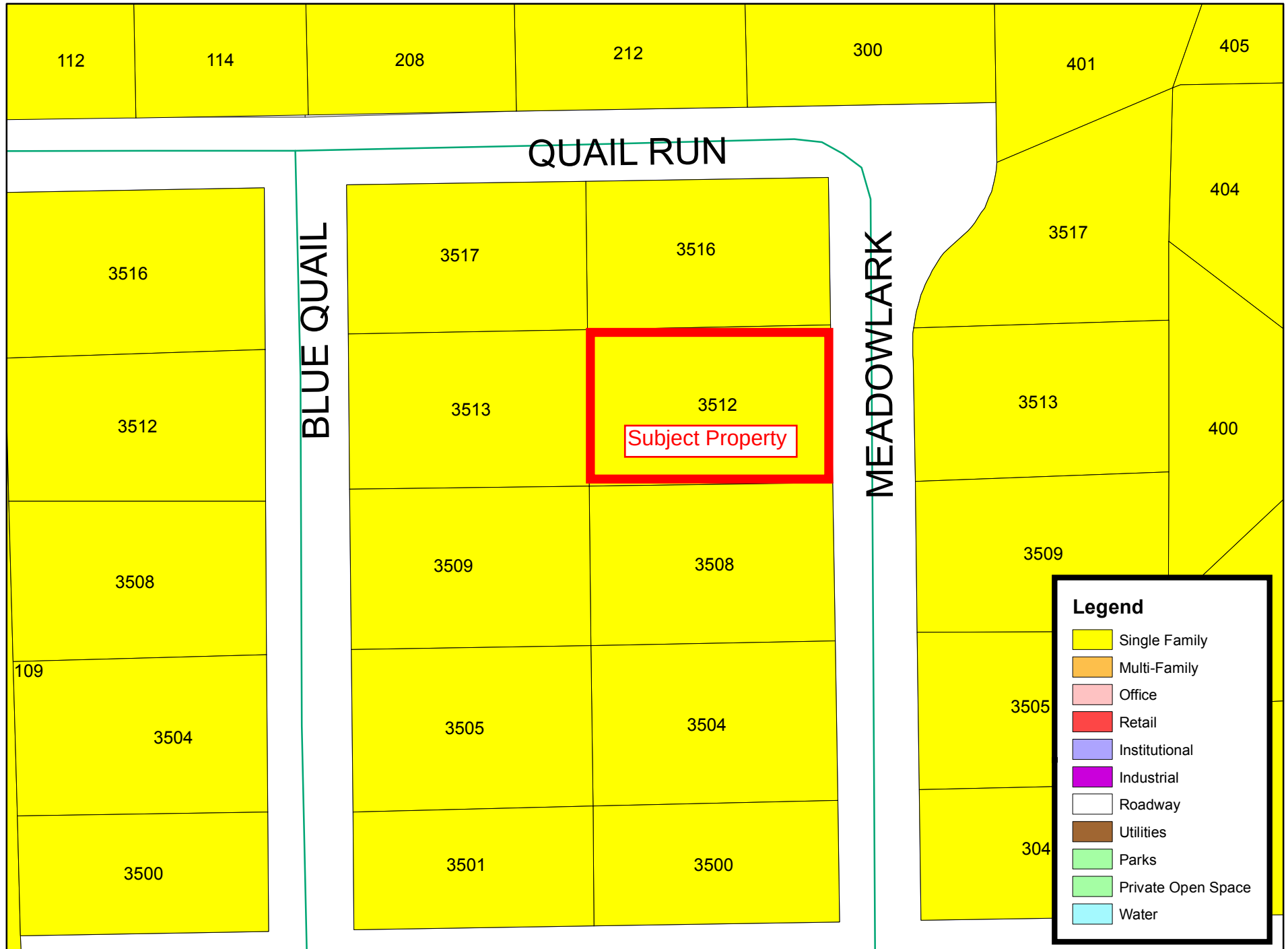
Location and Zoning Map



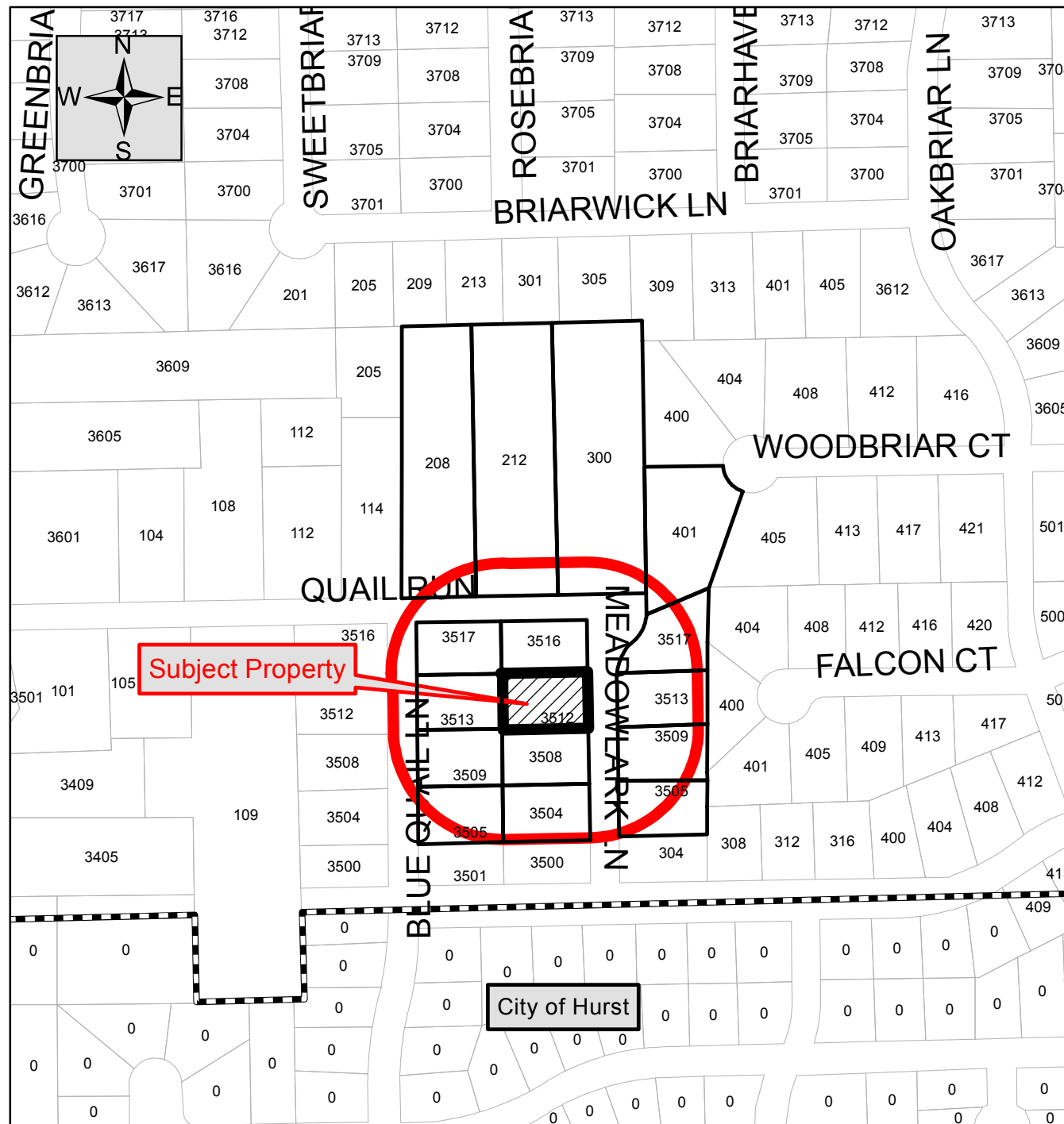
Aerial



Future Land Use Map



Buffer Map



Case ZC14-022

3512 Meadowlark Lane

Legend

-  Properties within 200 feet
-  Subject Property
-  Parcels
-  City Limit



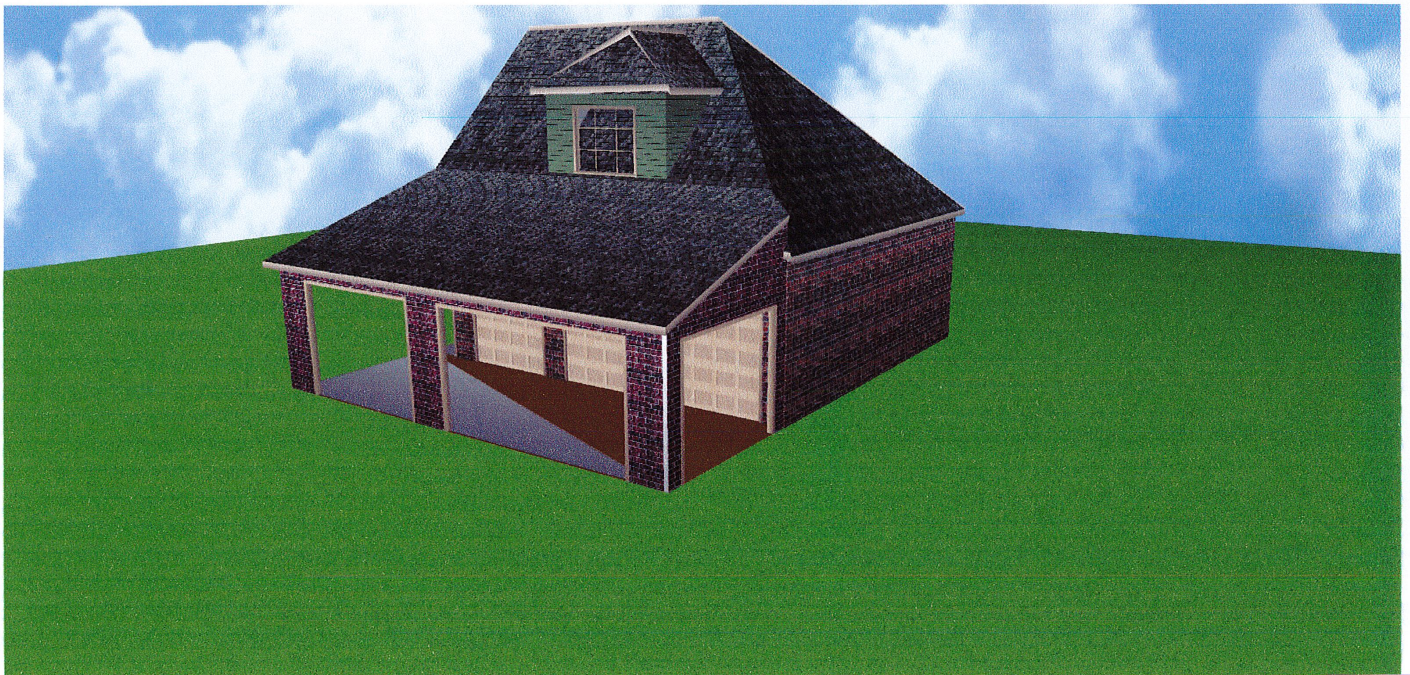
Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
Brewer, Royce Etux Katherine	PO Box 54846	Hurst	Texas	76054	003504 Meadowlark Ln
Cullen, John	3505 Blue Quail Ln	Colleyville	Texas	76034	003505 Blue Quail Ln
Grisso, Terance Etux Candice	3505 Meadowlark Ln	Colleyville	Texas	76034	003505 Meadowlark Ln
Stallings, Terry A	208 Quail Run	Colleyville	Texas	76034	000208 Quail Run
Glenn, James W Etux Norma R	212 Quail Run	Colleyville	Texas	76034	000212 Quail Run
Carlson, Scott A Etux Lisa R	300 Quail Run	Colleyville	Texas	76034	000300 Quail Run
Rains, Russell R	401 Woodbriar Ct	Colleyville	Texas	76034	000401 Woodbriar Ct
Doss, Emmett L Etux Barbara	3517 Meadowlark Ln	Colleyville	Texas	76034	003517 Meadowlark Ln
Conway, Judith Catherine	3516 Meadowlark Ln	Colleyville	Texas	76034	003516 Meadowlark Ln
Penwell, Donny Glynn	3517 Blue Quail Ln	Colleyville	Texas	76034	003517 Blue Quail Ln
Cutlip, Joseph S	3513 Blue Quail Ln	Colleyville	Texas	76034	003513 Blue Quail Ln
Walsh, William John	3513 Meadowlark Ln	Colleyville	Texas	76034	003513 Meadowlark Ln
Grammer, Raymond O	3509 Meadowlark Ln	Colleyville	Texas	76034	003509 Meadowlark Ln
Muno, Terry L Etux Christi A	3512 Meadowlark Ln	Colleyville	Texas	76034	003512 Meadowlark Ln
Stralow, Carl W & Julie J	3509 Blue Quail Ln	Colleyville	Texas	76034	003509 Blue Quail Ln
Gorup, Frank Anthony	3508 Meadowlark Ln	Colleyville	Texas	76034	003508 Meadowlark Ln
City of Hurst	1505 Precinct Line Road	Hurst	Texas	76054	Courtesy Notice
Hurst Euless Bedford ISD	1501 Central Drive	Bedford	Texas	76022	Courtesy Notice
Muno, Terry L Etux Christi A	3512 Meadowlark Ln	Colleyville	Texas	76034	Applicant

Public hearing notices were
mailed Thurs, Oct. 30, 2014 by
Taci Wrisley

Revised Building Elevation

3512 Meadowlark Ln



Statement of Planning Objectives

City of Colleyville

Community Development Department

Development Review Committee

Subject: ZC14-022 SUP for Accessory Bldg. – 3512 Meadowlark Lane

Response from Applicant on Comments:

1. The character of the proposed development will be shaped and proportioned to conform to the existing structure (house) including dormered roof and Tudor style. The proposed development will match in detail the current structure with same color of brick and paint and pitch of roof line. The purpose of the proposed development is to house classic and antique automobiles.
 - a) The total square footage of the accessory building will be approximately 1,204.
 - b) Currently, on the property is a small shed, 8ft X 12ft that will be left standing. This will bring the total square footage for all accessory buildings on the property to 1,300.
 - c) As stated above, the purpose of the proposed accessory building will be to house classic and antique automobiles.
 - d) The exterior of the proposed accessory building will match the existing house with brick, stucco, wood and paint.
 - e) The brick used on the proposed accessory building will be what is referred to as "Old Chicago Brick". The brick will be up to the lower roof line. Above the brick will be stucco, white in color. The trim on the stucco and around the lower roof line will be "Hardie Board", green in color. The stained cedar garage doors will emulate the feel of an older carriage house.
 - f) The maximum height of the proposed accessory building will be approximately 29'-5"
2. See copies showing the location of the proposed accessory building on the lot by Rick.
3. Development Schedule (attached)
4. Height requirement is met.
5. The proposed accessory building will be 5 feet from the North property line with no easements and 8 feet from the West property line with a 6 foot easement. (See No. 2)
6. Total square footage of property is approximately 16,000. The existing structure is approximately 2,500 square feet on the bottom floor. The total square footage of all accessory building will be approximately 1,300 (see No. 1 b). Thus, the total square footage of all structures is approximately 23.75% of total lot coverage.

Statement of Planning Objectives

7. The proposed accessory building will be totally behind the rear of the principal building. See No. 5 for side and rear lot line clearance.

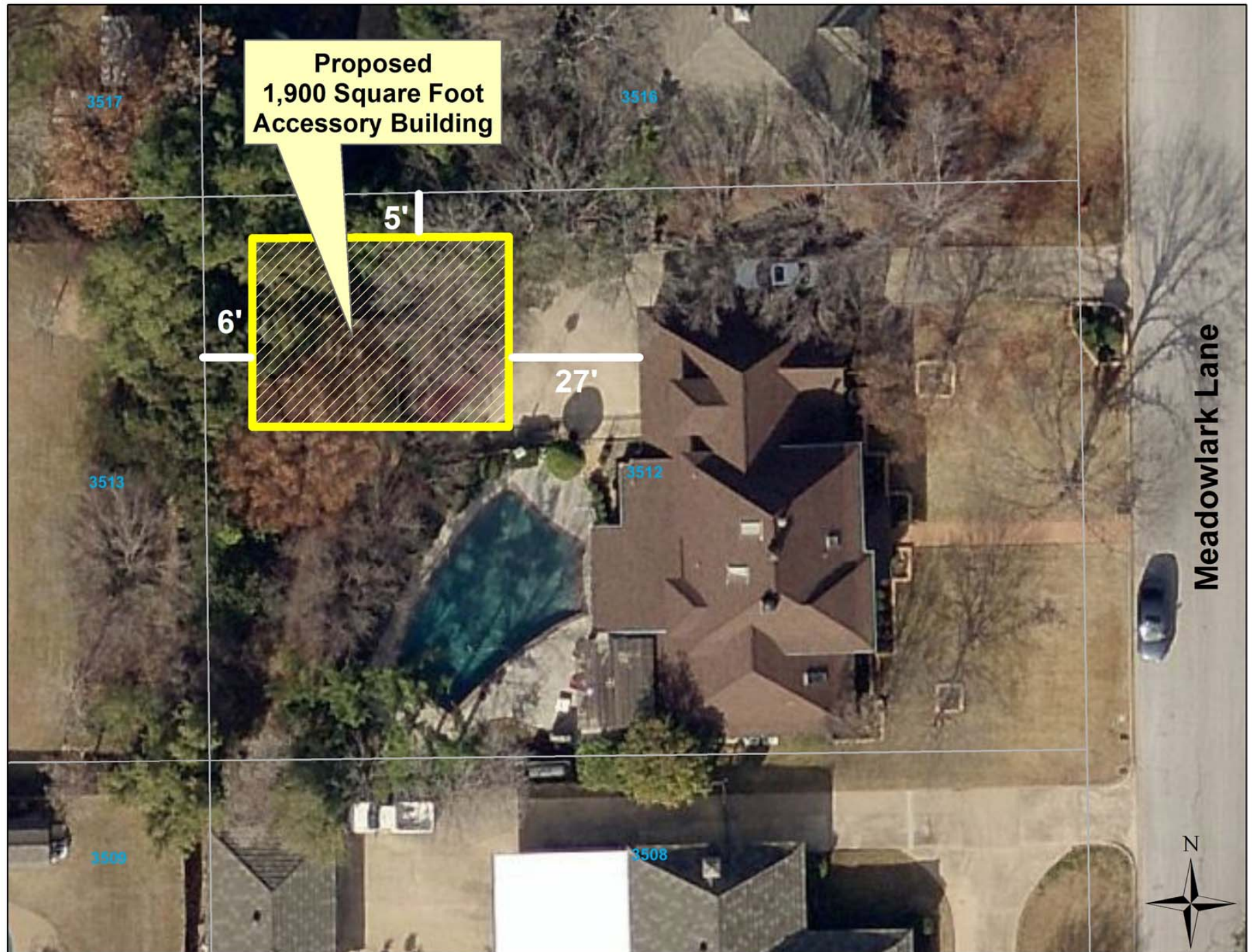
Statement of Planning Objectives

3512 Meadowlark Lane

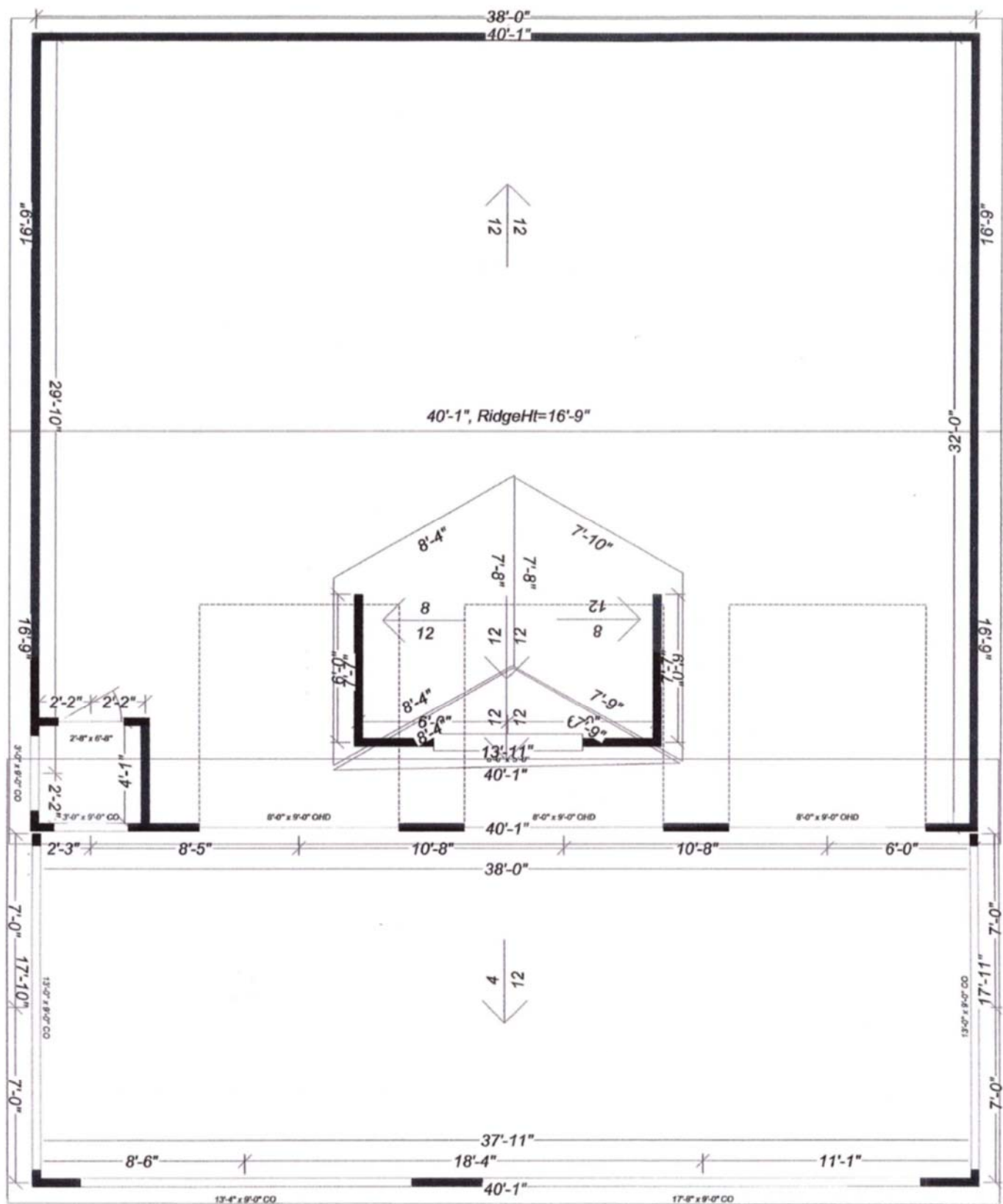
Develeopment Schedule

Dec 1-14	Tree removal, cut and fill Pad.
Dec 15-21	Retaining Wall and backfill
Dec 22-30	Formset Piers and back fill
Jan 1-14	Grade and foundation.
Jan 15-22	Flatwork
Jan 23-30	Frame
Feb 1-7	Cormice, roof, and mechanicals
Feb 8-15	Inpections
Feb 16-23	Insulation/Drywall
Feb 24-28	Brick/stone/trim/doors
March 1-7	Painting
March 8-15	Mechanical Trims/Gutters/Car lift
March 16-23	Final inspection

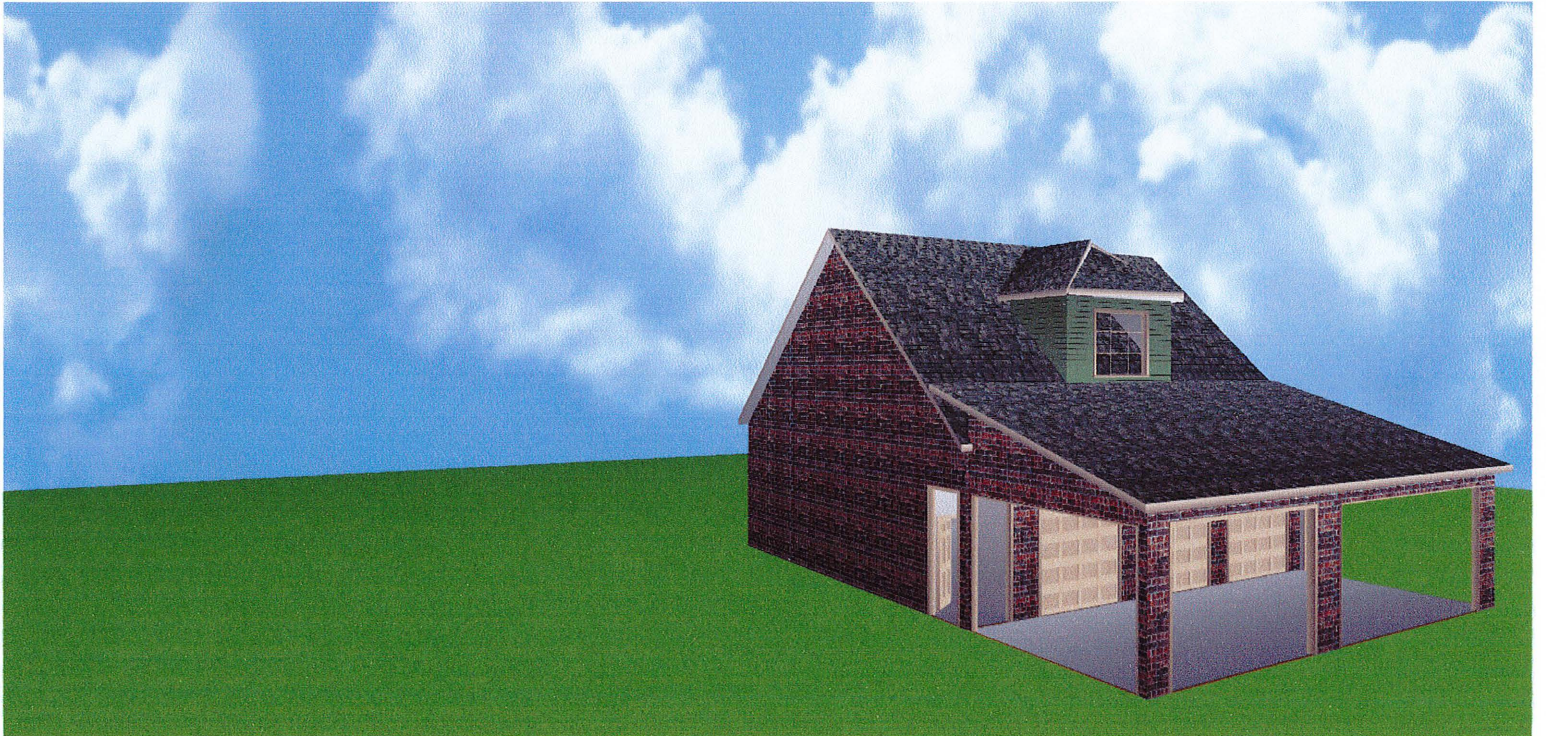
Site Plan



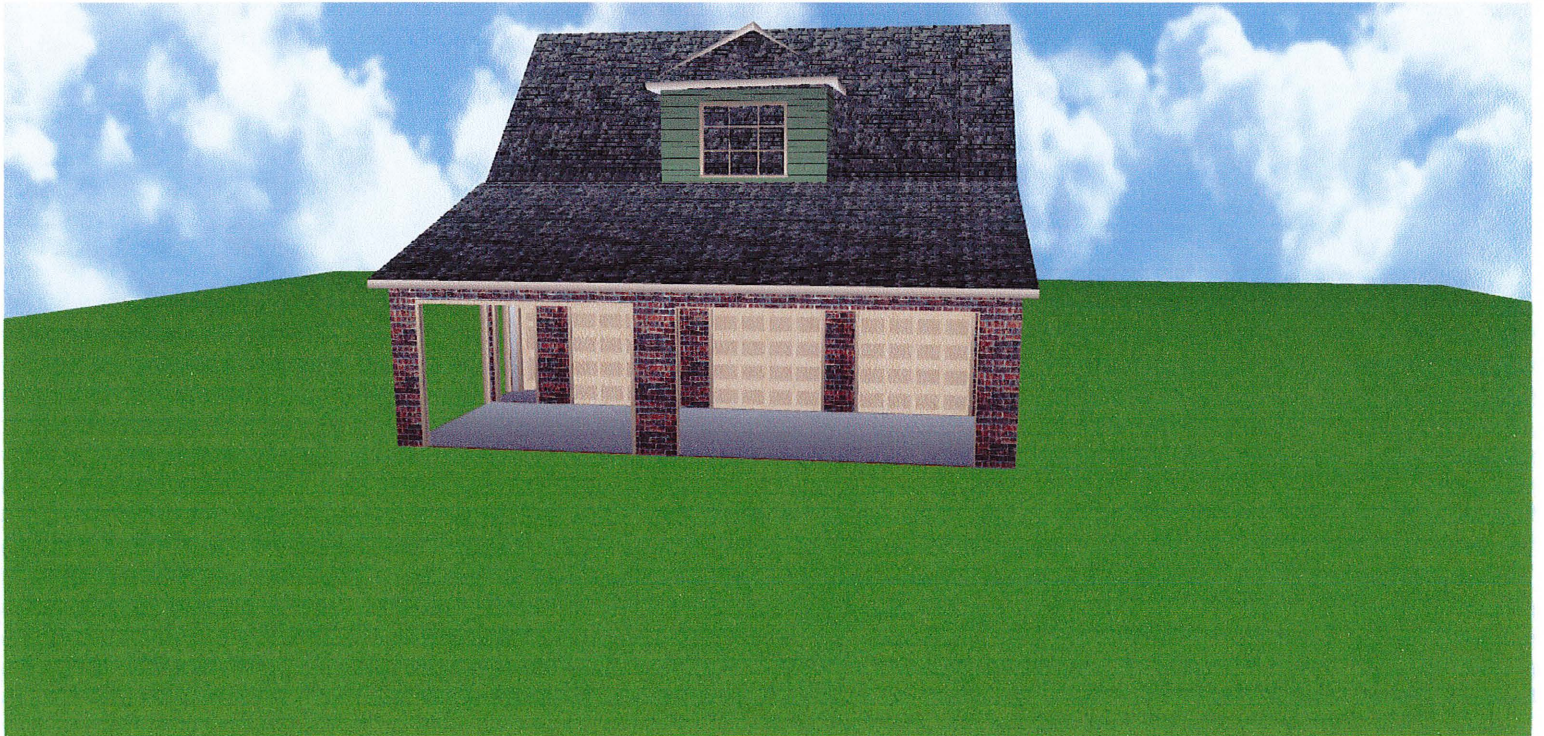
Floor Plan



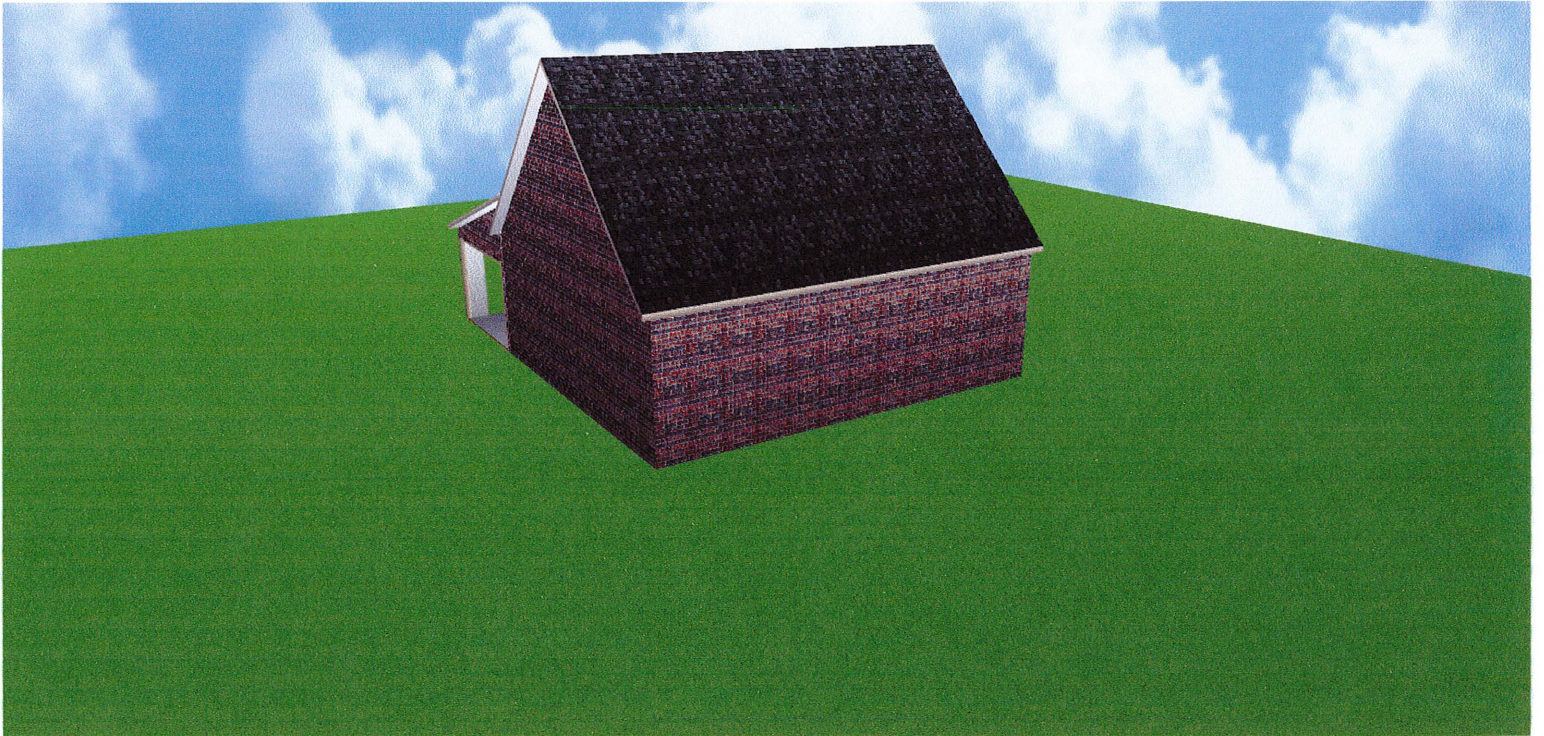
Original Building Elevations



Original Building Elevations



Original Building Elevations



Section 3.27 - Land Development Code

Colleyville, Texas, Land Development Code

Section 3.27 Accessory Buildings and Residential Carport Regulations

The following regulations shall govern the location, size and use of accessory buildings:

A. Accessory Buildings Located in Residential Zoning Districts (O-00-1223 / 07/18/00)

1. *Permit Required:*

- a. A building permit shall be required for any accessory building which exceeds one hundred and twenty (120) square feet. However, all accessory buildings containing 120 square feet or less shall comply with the height and setback requirements of this Section. An accessory building shall only be allowed as an incidental structure to a principle building unless the accessory building is located in the Agricultural District.
- b. For the purpose of this Section, the term accessory building shall include detached residential garages and pool houses, but shall exclude a carport (see Section 3.27.C).

2. *Maximum Size and Number of Buildings:*

- a. The maximum number of accessory buildings allowed per lot shall be three (3) buildings. In addition, the combined square footage of all accessory buildings shall not exceed the maximum square footage specified in the following table.

Maximum Square Footage of all Accessory Buildings				
Lot Size	Under .5 ac	.5– .99 ac.	1 – 2.99 ac.	3+ ac.
Total s. f.	750 s. f.	1,000 s. f.	1,750 s. f.	2,500 s. f.

- b. For the purpose of this Section, the size of an accessory building shall be the square footage of the building footprint.
- c. An application to exceed the total square footage shown in the above table may be approved as a Special Use Permit (SUP).
- d. An existing accessory building may be remodeled or expanded provided the combined square footage of all accessory buildings does not exceed the maximum square footage allowed. However, an existing accessory building which exceeds the maximum square footage allowed may be remodeled or replaced with a new accessory building, but not expanded or increased in height.
- e. There shall be no physical connection between accessory buildings and a minimum separation of three (3) feet between accessory buildings.

3. *Setbacks:*

- a. No accessory building shall be erected in any required yard, as defined in *Chapter 2 – Definitions*, except as set forth herein.
- b. Attached accessory buildings – Accessory buildings erected ten (10) feet or closer to the principal building shall be considered attached, and shall comply with the setback lines established for the applicable zoning district. For the purpose of this regulation, the distance between buildings shall be measured between the nearest wall surfaces.
- c. Detached accessory buildings – A detached accessory building shall comply with the setback

Section 3.27 - Land Development Code

Colleyville, Texas, Land Development Code

lines established for the applicable zoning district, unless the accessory building is located totally behind the rear of the principal building, then it shall not be placed closer than five (5) feet to any side or rear lot line.

4. *Maximum Height:* No accessory building shall penetrate a vertical height envelope defined as being a point five feet from a side or rear lot line and extending vertically 8 feet to a point, then extending at a 45° angle to the height of the primary building.
5. *Permitted Uses:* The use of an accessory building shall be consistent with the permitted uses of the applicable zoning district, except, no accessory building shall be used for dwelling purposes other than for domestic servants employed for the premises, where permitted by the district regulations.
6. *Special Use Permit Provision:* Any request for a building permit for an accessory building which does not meet the criteria in this Section shall only be authorized after approval of a Special Use Permit by the City Council using the procedures contained elsewhere in this Land Development Code.

B. For Accessory Buildings Located in Non-residential Zoning Districts

1. No accessory building shall be erected in any required yard area except as set forth by this section.
2. No accessory building shall be erected within ten (10) feet of any other building unless such accessory building is used as a commercial kiosk, in which case such commercial kiosk cannot be located within fifty (50) feet of another building.
3. Commercial kiosks as accessory uses and/or buildings may be located within approved nonresidential districts subject to the following conditions:
 - a. Maximum size of two hundred-fifty (250) square feet.
 - b. No inside sales or service or drive in sales or service; walk-up and/or drive-up service permitted.
 - c. Exterior walls shall be of at least seventy-five percent (75%) masonry, glass, or other equivalent material, provided metal material does not exceed twenty-five percent (25%) of the exterior walls.
 - d. Located within required setbacks and in conformance with this section.
 - e. Located in such a manner as to not impede, impair or endanger vehicular traffic on the property where the kiosk is located and for vehicular traffic ingressing from and egressing to public rights-of-way.
 - f. Submission of an acceptable site plan shall be required for consideration of the issuance of a building permit unless a current valid Certificate of Occupancy exists.
 - g. Limited to one (1) kiosk per platted plot.

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

1. *Approval by Special Use Permit Only:* In accordance with the Special Use Permit procedures contained in this Chapter of these zoning regulations, no carport shall be built in the City of Colleyville without approval by the City Council for a Special Use Permit to construct a carport in a zoning district that permits single family residential dwellings.
2. *Carport Standards:* A carport shall comply with the following regulations, unless the City Council in approving a Special Use Permit for a carport has imposed other requirements necessary in the particular case to protect the public interests.
 - a. *Size:* A carport shall not exceed 480 square feet in area. The longest dimension on a carport shall not exceed 24 feet.

Section 3.27 - Land Development Code

Colleyville, Texas, Land Development Code

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

c. *Setbacks:*

- i. A carport located within ten (10) feet of the principal building shall comply with the front, side and rear yard setbacks of the zoning district. The distance shall be measured between the two closest points of the carport and principal building.
- ii. A carport located 10 feet or more from a principal building may extend into a required side yard, provided all of the following conditions are satisfied:
 - (1) every part of such carport is unenclosed except for necessary structural supports;
 - (2) no part of the carport is less than five (5) feet from a side or rear lot line, and
 - (3) the carport is located completely within the rear yard area as defined in these zoning regulations.

- d. *Maximum Number Per Lot:* one

e. *Paving and Street Access:*

The parking area of a carport shall be paved not less than nine feet (9') by eighteen feet (18') and provide access to a public street right-of-way. Said access shall be a minimum of nine feet (9') in width and paved. All paved surfaces shall be either concrete, asphalt or pave-stone.

f. *Design Criteria:*

- i. *Roof* - Carports shall have a pitched roof of at least 2:12. Flat roofs shall be prohibited.
- ii. *Posts* - Posts shall be constructed of brick, stone or decorative metal, such as metal lattice. For purpose of this requirement, decorative metal shall consist of twenty-five (25) percent opaque surfaces. The dimension of each post as viewed from each primary elevation shall not be less than twelve inches (12") or more than forty-eight inches (48"). Any carport with two or more elevations that exceed the 48-inch criteria shall be considered an accessory building and be regulated as such. Wooden posts shall be prohibited.

g. *Adequacy of Plans and Specifications:*

The applicant requesting a Special Use Permit to construct a carport shall submit plans and specifications of the proposed carport for review. Said plans and specifications shall contain sufficient information to allow the City Council to determine that the proposed carport complies with these regulations and the City Council may require additional information when necessary to clarify the applicant's request. At a minimum, the drawings shall contain a plot plan, elevation views and a description of the construction materials.

ORDINANCE O-14-1940

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP BY CHANGING THE ZONING ON LOT 2, BLOCK 3, OF THE QUAIL CREST ESTATES ADDITION, LOCATED AT 3512 MEADOWLARK LANE, BY AUTHORIZING A SPECIAL USE PERMIT FOR AN ACCESSORY BUILDING; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a Special Use Permit for an accessory building under Case No. ZC14-022; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to 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 2, Block 3, of the Quail Crest Estates Addition, located at 3512 Meadowlark Lane, by authorizing a Special Use Permit for an accessory building, as depicted on Exhibit "A" and 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 construction of an accessory building.
- b. The accessory building shall not exceed 1,900 square feet in size including all covered patio areas and the layout of the building shall be consistent with Exhibit "D".
- c. The accessory building design and exterior materials shall be generally consistent with Exhibit "C" and shall include a combination of brick and stucco with a color scheme that matches the main home.
- d. The accessory building shall not exceed 29 feet, five inches in height and shall, otherwise, meet all height requirements

in the Land Development Code.

e. The total lot coverage for all buildings located on the subject property shall not exceed 33 percent.

d. 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 2nd day of December 2014.

The second reading and public hearing being conducted on the 16th day of December 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 "A" – Location and Zoning Map

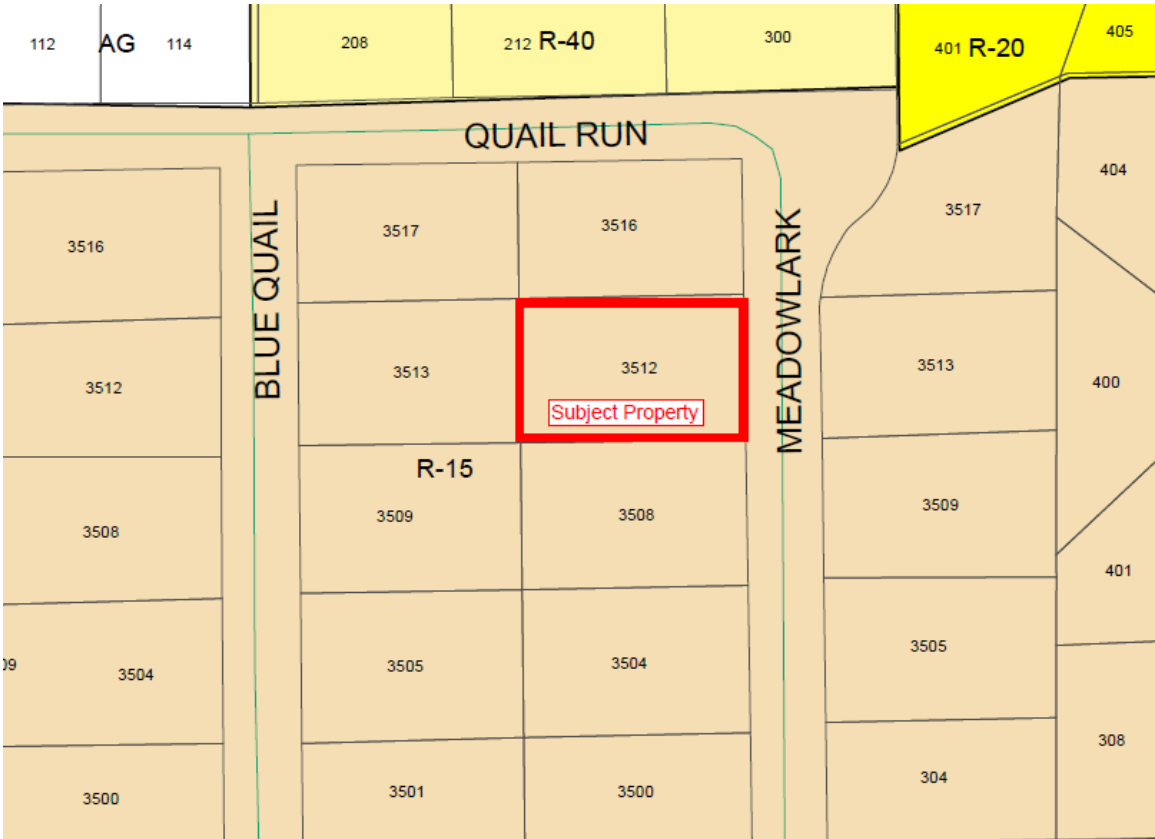


Exhibit “B” – Site Plan

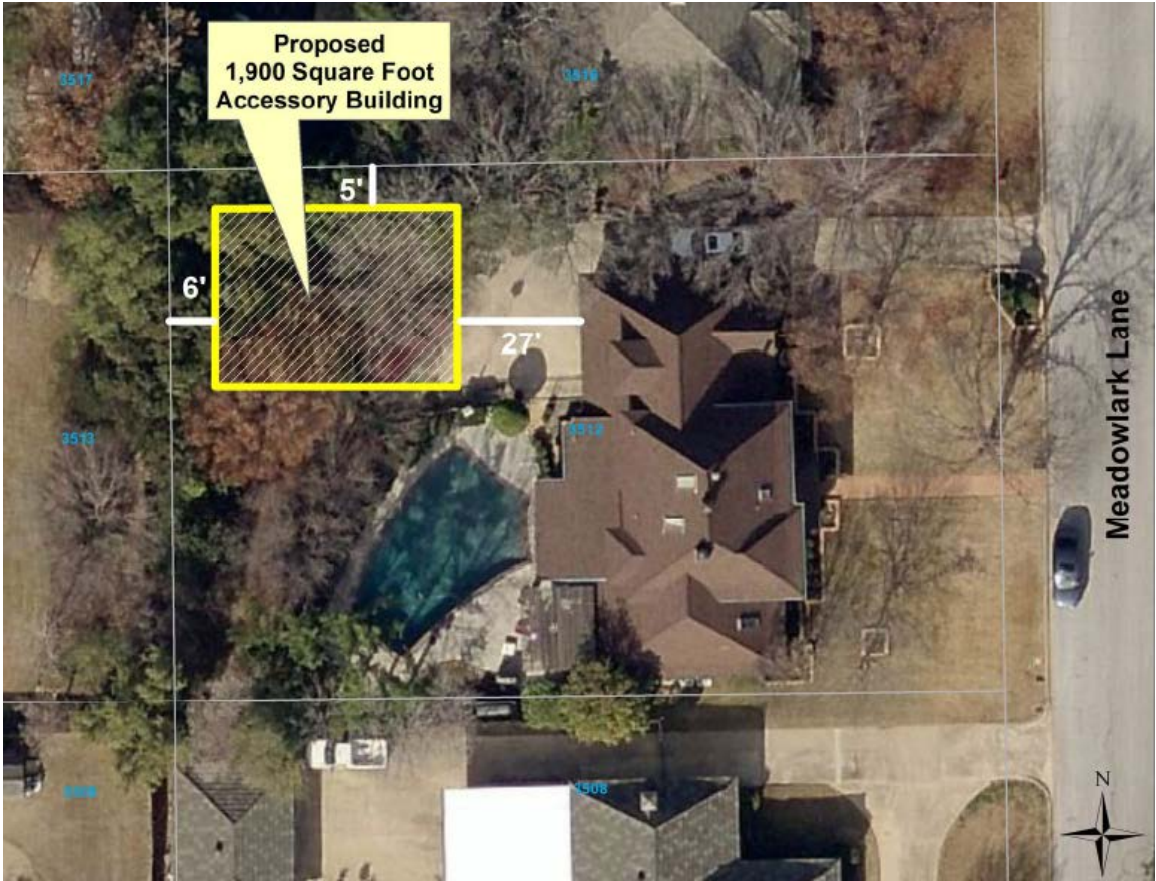
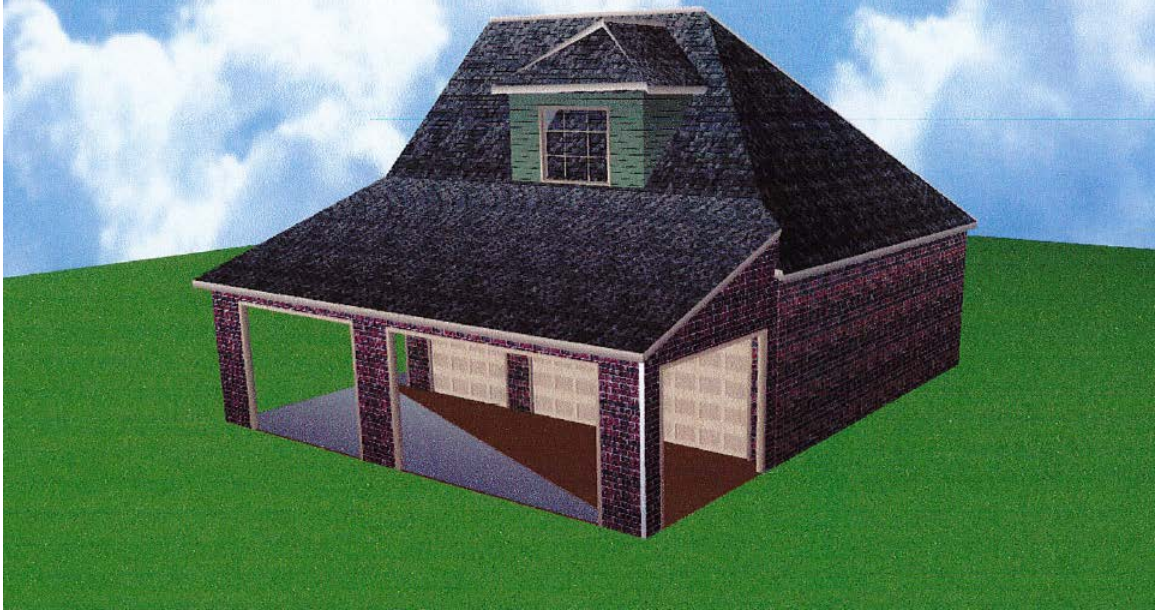


Exhibit “C” – Building Elevation



Architectural floor plan of a house with a gabled roof. The plan shows a central living area with a fireplace, a kitchen area, and a bathroom. Dimensions are provided for all walls, windows, and doors. The overall dimensions are 38'-0" wide by 32'-0" deep. The roof pitch is 12/12. The plan includes a north arrow and a scale bar.

Overall Dimensions: 38'-0" (width) x 32'-0" (depth).

Room Dimensions and Features:

- Living Area:** 16'-9" x 16'-9". Features a fireplace (8'-4" wide) and a bay window (7'-10" wide).
- Kitchen Area:** 10'-8" x 10'-8". Features a sink and a window (8'-4" wide).
- Bathroom:** 7'-10" x 7'-10". Features a toilet and a window (8'-4" wide).
- Bedroom:** 10'-8" x 10'-8". Features a window (8'-4" wide).
- Hallway:** 7'-10" x 7'-10". Features a door and a window (8'-4" wide).

Roof Pitch: 12/12.

North Arrow: Points towards the top of the plan.

Scale Bar: 1" = 1'-0".



City of Colleyville City Council Agenda Briefing

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

Agenda Number 5b

Agenda Date 12/16/2014

Number Ordinance O-14-1941

Type Ordinance

Department Community Development

Title

Consideration of a Special Use Permit for the sale of alcoholic beverages for on-premise consumption on Lot 1R1, Block 2, of the Town Center Colleyville Addition, located at 1205 Church Street, Case ZC14-023

Explanation

Second Reading and Public Hearing

There were no speakers at the December 2, 2014 City Council meeting.

First Reading and Public Hearing

The applicant, Black Forest Ventures, has submitted a request for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-premise consumption on 2.96 acres at 1205 Church Street. The subject property is zoned CC-2-Shopping Center district and is currently vacant. The subject property will be developed as an 8,380 square foot restaurant. Alcoholic beverage sales for on-premise consumption are allowed in the CC-2-Shopping Center zoning district with the approval of an SUP.

Existing Conditions. The subject property is vacant and platted.

Proposed Restaurant. The applicant is proposing to open a new restaurant named "Black Walnut Café". Attached is a presentation describing the restaurant. An administrative site plan has been approved for the restaurant, and the building permit is currently under review.

Parking. The Land Development Code requires one parking space per 100 square feet of gross floor area for a restaurant use. Based on the Land Development Code requirement of one space per 100 square feet of gross floor area for restaurants applied to a total gross floor area of 8,380 square feet, 84 total parking spaces are required and 89 spaces are provided. Therefore, the proposed parking complies with the Land Development Code.

Building Design. The proposed building elevations (attached) comply with the minimum requirements of Chapter 6-Commercial Design Standards in the Land Development Code.

Landscaping. All site landscaping complies with the minimum requirements of

Chapter 4-Landscaping and Buffering in the Land Development Code.

Pond. The existing pond located on the eastern portion of the property will be improved by the applicant.

Renderings and details of the proposed improvements are attached. According to the applicant, pond improvement details are as follows:

"The new pond will be stripped of all of the existing vegetation, with the exception of the existing trees along the main street, they will remain. The existing ground will be leveled and cleaned up, and will slope down to the water's edge. The sloped ground will, at a minimum, need to be Hydro seeded with a native grass and will need an erosion control. This will be to prevent erosion and also prevent the seed from washing out until a solid crop is germinated. The pond area will also be irrigated."

"New beds will be created and located in the best possible locations to keep the views open to the water from the primary vantage points. New bed mix soils will be brought in to create the seven new beds."

The landscape plan includes 12 Bald Cypress trees that are to be planted around, and adjacent to, the pond. Staff recommends that no other species of Cypress tree be allowed to be planted other than Bald Cypress trees. This provision has been added to the proposed ordinance.

The above language and a rendering of the pond improvements have been added to the proposed ordinance.

Hours of Operation. The applicant proposes the following hours of operation:

Sunday - Thursday: 6:30 a.m. - 10:00 p.m.

Friday – Saturday: 6:30 a.m. – 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 properties to the north, west and

south are zoned CC-2-Shopping Center district and developed as the Town Center Shopping Center and Lifetime Fitness. The property to the east is zoned CC-2-Shopping Center district and CN-Neighborhood Commercial district and developed as the Colleyville Justice Center and the Colleyville Center.

Public Notification. Staff notified 29 property owners and homeowner's associations within 500 feet of the subject property regarding this request. Notice was sent to the Grapevine-Colleyville Independent School District as required by state law. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. One letter of support has been received.

Planning and Zoning Commission Recommendation. The Planning and Zoning Commission recommended approval of this request by a vote of 6-0.

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.

Financial Impact

There is no financial impact to the City.

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 consumption of alcohol sales by this Special Use Permit shall be called "Black Walnut Cafe".

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

e. Prior to the issuance of the Certificate of Occupancy, the existing pond located on the eastern portion of the property shall be improved consistent with the attached Exhibit "C" and as described in Exhibit "D". Bald Cypress trees shall be the only

species of Cypress tree allowed to be planted on the subject property.

2. HOURS OF OPERATION

a. The hours of operation shall not exceed the following schedule:

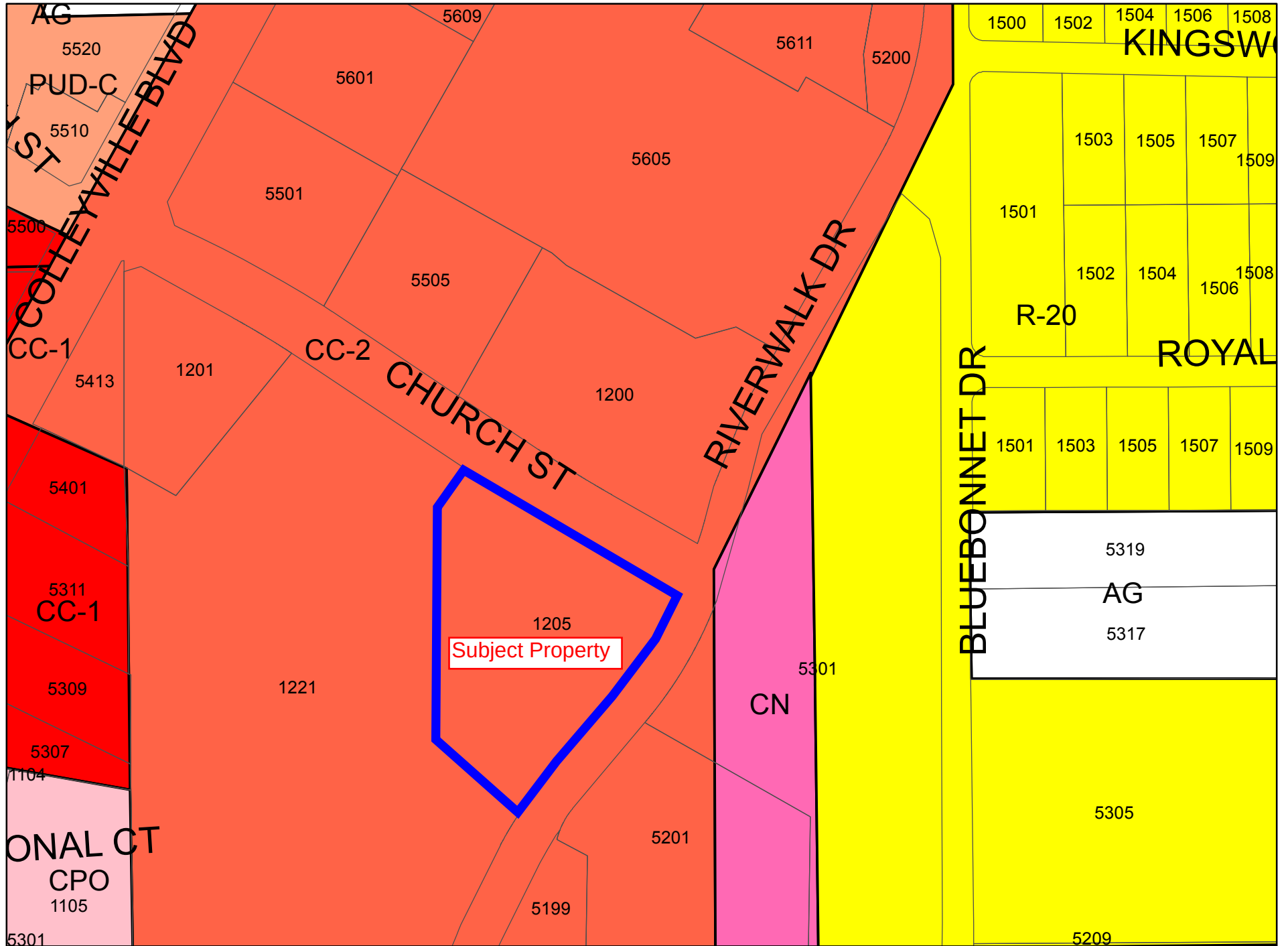
Sunday - Thursday: 6:30 a.m. - 10:00 p.m.

Friday – Saturday: 6:30 a.m. – 11:00 p.m.

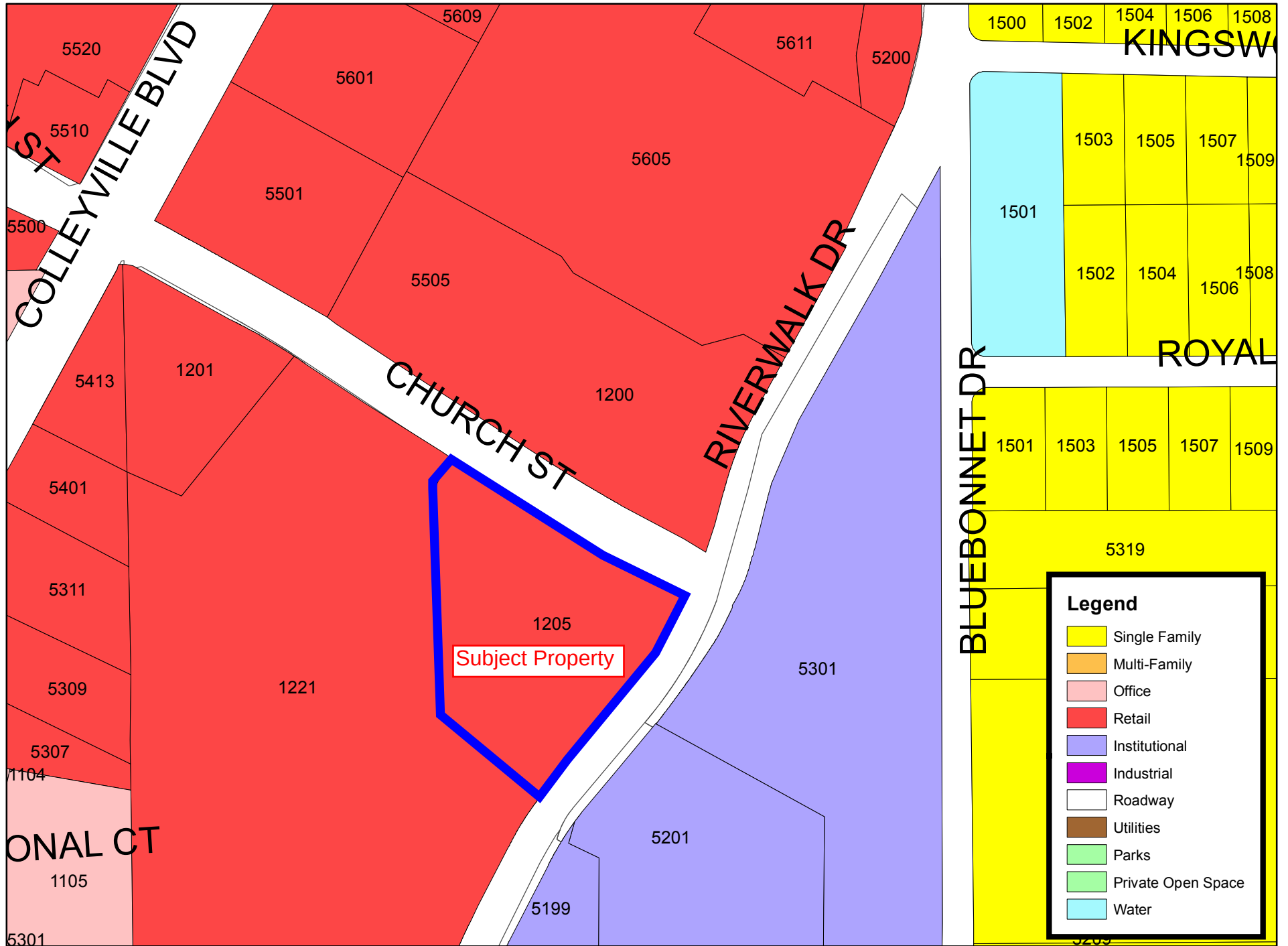
Attachments

1. Location and Zoning Map
2. Future Land Use Map
3. Aerial
4. Buffer Map
5. Notification List
6. Letter of Support
7. Statement of Planning Objectives
8. Site Plan
9. Building Elevations
10. Pond Improvement Details
11. Proposed Pond Improvements
12. Black Walnut Cafe Presentation
13. Ordinance O-14-1941

Location and Zoning Map



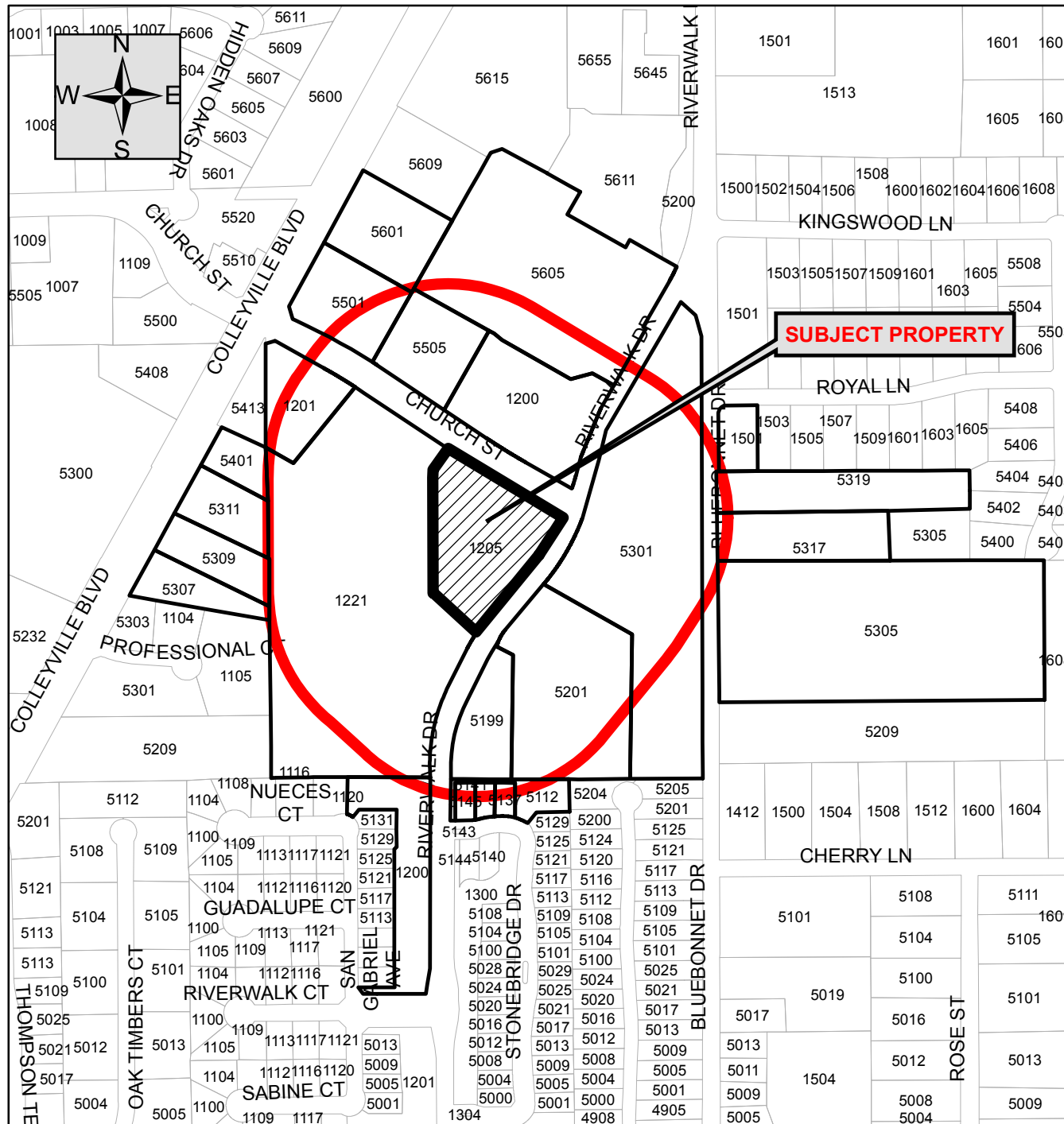
Future Land Use Map



Aerial



Buffer Map



Case ZC14-023

1205 Church Street

Legend

-  Properties within 500 feet
-  Subject property
-  Parcels



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
Lee, Fred J Etal	3130 N Berkeley Lake Rd NW	Duluth	Georgia	30096	005501 Colleyville Blvd
Ltf Real Estate Mp I Llc	2902 Corporate Pl	Chanhassen	Minnesota	55317	001221 Church St
Bojku, Afrim & Ruzdi Bojku	5309 Collyville Blvd	Colleyville	Texas	76034	005309 Colleyville Blvd
Wishnick, Leslie A Allgood	16525 Preston Trail Dr	Dallas	Texas	75248	005307 Colleyville Blvd
Bojku, Hatidze	5309 Collyville Blvd	Colleyville	Texas	76034	005311 Colleyville Blvd
Colleyville, City Of	100 Main St	Colleyville	Texas	76034	005201 Riverwalk Dr
Maxwell, Leon C Etux Sharron L	5137 Stonebridge Dr	Colleyville	Texas	76034	005137 Stonebridge Dr
Seebeck, Mark C	PO Box 2006	Colleyville	Texas	76034	005141 Stonebridge Dr
Momsen, Willard III	5145 Stonebridge Dr	Colleyville	Texas	76034	005145 Stonebridge Dr
The Bridges @ Riverwalk Hoa	PO Box 1183	Colleyville	Texas	76034	005112 Stonebridge Dr
Branch Banking & Trust Co	150 S Stratford Rd Ste 400	Winston Salem	North Carolina	27104	001201 Church St
Brady, Libby W	5405 Collyville Blvd	Colleyville	Texas	76034	005401 Colleyville Blvd
Mann, Christopher M Etux E L	5319 Bluebonnet Dr	Colleyville	Texas	76034	005319 Bluebonnet Dr
Velocis Colleyville Lp	3131 McKinney Ave # 10	Dallas	Texas	75204	005505 Colleyville Blvd
Velocis Colleyville Lp	3131 McKinney Ave # 10	Dallas	Texas	75204	000000 Church St
Laukien, Dirk D	24 Waterway Ave Ste 225	Spring	Texas	77380	001205 Church St
Charles & Rob Ltd	8235 Douglas Ave Ste 815	Dallas	Texas	75225	005601 Colleyville Blvd
Farmer, Stephen Etux Dianne	5305 Bluebonnet Dr	Colleyville	Texas	76034	005305 Bluebonnet Dr
Reddy, Tarakumar & Geetha D	1501 Royal Ln	Colleyville	Texas	76034	001501 Royal Ln
Colleyville Riverwalk Lp	700 Lawrence Ave W Ste 315	Toronto On Canada M6A 3B4			005605 Colleyville Blvd
Vandergriff, Joan	5317 Bluebonnet Dr	Colleyville	Texas	76034	005317 Bluebonnet Dr
Colleyville, City Of	100 Main St	Colleyville	Texas	76034	005301 Riverwalk Dr
Velocis Colleyville Lp	3131 McKinney Ave # 10	Dallas	Texas	75204	005199 Riverwalk Dr
Riverwalk Owners Assn	PO Box 260997	Plano	Texas	75026	001200 Riverwalk Ct
Grapevine-Colleyville ISD	3051 Ira E. Woods Ave.	Grapevine	Texas	76051	Courtesy Notice
Kingswood Estates HOA	PO BOX 978	Colleyville	Texas	76034	Courtesy Notice
Riverwalk at Colleyville	1108 Nueces Court	Colleyville	Texas	76034	Courtesy Notice
The Bridges @ Riverwalk Hoa	PO Box 1183	Colleyville	Texas	76034	Courtesy Notice
Black Forest Ventures	24 Waterway Ave Ste 225	The Woodlands	Texas	77380	Applicant

Public hearing notices were mailed
October 30, 2014 by Taci Wrisley

Letter of Support

02-Nov-14

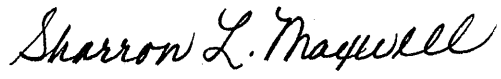
TO: Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034

RE: ZC14-023 - Black Forest Ventures

FR: Leon C. and Sharron L. Maxwell
5137 Stonebridge Drive
Colleyville, TX 76034

We support the proposed zoning change.


Leon C Maxwell


Sharron L. Maxwell

Statement of Planning Objectives



Black Walnut Café – Colleyville 1205 Church Street Special Use Permit Application

Statement of Planning Objectives:

Established in 2002, Black Walnut Café is a contemporary American fast casual concept that appeals to everyone. Whether you want an eggs benedict, coffee, dessert, martini, a hand crafted sandwich, certified Angus pot roast or an Asian tuna salad, we have it all.

Our passion for excellence and the desire to provide a consistent dining experience is imbedded in all our partners.

We are a true home away from home. You can experience a level of comfort created by warm high back chairs, belt driven fans, wood paneling, and high definition TVs, along with many other wonderful aspects of our dining experience that is unmatched in the fast casual world. Plus, our patio atmosphere allows guests to take advantage of good weather.

We fill a niche in the industry making it hard to directly compare us to any other fast casual concepts.

We truly appreciate our regulars. Over 100 unique items on our breakfast/lunch menu will always keep our guests coming back for more. We not only listen to feedback from our guests and partners but we act on it. Items such as weekly features, drink features, many of our creative menu items and developing successful operational systems would never be possible if we did not listen and then act.

We use only quality ingredients in our kitchens, freshly prepared. It is obvious that we cook everything to order and we take great pride in our product.

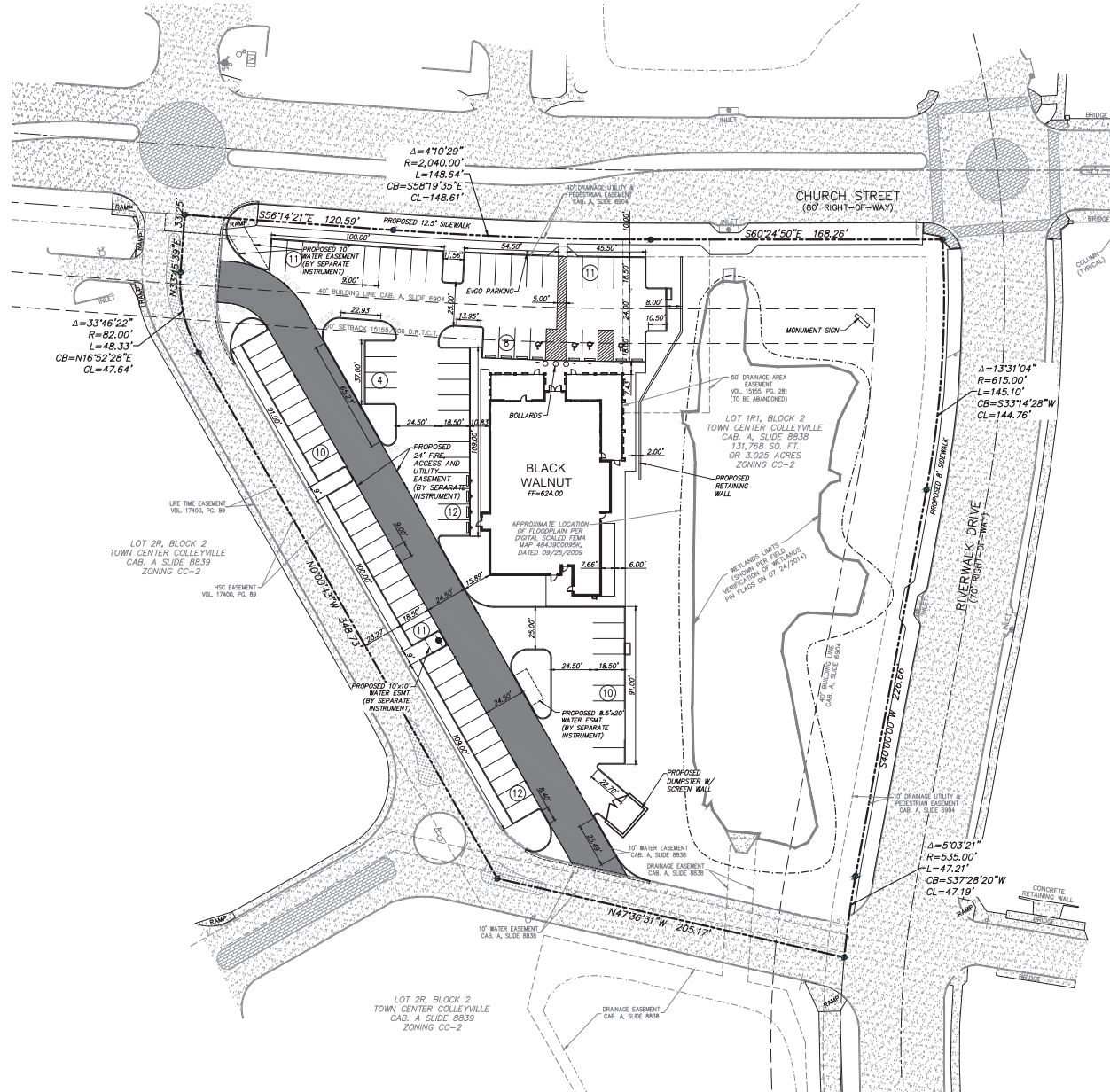
The diversity and appeal of the menu as well as the concept allow us to be successful in many different types of areas and centers.

Business Hours: Mon- Thursday: 6:30AM - 10PM
Friday: 6:30AM - 11PM
Saturday: 7AM - 11PM
Sunday: 7AM - 10PM

Development Schedule: Construction is scheduled to begin December 2014 and complete in June 2015.

Economic Development Information
Building square foot: 7,020 GSF
Estimated Sales Per Square Foot: Not available at this time
Estimated Sales Per Year: Not available at this time

Site Plan



- NOTES
1. ALL DIMENSIONS ARE TO BACK OF CURB, FACE OF BUILDING OR EDGE OF PAVEMENT.
 2. ALL RADII ARE 1.5' UNLESS NOTED OTHERWISE.
 3. BUILDING IS PARALLEL TO NORTHEAST BOUNDARY LINE.
(BEARING S60°24'50"E)
 4. TOPOGRAPHIC SURVEY BY PEISER & MANKIN SURVEYING, LLC
 5. REFER TO LANDSCAPE PLAN FOR PROPOSED PLANTING AND SCHEDULING.
 6. REFER TO GEOTECHNICAL REPORT BY MTEC CO., PROJECT NUMBER MTEC 2012-009-015 DATED SEPTEMBER 23, 2013.

- LEGEND**
- | | |
|---|------------------------|
|  | GAS METER |
|  | IRR. CONTROL VALVE |
|  | TELEPHONE PEDESTAL |
|  | POWER POLE |
|  | DOWN GUY |
|  | S.S. MANHOLE |
|  | CLEAN OUT |
|  | FIRE HYDRANT |
|  | WATER METER |
|  | FUEL PORT |
|  | WATER VALVE |
|  | TRANSFORMER PAD |
|  | ELECTRIC METER |
|  | STORM DRAIN MANHOLE |
|  | TRAFFIC SIGNAL MANHOLE |
|  | STAINED CONCRETE |
|  | SMB MANHOLE |
|  | GAS MANHOLE |
|  | VAULT |
|  | HANDICAP SPACE |
|  | SIGN |
|  | LIGHT POLE |
|  | CONCRETE |
|  | BRICK |
|  | COVERED AREA |
|  | A/C PAD |
|  | PROPOSED FIRE LANE |

JOBNUM:	CG-2
CURRENT USE:	VACANT
PROPOSED USE:	RESTAURANT
LOT AREA:	3,025 AC = 131,768 SF
PARKING + BUILDING AREA:	60,215 SF
PERCENTAGE OF LOT COVERAGE:	46%
BUILDING AREA:	8,300 S.F.
BUILDING HEIGHTS (FEET + STORIES):	30'-0" / 3 STORY
TOTAL PARKING REQ'D: 1:100	84
HC PARKING REQ'D:	4
HC PROVIDED:	4
TOTAL PARKING PROVIDED:	89
LANDSCAPE AREA REQUIRED:	X
LANDSCAPE AREA PROVIDED:	X

			BENCHMARK
△			
△			
△			
△			
Rev	Date	Description	

 **Binkley & Barfield** | C&P
consulting engineers

01 Gateway Blvd, Suite 101 Richardson Texas 75080 972.644.2800
Firm Registration #F-3185

This document is released for the purpose of interim review under the authority of: Kyle A. Bennett, P.E.,
Tx No: 98627 Binkley & Barfield |
C&P, Inc. #F-3185. Not for regulatory approval, permitting, or construction.

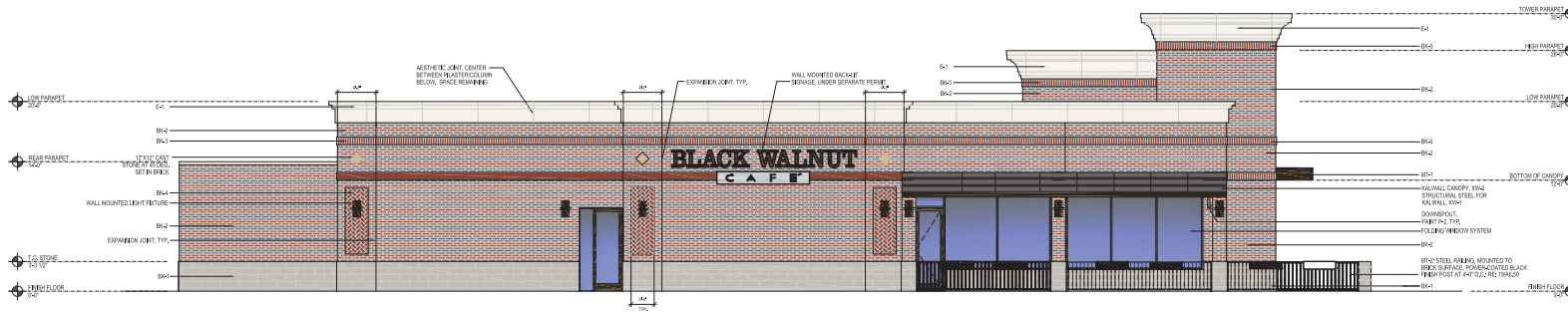
 **BLACK FOREST VENTURES**
24 Waterway Ave., Suite 225
The Woodlands, Texas 77380
P: 713.805.8509
www.blackforestventures.com

SITE PLAN
BLACK WALNUT CAFE
CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS

Scale: 1"=30'	Date: 9/19/14	Job No.: BC14031	C3
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Building Elevations

TYPE	ITEM	DESCRIPTION	REMARKS
P1	EXTERIOR PAINT	ICI DULUX 160 "OLD REDWOOD"	STRUCTURAL STEEL LINTELS, DUMPTER GATES, EXTERIOR METAL DOORS
P2	EXTERIOR MTL COATING	DEVOLVEDGEAR, ALLOY ALUMINUM, GLOSS EMAMEL, 530-5500 NEUTRAL, COLOR BLUISH, GRD 2PH, YODOPYD, WHT GRN4	DUMPTOPS AT P470 EXPOSED STEEL AT GUJINGXIANDEKAIHUA 1 MOODK REL ON SITE
P3	EXTERIOR MTL COATING	VALSPAR BASED PAINT, COLOR: HANSARD BROWN 307745	AVADEK CANTEENS
MT-1	ALUM. CANOPY BASED ON AVADEK	PRE-FINISHED EXTRUDED ALUMINUM & FLASHING VALSAPAR BASED COLOR P-3	PRE-FINISHED EXTRUDED ALUMINUM SYSTEM
MT-2	STEEL PICKET RAILING SYSTEM	HOT-DIP GALVANIZED STEEL RAILING SYSTEM WITH PROTECT K-2 CO. ILLAUX POWDERCOAT FINISH WITH 3 FOOT L&L EXT "GATE" PER PLAN	P470 RAILING
MT-3	PARAPET COPING	18 GA. GALV. MTL COPING W/ 2 PCE COUNTER FLASHING	PREFERRED TO MATCH E-1
E-1	EPIS CORNICE	STD STOTHERN ESSENCE (EPIS SYSTEM) "FINE" TEXTURE, COLOR "WHITE WINE"	ROOF CORNICE SUBMIT SAMPLES OF SHADES FOR APPROVAL
KW-1	KUWALL CANOPY	STRUCTURAL STEEL & FLASHING PTD. P-2	KUWALL STRUCTURE, STEEL GALV. MDOCK REAP.
KW-2	KUWALL CANOPY	KUWALL PANEL, CLASS 1 X4, LEFTED 30% TRANSLUCENT PANEL SYSTEM 12 X 24 GRID PATTERN COLOR WHITE (MTAL COLOR BLACK 00 180E) VINED. ABBOT (BLACK) INDUSTRIAL 2 X 24 TRANSLUCENT PANEL SYSTEM 12 X 24 GRID PATTERN COLOR WHITE	P470 CANOPY
BK-1	STONE VENEER	AMBERGART RENAISSANCE REINFORCED CORN MAGNOLIA (SIZE: 24" X 18" X 4")	MORTAR COLOR - SPEC MB- (SM), COLOR: 105 GRAY, PTL, TYPE N, DAL
BK-2	BRICK VENEER	ACME BRICK CO., TUP, GARNET, "RING SIZE" VELOUR 12 RUNNING BOND	EXTERIOR WALL, T8ELLT 1 MOODK REL, ON SITE EXP. COLOR TO MATCH BRICK MORTAR COLOR - SPEC MB- (SM), COLOR: 105 GRAY, PTL, TYPE N, DAL
BK-3	BRICK VENEER	ACME BRICK CO., TUP, GARNET, "RING SIZE" VELOUR SOLDER COURSE	EXTERIOR WALL, "ACCENT BAND" EXP. JOINT COLOR TO MATCH BRICK MORTAR COLOR - SPEC MB- (SM), COLOR: 105 GRAY, PTL, TYPE N, DAL
BK-4	BRICK VENEER	ACME BRICK CO., TUP, GARNET, "RING SIZE" VELOUR HERRINGBONE ACCENT	EXTERIOR WALL, "TRAYS" EXP. JOINT COLOR TO MATCH BRICK MORTAR COLOR - SPEC MB- (SM), COLOR: 105 GRAY, PTL, TYPE N, DAL
GL-1	VISION GLASS	1/2" TEMPERED GLASS	GLASS DOORS
GL-2	VISION GLASS	CLEAR VISION GLAZETTE, 1" BUNGSLAS SOLAR CONTROL LONEX 14" CLEAR H/L, BUNGSLAS SOLAR CONTROL LONEX 46", 1" AIRSPACE, 14" CLEAR H/L	EXTERIOR GLAZING MDOCK REL, ON SITE, TEMPERED AT PTL, FLV LEVEL, PART INTERIOR SIDE OF GLASS PTT AT CUSTEORY ABOVE STOREFRONT
GL-3	SPANDREL GLASS	CLEAR VISION GLAZETTE, 1" BUNGSLAS SOLAR CONTROL LONEX 14" CLEAR H/L WITH WHITE GRAY PFT AT BUNGSLAS SOLAR CONTROL LONEX 46", 1" AIRSPACE, 14" CLEAR H/L WITH WHITE GRAY PFT AT	EXTERIOR GLAZING MDOCK REL, ON SITE
GL-4	SPANDREL GLASS	CLEAR VISION GLAZETTE, 1" BUNGSLAS SOLAR CONTROL 68 LONEX 14" CLEAR H/L, SATIN DEC0 ABRATED LONEX 46", 1" AIR SPACE, 14" CLEAR H/L	PART INTERIOR SIDE OF GLASS PTT AT CUSTEORY ABOVE STOREFRONT
S-1	CONCRETE	EXPOSED (SMOOTH UNFINISHED) CONCRETE FINISH	EXTERIOR GLAZING AT TOWER, MDOCK REL, ON SITE
			INTERIOR



NOTE: PROVIDE 1/2" PROJECTION AT ALL SOLDIER COURSES.
PROVIDE 1/2" INSET AT HERRINGBONE INLAYS.
PAINT ALL STEEL LINTELS AT OPENINGS TO MATCH BRICK P-CONTROL JOINTS ON EITHER SIDE OF FLASERS TO BE CALKED TO MATCH BRICK TO TOP OF STONE. ALL OTHER CONTROL JOINTS TO BE CALKED CREAM GREY TO MATCH MORTAR.

SOUTHEAST ELEVATION



NOTE: PROVIDE 1/2" PROJECTION AT ALL SOLDIER COURSES. PROVIDE 1/2" INSET AT HERRINGBONE INLAIS. PAINT ALL STEEL LINTELS AT OPENINGS TO MATCH BRICK P-1. CONTROL JOINTS ON EITHER SIDE OF FLASTERS TO BE CAULKED TO MATCH BRICK TO TOP OF STONE. ALL OTHER CONTROL JOINTS TO BE CAULKED CREAM GREY TO MATCH MORTAR.

NORTHEAST ELEVATION

JACOBS
5985 Rogerdale Road
Houston, TX 77072 (832) 351-6000
www.jacobs.com
TBPE Firm #2966

PROJECT TITLE:
BLACK WALNUT
CAFE
COLLEYVILLE, TX

PROJECT LOCATION:
1205 CHURCH ST
COLLEYVILLE, TEXAS 76034

OWNER:
Black Forest Ventures, LLC
24 Waterway Ave., Suite 225
Black Forest Tower
The Woodlands, TX 77380

CONSULTANT:

SEAL:

THESE DOCUMENTS ARE
FOR INTERIM REVIEW AND NOT
FOR CONSTRUCTION, BIDDING
OR PERMIT PURPOSES.

RESPONSIBLE ARCHITECT
TERENCE N. JOHNSON
20997

9/11/14

JACOBS PROJECT NO. FEY01B16

CHECKED BY	SCJM
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ISSUE FOR _____ DATE _____

REVISIONS

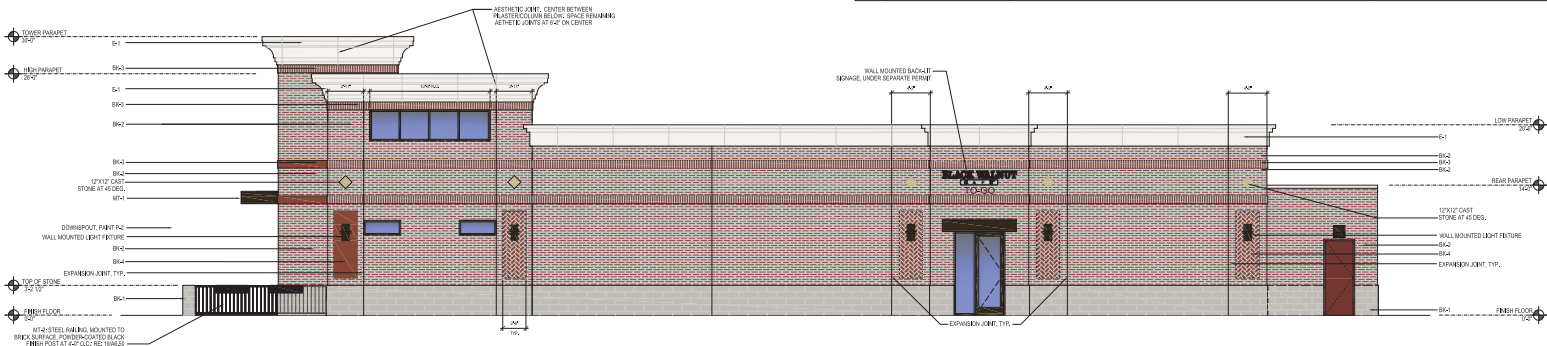
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SHEET TITLE		
EXTERIOR ELEVATIONS		

SHEET NO
A6.01

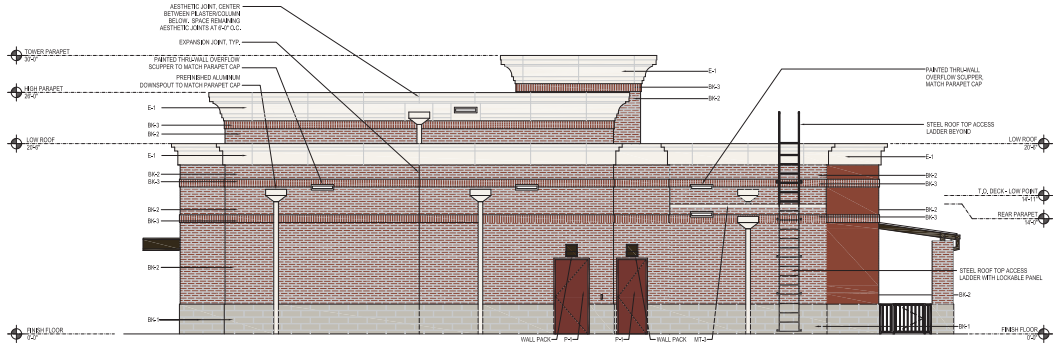
Building Elevations

TYPE	ITEM	DESCRIPTION	REMARKS
P-1	EXTERIOR PAINT	ICI DULUX 100 'OLD REDWOOD'	STRUCTURAL STEEL LINTELS, DUMPSTER GATES, EXTERIOR METAL DOORS
P-2	EXTERIOR MTL. COATING	DEVCO-DEVIGUARD, ALKYL INDUSTRIAL GLOSS ENAMEL 4008-0000 NEUTRAL, COLOR: BUSHNIEL, ORR 2P41, YOUNG'S, WEST ORION	DOWNSPOUTS AT PATIO (EXPOSED STEEL AT GLAZING/VADEKAL WALL, 1 MOCK-UP REQ. ON SITE)
P-3	EXTERIOR MTL. COATING	VALSPAR BASED PAINT SYSTEM (COLOR: MANSARD BROWN 309745)	AVADCK CANOPIES
MT-1	ALUM. CANOPY (BASED ON AVADCK)	PRE-FINISHED EXTRUDED ALUMINUM & FLASHING * VALSPAR BASED COLOR P-3	PRE-ENGINEERED EXTRUDED ALUMINUM SYSTEM
MT-2	STEEL PICKET RAILING SYSTEM	HOT-DIPPED GALVANIZED STEEL RAILING SYSTEM WITH PICKETS 4" O.C., BLACK POWDERCOAT FINISH WITH 1" FOOT CLEAR EXIT "SAFE" FOR PLAN	PATIO RAILING
MT-3	PARAPET COPING	18 GA. GALV. MTL. COPING W/ 2" REICE COUNTER FLASHING	PRE-FINISHED TO MATCH E-1
E-1	EPF'S CORNICE	STO STOTHELM ESSENCE EPF'S SYSTEM (FINISH: TEXTURE) COLOR: WHITE LINEN	ROOF CORNICE (SUBMIT SAMPLES OF SHADES FOR APPROVAL)
BR-1	SKYWALL CANOPY	STRUCTURAL STEEL & FLASHING PTD. P-2	SKYWALL STRUCTURE: STEEL, GALV. MOCK-UP REQ.
RY-2	SKYWALL CANOPY	KALWALL PANEL (CLASS A US, LETTERS 24" TRANSLUCENT PANEL SYSTEM 12 X 24 GRID PATTERN COLOR: WHITE (METAL COLOR: BLACK 800 SIDE VARIES ALTERNATE: EMAGOR INDUSTRIES 2 1/4" TRANSLUCENT PANEL SYSTEM 12 X 24 GRID PATTERN) COLOR: WHITE	PATIO CANOPY
BR-1	STONE VENEER	ARDECRAFT RENAISSANCE ROCKFACE COLOR: MANDALIN (SPEC. PLS. 3, 8, 9, 13 & 17)	MORTAR COLOR - SPEC MR (SM), COLOR: 100 GRAY, P/L TYPE N, DAL
BR-2	BRICK VENEER	ACME BRICK CO., TUP. GARNET, "NINO SIZE" VELOUR 1/2" RUNNING BOND	EXTERIOR WALL "BRIEL" (MOCK-UP REQ. ON SITE) (EXP. JT COLOR TO MATCH BRICK MORTAR COLOR - SPEC MR (SM), COLOR: 100 GRAY, P/L TYPE N, DAL
BR-3	BRICK VENEER	ACME BRICK CO., TUP. GARNET, "NINO SIZE" VELOUR SOLDIER COURSE	EXTERIOR WALL "ACCENT BANDS" (EXP. JOINT COLOR TO MATCH BRICK MORTAR COLOR - SPEC MR (SM), COLOR: 100 GRAY, P/L TYPE N, DAL
BR-4	BRICK VENEER	ACME BRICK CO., TUP. GARNET, "NINO SIZE" VELOUR HERRINGBONE ACCENT	EXTERIOR WALL "VALENT" (EXP. JOINT COLOR TO MATCH BRICK MORTAR COLOR - SPEC MR (SM), COLOR: 100 GRAY, P/L TYPE N, DAL
GL-1	VEHION GLASS	1/2" TEMPERED, CLEAR	GLASS DOORS
GL-2	VEHION GLASS	CLEAR VEHION-OLDCASTLE 1" SUNGLASS SOLAR CONTROL LOW-E 1/4" CLEAR HS. SUNGLASS SOLAR CONTROL LOW-E 1/2" AIRSPACE, 1/4" CLEAR HS.	EXTERIOR GLAZING (MOCK-UP REQ. ON SITE, TEMPERED AT FIN. FLR. LEVEL, PAINT INTERIOR SIDE OF GLASS PTD. AT CLERESTORY ABOVE ENTRY)
GL-3	SPANDREL GLASS	CLEAR VEHION-OLDCASTLE 1" SUNGLASS SOLAR CONTROL LOW-E 1/4" CLEAR HS. WITH WARM GRAY PRT #4, SUNGLASS SOLAR CONTROL LOW-E 1/2" AIRSPACE, 1/4" CLEAR HS. WITH WARM GRAY PRT #4.	PAINT INTERIOR SIDE OF GLASS PTD. AT CLERESTORY ABOVE STOREFRONT AT COFFEE AREA
GL-4	SPANDREL GLASS	CLEAR VEHION-GLASSMAN 1" SUNGLASS SUPER NATURAL 68 LOW-E 1/4" CLEAR HS. SATIN DECO ABRADED LOW-E #2, 1/2" AIR SPACE, 1/4" CLEAR HS.	EXTERIOR GLAZING AT TOWER, MOCK-UP REQ. ON SITE
S-1	CONCRETE	EXPOSED (SMOOTH UNFINISHED) CONCRETE FINISH	INTERIOR



NOTE: PROVIDE 1/2" PROJECTION AT ALL SOLDIER COURSES.
PAINT TOP RISE AT HERRINGBONE BRICK.
PAINT ALL STEEL LINTELS AT OPENINGS TO MATCH BRICK P/L.
CONTROL JOINTS ON OTHER SIDE OF PLASTERED ROSE
CALLED TO MATCH BRICK TO TOP OF STONE. ALL OTHER
CONTROL JOINTS TO BE CALLED ORANGEPOET TO MATCH
MORTAR.

NORTHWEST ELEVATION



NOTE: PROVIDE 1/2" PROJECTION AT ALL SOLDIER COURSES.
PAINT TOP RISE AT HERRINGBONE BRICK.
PAINT ALL STEEL LINTELS AT OPENINGS TO MATCH BRICK P/L.
CONTROL JOINTS ON OTHER SIDE OF PLASTERED ROSE
CALLED TO MATCH BRICK TO TOP OF STONE. ALL OTHER
CONTROL JOINTS TO BE CALLED ORANGEPOET TO MATCH
MORTAR.

SOUTHWEST ELEVATION

JACOBS
5985 Rogerdale Road
Houston, TX 77072 (832) 351-4000
www.jacobs.com
TBPE Firm #2966

PROJECT TITLE:
**BLACK WALNUT
CAFE**
COLLEYVILLE, TX

PROJECT LOCATION:
1205 CHURCH ST
COLLEYVILLE, TEXAS 76034

OWNER:
Black Forest Ventures, LLC
24 Waterway Ave., Suite 225
Black Forest Tower
The Woodlands, TX 77380

CONSULTANT:

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FOR INTERIM REVIEW AND NOT
FOR CONSTRUCTION, BIDDING
OR PERMIT PURPOSES.
RESPONSIBLE ARCHITECT
TERENCE N. JOHNSON
20997
9/11/14

JACOBS PROJECT NO. FRYER016

DRAWN BY SC

CHECKED BY SCJW

DATE FOR DATE

3/16"=1'-0" 2

REVISIONS		
Delta	Date	Description
	07/16/14	50% REVIEW SET
	08/06/14	95% REVIEW SET
	09/15/14	SITE PLAN REVIEW

SHEET TITLE
EXTERIOR
ELEVATIONS

SHEET NO
A6.02

3/16"=1'-0" 1

Pond Improvement Details



17010 LAZY HILL LANE, SPRING, TX. 77379 · 281.203.7615 · archerservices@ymail.com

"Exhibit A"

Black Walnut Café Colleyville

LANDSCAPE DESIGN & CONSTRUCTION

The new pond will be stripped of all of the existing vegetation, with the exception of the existing trees along the main street, they will remain. The existing ground will be leveled and cleaned up, and will slope down to the water's edge. The sloped ground will, at a minimum, need to be Hydro seeded with a native grass and will need an erosion control. This will be to prevent erosion and also prevent the seed from washing out until a solid crop is germinated. The pond area will also be irrigated

New beds will be created and located in the best possible locations to keep the views open to the water from the primary vantage points. New bed mix soils will be brought in to create the seven new beds.

Material List:

Mulch Black or Brown	10	1 yd.
Archer Mix - Bedding Mix	40	1 yd.
Miscanthus Grass	40	3 g
Muhly	61	3 g
Holly, Dwarf Yaupon	16	3 g
Crape Myrtle	6	30 gal
Bald Cypress	12	45 gal
Live Oak	3	30 gal

Proposed Pond Improvements

artistic conception

pool Studio



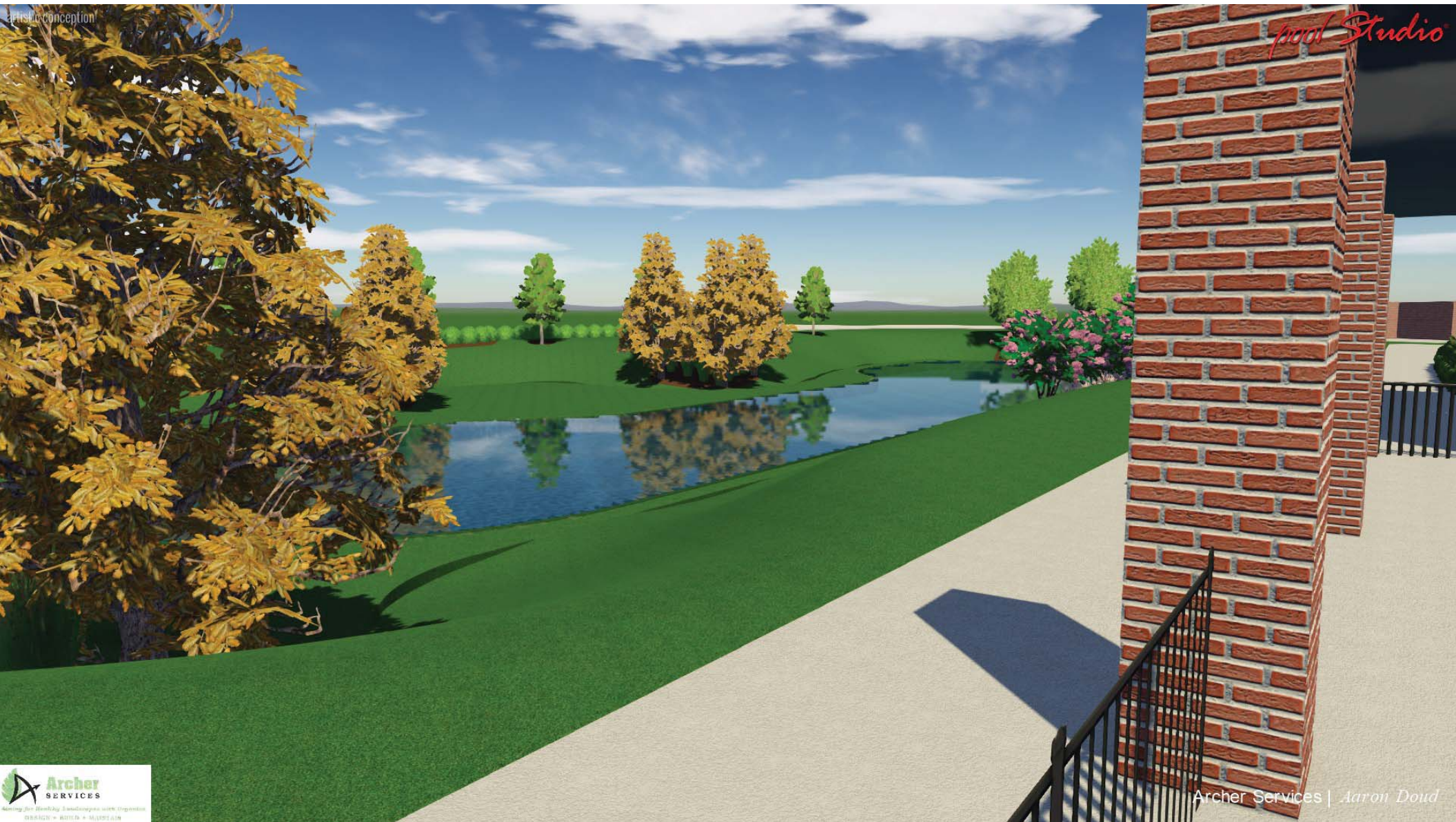
Proposed Pond Improvements

artistic conception

pool Studio



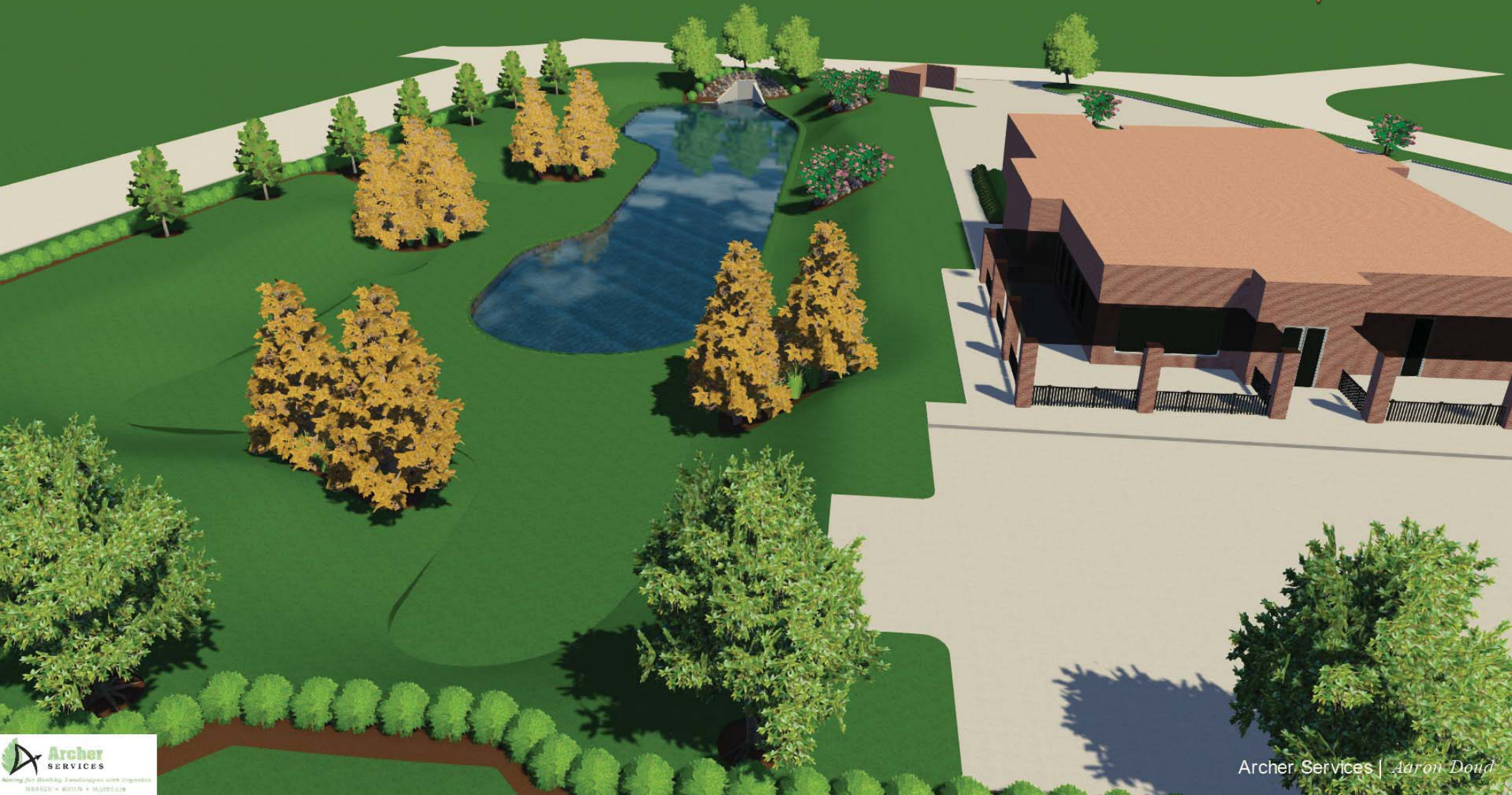
Proposed Pond Improvements



Proposed Pond Improvements

artistic conception

pool Studio



Proposed Pond Improvements

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Proposed Pond Improvements

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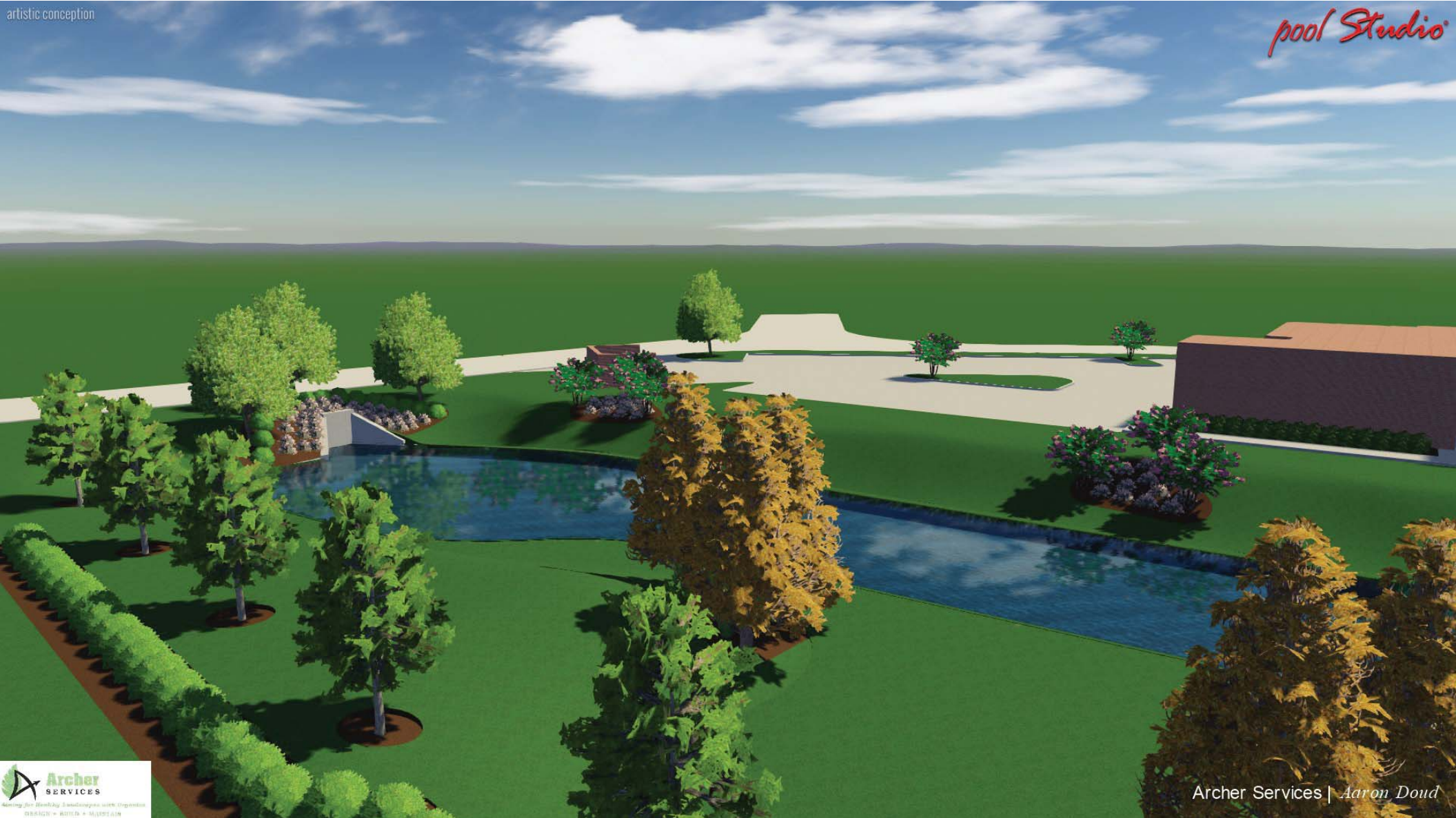
pool Studio



Proposed Pond Improvements

artistic conception

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Proposed Pond Improvements

artistic conception

pool Studio



Proposed Pond Improvements

artistic conception

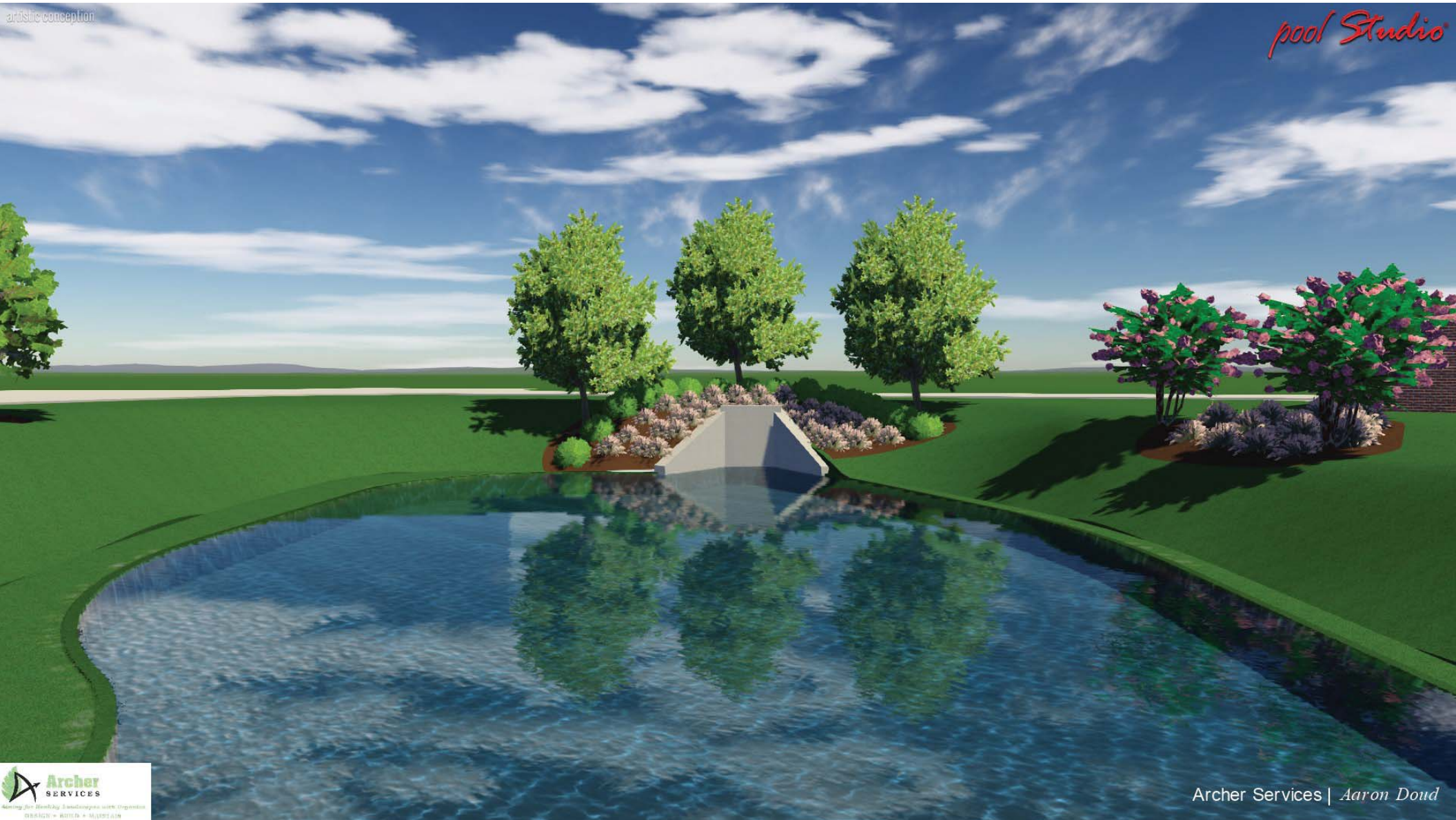
pool Studio



Proposed Pond Improvements

artistic conception

pool Studio



Black Walnut Cafe Presentation



COMPANY OVERVIEW

About Black Walnut Café



BLACK WALNUT
CAFE

About Black Walnut Café



A Contemporary American ‘fast-casual’ restaurant concept with a diverse menu that appeals to anyone, anytime!

About Black Walnut Café

- **Founded in 2002, A fast casual, counter service restaurant, serving breakfast, lunch & dinner 7 days a week**
- **Open early – close late**
- **100+ unique menu items, from salads to burgers, pasta to breakfast entrées**
- **To-go and Catering available**

Black Walnut Cafe Presentation

Breakfast



Salads



Sandwiches & Burgers



Desserts & Gelato



Black Walnut Cafe Presentation

Interior



BLACK WALNUT
CAFE

Black Walnut Cafe Presentation

Ordering



BLACK WALNUT
CAFE

Black Walnut Cafe Presentation

Heated Patio



BLACK WALNUT
CAFE

Black Walnut Cafe Presentation

Dining Room



Black Walnut Cafe Presentation

Full Service Bar



Current Locations



BLACK WALNUT
CAFE

The Growth: Future Locations

- **Under Construction:**
 - Coppell, Texas (Dallas North)
 - Flower Mound, Texas (Dallas North)
 - Frisco, Texas (Dallas North)
 - Colleyville, Texas (Dallas North)
- **Up & Coming**
 - North Austin
 - Oklahoma
 - Florida
 - Atlanta

Four Points - Austin, TX



Black Walnut Cafe Presentation

Four Points – Austin, TX



BLACK WALNUT
CAFE

Black Walnut Cafe Presentation

Allen, TX



BLACK WALNUT
CAFE

Black Walnut Cafe Presentation



www.blackwalnutcafe.com

ORDINANCE O-14-1941

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP BY CHANGING THE ZONING ON LOT 1R1, BLOCK 2 OF THE TOWN CENTER COLLEYVILLE ADDITION, LOCATED AT 1205 CHURCH STREET, BY AUTHORIZING A SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for on-premise consumption of alcohol under Case No. ZC14-023; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to 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 1R1, Block 2, of the Town Center Colleyville Addition, located at 1205 Church Street, by authorizing a Special Use Permit for the sale of alcoholic beverages for on-premise consumption, as depicted on Exhibit "A" and 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 consumption alcohol sales by this Special Use Permit shall be called "Black Walnut Cafe".
- 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. All requirements of the Land Development Code shall be met, except where amended herein.
- e. Prior to the issuance of the Certificate of Occupancy, the existing pond located on the eastern portion of the property shall be improved consistent with the attached Exhibit "C" and as described in Exhibit "D". Bald Cypress trees shall be the only species of Cypress tree allowed to be planted on the subject property.

2. HOURS OF OPERATION

- a. The hours of operation shall not exceed the following schedule:

Sunday - Thursday: 6:30 a.m. - 10:00 p.m.

Friday - Saturday: 6:30 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 it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 2nd day of December 2014.

The second reading and public hearing being conducted on the 16th day of December 2014.

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

ATTEST:

CITY OF COLLEYVILLE

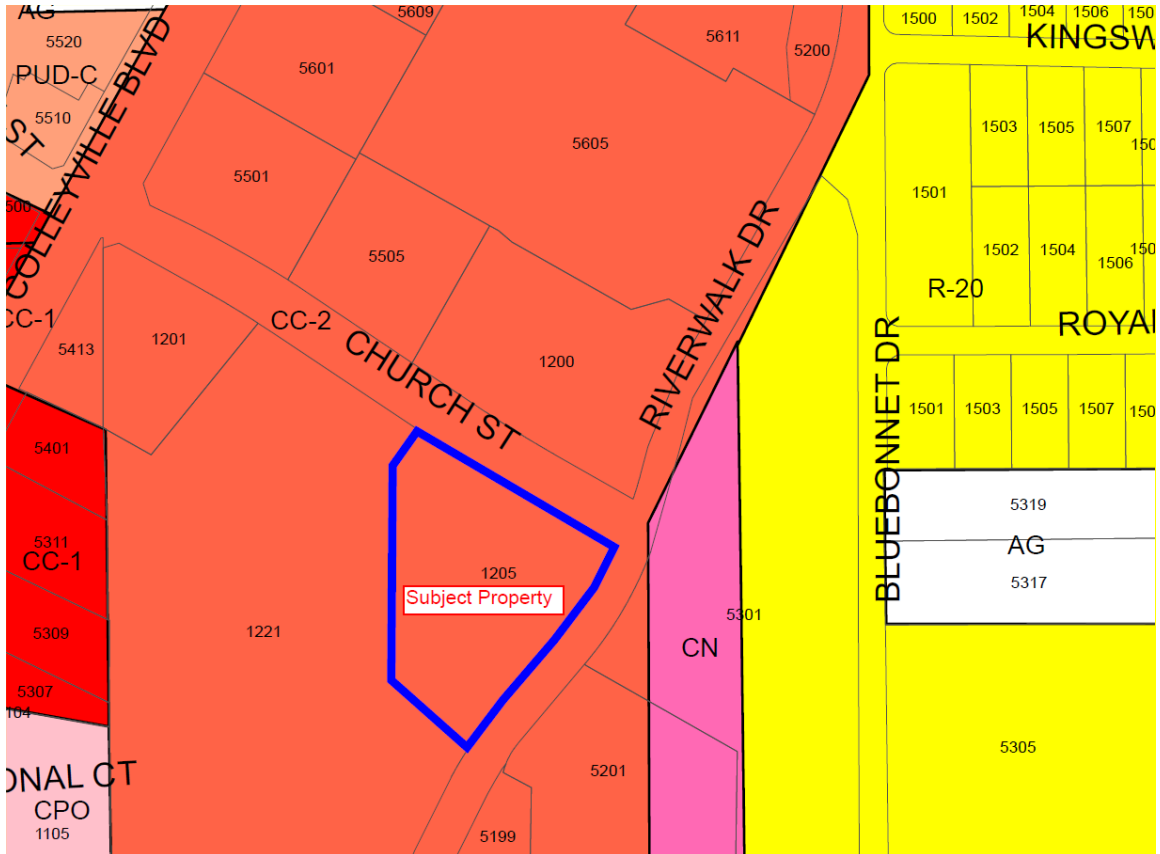
Amy Shelly, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit "A" – Location and Zoning Map



[illegible]

Exhibit "C" – Pond Exhibit



Exhibit "D" – Pond Improvement Details



17010 LAZY HILL LANE, SPRING, TX. 77379 · 281.203.7615 · archerservices@ymail.com

"Exhibit A"

Black Walnut Café Colleyville

LANDSCAPE DESIGN & CONSTRUCTION

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City of Colleyville City Council Agenda Briefing

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

Agenda Number 5c

Agenda Date 12/16/2014

Number Ordinance O-14-1942

Type Ordinance

Department Planning and Zoning Commission

Title

Consideration of a zoning change from the CC-2 Shopping Center zoning district to the PUD-C-Planned Unit Development-Commercial zoning district on 1.94 acres of Abstract 352, of the Elizabeth Cox Survey, located at 5200 State Highway 121, Case ZC14-024

Explanation

Second Reading and Public Hearing

There were four speakers who spoke in opposition to the request at the December 2, 2014 City Council meeting. There is no change to the percentage of opposition from properties within 200 feet of the subject property. Therefore, as detailed later in this briefing, a supermajority vote of the City Council is required in order to approve this item.

At the December 2, 2014 meeting, the City Council requested of the applicant additional information concerning the details of the company, Icon Lodging, that will own and operate the hotel, information on parking at other hotels that Icon Lodging owns, and updated plans showing an emergency access gate and fence along the southern property line of the subject property. All of this information has been provided by the applicant and is attached to the briefing.

As depicted on the attached revised landscape plan, site plan and fence examples, the proposed fence will be a six (6) foot wrought iron fence constructed along the entire southern boundary of the property and the emergency access gate will be located at the southwest corner of the property, and be located across the entire width of the access drive that links the subject property to the adjacent property to the south. The gate would be required to meet all requirements for emergency access gates in the Land Development Code and would require final approval from the Fire Marshal prior to the issuance of the Certificate of Occupancy. The gate and fencing requirements, noted above, are reflected in proposed Ordinance O-14-1942.

Staff performed research on parking requirements for hotels in selected cities in the region, and a summary of this research is attached. All cities included in the survey, including the city of Frisco, have consistent parking standards with minor deviations related to accessory uses included within the hotel including restaurants, conference centers and office/meeting space.

Regarding licensing standards for hotels, as mentioned in the briefing below and

contained in proposed Ordinance O-14-1942, staff intends to implement licensing standards prior to the issuance of the final Certificate of Occupancy.

Based on the information contained in the landscape plan, staff has revised the waivers requested by the applicant regarding the landscaping requirements as follows: total open space/landscape area provided = 17 percent, revised from 18 percent mentioned below; total percent of landscaping provided within the street yard = ten (10) percent, revised from five (5) percent mentioned below. The proposed Ordinance O-14-1942 has been amended to reflect the updated numbers.

First Reading and Public Hearing

Paul Cragun, Cumulus Design, is requesting to rezone 1.94 acres located at 5200 State Highway 121 (SH121) from the CC-2-Shopping Center zoning district to the PUD-C-Planned Unit Development Commercial district in order to develop a hotel.

Existing Conditions. The property is unplatted and is undeveloped.

Proposed Rezoning Request. The applicant has submitted a Statement of Planning Objectives (attached) describing the proposed development. The applicant is requesting to rezone to the PUD-C zoning district to develop the site for a five story hotel with 96 guest rooms and 500 square feet of meeting space. The proposed hotel would be called "Hampton Inn & Suites."

Hotels are allowed, by right, in the CC-2-Shopping Center zoning district; however, the applicant is requesting several waivers and, therefore, is requesting the PUD-C zoning.

The requested waivers include the following:

1. Hotel definition: Chapter 2-Definitions in the Land Development Code defines a hotel as follows: "A building or group of buildings, of which the main function is to provide rooms for temporary lodging where entrance to each room is gained from a completely enclosed area and which structure shall also contain a restaurant and conference rooms, and may also include various personal service shops." While the hotel will serve a "hot" breakfast for guests, the proposed hotel will not contain a full service restaurant as required by the definition.

2. Maximum Height: The maximum height allowed for any building in the CC-2-Shopping Center district is four (4) stories. However, Section 3.28(D)5 in the Land Development Code states the following: "In CC and ML zoning districts, the City Council may vary the maximum height of a building if the City Council finds that the location and/or configuration of the building is such that it will conform to the surrounding area and provide adequate light and air under the circumstances. For each foot of proposed height over the standard, there shall be a foot increase in the front and rear yards or as approved by the council. The request for a variance shall be

accompanied by a site plan of the property and an architectural drawing of the proposed building”.

The total proposed height of the hotel is 77 feet to the top of the highest parapet. According to the site plan, the hotel structure, minus the porte-cochere, will be setback 87 feet from SH121 right-of-way. The porte-cochere would be setback 52 feet from SH121 right-of-way. Therefore, given the maximum height allowance of 35 feet for buildings located in the CC2-Shopping Center district, and the minimum 40 foot front setback requirement for the CC-2 zoning district, based on the above requirement, an additional 42 feet would be required to be added to the 40 foot setback such that a minimum setback of 82 feet would be required. Therefore, minus the porte-cochere, the proposed hotel meets the prescribed setback guideline; however, City Council approval of a waiver is still required.

3. Parking: the applicant requests waivers from the total parking to be provided and from the parking space dimension requirements. Given 96 guest rooms, 500 square feet of meeting space proposed in addition to hotel office space, a total of 98 parking spaces are required. The applicant proposes to provide 97 total parking spaces.

Additionally, of the 97 parking spaces, in order to make room for more parking on the site, the applicant proposes to reduce the size of 27 parking spaces and label these spaces as “compact car parking”. The minimum dimensions for 90 degree parking in the Land Development Code is 9’ x 18’. The proposed compact car parking would be 8’ x 18’.

4. Landscaping: The applicant is requesting a waiver to the following requirement found in Section 4.6(3) of the Land Development Code, which states, “Twenty percent (20%) of the total land area in any proposed development shall be landscaped. At least fifty percent (50%) of the total landscaped area shall be located in the street yard(s)”.

Given the limited space on the site, the applicant requests that the 20 percent requirement be reduced to 18 percent, and the 50 percent street yard requirement be reduced to five percent.

5. Tree Preservation: The applicant requests the following waivers to the tree preservation regulations:

Section 5.9 – Minimum Tree Preservation Requirements. The applicant requests a full waiver to this requirement. Based on the current canopy coverage on the property, a minimum of 50 percent of the existing canopy coverage would be required to be preserved in place under the requirements of this section.

Section 5.12 – Mitigation Requirements. The applicant requests that the mitigation requirements for any protected trees be reduced to one-half the current requirement of one inch planted for one inch removed with minimum planting requirement of a six

inch caliper tree, or payment into the tree mitigation fund at a rate of \$250 per caliper inch. Based on a preliminary tree survey provided by the applicant, approximately 200 inches of non-exempt trees exist on the site. Staff recommends that no waiver be granted to this specific provision.

With the exception of the tree mitigation waiver request, all of these requested waivers have been added to the proposed ordinance.

Master Plan. The rezoning request is consistent with the future land use recommendations of the Colleyville Master Plan, adopted in 2004, which designates the subject property for retail commercial uses.

Lot Dimensions and Setbacks. The PUD-C zoning district establishes a 40-foot front yard setback, a 10-foot side yard setback, and a 25-foot rear yard setback. The proposed development meets the front, side and rear yard setback requirements.

Building Design Standards and Height. The applicant has submitted building elevations of the proposed hotel. The proposed buildings will be required to comply with the provisions of Chapter 6-Commercial Building Design in the Land Development Code.

As mentioned above, the proposed building will contain five stories and will be 77 feet in height. The proposed building height has been reviewed and accepted by the Fire Department. Existing fire apparatus ladder equipment in the City of Colleyville has the ability to reach all rooms in the hotel from the fire lanes shown on the site plan.

Parking. As mentioned above, the site plan provides 97 parking stalls with 27 spaces designated as "compact car parking".

Perimeter Fencing. The applicant proposes an 8-foot decorative masonry fence along the rear lot line, adjacent to the Colleyville Heritage High School parking lot.

Garbage Container Screening. The Land Development Code requires all garbage container enclosures and containers to be located behind all required building setbacks with the enclosure to be composed of masonry materials. Based on the attached site plan the proposed garbage container enclosure complies with the requirements of the Land Development Code.

Landscaping. As mentioned above, the applicant requests a waiver to the minimum of 20 percent landscaping on the site and to reduce the 50 percent street yard landscaping requirement to five percent.

All plantings proposed on the attached landscape plan comply with the minimum requirements of Chapter 4-Landscaping and Buffering in the Land Development Code.

Signage. Per the attached exhibit, the applicant proposes to construct a 35 foot high pole sign at the front entrance of the property adjacent to SH121, which meets the maximum height requirements for a freeway pole sign in the Land Development Code.

Staff recommends that all site signage meet the minimum requirements of the Land Development Code.

Access. The site will derive access from SH121 and through an existing mutual access easement linking the subject property to the existing adjacent property to the south, which contains an existing restaurant.

The applicant is also required to provide for future mutual access to the adjacent property to the north, which is currently developed as a single family residence.

Sidewalks. A minimum five foot wide sidewalk is required along SH121 at the time of construction.

Traffic Generation. Per the Institute of Transportation Engineers 6th Edition Trip Generation manual, based on a total of 96 rooms, hotel uses generate an average rate of 698 trips per weekday.

Floor Plan. The applicant has submitted floor plans of the proposed hotel which are attached to the briefing. The first floor plan includes a small conference room, a gift shop, a breakfast area and an indoor swimming pool. The upper floor plans include the hotel rooms.

Hotel Occupancy Tax Ordinance. On February 3, 1998 the City Council approved a hotel/motel occupancy tax for the City under Ordinance O-98-1088 (attached). According to the ordinance, the City collects seven percent of the total room rental charge. This amount is the maximum collection rate allowed by the State of Texas for cities.

Minimum Hotel Standards. There are currently no hotels in Colleyville. Other than the definition of a hotel and the occupancy tax ordinance noted above, there are no other specific provisions in any City codes.

Therefore, staff proposes adding the following provisions to the proposed ordinance:

- The establishment shall furnish customary hotel service, including but not limited to laundry service, linen service, telephone, maid service, use of and up-keep of furniture.
- The establishment shall maintain a register of guests, however, no guest shall be registered for more than thirty (30) consecutive days.

- Guest rooms shall not be used in any form or manner as a permanent residence.
- The use of exterior corridors on any exterior façade of the building shall be prohibited. Exterior access to guest rooms shall only be permitted for rooms facing a courtyard that is enclosed on four sides by the hotel building.
- Outdoor recreational facilities such as swimming pools, sports courts, and playgrounds shall be located behind the building, or if located on the side of the building shall not be forward of the front building elevation that is closest to the street. The facility must be screened from view of public rights-of-way by fencing, landscaping, or a combination of these. Wood or chain link fencing shall not be permitted.
- The city manager or his/her designee shall have the authority to require that the establishment obtain a license to operate as a hotel in the City. Said license may require periodic renewals and/or inspections in addition to other requirements that promote the health, safety, and welfare of the community.

Surrounding Properties. The property to the north is zoned CC-2-Shopping Center District and contains a single family home. The property to the east is located on the other side of SH121 in the City of Grapevine and zoned and used for freeway commercial uses. The property to the west is zoned CC-2-Shopping Center District and is developed as Colleyville Heritage High School. The property to the south is zoned CC-2-Shopping Center District and is developed as La Hacienda Ranch restaurant.

Public Notification. Staff mailed notices to eight adjacent property owners within 200 feet regarding this request and all homeowners associations within 500 feet. Notice was sent to the Grapevine-Colleyville Independent School District as required by state law. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. One letter and speaker card in opposition (attached) have been received to date.

Planning and Zoning Commission Recommendation. The Planning and Zoning Commission recommended approval of this request by a vote of 6-0.

Supermajority Vote Requirement. State laws and the Land Development Code both state that if written objections are received from 20 percent of the area of the adjacent property owners extending 200 feet from the subject property, then a three-fourths ($\frac{3}{4}$) vote (super majority is 6 out of 7) is required by City Council for approval of this planned development zoning change request. Based on the opposition letter received and the attached opposition map, 28 percent of the properties within the 200 foot buffer are opposed to the request. Therefore, a supermajority vote is required in order to approve this request.

Summary. The proposed hotel would be the first to locate in Colleyville. The hotel

would be five stories high and contain 96 guest rooms. The applicant requests five waivers from the requirements of the Land Development Code. With the exception of the tree mitigation waiver request, these waivers are contained in the proposed ordinance. The proposed use is allowed by right in the existing zoning on the property and complies with the future land use recommendations of the Master Plan. As such, staff recommends approval of the use of a hotel. However, most of the waivers requested by the applicant, while contained in the proposed ordinance, will ultimately require approval of the City Council.

Financial Impact

The fiscal impact to the City if this item is approved would be the potential construction of a hotel that would create a new revenue source for the City through the State of Texas enabled collection of hotel/motel revenue taxes for the City at a rate of seven percent as adopted by Ordinance O-98-1088 (attached).

Recommendation

Approval with the following conditions:

1. GENERAL

- a. Permitted uses shall be limited to a hotel as permitted herein.
- b. The proposed development is subject to all the regulations contained in the Land Development Code, except as amended by this ordinance.
- c. Prior to the issuance of any building permit, a plat of the subject property shall be submitted, approved, and filed with the Tarrant County Clerk.
- d. The layout of the building, driveways, and parking on the property shall be generally consistent with Exhibit "D".

2. BUILDING AND SITE COMPLIANCE PROVISIONS

- a. The building shall comply with the provisions of Chapter 6-Commercial Design Standards in the Land Development Code and shall be generally consistent with Exhibit "E".
- b. A minimum of 17 percent of the site shall be landscaped and a minimum of ten (10) percent of the street yard between the building and SH121 shall be landscaped. Otherwise, all landscaping shall meet the minimum requirements of Chapter 4-Landscaping and Buffering in the Land Development Code.
- c. The hotel shall be exempt from the requirement that a restaurant be located on the site/building.
- d. The maximum height of the building shall not exceed five stories and 77 feet in

height as shown in Exhibit "E".

e. A minimum of 97 parking spaces shall be provided on the subject property. A maximum of 27 parking spaces may be designated as "compact car parking". Said parking may contain a reduced 90 degree parking stall width of eight (8) feet from the minimum requirement of nine (9) feet.

f. An exemption is hereby granted to Section 5.9 of the Land Development Code governing the minimum tree preservation requirements on the subject property.

g. Prior to the issuance of the Certificate of Occupancy, a minimum eight (8) foot high decorative masonry fence shall be built along the entire west property line of the subject property, a minimum six (6) foot high decorative wrought-iron fence shall be constructed along the entire southern property boundary.

h. Prior to the issuance of the Certificate of Occupancy, an emergency access gate shall be constructed on the southwest portion of the subject property and located across the entire width of the access drive that links the subject property to the adjacent property to the south. Said gate shall be located entirely on the subject property within an emergency access easement, and shall meet all requirements of the Land Development Code with final approval of said gate required by the Fire Marshal.

3. MINIMUM HOTEL STANDARDS

a. The hotel shall comply with all provisions of Ordinance O-98-1088.

b. The hotel shall furnish customary hotel service, including but not limited to laundry service, linen service, telephone, maid service, use of and up-keep of furniture.

c. The hotel shall maintain a register of guests, however, no guest shall be registered for more than thirty (30) consecutive days.

d. Guest rooms shall not be used in any form or manner as a permanent residence.

e. The use of exterior corridors on any exterior façade of the building shall be prohibited. Exterior access to guest rooms shall only be permitted for rooms facing a courtyard that is enclosed on four sides by the hotel building.

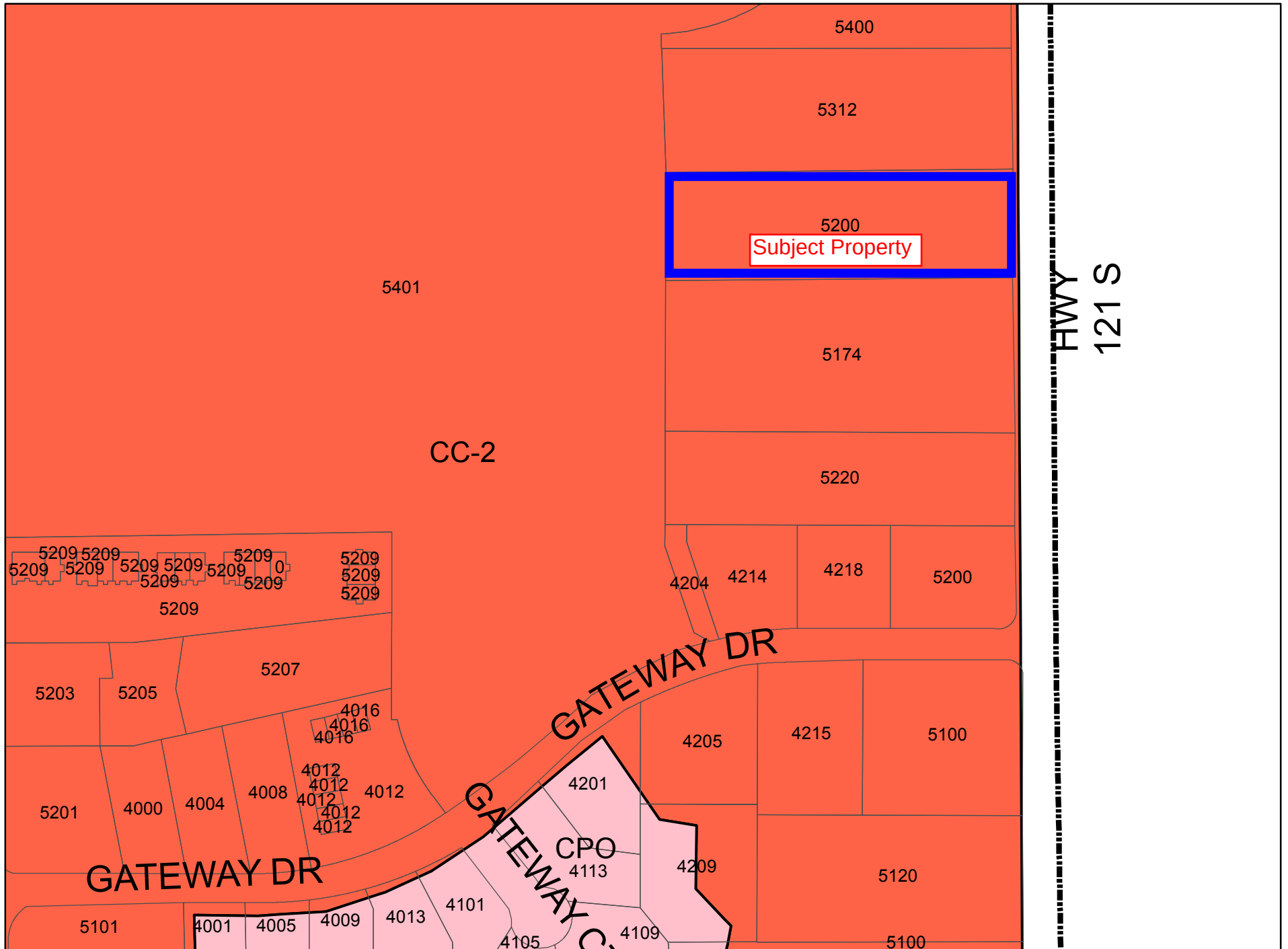
f. Outdoor recreational facilities such as swimming pools, sports courts, and playgrounds shall be located behind the building, or if located on the side of the building shall not be forward of the front building elevation that is closest to the street. The facility must be screened from view of public rights-of-way by fencing, landscaping, or a combination of these. Wood or chain link fencing shall not be permitted.

g. The city manager or his/her designee shall have the authority to require that the establishment obtain a separate administrative license to operate as a hotel in the City. Said license may require periodic renewals and/or inspections in order to enforce compliance with all applicable codes, including this ordinance, in addition to other requirements that promote the health, safety, and welfare of the community.

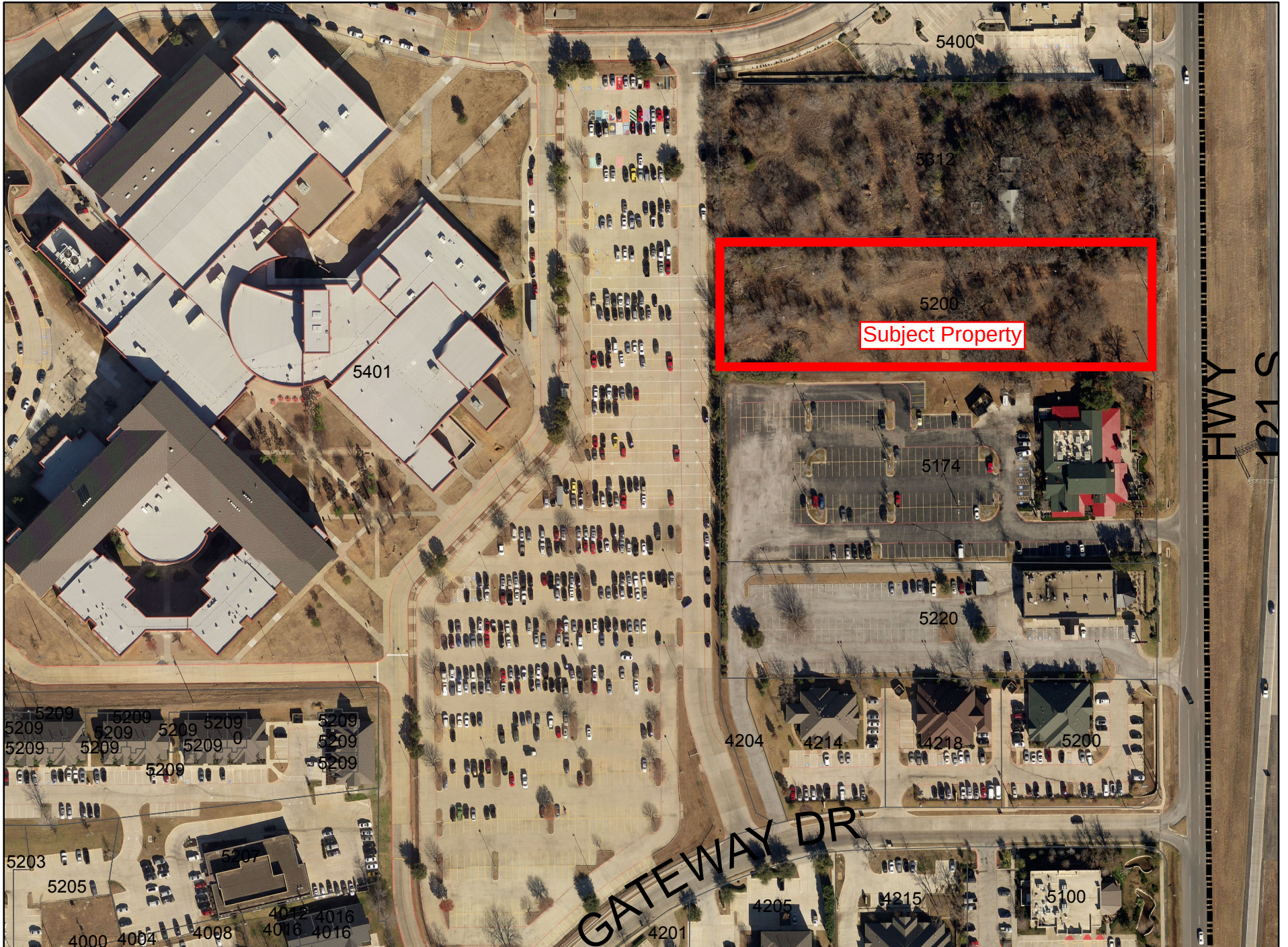
Attachments

1. Location and Zoning Map
2. Aerial
3. Future Land Use Map
4. Buffer Map
5. Notification List
6. Letters and Speaker Cards of Opposition
7. Opposition Map
8. Icon Lodging Company Information
9. Select City Hotel Off-Street Parking Requirements - 12/10/2014
10. Parking Information Provided by the Applicant
11. Revised Site Plan
12. Revised Landscape Plan
13. 3D Hotel Renderings
14. Examples of Proposed Wrought Iron Fence
15. Statement of Planning Objectives
16. Original Site Plan
17. Building Elevations
18. Original Landscape Plan
19. Pole Sign Detail
20. First Floor Plan
21. Upper Floor Plans
22. Ordinance O-98-1088
23. Ordinance O-14-1942

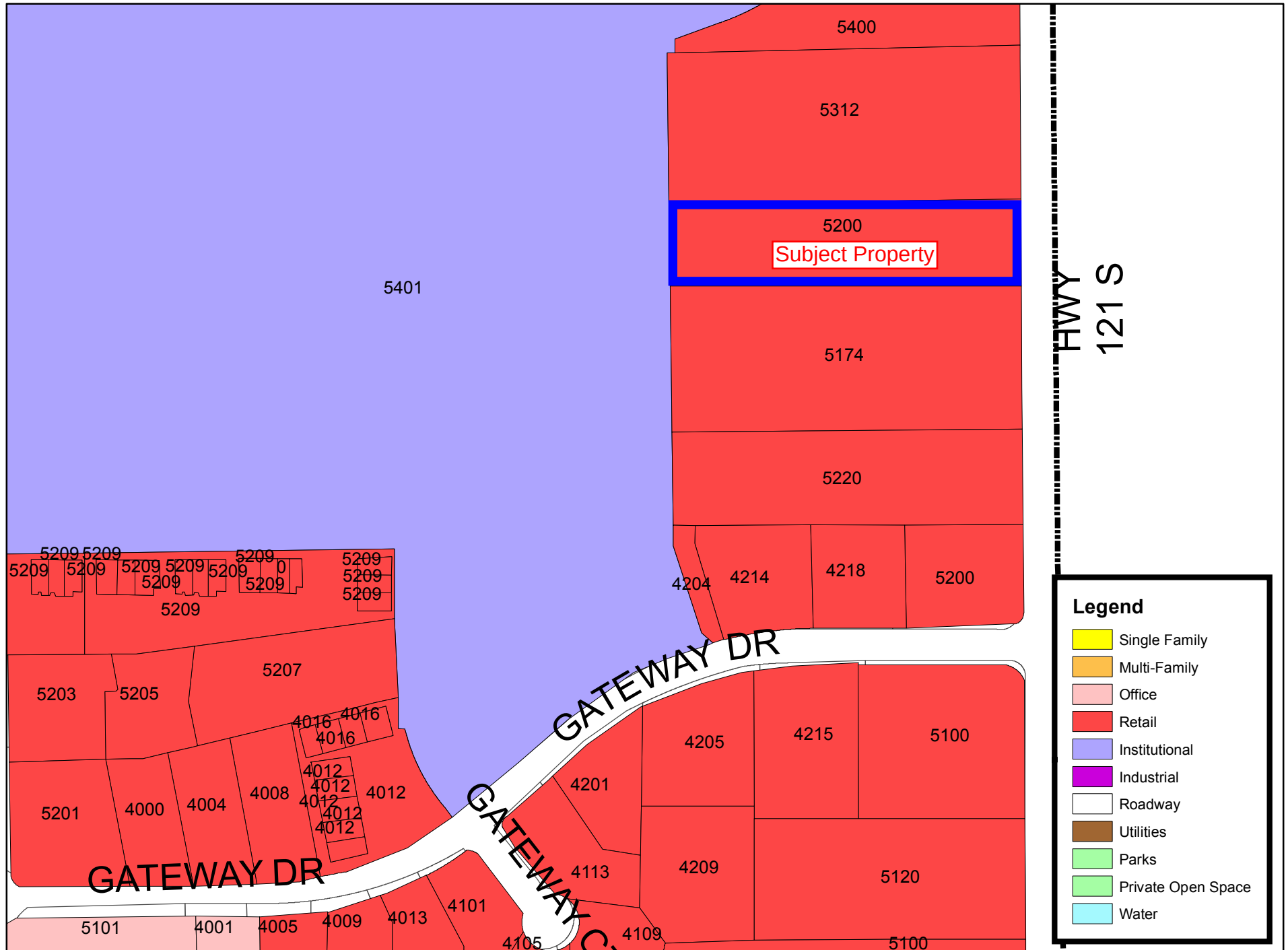
Location and Zoning Map



Aerial



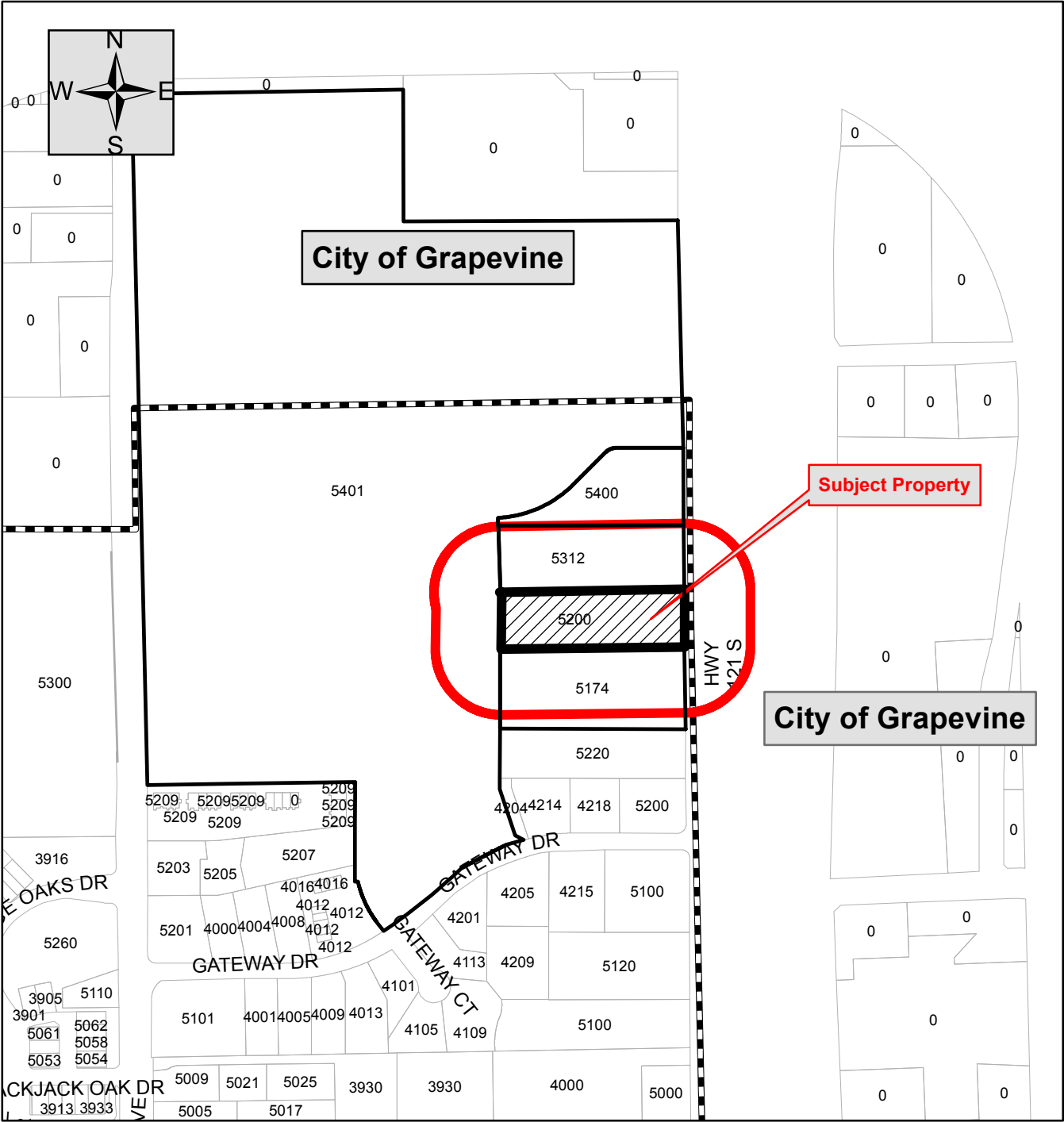
Future Land Use Map



Buffer Map

Case ZC14-024

5200 State Highway 121



Legend

- Properties within 200 feet
- Subject property
- Parcels
- City Limit



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
121 Comprades Ltd	3901 Gillon Ave	Dallas	Texas	75205	005174 State Hwy 121
Jns Living Trust Etal	PO Box 1948	Colleyville	Texas	76034	000000 State Hwy 121
Grapevine Colleyville ISD	3051 Ira E Woods Ave	Grapevine	Texas	76051	005401 Heritage Ave
Newell, Dorcus D	5312 State Highway 121	Colleyville	Texas	76034	005312 State Hwy 121
Jr's Establishment Llc	5400 State Highway 121	Colleyville	Texas	76034	005400 State Hwy 121
Grapevine Colleyville ISD	3051 Ira E Woods Ave	Grapevine	Texas	76051	Courtesy Notice
City of Grapevine	P.O. Box 95140	Grapevine	Texas	76099	Courtesy Notice
Paul Cragun, Applicant	2080 N. Hwy 360, Suite 240	Grand Prairie	Texas	75050	Applicant

Public hearing notices were
mailed Thurs., Oct. 30, 2014
by Taci Wrisley

Letters and Speaker Cards of Opposition

November 10, 2014

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

Re: Zoning Case No. ZC14-024

Ladies and Gentlemen:

Enclosed is an outline addressing the concerns and objections of 121 Compadres Ltd. (Compadres) in connection with the zoning change for 5200 State Highway 121 by the Applicant, Paul Cragan.

Please include this letter and the enclosed outline in the public record before the hearing scheduled for November 10, 2014, at 7:00 pm.

Please call me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Lowery', with a long, sweeping horizontal stroke extending to the right.

Jeff Lowery
Proprietor

Letters and Speaker Cards of Opposition

Zoning Case No. ZC14-024

Comments of 121 Compadres Ltd. in Response to Notice of Public Hearing

I. Zoning Case No. ZC14-024

A. Application

1. *Applicant:* Paul Cragun
2. *Location:* 5200 State Highway 121
3. *Property:* 194 acres out of Abstract 352 of the Elizabeth Cox Survey
4. *Present Zoning:* CC-2 Shopping Center
5. *Requested Zoning:* Change CC-2 Shopping Center zoning to PUDC-Planned Unit Development-Commercial zoning

B. Scheduled Hearings

1. *Planning and Zoning:* Monday, November 10, 2014 @ 7:00 pm
2. *City Council:* Tuesday, December 2, 2014, and Tuesday, December 16, 2014 @ 7:30

II. Applicant's Proposal

- A. **Hotel Use.** Applicant asks the City to change the zoning district for the Property from a CC-2 Shopping Center Zoning District to a PUDC—Planned Unit Development—Commercial Zoning District in order to accommodate a proposed 5 story, 96 unit hotel that otherwise is too large to be constructed as of right in the existing CC-2 Shopping Center Zoning District. A hotel is a permitted use in a CC-2 Shopping Center Zoning District, but not a hotel as large as the one proposed. Section 3.20.D; Table 3.24.B
- B. **Excessive Height.** The proposed hotel described in the Applicant's Site Plan exceeds the height limitations applicable to a CC-2 Shopping Center Zoning District. Section 3.20.D.

	CC-2 Shopping Center	Applicant's PUDC Proposal
Maximum Stories	2	5
Maximum Height	35 feet	58'9" (Roof Deck)
		76'11 5/8" (Tallest Parapet)
Maximum Stories	PUD in CC-2	4

The proposed hotel would stand 5 stories high in a zoning district that otherwise limits to 2 the number of stories in the principal structure. The

Letters and Speaker Cards of Opposition

Zoning Case No. ZC14-024

Comments of 121 Compadres Ltd. in Response to Notice of Public Hearing

Schedule in Section 3.20 indicates that the maximum number of stories in a PUD is 4 stories not 5 stories as proposed. The proposed hotel at just under 77 feet tall is more than twice the maximum 35 foot height permitted under existing zoning.

- C. **Inadequate Parking.** Applicant's proposal asks the City to vary the minimum parking space size requirements in Section 3.29.1 in an attempt to meet the minimum number of off-street parking spaces scheduled for Group 19. The proposed Site Plan depicts at least 16 undersized, 8' wide spaces. And, even with this number of undersized spaces, the total number of spaces depicted is at least one space short of the minimum number of 98 spaces scheduled in Table 3.29 for Group 19, which applies to hotel use.
- D. **Off-Street Loading.** Under existing CC-2 Shopping Center District zoning requirements, the Site must have at least 1 off-street loading space or berth. The existence and location of such a space or berth does not appear on the Applicant's proposed Site Plan.

III. Concerns of 121 Compadres Ltd. dba La Hacienda Ranch (Compadres) with respect to Applicant's Proposal

- A. **Compadres' Existing Restaurant Use.** Since 1997, Compadres has owned and operated its La Hacienda Ranch restaurant on the 3.044 acre tract of land located at 5250 Highway 12, Colleyville, Tarrant County, Texas (Restaurant Property) immediately to the South of Applicant's Property.
- B. **Purpose of PUDC Zoning District.** The purpose of a Planned Use Development (PUD) is to provide greater flexibility in the approval of developments by encouraging projects that "*are superior to what could be accomplished*" in the existing districts through the "increased use of open spaces, greenbelts, or enhanced amenities or features within the development that will be of special benefit to the property owners or to the community."

Applicant's proposed PUD does not appear provide such benefits to the other property owners or the community. The amount of common spaces in Applicant's proposed PUD falls slightly short of the minimum area

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Zoning Case No. ZC14-024

Comments of 121 Compadres Ltd. in Response to Notice of Public Hearing

- required for common spaces in Section 3.23.J. The proposed hotel project is not superior from the perspective of Compadres, as an adjacent property owner, to a less dense hotel development in a low rise building not more than 35' in height under existing CC-2 Zoning District standards. The proposed hotel project imposes special burdens on adjacent property owners associated with the far more intensive hotel uses contemplated in Applicant's proposal.
- C. **Proposed Hotel Use.** Compadres has grave concerns that the hotel proposed by Applicant, which is so much taller and larger than what is permitted as of right in the existing CC-2 Shopping Center Zoning District will adversely affect Compadres' restaurant operations.
- D. **Excessive Height.** The proposed hotel will be more than twice the height of any principal structure permitted as of right in a CC-2 Shopping Center Zoning District, and it will stand more than 3 stories taller than any structure permitted as of right under current zoning. The proposed 5 story hotel building also appears to exceed the maximum number of 4 stories for a primary structure in a PUD under Section 3.20.D.
- Applicant's Property is quite narrow in relation to the proposed height of the 5 story hotel. The proposed side setbacks for such a structure appear inadequate to prevent the hotel from literally casting a shadow over Compadres' Restaurant Property. The taller building also will greatly diminish the visibility from State Highway 121 in a manner that is materially more detrimental to Compadres than any adverse impact associated with development of a hotel or another project under existing CC-2 Zoning standards.
 - Compadres' requests that the City require Applicant to assess the impact that the proposed increase in the permitted building height will have on adjacent properties and to reassess the adequacy of the proposed side setbacks before acting on Applicant's proposal.
- E. **Over Parking.** The size of Applicant's lot (under 2 acres) does not appear adequate to accommodate off-street parking for the proposed hotel.

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Comments of 121 Compadres Ltd. in Response to Notice of Public Hearing

- At least 16 of the proposed parking spaces are only 8' wide. The minimum width for parking spaces under applicable parking specifications is 9 feet.
 - It appears that the legends on Applicant's Site Plan count more spaces than the Site Plan graphically depicts.
 - The proposed Site Plan makes no provision for parking tractor-trailers, motor homes, or other vehicles commonly parked at hotels that occupy more than one parking space, and the Site Plan does not propose any screening to minimize noise and light from the primary parking areas on Applicant's property.
 - Compadres requests that City—before acting on Applicant's proposal—require Applicant to propose measures to mitigate the adverse impacts on Compadres' Restaurant Property associated with the increased density and intensity of use contemplated in Applicant's proposal, including, without limitation, structured parking, screening, and additional landscaping.
- F. **Off-Street Loading.** Compadres requests that Applicant identify on its proposed Site Plan the location of the required off-street loading area so that the adequacy of noise mitigation and screening can be assessed and assured.
- G. **Conclusion.** Compadres opposes Applicant's proposal in its current form. Applicant's proposed PUD will intensify the use of Applicant's Property in a manner that is not compatible with the Compadres' existing restaurant use. Compadres has operated its restaurant in Colleyville for 17 years with the expectation that the property in the immediate vicinity of the restaurant would be developed similarly in conformity with CC-2 Shopping Center Zoning District requirements. The PUD proposed by Applicant departs too much from existing requirements and is likely to impact adversely Compadres' restaurant operation with respect to visibility, parking, and other burdens associated with developments such as the one proposed by Applicant.

Letters and Speaker Cards of Opposition

From: Tom Whelan
Sent: Tuesday, December 2, 2014 1:59 PM
To: David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart
Cc: Christine Loven; Amy Shelley; Taci Wrisley
Subject: ZC14-024 Proposed Hotel on State Highway 121
Attachments: Marianos_c4.pdf

Mayor and Members of the Council:

Attached is a memo summarizing the objections of my client, 121 Compadres Ltd. d/b/a La Hacienda Ranch (Compadres), to the proposed hotel and to the zoning waivers requested to accommodate it. Simply put, Applicant seeks to put too much hotel, with too few parking spaces, on too little land, too close to La Hacienda Ranch.

The proposed hotel development would leave Compadres' restaurant in the shadow of a 77-foot tall building more than twice the height of any existing commercial structure in the district and more than twice the height of any primary structure permitted as of right in a PUDC within the existing CC-2 District. Regardless of its shape, the proposed 77-foot tall, 5 story is just too big a peg to fit in a 1.94 acre hole. This radical departure from existing zoning standards is not only unwarranted but also is unlawful.

Compadres also requests that the City Secretary include this email and the attached summary in the public record to memorialize Compadres' objections.

Compadres respectfully requests that the Council consider Compadres' objections and deny the requested waivers. My client and I look forward to the opportunity to discuss these objections at the public hearing.

Thomas M. Whelan
McGuire Craddock & Strother
2501 N. Harwood, Suite 1800
Dallas, Texas 75201
Phone (214) 954-6815
Fax (214) 954-6850
Cell (214) 208-8065

Letters and Speaker Cards of Opposition

Zoning Case No. ZC14-024

I. CITY OF COLLEYVILLE, TEXAS, ZONING CASE NO. ZC14-024

A. Application

1. *Applicant:* Paul Cragun
2. *Location:* 5200 State Highway 121
3. *Property:* 1.94 acres out of Abstract 352 of the Elizabeth Cox Survey
4. *Present Zoning:* CC-2 Shopping Center Zoning District (CC-2)
5. *Requested Zoning:* Change the existing CC-2 District to a PUDC—Planned Unit Development Commercial Zoning (PUDC)

B. Scheduled Hearings

1. *Planning and Zoning:* Monday, November 10, 2014 @ 7:00 pm
2. *City Council:* Tuesday, December 2, 2014, and Tuesday, December 16, 2014 @ 7:30 pm

II. SUMMARY OF APPLICANT'S PROPOSAL

- A. **Hotel Use.** Applicant asks to change the applicable zoning classification for the Subject Property from a CC-2 District to a PUDC within the CC-2 District to accommodate a proposed 5 story, 96 room hotel. The hotel development—as proposed—*is not* permitted as of right in a CC-2 District *or* in a PUDC within a CC-2 District.
- B. **At Least 5 Waivers Requested.** Applicant seeks no less than 5 material waivers of otherwise applicable requirements under the Colleyville Land Development Code (Development Code). Applicant asks the Council:
 1. to waive the maximum 4 story, 35 foot height restrictions for any primary structure in order to allow a 5 story, 77 foot tall, 96 room hotel building on an undersized 1.94 acre site;
 2. to waive both the minimum number of required parking spaces and the minimum size requirements for 28% of the proposed spaces by reducing the size of each such space by 11%;
 3. to waive the mandatory minimum open space and landscaping requirements, thereby reducing the overall open space and

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landscaping requirements by 10% and the front yard landscaping requirement by 90%;

4. to waive 100% of the minimum tree preservation requirements and 50% of the tree mitigation requirements; and
5. to waive the restaurant requirement for a hotel.

The first 4 waivers—if granted—would materially and adversely affect the adjacent properties within the CC-2 District, including the property owned by 121 Compadres Ltd. *d/b/a* La Hacienda Ranch (Compadres) immediately to the south of the Subject Property.

- C. **Planning and Zoning Commission.** Compadres submitted written objections with the Planning and Zoning Commission (Commission) before its November 10, 2014, hearing on Applicant’s proposal. The Commission ignored the Development Code and Compadres’ objections and instead recommended that Council approve the requested rezoning and 4½ of 5 waivers.¹

III. COMPADRES’ OBJECTIONS TO APPLICANT’S REQUESTED REZONING AND WAIVERS.

A. Applicant seeks approval of too much hotel on too little land.

1. As a general rule, each application for a PUDC must “be evaluated by the Planning and Zoning Commission and City Council as to its probable effect on the adjacent property and the community.” Colleyville Land Development Code (CLDC) § 3.23.M.b. The Commission completely neglected its legal duty under this general rule.
2. The public record is devoid of any analysis of the “probable effects” of the requested rezoning on the adjacent properties, including the lot to the immediate south where Compadres has owned and operated Colleyville’s restaurant—La Hacienda Ranch—for the last 17 years. There is no record City Staff or the Commission considered, much less analyzed, the probable adverse effect on Compadres’ property of more than doubling maximum height

¹ The Commission recommends exempting Applicant from any tree preservation requirement (*i.e.*, the requirement that the Applicant preserve existing native trees) but not the tree mitigation requirement (*i.e.*, the requirement that the Applicant pay the City for the right to remove the trees).

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restriction to accommodate a 77 foot tall building that would loom over Compadres' restaurant or of reducing the minimum parking requirements for a use (*i.e.*, a hotel) with which the City has **zero** experience.

3. The City also neglected its duty to "consider any conditions to reduce the effect [of the rezoning] on adjacent property." CLDC § 3.23.M.b.
4. Again, the adverse effects on Compadres' property of 77-foot tall hotel on a 150-foot wide lot just 30 feet from the common boundary line are not just probable, but nearly certain. Even so, the public record is silent as to any consideration given to any "safeguards or conditions" in an attempt to ameliorate the adverse effect that the erection would have on Compadres' restaurant or its patrons. The silence in the public record screams that the City simply ignored its duty to evaluate the obvious, probable, and patently adverse effects of the proposed development on adjacent properties

B. **The proposed hotel building is too tall.**

1. The Development Code prohibits any primary structure more than 2 stories high or over 35 feet tall in a CC-2 District. The Development Code maintains the 35 foot maximum height limitation for primary buildings in a PUDC approved within a CC-2 District but increases from 2 to 4 the maximum number of stories. CLDC § 3.20.D.
2. But the Council may grant a variance from these height limitations under Section 3.28.D.5 of the Development Code *only "if the City Council finds that...the location and/or configuration of the building is such that it will [a] conform to the surrounding area and [b] provide adequate light and air under the circumstances."*
 - (a) The public record wants for any evidence to support either of the 2 findings necessary to approve waivers of the applicable building height restrictions other than the fact that the Applicant wants to build a hotel and the City wants tax revenue. Neither the Applicant nor the City's wants

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substitute for the want of evidence in the public record.

- (b) The proposed 5 story, 77-foot tall, 96 room hotel building does not “conform to the surrounding area.” In fact, it does not conform to the City of Colleyville.
 - (i) The proposed 5 story hotel would exceed (a) by 42 feet, or 120%, the maximum height limitation as measured in feet; (b) by 3 stories, or 150%, the maximum height for a principal structure as measured in stories under existing zoning, and (c) by 1 story, or 20%, the maximum height as measured in stories for a principal structure in a PUDC.
 - (ii) No commercial building fronting State Highway 121 is more than 35 feet tall and, in any case, all of the existing buildings are just 1 or 2 stories tall. Compadres believes that the proposed hotel—if built—*would be taller and have more stories than any other commercial building in all of Colleyville*. The proposed height waivers truly are unprecedented.
 - (iii) The volume of the proposed hotel building is far greater than any other commercial building fronting State Highway 121 in the surrounding area. Its massive scale—relative to the other structures and uses—does not conform to the surrounding area as the Development Code requires. Instead, the proposed 77-foot tall hotel building literally would overshadow the surrounding area, not conform to it.
- (c) The proposed hotel development does not provide adequate light and air under the circumstances.
 - (i) Compadres is concerned that the shadows cast by a 77-foot tall building situated on the site so close to the common boundary line would deprive La Hacienda Ranch of adequate light and air under the circumstances.

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- (A) The burden is on the Applicant to show affirmatively that the requested variances provide adequate light and air. CLDC § 3.28.D.5.
 - (B) The Development Code does not allow the Council to approve any waiver of the height restrictions in the Development Code *unless and until* the Applicant supplies adequate proof that the light and air will be adequate.
 - (C) Applicant has not provided *any* evidence showing that the requested waiver of the **35**-foot maximum height restriction to allow a **77**-foot tall building situated on a **150**-foot wide lot just **30** feet from the common boundary will provide Compadres with adequate light and air under the circumstances. No such studies or analyses appear in the public record.
- (ii) The nonconforming height and location of the hotel building would deprive Compadres' restaurant of adequate light and air to preserve the visibility from the frontage road that is essential to the continuing viability of the restaurant.
 - (iii) By contrast, a structure conforming to the applicable height restrictions would not obstruct light, air, and the accompanying visibility of the restaurant from the frontage road.
 - (iv) The proposed side yards are inadequate given the excessive height of the proposed hotel structure.
- (A) If the hotel were a school, public building, or institution, the Development Code would require an increase in the minimum side yard of **1** foot for each **1** foot in height that the

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building exceeds the height regulation of the district where it is located. CLDC § 3.28.D.1.

- (B) Application of this rule would require a minimum side yard of **57** feet (**42'** (the amount by which the height of the hotel exceeds the maximum **35'** height permitted in CC-2) + **15'** (the minimum side yard in CC-2)) on each side of the hotel. The proposed side yard is roughly *half* of this minimum side yard requirement. Even though this objective requirement may not technically apply to the proposed hotel, it confirms that the proposed side yard for the hotel is woefully inadequate.

- (d) Under Colleyville's Development Code, granting a variance to add a hotel to the tax rolls that is twice the height of any structure permitted under the existing ordinance in order to fill city tax coffers is not sufficient to justify the requested waivers.

C. **The proposed hotel development has too little off-street parking.**

1. The Development Code requires a minimum of **1** parking space measuring **9'x18'** for each hotel room, plus **1** parking space of this size for each **300** square feet of office area in a hotel building. CLDC § 3.29.D & J.
2. Applicant's proposed site plan does not provide for the minimum number of required parking spaces.
 - (a) The proposed hotel achieves the bare minimum ratio of parking spaces to rooms by reducing the proposed size of **27** spaces by **11%** below the minimum size required under the Development Code.
 - (b) The Applicant does not disclose or quantify the office area within the facility, and Applicant's proposal does not provide any parking spaces for the office area.
 - (c) No parking spaces are allocated for the 500 square feet of

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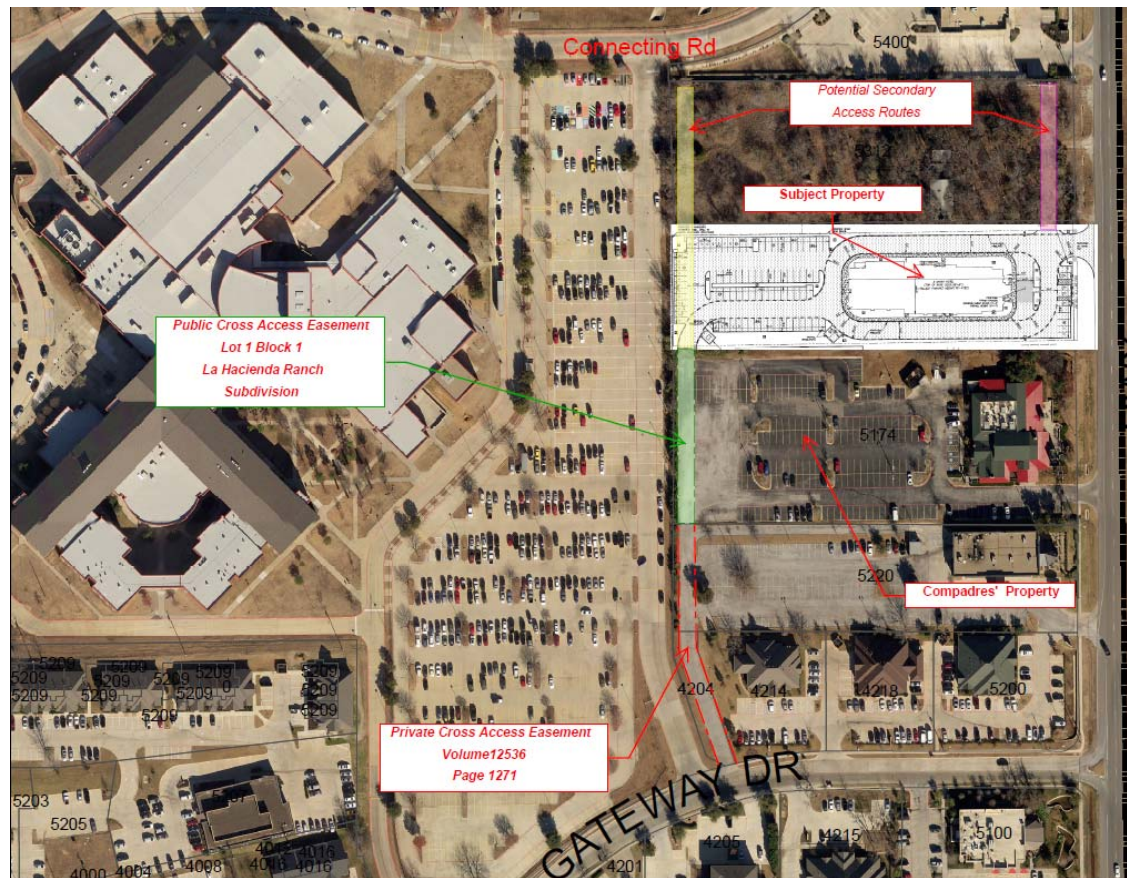
meeting space.

3. The planned parking is inadequate to accommodate the proposed hotel use.
 - (a) The number and size of spaces is does not meet the minimum requirements of the Development Code.
 - (b) No parking is planned to accommodate recreational vehicles, vehicles towing trailers, trailer trucks, or other oversize vehicles that use more than one full size space, much less more than one undersized space.
 - (c) Loading areas are not clearly identified.
4. The proposed secondary points of ingress and egress into and across the Subject Property and Compadres' Property create avoidable fire safety hazards, on-site traffic hazards, and overflow parking problems.
 - (a) A rear access drive currently provides secondary access from Gateway Drive across a public easement (shown in green in Figure 1 below) and private easement (shown in red in Figure 1 below).
 - (b) Applicant's proposed configuration of the site locates parking spaces along the western boundary of the Subject Property, effectively obstructing any possible extension (shown in yellow in Figure 1) of the access drive to Connecting Rd.
 - (c) The proposed parking configuration would effectively preclude the only practicable alternative access route for fire and emergency service to the Subject Property and to Compadres' Property from the nearest existing fire station on Hall-Johnson Rd.

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Figure 1: Aerial Photo (with Site Plan overlay) of Subject Property and Adjacent Properties



- (i) The primary emergency vehicle access route runs east from the Fire Station on Hall-Johnson Rd. and then south on William D. Tate to the front entrance of the Subject Property and Compadres' Property.
- (ii) The most direct secondary route appears to run east from the Fire Station on Hall-Johnson Rd., then south on Heritage Ave., and then east on Connecting Rd. to the potential secondary access route (shown in yellow in Figure 1 above).
- (iii) Instead of providing for alternate fire and emergency service access, Applicant's proposed site plan

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eliminates secondary emergency access along the western boundary (*i.e.*, the rear) of the Subject Property in an attempt to make up for the inadequate number of parking spaces on the undersized lot.

- (iv) Based on the configuration depicted in Applicant's proposed Site Plan (overlain over the Subject Property in Figure 1 above), the drive proposed by Applicant at the northeast corner of the Subject Property presupposes a connection with a similar drive (shown in pink in Figure 1 above) consuming valuable frontage on the adjacent property to the north without providing direct secondary access comparable to an extension (shown in yellow on Figure 1) of the existing access drive.
- (d) The proposed site plan creates potentially dangerous on-site traffic hazards. Hotel guests, who miss the hotel's entrance off of the William D. Tate service road would use Compadres' entrance and cut through the restaurant's parking lot to get to the back entrance of the hotel sometimes at high speeds. Large vehicles typically used by travelers, such as RVs and trailers, would pose a serious safety hazard to our guests and their small children, who eagerly head from their parents' vehicles to ride the mechanical ponies by the restaurant entrance.
- (e) The inadequate parking at the hotel will inevitably lead hotel guests to use Compadres' parking lot, taking spaces that the restaurant cannot afford to lose. Compadres' sister location in Frisco has first-hand experience with this situation. Guests at the adjacent hotel—unable to find parking spaces in the hotel parking lot—overrun parking spaces at the Frisco restaurant, taking up numerous parking spaces dedicated for the use of the restaurant's customers. This will almost certainly happen if the waivers for the oversized hotel on an undersized lot with inadequate

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parking are approved.

- (f) The requested PUDC for the hotel, together with the requested waivers, will result in the overuse of the cross-access easement along the western boundary of Compadres' property. When the City asked Compadres to dedicate the 30' wide cross-access easement, Compadres did so with the understanding that the City intended to encourage development of a restaurant row on the contiguous lots fronting State Highway 121. Compadres granted the easement to accommodate conforming uses in a CC-2 District, not an oversized hotel on an undersized lot with inadequate parking.

D. The proposed development has too little open space.

1. Applicant's proposal does not meet the mandatory minimum open space and landscaping requirements for a PUDC within a CC-2 Shopping Center District.
2. The purpose of a PUDC "is to provide for greater flexibility and discretion in the approval of...nonresidential and mixed use developments *by encouraging creative, efficient and aesthetically desirable . . . commercial projects that are superior to what could be accomplished in other zoning districts through the use of increased open spaces, greenbelts, or by providing enhanced amenities or features within the development that will be of special benefit to the property owners or to the community.*"
3. To achieve this purpose, section 4.6(3) of the Development Code provides:

*Twenty percent (20%) of the total land area in any proposed development **shall be landscaped**. At least fifty percent (50%) of the total landscaped area shall be located in the street yard(s).*
4. "***Given the limited space on the site,***" in the words of City Staff, these open space and landscaping requirements cannot be met on this **1.94** acre tract.
 - (a) Applicant seeks a **10%** reduction in the **20%** open space

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requirement.

- (b) Applicant seeks a **90%** reduction in the street yard requirement from **50%** of the total open space to **5%**.
- (c) The requested waivers scatter small islands of landscaping in a sea of concrete.
- (d) The requested open space waivers are inconsistent with the purposes of the PUDC provisions of the Development Code.
 - (i) Applicant's proposed PUD does not appear provide *superior* benefits to the property owners in the existing shopping center district or the community.
 - (ii) The amount of common spaces in Applicant's proposed PUD falls slightly short of the minimum area required for common spaces in Section 3.23.J. Under existing standards, a less dense hotel development in a low rise building not more than 35' in height would benefit the community *without* imposing the special burdens on adjacent property owners resulting from the far more intensive hotel use contemplated in Applicant's proposal.

E. The proposed PUDC would clear all native and existing trees.

- 1. Applicant has asked the City to waive **100%** of the minimum tree preservation requirements and **50%** of the tree mitigation requirements.
- 2. Applicant not only proposes to remove all native and existing trees, but he also asks the City to waive the minimum open space and landscaping requirements once Applicant clears the densely wooded property.
- 3. City Staff and the Commission recommend that the Council retain the mitigation requirement and require the Applicant to pay the City for the privilege of clearing the Subject Property of trees. But retaining the City's right to payment for Applicant's right to clear the trees does not ameliorate the adverse aesthetic impacts of clearing them on surrounding property owners.

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IV. CONCLUSION.

- A. The purpose of a PUDC under the Development Code is to encourage “*superior*” projects through the use of “*increased*” open spaces, greenbelts, and enhanced amenities. The waivers requested for the proposed PUDC would do the opposite, decreasing mandatory the open space requirements, clearing all existing trees on a heavily wooded lot, and offering no enhanced amenities or features that could not be offered to the community through a conforming hotel development. Approval of Applicant’s request for a PUDC within a CC-2 District—coupled with these waivers—undermines this central purpose of the PUDC provisions of the Development Code.
- B. The Development Code gives great weight to protecting the reasonable investment backed expectations of current property owners. For this reason, each application for a PUDC must “be evaluated by the Planning and Zoning Commission and City Council as to *its probable effect on the adjacent property and the community.*” CLDC §3.23.M.b. Moreover, the Development Code places the burden on every applicant for a waiver to demonstrate the absence harm to existing property owners and conditions the Council’s power to grant waivers on making findings of fact based on appropriate evidence in order to protect the interests of other property owners. *See* CLDC §3.28.D.5 Even the developer of a new project—once built—expects that the Council will not devalue its new project by granting variances on surrounding properties that adversely affect the developers new investment. The importance of these principles to every existing and potential property owner—commercial and residential—cannot be understated.
- C. In this case, City Staff and the Commission simply failed to evaluate any of the nearly certain adverse effects on the adjacent properties. The proposed 77-foot tall hotel structure, which is more than twice the maximum permitted height in a PUDC within a CC-2 District, would literally cast an unwanted shadow over Compadres’ restaurant during the day, shine invasive artificial lights on the restaurant at night, and subject the restaurant’s patrons to annoying noises both day and night. On the record before it, the Council simply does not have sufficient facts to

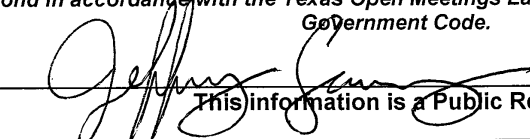
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support the findings necessary to approve Applicant's rezoning request or to grant the waivers necessary to fit so much hotel on so little land in a zoning district that does not allow such a development as of right.

- D. The reason for the oversight is as understandable as it is unfair. City Staff and the Commission overlooked the well-worn nickel in the City's pocket in the pursuit of the promise of a new, shiny penny. But the potential tax revenue from a new hotel—while relevant—is not sufficient under the Development Code to justify the total disregard of the adverse effects on Compadres' property.

Letters and Speaker Cards of Opposition

Date: <u>11-10-14</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>6d</u>	
Name: <u>Jeff Lowery</u>	
Address: <u>5250 Hwy 121</u>	
City: <u>Colleyville</u>	State: <u>Tx</u> Zip Code: <u>76034</u>
Telephone Number: <u>817-318-7500</u>	Representing: <u>Lattacienda Ranch</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></u>	This information is a Public Record.

Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: 2014.12.02

Agenda Item Number: 5C

For example: 5a (this can be found on the far left side of the agenda copy)

_____ I will speak **In Support** of this item. ☒ I will speak **In Opposition** to this item.

_____ I do not wish to speak, but please record my: _____ **support** _____ **opposition**

Name: BOULE WILLIAMS

Address: 5250 Hwy 21 City: Colleyville

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: _____

This information is a Public Record

La Williams

Letters and Speaker Cards of Opposition

2

SPEAKER CARD

Date: 2014.12.02

Agenda Item Number: 5C

For example: 5a (this can be found on the far left side of the agenda copy)

_____ I will speak **In Support** of this item. ☒ I will speak **In Opposition** to this item.

_____ I do not wish to speak, but please record my: _____ **support** _____ **opposition**

Name: JEFF Lowery

Address: 5250 Hwy 121

City: Colleyville

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: _____

This information is a Public Record

Letters and Speaker Cards of Opposition

SPEAKER CARD

3

Date: 2014.12.02

Agenda Item Number: 5a

For example: 5a (this can be found on the far left side of the agenda copy)

la
Harris

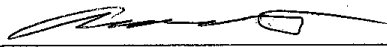
_____ I will speak **In Support** of this item. ☒ I will speak **In Opposition** to this item.

_____ I do not wish to speak, but please record my: _____ **support** _____ **opposition**

Name: Alexis Georgiades

Address: 5250 121, Colleyville, TX City: Colleyville

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: 

This information is a Public Record

Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: 0014.12.02

(4)

Agenda Item Number: 5c

For example: 5a (this can be found on the far left side of the agenda copy)

_____ I will speak **In Support** of this item. ☒ I will speak **In Opposition** to this item.

_____ I do not wish to speak, but please record my: _____ **support** _____ **opposition**

Name: THOMAS M. WHELAN (for 121 COMPADRES, LTD)

Address: 2501 N. MARWOOD, SUITE 1800 City: DALLAS

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: Thomas M. Whelan

This information is a Public Record

Opposition Map

Total Percent Opposition within 200 feet = 28%

gh

5401

5400

5312

Subject Property

5200

SH121

200 Foot Buffer

Property Opposed

5220

5209
5209
5209
5207

4204

4214

4218

5200



Icon Lodging Company Information



Leadership Team:

Nimesh Patel – Managing Partner

As Co-founder and managing partner Mr. Patel has many years of experience in hotel management and development for multiple national branded hotels as well as independent hotels. Nimesh is responsible for the development and success of the long-term growth strategy for the company. He has worked over the years in many capacities from night auditor to general manager giving him the hands-on experience to relate to all facets of the hospitality industry. Nimesh is also responsible for all franchise relationships for the company and its investors.

Mr. Patel earned a B.A. degree in finance from Southern Methodist University (SMU) in Dallas, TX and is an active member within his community.

Piyush Patel – Managing Partner

Piyush Patel is a second-generation hotelier who has been involved in the business from his early childhood, which gives him a good insight on all the different aspects of the hotel industry. As co-founder of Icon Lodging, he assumes a multi-faceted role where he is responsible for the company's business development, hotel operations and client/investor relationships. Within his first 8 years in the hotel industry he has developed and managed over 10 hotels. Piyush holds a Finance degree from The University of Texas at Austin

Hermann T. Bauer – President & COO

Hermann Bauer is a seasoned hotelier with over 25 years experience in the industry. Hermann is recognized as a leading hotel professional having served in various capacities, from General Manager to Regional Operations Manager to a president of a hospitality management company in Atlanta Georgia, for the past 10 years.

Hermann has the experience to create innovative and pragmatic solutions for the rapidly changing hospitality environment. In addition to his contributions to the Hotel Industry, as an expert in overall hotel operations, Hermann has managed over a hundred hotels throughout the United States and is an experienced Franchise operator.

Hermann is responsible for operational supervision and strategy implementation and is focused on growing Icon Lodging into a leading regional hotel management company encompassing multiple franchise brands as well as independent hotel properties.

Icon Lodging Company Information

Larry D. Williams – Regional Director of Operations

Larry has over 28 years of hotel management experience. He has worked over the years with Hilton Hotels, Marriott Hotels, Walt Disney World Resorts, Choice Hotels, Wyndham Resorts, Intercontinental Hotels Group, Best Western Hotels and Arnold Palmer's Bay Hill Club & Lodge. He has proven skills in working at and directing the operations of full service, convention, time-share, limited service, extended stay and country club management environments.

Larry holds a Bachelor of Arts degree from Vanderbilt University. Larry was the Regional Manager for a hospitality management company, located in Atlanta, Georgia. His responsibilities included the oversight and direction of fifteen (15) properties of four (4) different hotel brands, throughout a seven (7) state area. Larry possesses demonstrated and proven renovation, operations, sales and marketing skills.

Jessica A. Holt – Director of Corporate Accounting

Jessica brings over 20 years of accounting experience to our Icon Lodging team. She has a BBA in Accounting from Kennesaw State University.

Jessica started her hospitality career with Suburban Lodges of America, Inc and was part of the accounting team during the IPO and two additional stock options. During her five years there she was promoted from staff accountant to accounting manager.

Jessica was Vice President of Accounting for Columbia Hospitality Management, Inc for six years. During her time there she built a finely tuned accounting department that improved productivity, individual accountability and team morale. This enables operations and ownership to receive timely and accurate information to improve property performance.

Erika Bauer – Director of Sales & Marketing

Erica started her career in Sales and Marketing 2 years ago in the hotel industry. In her role she is responsible for development and implementation of each property's unique strategic sales plan and supporting tactical actions in her region of hotels. She utilizes her extensive skills and marketing know how to analyze the unique features and qualities of each individual property, along with the competitive marketplace to design a comprehensive marketing plan, ensuring excellent impact and peak performance of every asset. Ericka has gained global industry experience and in depth knowledge of major brands such as Choice hotels, Wyndham, and La Quinta.

Erika received her B.A. in Sales and Marketing with a concentration in Social Media Networking from the University of Alabama.

Icon Lodging Company Information



History:

Icon Lodging, LLC is a successor company of many family-owned and operated hotel companies whose roots date back to the 1980's. The principals of Icon Lodging have always implemented a hands on approach to success due to their grassroots beginnings of living and working in a mom and pop hotel operation with their families. This experience has been an invaluable driving force that has propelled the company into a dynamic growth and success cycle.

Over the years Icon Lodging's principals have continued to make strategic business decisions to enable the company to lay a solid foundation for its aggressive but controlled growth into the future.

Mission and Vision:

At Icon Lodging it is our Mission to maintain a highly respected hotel company and to enhance and grow our reputation by providing a superior guest experience. At Icon Lodging our vision is simple we are turning a vision into reality, one decision at a time.

Growth Strategy:

Our long-term growth strategy is to grow at an aggressive steady pace during not only robust economic cycles but more importantly during turbulent economic cycles. At Icon Lodging we feel this can be achieved by having the right franchise partner in the right marketplace. Here at Icon Lodging we put a great deal of emphasis on our market research to help direct us into a successful future.

Icon Lodging Company Information

Company Values:

At Icon Lodging we strongly believe our core values influence every decision made everyday in order to be a highly respected hotel company.

- Passion
- Integrity
- Superior Guest Experience
- Innovation
- Communication

About Us:

We are a full service hotel company specializing in hospitality management and hospitality development. Icon Lodging has developed 20 hotels in the last 10 years through different joint ventures and partnerships. Below is a list of some of the hotels we own and operate.

Courtyard & Town Place Suites combo hotel - Grapevine, TX
Hampton Inn & Suites - Richardson, TX – Under Construction
Fairfield Inn & Suites - Nacogdoches, TX - Opening winter 2015
Hawthorn Suites by Wyndham - Midland, TX
Hawthorn Suites by Wyndham – San Angelo, TX
Wingate by Wyndham - Richardson, TX
La Quinta Inn & Suites - Grand Prairie, TX (South Six Flags)
La Quinta Inn & Suites - Cedar Hill, TX
Hampton Inn & Suites - Richardson, TX - Under Development
Home 2 Suites - DFW Airport - Under Construction
Town Place Suites - Waco, TX - Under Construction
Hotel Lawrence - Downtown Dallas - Redevelopment of a historic hotel
La Quinta Inn & Suites - Fort Worth, TX

Select City Hotel Off-Street Parking Requirements - 12/10/2014

	Euless	Bedford	Hurst	North Richland Hills	Keller	Southlake	Grapevine	Frisco	Mansfield	Colleyville
Parking Requirements	1 space per unit	1 space per unit	1 space per unit	1 space per unit	1 space per unit	1 space per unit	1 space per unit	1 space per unit	1 space per unit	1 space per unit
Additional Conditions	N/A	plus one space per 200 s.f. of exhibit space, 100 s.f. of meeting rooms and 1 space per 2.5 seats in the restaurant	plus 1 space per 250 s.f. of floor area of mtg space	plus additional requirements for extra meeting space and a restaurant based on specific req. for each use	plus one space per 125 s.f. of meeting rooms and 1 space per 5 seats in the restaurant	plus additional requirements for extra meeting space and a restaurant based on specific req. for each use	plus additional requirements for extra meeting space and a restaurant based on specific req. for each use	plus one space per 200 sq. ft. for any additional commercial floor area contained therein	50% of required spaces may be used to count toward any accessory uses; otherwise the accessory use will require additional parking	plus one space per 300 sq. ft. of office area. Restaurant parking requires additional spaces at 1 space per 100 s.f.

Parking Information Provided by the Applicant

Hotel Parking & Occupancy Rates

These two hotel samples are very similar in total number of rooms and type of Hotel. Both these hotels meet the parking requirements per their city code.

1. Hampton Inn & Suites Trophy Club
Occupancy Rate 72%
94 Rooms
95 Parking spaces

2. Home 2 Suites DFW Airport
Occupancy Rate 76% -
93 Rooms
95 Parking spaces

Parking Information Provided by the Applicant

Type of Car	Make & Model	Length x Width (feet)*
Hybrids/Compact	Ford Focus	14.2 x 6
	Toyota Prius	14.7 x 5.7
	Chevy Spark	12 x 5.2
	Kia Rio	13.2 x 5.8
Sedan	Nissan Maxima	15.9 x 6.1
	Toyota Camry	15.9 x 6
	Chevrolet Malibu	16 x 6
	Toyota Corolla	15.2 x 5.8
SUV/Minivan	Dodge Grand Caravan	16.9 x 6.6
	Toyota RAV4	15 x 6
	Ford Explorer	16.4 x 6.6
	Hyundai Santa Fe	16.1 x 6.2
Trucks	Chevrolet Colorado	17.7 x 6.2
	Nissan Titan	18.7 x 6.6
	Nissan Frontier	17.1 x 6.1
	Chevrolet Silverado	17.7 x 6.7
	Dodge RAM 3500 Dually	21.6 x 6.6

***Width measured from mirror to mirror**

***Length measured from bumper to bumper**

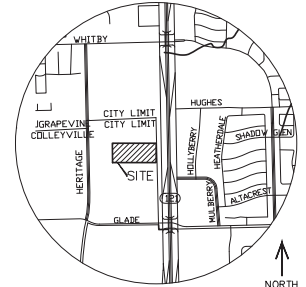
Revised Site Plan

LEGEND

- EXISTING CURB
- - - PROPOSED CURB
- - - PROPOSED FIRE LANE
- Ⓢ — PARKING SPACES IN A ROW
- Ⓢ — PROPOSED LANDSCAPING
- ▨ — SIDEWALK PAVEMENT/PEDESTRIAN WALKWAY
- ▨ — REINFORCED CONCRETE PAVEMENT
- Ⓢ — PROPOSED LED LIGHT STANDARD
- C — PROPOSED COMPACT PARKING SPACE

SITE NOTES:

- THE POINTS OF INGRESS AND EGRESS FROM THE SITE WILL BE FROM THE SERVICE ROAD OF STATE HIGHWAY 121 AND THE MUTUAL ACCESS DRIVE ON THE SW CORNER.
- ALL DIMENSIONS ARE TO FACE OF CURB, EDGE OF PAVEMENT, FACE OF BUILDING OR AS OTHERWISE INDICATED.
- ALL SIDEWALKS SHALL MAINTAIN A 2% MAXIMUM CROSS SLOPE AND 5% MAXIMUM IN THE DIRECTION OF PEDESTRIAN TRAVEL. ALL SIDEWALKS SHOULD INCLUDE ALL LANDINGS, MARKINGS, ETC AS REQUIRED BY CODE.
- THE SITE IS NOT LOCATED IN A FLOOD PLAIN, ESCARPMENT, NEAR ANY MAJOR WATER BODIES, CREEKS, MARSHES, OR DRAINAGE AREAS.
- THE PROPERTY WILL BE A SINGLE LOT.
- THE PROPERTY WILL BE LIGHTED TO MEET THE CITY'S REQUIREMENTS AND "DARK SKY" RULES.
- ALL ROOF MOUNTED MECHANICAL EQUIPMENT AND WALL SUPPORTS SHALL BE SCREENED FROM VIEW.
- THE BUILDING SHALL HAVE AN AUTOMATIC FIRE SPRINKLER WITH A FIRE ALARM AND SHALL REQUIRE A SEPARATE PLAN REVIEW AND PERMIT.

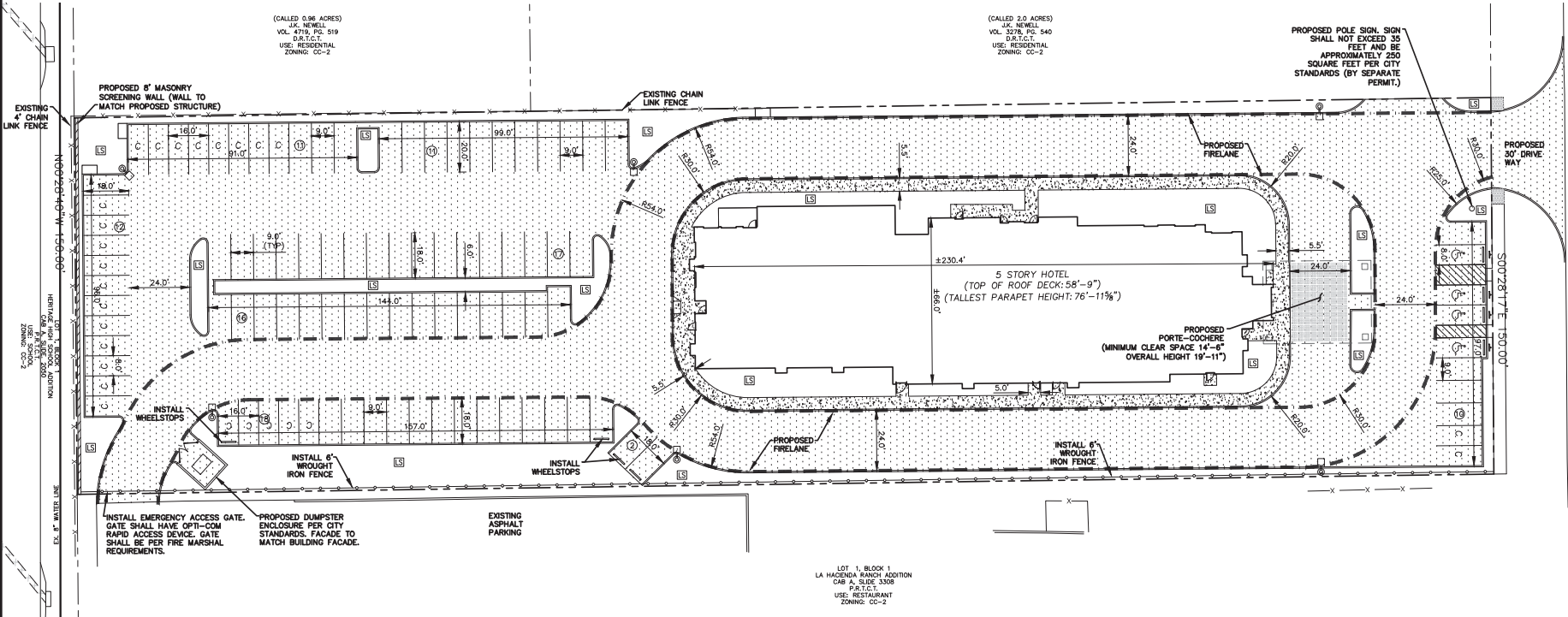


VICINITY MAP

NORTH

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF PAUL CRAGUN, P.E. NO. 112767 ON 12/09/14.

SITE PLAN
HOTEL ALONG STATE HIGHWAY 121
CITY OF COLLEYSVILLE
TARRANT COUNTY, TEXAS



LOT 1, BLOCK 1
LA HACIENDA PARK ADDITION
CAB A, SUITE 3308
P.L.C.T.
USE: RESTAURANT
ZONING: CC-2

SITE DATA TABLE

EXISTING ZONING: CC-2	PROPOSED ZONING: PUDC
LAND USE:	HOTEL
SITE ACREAGE:	1.94 ACRES (84,651 SQ FT)
BUILDING FOOTPRINT:	13,100 SQUARE FEET
BUILDING AREA:	45,500 SQUARE FEET
OPEN SPACE:	15,601/84,651 : 18%
PAVED SURFACE AREA:	55,950/84,651 : 66%
NUMBER OF UNITS:	96
PARKING REQUIRED (1 PER UNIT):	96 SPACES
PARKING PROVIDED (TOTAL):	97 SPACES
PARKING PROVIDED (ACCESSIBLE):	4 SPACES
BUILDING HEIGHT: (TOP OF ROOF DECK)	5 STORIES (58'-9\"
MAXIMUM BUILDING HEIGHT: (TALLEST PARAPET)	76'-11 5/8\"
PORTE COCHERE HEIGHT:	19'-11\"

APPLICANT/ENGINEER:
CUMULUS DESIGN, INC.
P.O. BOX 2119
EULESS, TEXAS 76039
CONTACT: PAUL CRAGUN
PHONE: 214-235-0367
FAX: 214-235-0546

DEVELOPER/OWNER:
IRON LOADING
1212 CORPORATE DR., STE #350
IRVING, TEXAS 75038
CONTACT: NICK PATEL
PHONE: 512-619-6467

SURVEYOR:
BLUE STAR LAND SURVEYING
1013 CEDAR BREAK CT.
CLEBURNE, TEXAS 76033
CONTACT: ROY RODRIGUEZ
PHONE: 817-659-9206

ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM CC-2 TO PUDC.

III. CAUTION III UNDERGROUND UTILITIES

EXISTING UTILITIES AND UNDERGROUND FACILITIES INDICATED ON THESE PLANS HAVE BEEN LOCATED FROM REFERENCE INFORMATION SUPPLIED BY VARIOUS PARTIES. THE ENGINEER DOES NOT ASSUME THE RESPONSIBILITY FOR THE UTILITY LOCATIONS SHOWN. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR(S) TO VERIFY THE HORIZONTALLY AND VERTICALLY LOCATION OF ALL UTILITIES AND UNDERGROUND FACILITIES PRIOR TO CONSTRUCTION. TO TAKE PRECAUTIONS IN ORDER TO PROTECT ALL FACILITIES ENCOUNTERED AND NOTIFY THE ENGINEER OF ALL CONFLICTS OF THE WORK WITH EXISTING FACILITIES. THE CONTRACTOR SHALL PROTECT AND MAINTAIN ALL UTILITIES FROM DAMAGE DURING CONSTRUCTION. ANY DAMAGE BY THE CONTRACTOR TO UTILITIES SHALL BE REPAIRED OR REPLACED BY THE CONTRACTOR AT THEIR OWN EXPENSE.

CALL: TEXAS ONE CALL @ 1-800-245-4545 AT LEAST 48 HRS PRIOR TO CONSTRUCTION.

\\server-01\cadd\001\PROJECTS\001\001 - COLLEYSVILLE HOTEL\PLAN\001-001.DWG

PLOT DATE

12/09/14

DRAWING SCALE

1\"

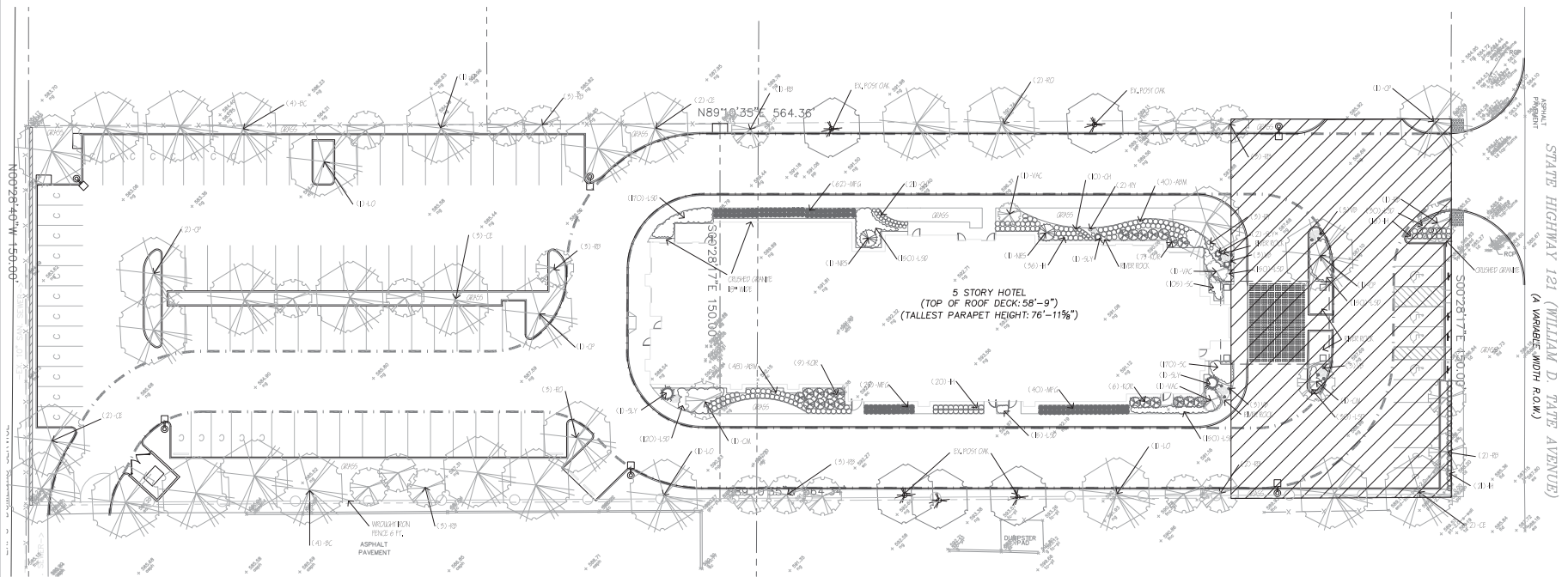
PROJECT NUMBER

CD14101

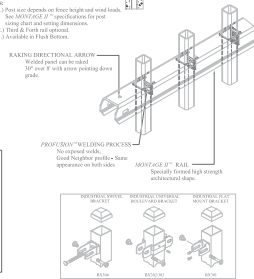
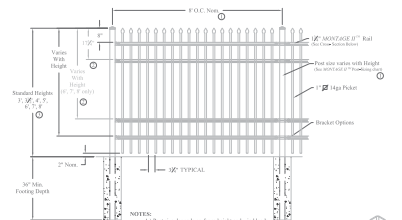
SHEET NUMBER

SP

Revised Landscape Plan



01 LANDSCAPE PLAN
SCALE: 1" = 20'-0"



02 FENCE PLAN
SCALE: NA

COLLETTVILLE LANDSCAPE ORDINANCE 04.094 SF.	
REQUIRE	PROPOSED
SHRUB TREES - (1) 2" DBE TREE FOR EVERY 401 SQ. FT. @ 10' L.F. = 4 TREES	4 TREES
SHRUBS - (1) 9' GA. SHRUB 10" DBE FOR EVERY 91 SQ. FT. @ 10' L.F. = 30 SHRUBS	37 SHRUBS
PLANT MATERIAL HANDLING	ALTERNATE PLANT MATERIAL
LANDSCAPE SITE AREA - AT LEAST 20% OF THE LOT = 16,991 SF.	14,581 SF. OR 10% + 3,509 SF. OF CROPPED = 17,094 SF. OR 10%
AT LEAST 60% OF THE LANDSCAPE IN THE FRONT YARD = 8,666 SF.	1,896 SF. OR 9%
LANDSCAPE CROWN - FOR EACH 2 SF. OF LANDSCAPE AREA IN THE ROW = 1 SF. OF CROWN	2,605 SF. OF ROW = 1,300 SF.
LANDSCAPE CROWN - FOR EACH 1 SF. OF SEASONAL COLOR = 2 SF. OF CROWN	12% SF. OF SEASONAL COLOR = 260 SF.
LANDSCAPE CROWN - FOR EACH (6) GA. SHRUB 10" DBE = 1 SF. OF CROWN	122 (6) GA. SHRUBS = 1,830 SF.
PARKING LOTS - 10% SF. OF LANDSCAPE AREA PER LOT	6,782 SF.
PARKING SPACES AT 91 SPACES = 799 SF.	
DRINKING TREES	SEE SHEET FOR INFORMATION

[illegible]

Cumulus Design
Firm #14810
2080 N. Highway 360, Suite 240
Grand Prairie, Texas 75050
Tel. 214.235.0367

THIS DOCUMENT IS
RELEASED FOR
THE PURPOSE OF
REVIEW UNDER THE
AUTHORITY OF
CAMILLE LAFAY, L.A.
NO. 000000 ON
09/00/2014.

LANDSCAPE PLAN
HOTEL ALONG STATE HIGHWAY 121
CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS

J. CAMILLE LA FOY
LANDSCAPE ARCHITECTURE CONSULTING
1010 NORTH GREENHILL AVENUE, 1002
AUSTIN, TEXAS 78702
817-351-0099 972-610-0025 FAX

PLOT DATE
12/08/2014
DRAWING SCALE
1" = 20'
PROJECT NUMBER
CD14101
SHEET NUMBER
L1.02

3D Hotel Renderings



112 NW 24th, Suite 116
Fort Worth, TX 76164
phone. 817.680.5921
www.jrkdesign.us

ICON LODGING

1212 Corporate Dr., Ste 350
Irving, TX 76038



**Hampton Inn &
Suites**

5200 State Highway 121
Colleyville, TX 76034

date
12/16/14

sheet

3D FRONT

3D Hotel Renderings



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FRONT

3D Hotel Renderings



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sheet
LEFT

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sheet
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Hampton Inn & Suites

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date

12/16/14

sheet

REAR

EXAMPLES OF PROPOSED WROUGHT IRON FENCE



Statement of Planning Objectives



Introduction:

Icon Lodging would like to propose constructing a selective service hotel on an existing vacant property located on State Highway 121. Icon Lodging and its affiliates currently own several hotels throughout Texas, Arkansas, and Louisiana. The proposed hotel is located on an existing vacant site that has been unoccupied since 2000. The site is located to the north of the existing La Hacienda Ranch and to the east of Colleyville Heritage High School. The property to the north is currently a single family home but is zoned as CC2—Shopping Center District.

The hotel will be a 5-story structure, with approximately 96 guest rooms and 96 parking spaces on the 1.94 acre site. The building will also have a 500 square foot meeting space that will be wired with the latest technology to cater to both corporate and leisure customer needs. The hotel is strategically located along State Highway 121 where it is ideal to bring corporate business travelers and vacationers into the City of Colleyville. The hotel's prime location will also attract additional customers for the surrounding restaurants and retail stores, further benefiting the City of Colleyville and its tax base. The hotel will also have an influence upon the redevelopment or reuse of some of the currently vacant spaces.

Icon Lodging's focus for this hotel is to provide a state-of-the-art hotel experience to the City of Colleyville and its citizens. The hotel will feature modern décor throughout the common spaces and the guestrooms. Each guest room will provide an exceptional choice of amenities, comfort, and the latest in-room technology. The hotel will feature an expanded fitness area that is very popular with today's travelers and health conscious guests. In addition to the fitness area, the hotel will have a unique interior and exterior swimming pool and spa concept to cater to the needs of families, travelers, and vacationers all year round.

The hotel will also incorporate many "green initiatives" both in its construction and day-to-day operations. Some of the features proposed for the hotel will include LED interior and exterior lighting, water and energy conservation practices in both the guest rooms and overall operations of the hotel. The hotel will provide a guide to encourage water and energy conservation in every guest room. The hotel will have a recycling program available to guests so as to reduce its environmental footprint. This keen focus will provide an environmentally friendly hotel and guest experience and will set a new standard for future hotel developments in the City of Colleyville.

Statement of Planning Objectives

Statement of Planning Objectives:

The proposed hotel for the site consists of a five story building with the façade to meet the City of Colleyville's commercial design standards. The building façade articulation will be varied in order to provide an appealing building and site layout. The building footprint was shortened to provide more room for landscaping and parking on the site. The proposed 5 story building will be 63' 10" from the top of slab to the top of the parapet. The building is designed to provide the same amenities and guestrooms as the larger prototype 4 story building. The 5 story building allows for the site to be used efficiently and meet with City of Colleyville's design standards. The five story configuration is necessary to meet the brand's design standards of a minimum of 90 guestrooms.

The building will have a 500 square foot meeting room to provide space for guests and visitors to use, as well as 96 guestrooms. The site layout includes 96 parking spaces, configured with islands to allow for trees and landscaping in the parking. This will help alleviate the "sea of pavement" problem that often occurs in parking lots. The majority of the parking will be located behind the building, where it will lessen the visual impact from State Highway 121.

The design of the site and the building was done to provide visibility from the frontage road, while maximizing landscaping in the areas in front of the building. The building will have a 50 foot setback from the frontage road and will be centered between the north and south property lines. The building is over 200 feet from the shared property line between the school and the hotel. There is no outdoor storage on the site and is surrounded by CC2 (Shopping Center District) zoning.

The hotel will not have any alcohol sales on site due to the close proximity of Colleyville Heritage High School. The site will meet all public safety requirements including a firelane around the entire building as well as being a fully sprinkled building. The existing driveway to the frontage road of State Highway 121 will be rebuilt to TxDOT Standards and will be the principal point of access to the site. A secondary point of access will be located on the southwest corner of the site, as a continuation of the existing mutually shared drives with the restaurants to the south. There will be no pedestrian or vehicular access to the school site to the west. The site will have a security monitoring system for the safety of guests and staff.

Icon Lodging would like to request that variances be granted for the development of the site as part of the planned use development. As part of the development of the site, many of the existing trees will be removed from the site. While trying to maximize the landscaping areas to meet brand requirements, we would like to ask for a reduction of the required existing tree coverage to be preserved. We request that a reduction to 0% for the required tree coverage to be preserved be granted. During the site layout process, it was attempted to configure the site to save the existing trees as much as possible. With the parking, firelane, building, and access requirements, we are unable to preserve any of the existing trees. Icon Lodging has worked with the building articulation and the landscaping plans to complement the surrounding areas while providing the maximum green space. Icon Lodging's intent with the landscaping and site design is to form a visually aesthetic and pleasing environment for the guests, employees and the City of Colleyville.

The second variance being requested is the requirement that a hotel has a restaurant, as defined in chapter 2 of the land development code. The hotel will have the typical hot breakfast and snack bar area for the guests. Icon Lodging believes that the hotel will complement the surrounding restaurants, which

Statement of Planning Objectives

include J.R.'s Steakhouse, La Hacienda Ranch, and Rio Mambo. This will provide more cliental to the City of Colleyville's restaurants from the hotel guests. There are approximately 4 full service restaurants within 1,000 feet of the proposed hotel as well as other fast food locations a short distance further. These surrounding restaurants will provide the restaurant services that hotel guests will desire while staying in the City of Colleyville. The new hotel may also spur the redevelopment or reuse of the former Mac's and Gator's spaces.

The third variance is from the parking space dimension requirement in chapter 3 of the land development code. Icon Lodging would like to incorporate compact parking spaces into the site. Many of the guests for the hotel will be coming from DFW airport and will either be riding on shuttles and taxis, sharing a car, or driving smaller compact rental vehicles. The request is for the allowance of twenty-five percent of the required parking to be compact parking spots. The compact parking spaces proposed will be 8' wide and 18' deep. The reason for this request is that by utilizing compact spaces on the site, the landscaping areas can be increased. This would benefit the site and the surrounding by allowing more vegetation and lawn areas, as well as reduce the amount of rain runoff from the site.

Another request Icon Lodging would like to make is for a reduction of the required landscape mixture. Due to the site requirements, the site landscaping is 18% of the total land site. The requirement for 20% is found in chapter 4, section 4.6-3. We would request that a variance be granted for the required 50% of the total landscape are to be in the street yard. This requirement is found in chapter 4, section 4.6-3. Per the brand requirement, the hotel is located in the front of the site to provide visibility. There will be landscaping to screen the parking and around the porte-cochere supports. We ask that the requirement is reduced to 5% for the total landscaping in the front yard.

The final request we ask for is regarding chapter 5, section 5.10-A. The existing requirement is that replacement trees shall be planted in order to equal the total diameter inches of trees slated for removal. With the proposed landscaping areas, an equivalent amount of caliper inches cannot be replaced on the site. We request the requirement be reduced to 1/2 inch replacement be required per inch removed.

We would like to thank you for your time to review this application. The city staff has been very helpful and accommodating during this entire process. We are happy to work with the City of Colleyville to address any comments or concerns with regards to the proposed hotel development.

Development Schedule:

The estimated time for commencement of construction: Spring 2015

The estimated time for finishing construction: Summer 2016

Statement of Planning Objectives

Economic Development Information

The employment base in Colleyville will be diversified by the addition of these hospitality jobs. This positive economic impact will not only be for the hotel, but also the accompanying and surrounding businesses.

Total Square Footage of Building:	65,000
Total Number of Guest Rooms:	96
Estimated Sales per Square Foot:	N/A
Average Estimated Room Charge:	\$135.00
Average Occupancy Rate:	68%
Estimated Occupancy Tax for First Year:	\$189,000
Total Estimated Occupancy Taxes for First 5 Years:	\$949,000
Additional Estimated Economic Impact per Year by Guests on City of Colleyville Retail, Food and Beverages, and Gas:	\$150,000
Additional Estimated Economic Impact for 5 Years by Guests on City of Colleyville Retail, Food and Beverage, and Gas:	\$750,000
Estimated Construction Costs:	\$11,000,000
Estimated Number of Full-Time Employees:	20 full time jobs and additional construction related jobs
Estimated Property Taxes paid over 5 Years:	\$875,000
Total Economic Impact on the City of Colleyville over 5 Years:	\$13,574,000

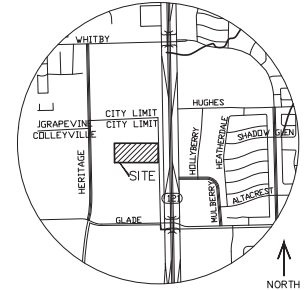
Original Site Plan

LEGEND

- EXISTING CURB
- - - PROPOSED CURB
- - - PROPOSED FIRE LANE
- Ⓢ — PARKING SPACES IN A ROW
- Ⓢ — PROPOSED LANDSCAPING
- ▨ — SIDEWALK PAVEMENT/PEDESTRIAN WALKWAY
- ▨ — REINFORCED CONCRETE PAVEMENT
- Ⓢ — PROPOSED LED LIGHT STANDARD
- C — PROPOSED COMPACT PARKING SPACE

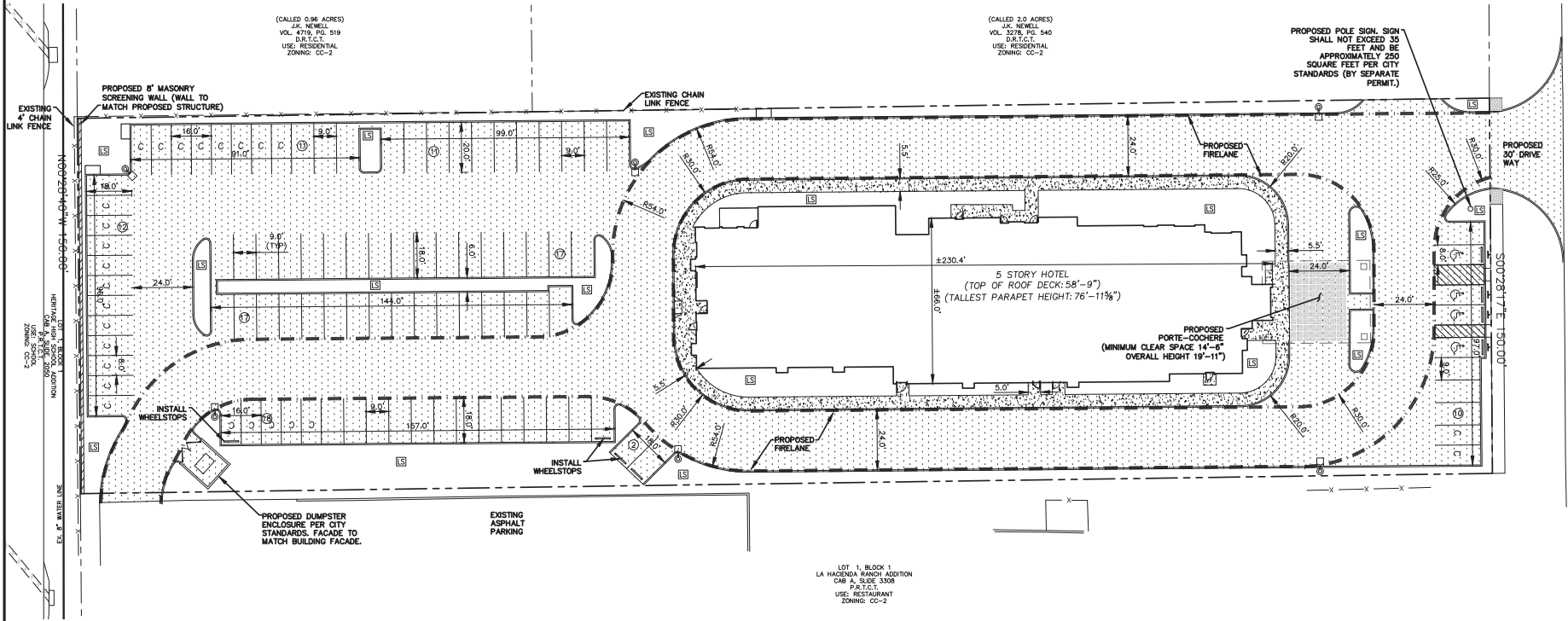
SITE NOTES:

- THE POINTS OF INGRESS AND EGRESS FROM THE SITE WILL BE FROM THE SERVICE ROAD OF STATE HIGHWAY 121 AND THE MUTUAL ACCESS DRIVE ON THE SW CORNER.
- ALL DIMENSIONS ARE TO FACE OF CURB, EDGE OF PAVEMENT, FACE OF BUILDING OR AS OTHERWISE INDICATED.
- ALL SIDEWALKS SHALL MAINTAIN A 2% MAXIMUM CROSS SLOPE AND 5% MAXIMUM IN THE DIRECTION OF PEDESTRIAN TRAVEL. ALL SIDEWALKS SHOULD INCLUDE ALL LANDINGS, MARKINGS, ETC AS REQUIRED BY CODE.
- THE SITE IS NOT LOCATED IN A FLOOD PLAIN, ESCARPMENT, NEAR ANY MAJOR WATER BODIES, CREEKS, MARSHES, OR DRAINAGE AREAS.
- THE PROPERTY WILL BE A SINGLE LOT.
- THE PROPERTY WILL BE LIGHTED TO MEET THE CITY'S REQUIREMENTS AND "DARK SKY" RULES.
- ALL ROOF MOUNTED MECHANICAL EQUIPMENT AND WALL SUPPORTS SHALL BE SCREENED FROM VIEW.
- THE BUILDING SHALL HAVE AN AUTOMATIC FIRE SPRINKLER WITH A FIRE ALARM AND SHALL REQUIRE A SEPARATE PLAN REVIEW AND PERMIT.



VICINITY MAP

NORTH



III. CAUTION III. UNDERGROUND UTILITIES

EXISTING UTILITIES AND UNDERGROUND FACILITIES INDICATED ON THESE PLANS HAVE BEEN LOCATED FROM REFERENCE INFORMATION SUPPLIED BY VARIOUS PARTIES. THE ENGINEER DOES NOT ASSUME THE RESPONSIBILITY FOR THE UTILITY LOCATIONS SHOWN. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR(S) TO VERIFY THE HORIZONTALLY AND VERTICALLY LOCATION OF ALL UTILITIES AND UNDERGROUND FACILITIES PRIOR TO CONSTRUCTION. TO TAKE PRECAUTIONS IN ORDER TO PROTECT ALL FACILITIES ENCOUNTERED AND NOTIFY THE ENGINEER OF ALL CONFLICTS OF THE WORK WITH EXISTING FACILITIES. THE CONTRACTOR SHALL PROTECT AND MAINTAIN ALL UTILITIES FROM DAMAGE DURING CONSTRUCTION. ANY DAMAGE BY THE CONTRACTOR TO UTILITIES SHALL BE REPAIRED OR REPLACED BY THE CONTRACTOR AT THEIR OWN EXPENSE.

CALL: TEXAS ONE CALL @ 1-800-245-4545 AT LEAST 48 HRS PRIOR TO CONSTRUCTION.

LOT 1, BLOCK 1
LA HACIENDA RANCH ADDITION
CAB A, SLIDE 3308
P.L.C.T.
USE: RESTAURANT
ZONING: CC-2

SITE DATA TABLE

EXISTING ZONING: CC-2	PROPOSED ZONING: PUDC
LAND USE:	HOTEL
SITE ACREAGE:	1.94 ACRES (84,651 SQ FT)
BUILDING FOOTPRINT:	13,100 SQUARE FEET
BUILDING AREA:	65,500 SQUARE FEET
OPEN SPACE:	15,601/84,651 : 19%
PAVED SURFACE AREA:	55,950/84,651 : 66%
NUMBER OF UNITS:	96
PARKING REQUIRED (1 PER UNIT):	96 SPACES
PARKING PROVIDED (TOTAL):	98 SPACES
PARKING PROVIDED (ACCESSIBLE):	4 SPACES
BUILDING HEIGHT: (TOP OF ROOF DECK)	5 STORIES (58'-9" HEIGHT)
BUILDING HEIGHT: (TALLEST PARAPET)	76'-11 5/8" HEIGHT
PORTE COCHERE HEIGHT:	19'-11"

APPLICANT/ENGINEER:
CUMULUS DESIGN, INC.
P.O. BOX 2119
EULESS, TEXAS 76039
CONTACT: PAUL CRAGUN
PHONE: 214-235-0367
FAX: 214-235-0546

DEVELOPER/OWNER:
ICON LODGING
1212 CORPORATE DR., STE #350
IRVING, TEXAS 75038
CONTACT: NICK PATEL
PHONE: 512-619-6467

SURVEYOR:
BLUE STAR LAND SURVEYING
1013 CEDAR BREAK CT.
CLEBURNE, TEXAS 76033
CONTACT: ROY RODRIGUEZ
PHONE: 817-659-9206

ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM CC-2 TO PUDC.

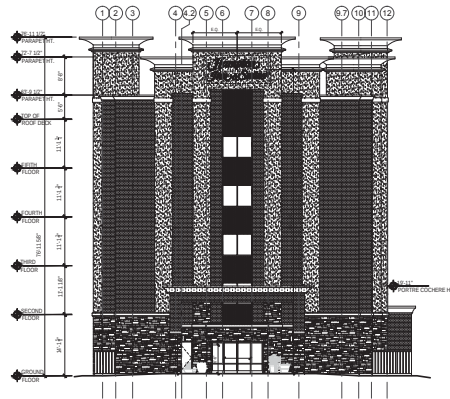
SITE PLAN

HOTEL ALONG STATE HIGHWAY 121
CITY OF COLLEEVILLE

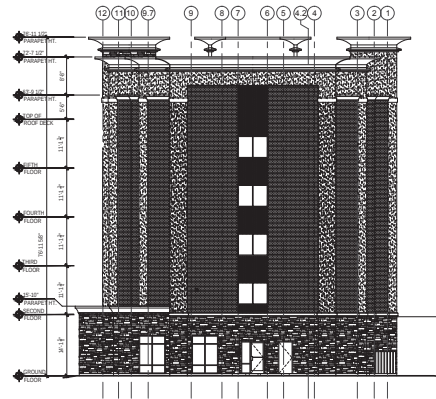
TARRANT COUNTY, TEXAS

PLOT DATE	10/17/14
DRAWING SCALE	1" = 20'
PROJECT NUMBER	CD14101
SHEET NUMBER	SP

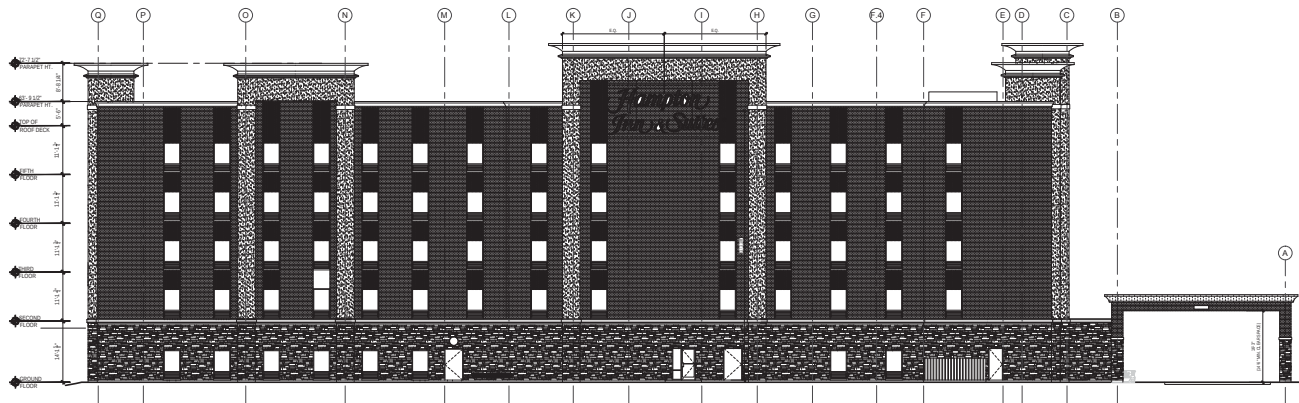
Building Elevations



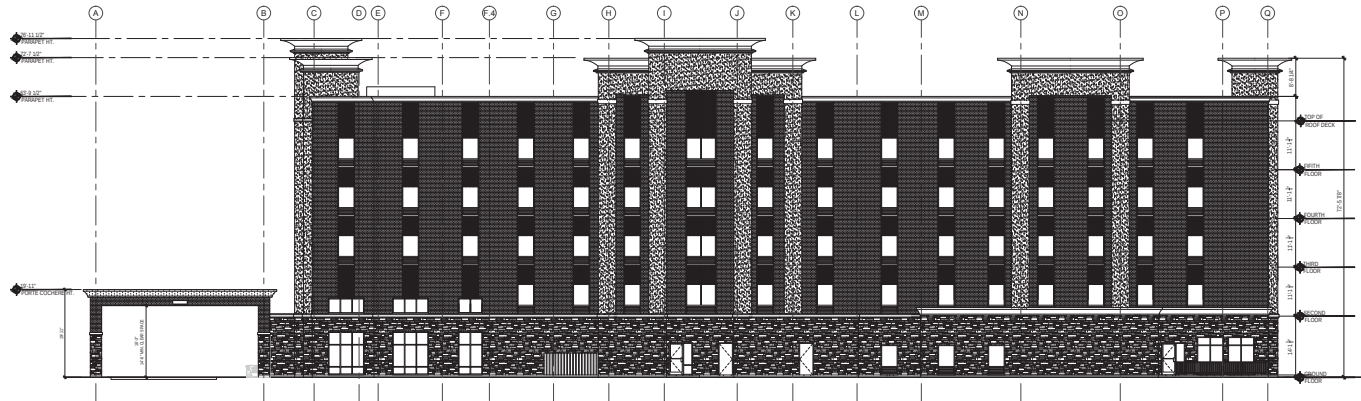
1 WEST ELEVATION
A3.00 SCALE 3/32" = 1'-0"



2 EAST ELEVATION
A3.00 SCALE 3/32" = 1'-0"



3 NORTH ELEVATION
A3.00 SCALE 3/32" = 1'-0"



4 SOUTH ELEVATION
A3.00 SCALE 3/32" = 1'-0"



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Revisions

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10.03.2014

TX-14065

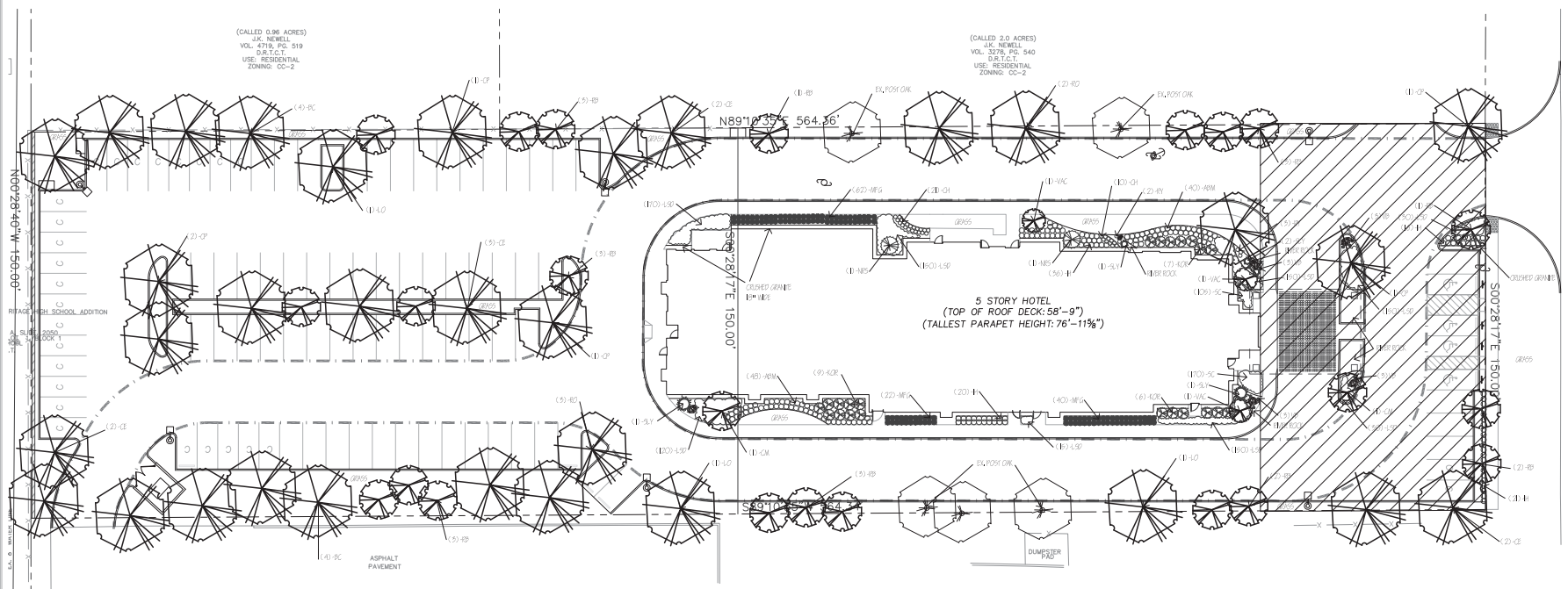
Sheet Description

Exterior
Elevations

A3.00

PRELIMINARY
SET OF
DRAWINGS

Original Landscape Plan



01 LANDSCAPE PLAN
SCALE: 1" = 20'-0"



COLLEVILLE LANDSCAPE ORDINANCE 04.694 N.C.	
REQUIRED	PROVIDED
SHEET TREES - (1) 3" TREE FOR EVERY 40 L.F. @ 10' L.F. = 4 TREES	4 TREES
SHRUBS - (1) 5 GAL. SHRUB 12" HIGHER FOR EVERY 5 L.F. @ 10' L.F. = 20 SHRUBS	27 SHRUBS
PLANT MATERIAL WASHING	AUTOMATIC IRRIGATION SYSTEM
LANDSCAPE TREES AREA - AT LEAST 20% OF THE LOT = 16,391 SF.	11,511 SF. OR 17% + 3,589 SF. OF CRENS = 17,794 SF. OR 20%
PLANTING 50% OF SITE LANDSCAPE IN THE FRONT YARD = 8,666 SF.	1,566 SF. OR 9%
LANDSCAPE CRENS - FOR EACH 2 SF. OF LANDSCAPE AREA IN THE ROW = 1 SF. OF CRENS	2,809 SF. OF ROW = 1,809 SF.
LANDSCAPE CRENS - FOR EACH 50' OF SEASONAL COLOR = 2 SF. OF CRENS	125 SF. OF SEASONAL COLOR = 250 SF.
LANDSCAPE CRENS - FOR EACH (5) GAL. SHRUB 12" HIGHER = 1 SF. OF CRENS	122 (5) GAL. SHRUBS = 1,830 SF.
PARKING LOTS - 140 SF. OF LANDSCAPE AREA PER 10 PARKING SPACES AT 97 SPACES = 788 SF.	6,112 SF.
EXISTING TREES	SEE SHEET L01 FOR MEASUREMENT

KEY	QUANTITY	TREES DESCRIPTION	SEE
TC	8	TAXODIUM MEDIUM BALCONIES	1" POL. MIN. SPREAD
CE	9	ULMUS CRASSIFOLIA	1" POL. MIN. SPREAD
CD	6	PROSOPIS ALBICORNE	1" POL. MIN. SPREAD
OP	11	QUERCUS LAEVIS	1" POL. MIN. SPREAD
OM	2	QUERCUS LAEVIS	1" POL. MIN. SPREAD
RB	25	QUERCUS LAEVIS	1" POL. MIN. SPREAD
RO	5	QUERCUS LAEVIS	1" POL. MIN. SPREAD
VAC	3	VITEX AGRESTIS	1" POL. MIN. SPREAD
KEY	QUANTITY	SHRUBS DESCRIPTION	SEE
CH	30	CHENOPodium	1" POL. MIN. SPREAD
HS	18	HELMINTHOCYSTIS	1" POL. MIN. SPREAD
RV	5	RUPESTRIS	1" POL. MIN. SPREAD
SV	5	SILVER	1" POL. MIN. SPREAD
ROH	22	ROSE	1" POL. MIN. SPREAD
KEY	QUANTITY	GROUND COVER DESCRIPTION	SEE
UD	165	ULMUS	1" POL. MIN. SPREAD
KEY	QUANTITY	BLOOMING COLOR DESCRIPTION	SEE
SC	25	SILVER	1" POL. MIN. SPREAD
VB	32	VIBURNUM	1" POL. MIN. SPREAD
KEY	QUANTITY	ORNAMENTAL GRASSES	SEE
MFG	14	MILLET	1" POL. MIN. SPREAD
ARM	8	ARM	1" POL. MIN. SPREAD

Cumulus Design
Firm # 14810
2080 N. Highway 360, Suite 240
Grand Prairie, Texas 75050
Tel. 214.235.0367

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF CAMILLE LAFAYETTE, L.A. NO. 000000 ON 09/09/2014.

LANDSCAPE PLAN
HOTEL ALONG STATE HIGHWAY 121
CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS

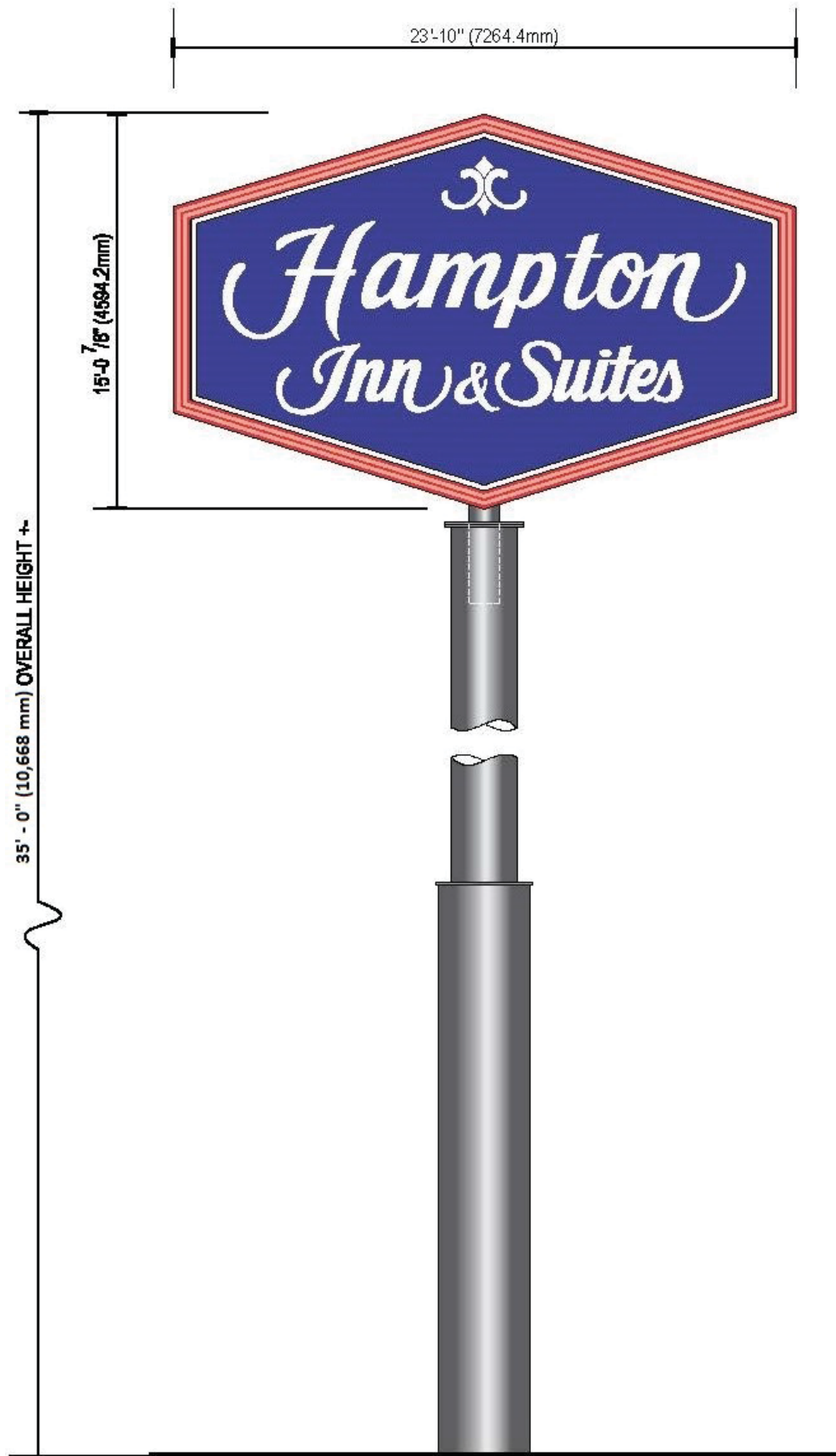
J. CAMILLE LAFAYETTE
LANDSCAPE ARCHITECTURE CONSULTING
11111 W. 14TH STREET, SUITE 100
DALLAS, TEXAS 75244

PLOT DATE
10/17/14
DRAWING SCALE
1" = 20'
PROJECT NUMBER
CD14101
SHEET NUMBER
L1.02

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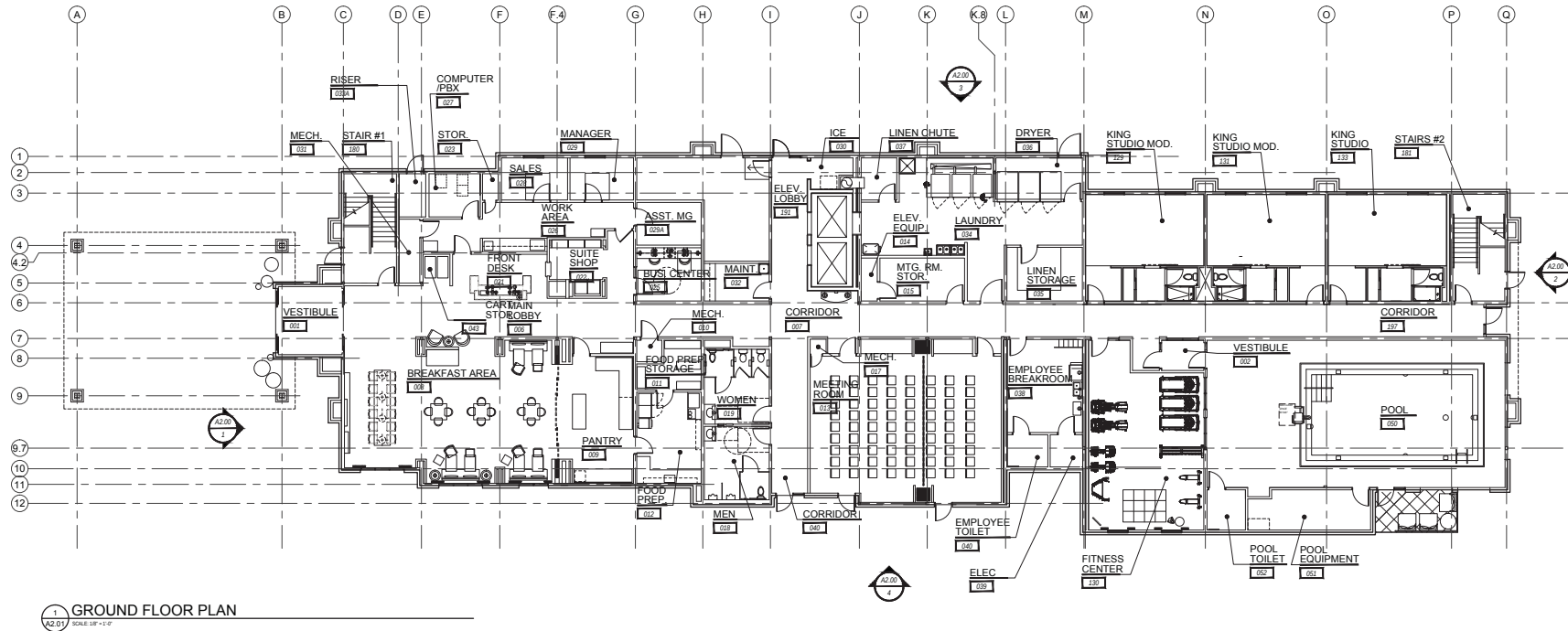
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Pole Sign Detail



D/F HIS-385 HI-RISE PYLON SIGN

First Floor Plan



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Revisions

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Sheet Description

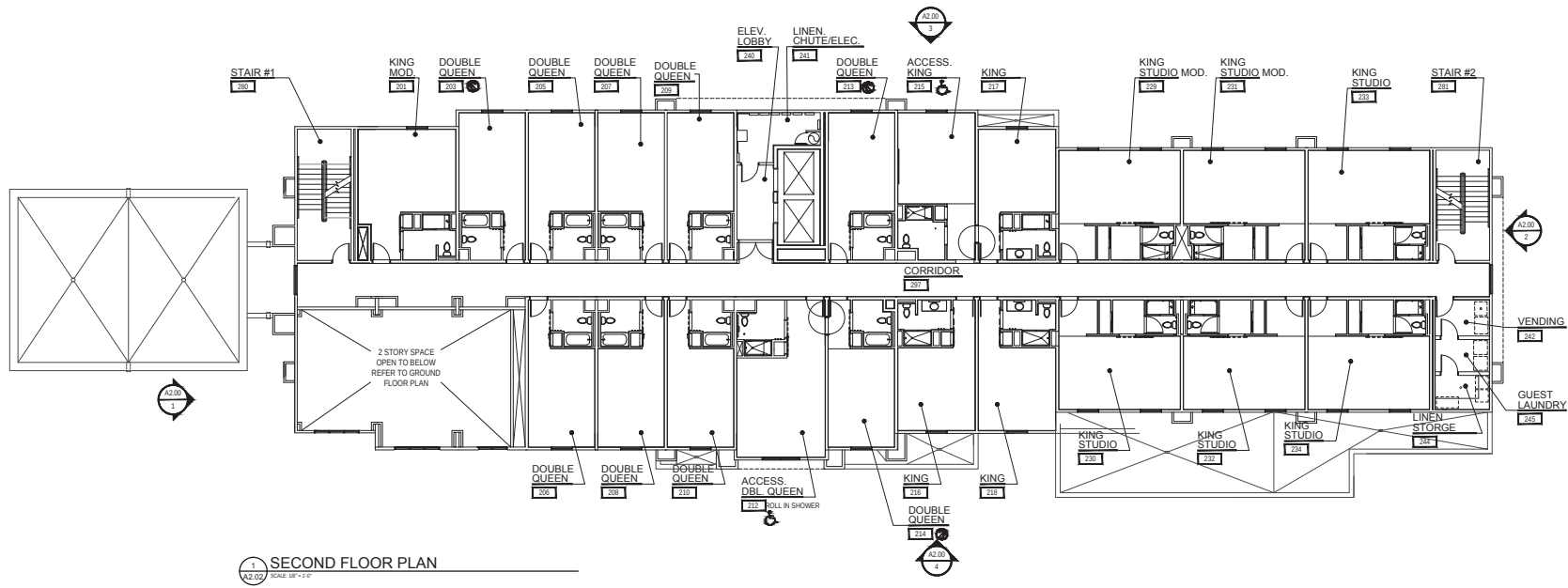
First Floor Plan

Sheet Number

A2.01

PRELIMINARY
SET OF
DRAWINGS

Upper Floor Plans



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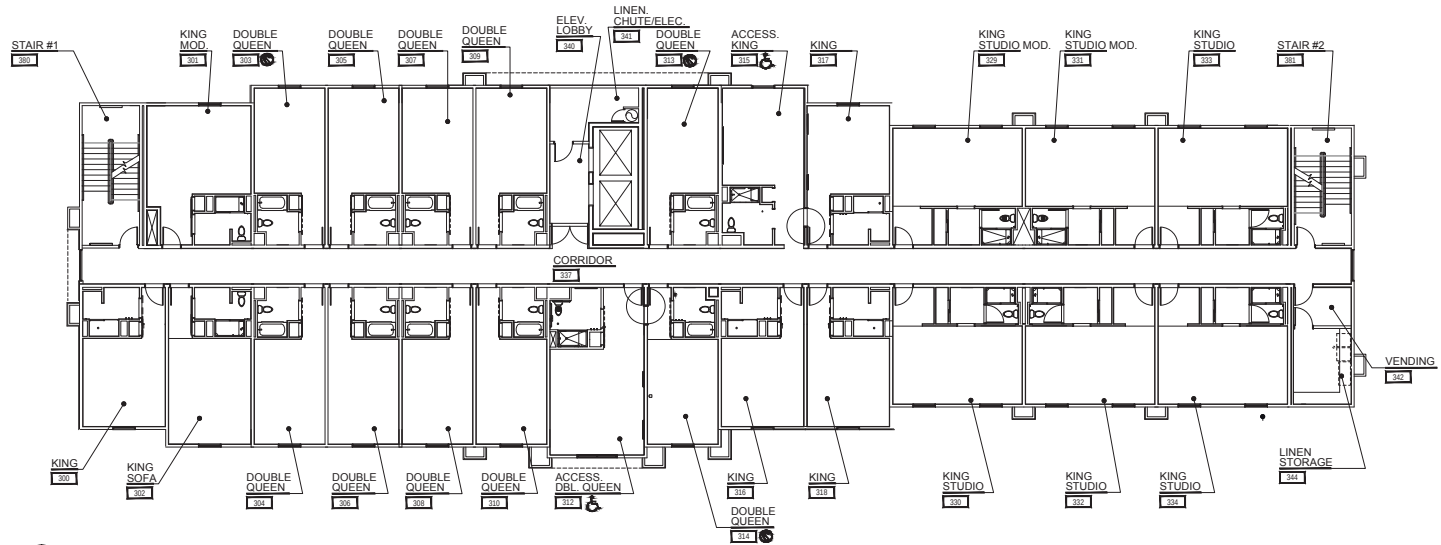
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PRELIM SET
10.03.2014
TX-14065

Sheet Description
Second Floor Plan
Sheet Number
A2.02

PRELIMINARY
SET OF
DRAWINGS

Upper Floor Plans



1 THIRD FLOOR PLAN
SCALE: 1/8" = 1'-0"



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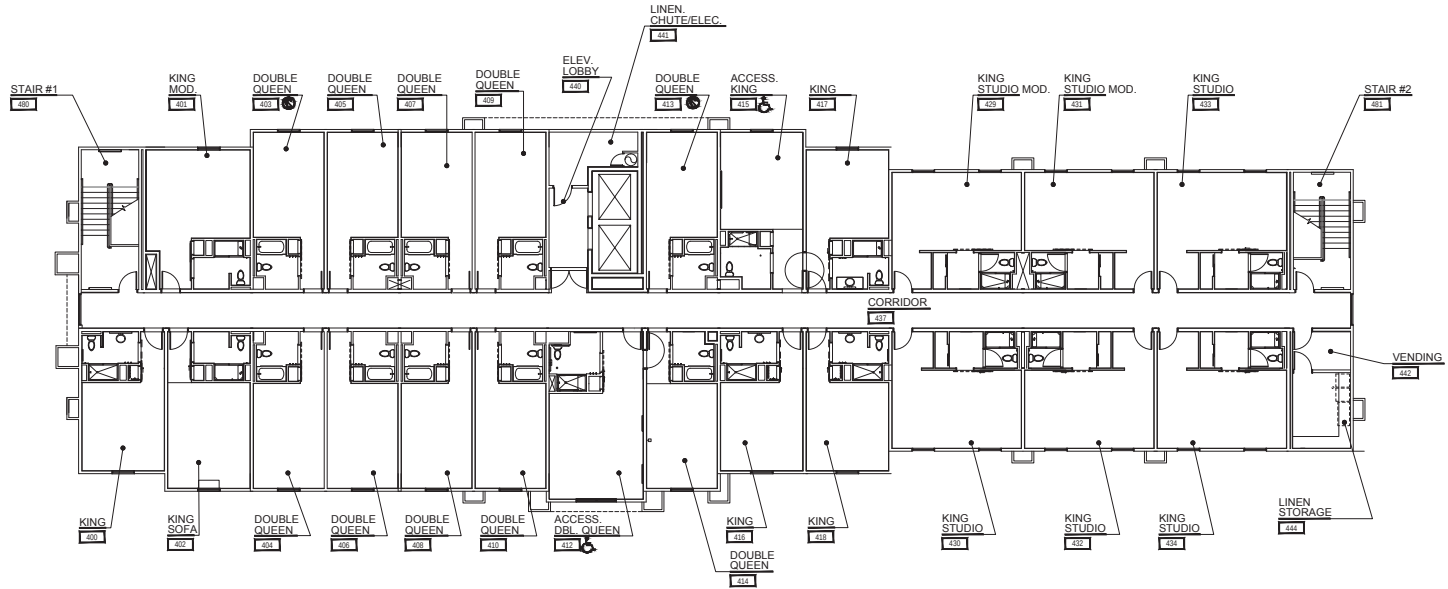
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Third Floor
Plan
A2.03

PRELIMINARY
SET OF
DRAWINGS

Upper Floor Plans



1 FOURTH FLOOR PLAN
SCALE: 3/8" = 1'-0"



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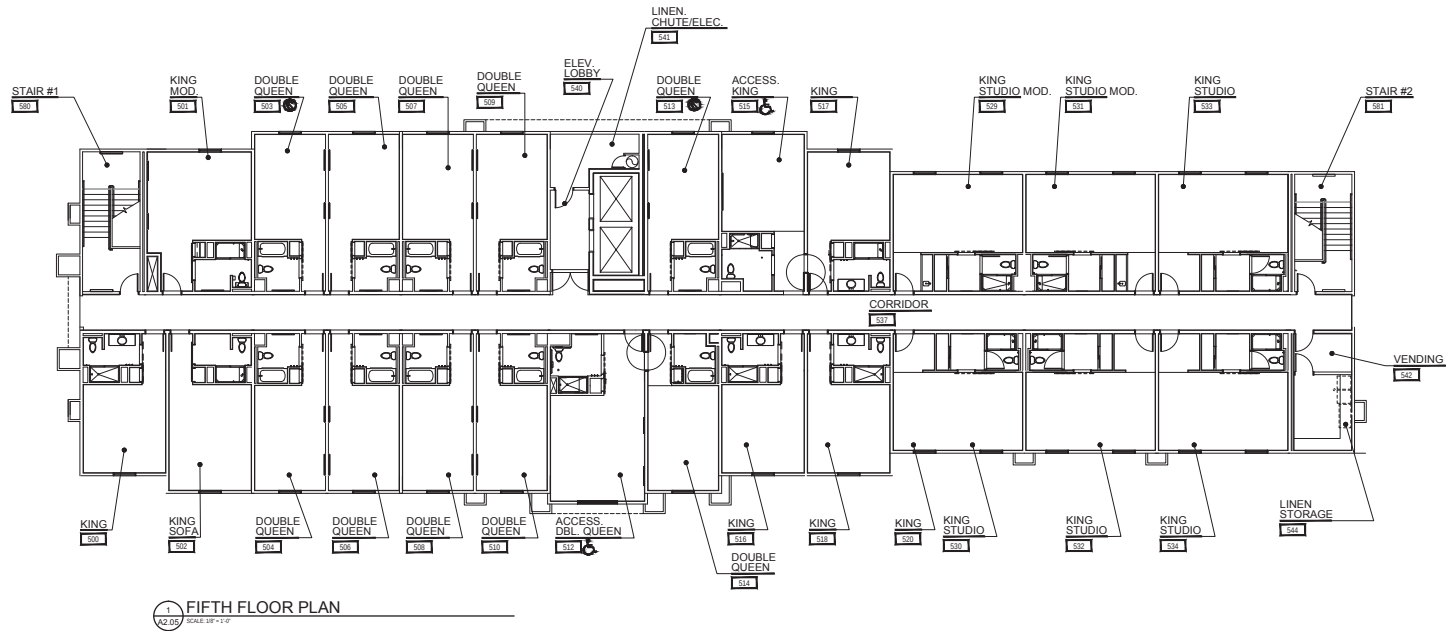
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PRELIM SET
10.03.2014
TX-14065

Sheet Description
Fourth Floor
Plan
Sheet Number
A2.04

PRELIMINARY
SET OF
DRAWINGS

Upper Floor Plans



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PRELIM SET
10.03.2014
TX-14065

Sheet Description
Fifth Floor Plan
Sheet Number
A2.05

PRELIMINARY
SET OF
DRAWINGS

ORDINANCE O-98-1088

AN ORDINANCE AMENDING THE COLLEYVILLE CODE OF ORDINANCES; ESTABLISHING A HOTEL OCCUPANCY TAX, SPECIFYING RULES FOR COLLECTION OF THE TAX; PROVIDING FOR CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS; ESTABLISHING AN ADMINISTRATIVE FEE FOR COLLECTION; SPECIFYING THE DISPOSITION OF OCCUPANCY TAX REVENUE; AND PROVIDING FOR PUBLICATION.

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

Sec.1. That the Colleyville Code of Ordinances be amended by adding a new Section 90-3 to read as follows:

"Sec. 90-3. Hotel Occupancy Tax

A. Definition of terms.

The following words, terms and phrases are, except where the context clearly indicates a different meaning, defined as follows:

1. **Consideration** shall mean the cost of the room in such hotel used for sleeping, and shall not include the cost of any food served or personal services rendered to the occupant of such room not related to the cleaning and readying of such room for occupancy.
2. **Director of Finance** shall mean the Director of Finance of the City of Colleyville or his/her designated representative.
3. **Hotel** shall mean any building or buildings in which the public may, for a consideration, obtain sleeping accommodations. The term shall include hotels, motels, tourist homes, houses, or courts, lodging houses, inns, rooming houses or other buildings where rooms are furnished for a consideration, but "hotel" shall not be defined so as to include hospitals, sanitariums, or nursing homes.
4. **Occupancy** shall mean the use or possession, or the right to the use or possession, of any room in a hotel if the room is ordinarily used for sleeping and if the occupant's use, possession, or right to use or possession extends for a period of less than thirty (30) days.
5. **Occupant** shall mean anyone who for a consideration uses, possesses, or has a right to use or possess any room in a hotel if the room is ordinarily used for sleeping.

6. ***Permanent resident*** shall mean any occupant who has or shall have the right to occupy any room or rooms or sleeping space or facility in a hotel for at least thirty (30) consecutive days during the current calendar year or preceding year, so long as there is no interruption in payment for the period.
7. ***Quarterly period*** shall mean a calendar quarter of the City fiscal year; the first quarter is October, November and December, the second quarter is January, February and March, the third quarter is April, May and June and the fourth quarter is July, August and September.

B. Levy of tax; rate; exceptions.

1. There is hereby levied a tax upon the cost of occupancy of any room or space furnished by any hotel where the cost of occupancy is at the rate of two dollars (\$2.00) or more per day, such tax to be equal to seven (7) percent of the consideration paid by the occupant of such room, space or facility to such hotel, exclusive of other taxes imposed by other governmental agencies. The price of a room in a hotel does not include the cost of food served by the hotel or the cost of personal services performed by the hotel for the person except those services related to the cleaning and readying of the room for possession.
2. Exceptions are as follows:
 - a. No tax shall be imposed hereunder upon a permanent resident.
 - b. This section does not impose a tax on the United States, this state, or an agency, institution, board, or commission of this state other than an institution of higher education.
 - c. This section does not impose a tax on an officer or employee of a governmental entity described in paragraph (b) when traveling on or otherwise engaged in the course of official duties for the governmental entity.
 - d. No tax shall be imposed hereunder for diplomatic personnel who present a tax exemption card issued by the United States Department of State.
 - e. No tax shall be imposed hereunder for federal or state military personnel traveling on official military business. This exemption does not cover military staff on leave or between stations.

C. Collection.

1. Every person owning, operating, managing or controlling any hotel or any employee of a hotel who in the course of their duties collects money from patrons in exchange for room occupancy, shall collect the tax imposed in paragraph 90-3.B. hereof for the City of Colleyville.
2. Said tax shall be a preferred lien, first and prior to any and all other existing liens, contractual or statutory, legal or equitable, and regardless of the time such liens originated, and this lien shall attach as of the date such tax is due and payable but before such lien shall become a lien on real estate, notice thereof shall be filed in the county deed records where the real estate is located on which the lien is desired and said lien shall not be valid or effective as against any mortgagee, holder of a deed of trust, purchaser, pledgee, or judgment creditor acquiring title, lien or other right or interest before such notice has been so filed and recorded.

D. Registration reports; quarterly reports to Director of Finance.

1. As a condition of operating a hotel in the City of Colleyville, the person who owns, operates, manages or is in control of any hotel in the City of Colleyville, shall file a registration report with the Director of Finance.
2. On the last day of the month following each quarterly period, every person required to collect the tax imposed hereby shall file a report with the Director of Finance showing the consideration paid for all room occupancies in the preceding quarter, the amount of the tax collected on such occupancies, and any other information or on any form the Director of Finance may reasonably require. Such person shall pay the tax due on such occupancies at the time of filing the report. The report shall be in a form prescribed by the Director of Finance and shall include a copy of the occupancy tax report filed with the state comptroller for the same time period. The Director of Finance is hereby authorized and directed to do all such things necessary or convenient to carry out the terms of this article. The Director of Finance shall have the authority to request and receive within a reasonable time documentation of information contained in the report to the city by the hotel. The hotel operator shall retain all such documentation for a period of two (2) years.

E. Rules and regulations for collection.

The Director of Finance is authorized to make such rules and regulations as are necessary to effectively collect the tax levied herein.

F. Civil penalties for failure to collect or remit.

If any person shall fail to file a report as required herein, or shall file a false report or shall fail to pay to the director of finance the tax as imposed herein when said report or payment is due, then such person shall be required to pay as a penalty an amount equal to five (5) percent of the amount of tax due until said tax is thirty (30) days delinquent, which shall be a minimum amount of one dollar (\$1.00). After said tax is thirty (30) days delinquent, such person shall pay as an additional penalty an amount equal to ten (10) percent of the amount of tax due, provided, however, that the penalty shall never be less than one dollar (\$1.00). Delinquent taxes shall, in addition, draw interest at the rate of nine (9) percent per annum beginning sixty (60) days from the date due.

G. Additional civil penalties for failure to collect or remit.

The city is hereby authorized to take the following action against any person who is required to collect the tax imposed hereby and pay the collection over to the city and who has failed to file a report, or filed a false report, or failed to pay the tax when due or any person purchasing a hotel when the hotel owes occupancy taxes pursuant to paragraph 90-3.B. hereof:

1. Bring suit against the hotel for noncompliance; and/or
2. Bring suit against the hotel seeking any other remedies provided under law.

H. Additional authorization to bring suit.

The city attorney is hereby authorized to bring suit against any person required to collect the tax imposed hereby and required to pay the collection over to the city and who has failed to file a report, or filed a false report, or failed to pay the tax when due or any person purchasing a hotel when the hotel owes occupancy taxes, pursuant to paragraph 90-3.B. Such suit may seek to collect such tax not paid or to enjoin such person from operating a hotel in the city until the tax is paid or the report is filed or both, as applicable, and may seek any other remedies provided by law.

I. Collection procedures on purchase of hotel.

1. If a person who is liable for the payment of a tax under this chapter is the owner of a hotel and sells the hotel, the successor to the seller or the seller's assignee shall withhold an amount of the purchase price sufficient to pay the amount due until the seller provides a receipt from the Director of Finance showing that the amount has been paid or a certificate showing that no tax is due.
2. The purchaser of a hotel who fails to withhold an amount of the purchase price as required by this paragraph is liable for the amount required to be withheld to the extent of the value of the purchase price.
3. The purchaser of a hotel may request that the Director of Finance provide a receipt under paragraph (1) and issue a certificate stating that no tax is due or issue a statement of the amount required to be paid before a certificate may be issued. The Director of Finance shall issue the certificate or statement not later than the sixtieth day after the date of the request.

J. Criminal penalties for failure to collect or remit.

If any person shall fail to file a report as required herein, or shall file a false report, or shall fail to pay to the Director of Finance the tax as imposed here when said report or payment is due, then such person shall be deemed guilty of a misdemeanor and shall, upon conviction, be punished by a fine not to exceed five hundred dollars (\$500.00), and each twenty-four (24) hours of any such violation shall constitute a separate offense.

K. Collection fee.

The City of Colleyville shall retain four (4) percent of the gross amount of the hotel occupancy tax collected to cover the cost of collection duties.

L. Disposition of revenue.

Revenue derived from this tax shall be used only for the following purposes as the City Council shall authorize and direct:

1. The acquisition of sites for and the construction, improvement, enlarging, equipping, repairing, operation and maintenance of convention center facilities, including but not limited to, civic center convention buildings, auditoriums, coliseums, and parking areas or facilities for the parking or storage of motor vehicles or other conveyances located at or in the immediate vicinity of these facilities;

2. The furnishing of facilities, personnel and materials for the registration of convention delegates or registrants;
3. For advertising for general promotional and tourist advertising of the city and its vicinity and conducting a solicitation and operating program to attract conventions and visitors either by the city or through contracts with persons or organizations selected by the city;
4. The encouragement, promotion, improvement and application of the arts, including music (instrumental and vocal), dance, drama, folk art, creative writing, architectural design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, television, radio, tape and sound recording and the arts related to the presentation, performance, execution, and exhibition of these major art forms; or
5. The acquisition of sites for and the construction, improvement, enlarging, equipping, repairing, operation and maintenance of auditoriums, galleries and civic theaters, plus debt service."

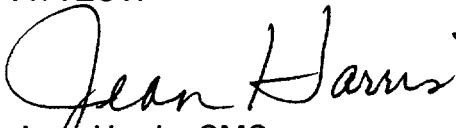
Sec. 2. The City secretary is hereby authorized and directed to cause publication of the descriptive caption and clause hereof as an alternative method of publication provided by law.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 20th day of January, 1998.

The second reading and public hearing being conducted on the 3rd day of February, 1998.

ATTEST:


Jean Harris, CMC
City Secretary

CITY OF COLLEYVILLE:


Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:


Ross T. Foster
City Attorney

ORDINANCE O-14-1942

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 1.94 ACRES IN THE ELIZABETH COX SURVEY, ABSTRACT 352 LOCATED AT 5200 STATE HIGHWAY 121 FROM THE CC-2-SHOPPING CENTER ZONING DISTRICT TO THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a rezoning under Case No. ZC14-024; and

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

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

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

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

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners

generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 1.94 acres in the Elizabeth Cox Survey, Abstract 352 located at 5200 State Highway 121, from the CC-2-Shopping Center zoning district to the PUD-C-Planned Unit Development Commercial zoning district, as depicted in the attached Exhibit "A", described legally in the attached Exhibit "B", described in Exhibit "C" and depicted on Exhibits "D" and "E".
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. Permitted uses shall be limited to a hotel as permitted herein.
- b. The proposed development is subject to all the regulations contained in the Land Development Code, except as amended by this ordinance.
- c. Prior to the issuance of any building permit, a plat of the subject property shall be submitted, approved, and filed with the Tarrant County Clerk.
- d. The layout of the building, driveways, and parking on the property shall be generally consistent with Exhibit "D".

2. BUILDING AND SITE COMPLIANCE PROVISIONS

- a. The building shall comply with the provisions of Chapter 6-Commercial Design Standards in the Land Development Code and shall be generally consistent with Exhibit "E".
- b. A minimum of 17 percent of the site shall be landscaped and a minimum of ten (10) percent of the street yard between the building and SH121 shall be landscaped. Otherwise, all landscaping shall meet the minimum requirements of Chapter 4-Landscaping and Buffering in the Land Development Code.
- c. The hotel shall be exempt from the requirement that a restaurant be located on the site/building.
- d. The maximum height of the building shall not exceed five stories and 77 feet in height as shown in Exhibit "E".
- e. A minimum of 97 parking spaces shall be provided on the subject property. A maximum of 27 parking spaces may be designated as "compact car parking". Said parking may contain a reduced 90 degree parking stall width of eight (8) feet from the minimum requirement of nine (9) feet.
- f. An exemption is hereby granted to Section 5.9 of the Land Development Code governing the minimum tree preservation requirements on the subject property.
- g. Prior to the issuance of the Certificate of Occupancy, a minimum eight (8) foot high decorative masonry fence shall be built along the entire west property line of the subject property, a minimum six (6) foot high decorative wrought-iron fence shall be constructed along the entire southern property boundary.
- h. Prior to the issuance of the Certificate of Occupancy, an emergency access gate shall be constructed on the southwest portion of the subject property and located across the entire width of the access drive that links the subject property to the adjacent property to the south. Said gate shall be located entirely on the subject property

within an emergency access easement, and shall meet all requirements of the Land Development Code with final approval of said gate required by the Fire Marshal.

3. MINIMUM HOTEL STANDARDS

- a. The hotel shall comply with all provisions of Ordinance O-98-1088.
- b. The hotel shall furnish customary hotel service, including but not limited to laundry service, linen service, telephone, maid service, use of and up-keep of furniture.
- c. The hotel shall maintain a register of guests, however, no guest shall be registered for more than thirty (30) consecutive days.
- d. Guest rooms shall not be used in any form or manner as a permanent residence.
- e. The use of exterior corridors on any exterior façade of the building shall be prohibited. Exterior access to guest rooms shall only be permitted for rooms facing a courtyard that is enclosed on four sides by the hotel building.
- f. Outdoor recreational facilities such as swimming pools, sports courts, and playgrounds shall be located behind the building, or if located on the side of the building shall not be forward of the front building elevation that is closest to the street. The facility must be screened from view of public rights-of-way by fencing, landscaping, or a combination of these. Wood or chain link fencing shall not be permitted.
- g. The city manager or his/her designee shall have the authority to require that the establishment obtain a separate administrative license to operate as a hotel in the City. Said license may require periodic renewals and/or inspections in order to enforce compliance with all applicable codes, including this ordinance, in addition to other requirements that promote the health, safety, and welfare of the community.

- Sec. 5. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 7. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 8. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 9. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 2nd day of December 2014.

The second reading and public hearing being conducted on the 16th day of December 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 "A" – Location and Zoning Map

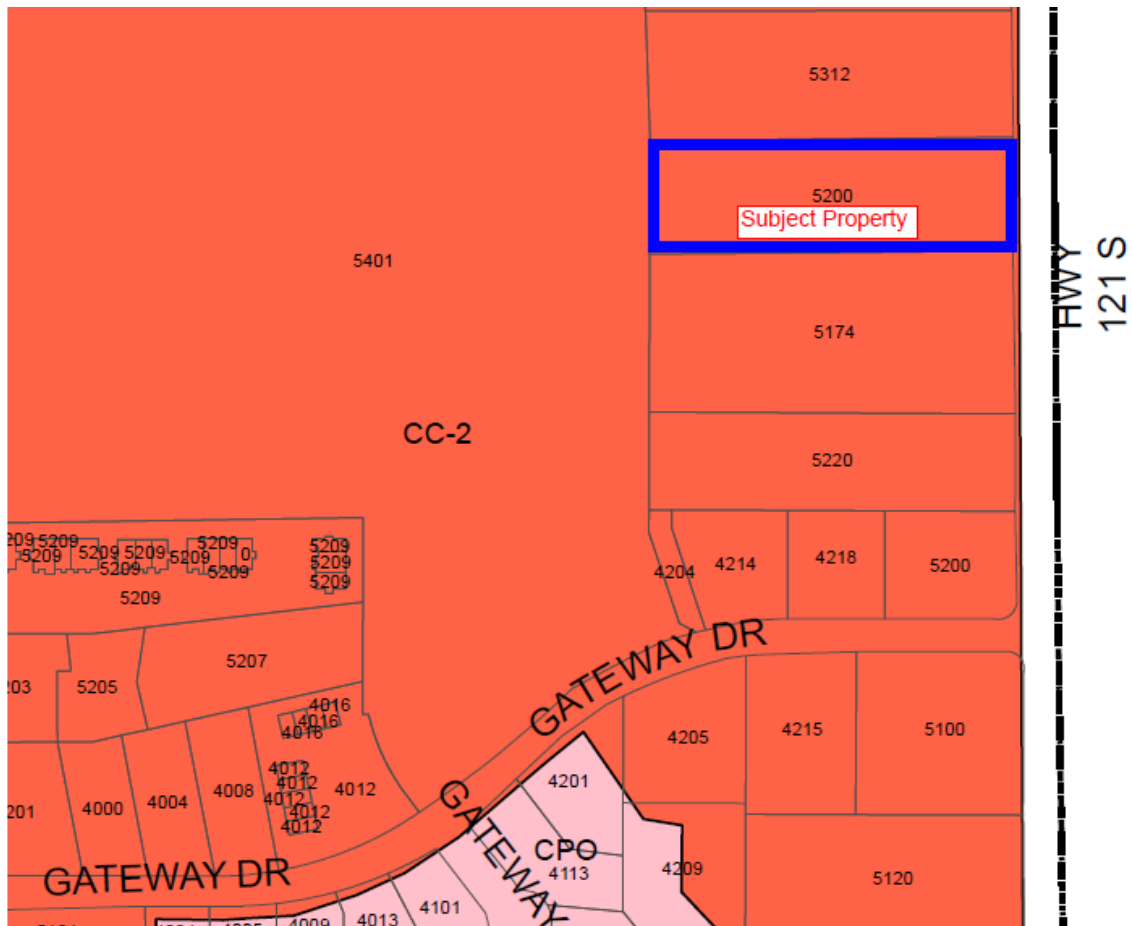


Exhibit B –Legal Description

Being a 1.943 acre tract of land situated in the Elizabeth Cox Survey, Abstract No. 352, In the City of Colleyville, Tarrant County, Texas, and being all of Exhibit A, a called 43,500 square feet tract of land and Exhibit B, a called 0.945 acre tract of land described in a deed to Jesse N. Schroeder, Trustee of the JNS Living Trust, recorded in Instrument Number D213012086, Deed Records, Tarrant County, Texas, and being more particularly described by metes and bounds and follows:

BEGINNING at a 1/2 inch iron rod found for the southwest corner of said Exhibit B, same being the northwest corner of Lot 1, Block 1, La Hacienda Ranch Addition, an addition in the City of Colleyville, according to the plat thereof recorded in Cabinet A, Slide 3308, Plat Records, Tarrant County, Texas, also being in the east line of Lot 1, Block 1, Heritage High School Addition, an addition in the City of Colleyville, according to the plat thereof recorded in Cabinet A, Slide 2050, Plat Records, Tarrant County, Texas;

THENCE N 00°28'40" W, along the west line of said Exhibit B, and said Lot 1, Block 1, Heritage High School Addition, a distance of 150.00 feet to a 1/2 inch capped iron rod set stamped "5596" for the northwest corner of said Exhibit B, same being the southwest corner of a called 0.96 acre tract of land described in a deed to J.K. Newell according to the plat thereof recorded in Volume 4719, Page 519, Deed Records, Tarrant County, Texas;

THENCE N 89°10'35" E, along the north line of said Exhibit a, and Exhibit B, passing the common corner said called 0.96 acre tract, and a called 2.0 acre tract of land described in a deed to J.K. Newell according to the plat thereof recorded in Volume 3278, Page 540, Deed Records, Tarrant County, Texas, and passing a 1/2 inch iron rod found for the common corner of said Exhibit B, and Exhibit A, at a distance of 274.35 feet and continuing a total distance of 564.36 feet to a 1/2 inch capped iron rod stamped "5596" for the northeast corner of said Exhibit A, and the southeast corner of said called 2.0 acre tract, same being in the west right-of-way line of State Highway 121 (William D. Tate Avenue) (a variable width right-of-way);

THENCE S 00°28'17" E, along the east line of said Exhibit A, and the west right-of-way line of said State Highway 121, a distance of 150.00 feet to a 1/2 inch capped iron rod set stamped "5596" for the southeast corner of said Exhibit A, same being the northeast corner of said Lot 1, Block 1, La Hacienda Ranch Addition;

THENCE S 89°10'35" W, along the common line of said Exhibit A, and Exhibit B, and said Lot 1, Block 1, La Hacienda Ranch Addition, passing a 1/2 inch iron rod for the common corner of said Exhibit A, and Exhibit B, at a distance B, at a distance of 290.01 feet, and continuing a total distance of 564.34 feet to the POINT OF BEGINNING and containing 84,651 square feet or 1.943 acres of land more or less.

Exhibit C - Statement of Planning Objectives



Introduction:

Icon Lodging would like to propose constructing a selective service hotel on an existing vacant property located on State Highway 121. Icon Lodging and its affiliates currently own several hotels throughout Texas, Arkansas, and Louisiana. The proposed hotel is located on an existing vacant site that has been unoccupied since 2000. The site is located to the north of the existing La Hacienda Ranch and to the east of Colleyville Heritage High School. The property to the north is currently a single family home but is zoned as CC2—Shopping Center District.

The hotel will be a 5-story structure, with approximately 96 guest rooms and 96 parking spaces on the 1.94 acre site. The building will also have a 500 square foot meeting space that will be wired with the latest technology to cater to both corporate and leisure customer needs. The hotel is strategically located along State Highway 121 where it is ideal to bring corporate business travelers and vacationers into the City of Colleyville. The hotel's prime location will also attract additional customers for the surrounding restaurants and retail stores, further benefiting the City of Colleyville and its tax base. The hotel will also have an influence upon the redevelopment or reuse of some of the currently vacant spaces.

Icon Lodging's focus for this hotel is to provide a state-of-the-art hotel experience to the City of Colleyville and its citizens. The hotel will feature modern décor throughout the common spaces and the guestrooms. Each guest room will provide an exceptional choice of amenities, comfort, and the latest in-room technology. The hotel will feature an expanded fitness area that is very popular with today's travelers and health conscious guests. In addition to the fitness area, the hotel will have a unique interior and exterior swimming pool and spa concept to cater to the needs of families, travelers, and vacationers all year round.

The hotel will also incorporate many "green initiatives" both in its construction and day-to-day operations. Some of the features proposed for the hotel will include LED interior and exterior lighting, water and energy conservation practices in both the guest rooms and overall operations of the hotel. The hotel will provide a guide to encourage water and energy conservation in every guest room. The hotel will have a recycling program available to guests so as to reduce its environmental footprint. This keen focus will provide an environmentally friendly hotel and guest experience and will set a new standard for future hotel developments in the City of Colleyville.

Exhibit C - Statement of Planning Objectives Cont.

Statement of Planning Objectives:

The proposed hotel for the site consists of a five story building with the façade to meet the City of Colleyville's commercial design standards. The building façade articulation will be varied in order to provide an appealing building and site layout. The building footprint was shortened to provide more room for landscaping and parking on the site. The proposed 5 story building will be 63' 10" from the top of slab to the top of the parapet. The building is designed to provide the same amenities and guestrooms as the larger prototype 4 story building. The 5 story building allows for the site to be used efficiently and meet with City of Colleyville's design standards. The five story configuration is necessary to meet the brand's design standards of a minimum of 90 guestrooms.

The building will have a 500 square foot meeting room to provide space for guests and visitors to use, as well as 96 guestrooms. The site layout includes 96 parking spaces, configured with islands to allow for trees and landscaping in the parking. This will help alleviate the "sea of pavement" problem that often occurs in parking lots. The majority of the parking will be located behind the building, where it will lessen the visual impact from State Highway 121.

The design of the site and the building was done to provide visibility from the frontage road, while maximizing landscaping in the areas in front of the building. The building will have a 50 foot setback from the frontage road and will be centered between the north and south property lines. The building is over 200 feet from the shared property line between the school and the hotel. There is no outdoor storage on the site and is surrounded by CC2 (Shopping Center District) zoning.

The hotel will not have any alcohol sales on site due to the close proximity of Colleyville Heritage High School. The site will meet all public safety requirements including a firelane around the entire building as well as being a fully sprinkled building. The existing driveway to the frontage road of State Highway 121 will be rebuilt to TxDOT Standards and will be the principal point of access to the site. A secondary point of access will be located on the southwest corner of the site, as a continuation of the existing mutually shared drives with the restaurants to the south. There will be no pedestrian or vehicular access to the school site to the west. The site will have a security monitoring system for the safety of guests and staff.

Icon Lodging would like to request that variances be granted for the development of the site as part of the planned use development. As part of the development of the site, many of the existing trees will be removed from the site. While trying to maximize the landscaping areas to meet brand requirements, we would like to ask for a reduction of the required existing tree coverage to be preserved. We request that a reduction to 0% for the required tree coverage to be preserved be granted. During the site layout process, it was attempted to configure the site to save the existing trees as much as possible. With the parking, firelane, building, and access requirements, we are unable to preserve any of the existing trees. Icon Lodging has worked with the building articulation and the landscaping plans to complement the surrounding areas while providing the maximum green space. Icon Lodging's intent with the landscaping and site design is to form a visually aesthetic and pleasing environment for the guests, employees and the City of Colleyville.

The second variance being requested is the requirement that a hotel has a restaurant, as defined in chapter 2 of the land development code. The hotel will have the typical hot breakfast and snack bar area for the guests. Icon Lodging believes that the hotel will complement the surrounding restaurants, which

Exhibit C - Statement of Planning Objectives Cont.

include J.R.'s Steakhouse, La Hacienda Ranch, and Rio Mambo. This will provide more clientele to the City of Colleyville's restaurants from the hotel guests. There are approximately 4 full service restaurants within 1,000 feet of the proposed hotel as well as other fast food locations a short distance further. These surrounding restaurants will provide the restaurant services that hotel guests will desire while staying in the City of Colleyville. The new hotel may also spur the redevelopment or reuse of the former Mac's and Gator's spaces.

The third variance is from the parking space dimension requirement in chapter 3 of the land development code. Icon Lodging would like to incorporate compact parking spaces into the site. Many of the guests for the hotel will be coming from DFW airport and will either be riding on shuttles and taxis, sharing a car, or driving smaller compact rental vehicles. The request is for the allowance of twenty-five percent of the required parking to be compact parking spots. The compact parking spaces proposed will be 8' wide and 18' deep. The reason for this request is that by utilizing compact spaces on the site, the landscaping areas can be increased. This would benefit the site and the surrounding by allowing more vegetation and lawn areas, as well as reduce the amount of rain runoff from the site.

Another request Icon Lodging would like to make is for a reduction of the required landscape mixture. Due to the site requirements, the site landscaping is 18% of the total land site. The requirement for 20% is found in chapter 4, section 4.6-3. We would request that a variance be granted for the required 50% of the total landscape area to be in the street yard. This requirement is found in chapter 4, section 4.6-3. Per the brand requirement, the hotel is located in the front of the site to provide visibility. There will be landscaping to screen the parking and around the porte-cochere supports. We ask that the requirement be reduced to 5% for the total landscaping in the front yard.

The final request we ask for is regarding chapter 5, section 5.10-A. The existing requirement is that replacement trees shall be planted in order to equal the total diameter inches of trees slated for removal. With the proposed landscaping areas, an equivalent amount of caliper inches cannot be replaced on the site. We request the requirement be reduced to 1/2 inch replacement be required per inch removed.

We would like to thank you for your time to review this application. The city staff has been very helpful and accommodating during this entire process. We are happy to work with the City of Colleyville to address any comments or concerns with regards to the proposed hotel development.

Development Schedule:

The estimated time for commencement of construction: Spring 2015

The estimated time for finishing construction: Summer 2016

[illegible]VICINITY MAP
NTS

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Exhibit E – Building Elevations





City of Colleyville City Council Agenda Briefing

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

Agenda Number 5d

Agenda Date 12/16/2014

Number Ordinance O-14-1943

Type Ordinance

Department Community Development

Title

Consideration of a zoning change from the AG-Agriculture zoning district to PUD-R-Planned Unit Development-Residential zoning district on 11.22 acres of Abstract 1034, of the G. W. Minter Survey, Lot 1, Block A, of the Twin Oak Estates Addition, and Lot 1, Block 1, of the Hartley Addition, located at 5205, 5207, 5303, 5309, 5311, 5313, and 5317 Roberts Road, Case ZC14-019

Explanation

Second Reading and Public Hearing

There were four people who spoke in favor of this request and one person who spoke in opposition to this request at the December 2, 2014 City Council meeting. A petition opposing the request containing eight (8) signatures and three letters of opposition have been received and are attached to the briefing with the other letters and speaker cards opposed to the request. A map showing all properties within 200 feet opposed to the request is attached. Currently, the total percent of all properties within 200 feet opposed to the request stands at 14.2 percent, which does not trigger an additional supermajority requirement since the total opposition of properties within 200 feet is below 20 percent.

As detailed later in this briefing, given the recommendation of denial on the part of the Planning and Zoning Commission, a supermajority vote of the City Council is required in order to approve the zoning request.

At the direction of the City Council, the applicant has submitted revised development plans along with a revised Statement of Planning Objectives, which are attached. The following is a summary of the changes from the original development proposal to the current revisions:

- Total Lots: Total residential lots have been reduced from 60 to 54; total open space lots have been increased from one to eight lots.
- Residential density: Total residential density has been reduced from 5.4 dwelling units per acre to 4.8 dwelling units per acre.
- Open Space: Total open space has increased from 1.8 percent of the total development to 16.6 percent. Over half of the open space provided is located at the northeast corner of the development. The remainder of the open space is located

within strips of land located on the eastern portion of the development and along road rights-of-way. Regarding open space adjacent to road right-of-way, Section 3.23(J)2c of the Land Development Code states that "common open space areas adjacent to street rights-of-way shall be a minimum depth of twenty-five (25) feet and shall be landscaped to include the retention or planting of one (1) three (3") inch caliper tree per each fifty (50) feet of street frontage, which may be clustered or distributed within the open space area". The proposed open space lots along the proposed internal streets and portions of the proposed open space along Roberts Road do not meet the dimensional requirements for open space lots described in Section 3.23(J)2c.

- Drainage: The applicant provided a revised preliminary drainage analysis. According to the revised analysis, the applicant proposes to locate all required retention underground, which is allowed by the Land Development Code.

- Development Standards: the following are the changes to the proposed development standards:

Minimum Lot Area: Original = 4,400 square feet, Revised = 5,500 square feet

Minimum Lot Width: Original = 40 feet, Revised = 50 feet

Minimum Lot Depth: 90 feet. No change

Front Building Line: 10 feet. No change

Rear Building Line: 10 feet. No change

Side Building Line: 5 feet. No change

Maximum Building Height: Original = Two stories; 35 feet. Revised = Two and one-half stories; 35 feet.

Maximum Lot Coverage: 60 percent. No change.

Minimum Home Size: 2,000 square feet. No change.

- Sidewalks: The developer proposes to construct a five foot sidewalk/pathway within all internal open space lots and shown on the attached conceptual development plan. In order to remain consistent with all other internal sidewalks located adjacent to the internal streets, which are required to be four feet in width, staff recommends that any open space sidewalks constructed adjacent to internal streets be constructed to a width of four feet per the requirements of Land Development Code.

- Landscaping: The developer has submitted a landscape plan that shows various plantings throughout the development in open space areas. Based on the plantings

noted in the landscape plan, staff has placed language in proposed Ordinance O-14-1943 as follows:

"As depicted on Exhibit "E", prior to the acceptance of public improvements, a minimum of two trees, three (3) inches in caliper width or greater, shall be planted a minimum of every 100 linear feet in all open space areas not located along Roberts Road. For open space lots located along Roberts Road, one minimum six (6) inch caliper tree shall be planted a minimum of every 30 linear feet of frontage along Roberts Road. At each entrance into the development from Roberts Road there shall be a minimum of six ornamental trees, three (3) inches in caliper width or greater, planted on each side of each entrance."

- Fencing: The developer proposes that an eight (8) foot wrought iron fence be built, by the builder, along the portion of the lots adjacent to the easternmost open space lot, and that an eight (8) foot wrought iron fence with masonry columns, spaced every 20 feet be constructed by the builder, along the entire northern, eastern, and southern boundary of the development, where there is adjacent open space. Staff recommends that the wrought iron fence with masonry columns be constructed by the developer and not the home builder given that it would not be adjacent to the individual lots where the homes would be built.

- General Analysis: The alleys on the original submittal have been removed. No plans have been submitted regarding any improvements to Roberts Road and no update has been received on trail connections to GCISD property located to the east of the proposed development. According to the revised conceptual development plan, eight (8) feet of right-of-way (ROW) is proposed for dedication along Roberts Road. According to the Master Thoroughfare Plan, 37.5 feet of ROW is required for dedication from the centerline of the street. While the eight (8) foot dedication appears to be from a point approximately ten (10) feet back from the existing edge of pavement, given a current pavement width of 20 feet for Roberts Road, the ROW dedication shown on the plan would leave the total required ROW dedication approximately 9.5 feet short of the required amount to be dedicated. No formal ROW dedication waiver has been requested by the applicant. Therefore, no waiver has been added to proposed Ordinance O-14-1943.

Although the revised development plans are more in line with Land Development Code standards, staff's recommendation remains denial given the proposed density of the development and the open space remaining is below 20 percent.

The remainder of the briefing remains unchanged from the original submittal. The attached Small Lot Development Comparison Chart - 1996 to 2013 has been updated to reflect the revisions detailed above.

First Reading and Public HearingApplicant's Appeal to City Council. Section 1.18.B(6)b in the Land Development Code states that "denial of the proposal by the Planning and

Zoning Commission 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 rezoning request on the next available agenda for consideration by the City Council".

Per the attached letter of appeal, the applicant requests to appeal the action of the Planning and Zoning Commission to the December 2, 2014 City Council meeting. In the letter, the applicant states that the appeal request will be followed by a proposed modification to the original proposal to be sent to staff via email on November 24, 2014. To date, no modifications have been received. Therefore, the briefing remains unchanged from the original Planning and Zoning Commission briefing describing the applicant's original request and staff's recommendation remains denial of the request.

Pat Atkins submitted a request to change the zoning of approximately 11.22 acres located at 5205, 5207, 5303, 5309, 5311, 5313, and 5317 Roberts Road. The applicant is requesting to rezone the property from the AG-Agricultural zoning district to the PUD-R-Planned Unit Development-Residential zoning district. The applicant is seeking a zoning change in order to develop the property for 60 single family residential lots and one open space lot.

Existing Conditions. The subject properties are currently zoned AG-Agricultural and include three platted lots and four unplatted tracts of land. Currently, 5205, 5207, 5303, 5309, 5311 and 5313 Roberts Road contain single family detached homes. Currently, 5317 Roberts Road contains a mobile home park containing nine mobile homes and a single family detached home. The use of the mobile home park at 5317 Roberts Road has been in existence since 1968 and is considered a legal non-conforming use. Approval of a combination preliminary/final plat will be required upon approval of the rezoning request.

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

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

Minimum Lot Area: 4,400 square feet

Minimum Lot Width: 40 feet

Minimum Lot Depth: 90 feet

Front Building Line: 10 feet

Rear Building Line: 10 feet

Side Building Line: 5 feet

Maximum Building Height: Two stories; 35 feet

Maximum Lot Coverage: 60 percent

Minimum Home Size: 2,000 square feet

Street Design. The applicant proposes to develop public streets and alleys within the development with two entrances from Roberts Road.

The streets and alleys must meet the minimum requirements of the Land Development Code.

Right-of-Way Dedication. Roberts Road is classified as a Minor Collector on the Master Thoroughfare Plan, which requires 75 feet of right-of-way. Therefore, upon platting, the developer will be required to dedicate a minimum of 37.5 feet of right-of-way for Roberts Road from the centerline of the street.

Open Space. The PUD-R regulations require a minimum 20 percent of the development be reserved for open space for use by the residents of the development. The proposed Conceptual Development Plan, attached, indicates 1.8 percent of the total development as open space located on an 8,800 square foot lot on the east side of the development.

No amenities were provided by the applicant to be located within the open space area. Given the limited open space provided, approval of a waiver will be required.

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

A minimum five (5) foot sidewalk is required to be constructed along Roberts Road whenever the homes are constructed on the lots.

The applicant has provided a trail plan (attached) showing two, eight (8) foot trails linking to the GCISD school properties to the east from the development. These trail linkages are not shown in either the 2005 Colleyville Pathways Plan or the 2011 Parks, Recreation and Open Space Master Plan. The developer has not provided evidence of any agreement with GCISD in order to build the trail on GCISD property. Given this

condition, the proposed trail connections are not included in the proposed ordinance.

Fences, Walls, and Screening. The applicant proposes to construct a minimum eight (8) foot masonry screening wall along Roberts Road. This provision has been added to the proposed ordinance.

Landscaping and Entry Features. The Conceptual Development Plan indicates that landscaping will be provided along Roberts Road adjacent to the development within Roberts Road right-of-way. However, no landscaping details were provided by the applicant. In the 2004 Master Plan, Chapter 3 – Community Goals and Policy Statements, Priority Two, Neighborhood Integrity, Goal - Preserve the superior quality of Colleyville's residential neighborhoods, one of the objective/policy statements is: "Promote greenbelts and buffer areas in front of subdivisions adjacent to major thoroughfares". Roberts Road is classified as a "Minor Collector" on the Master Thoroughfare Plan. Therefore Roberts Road meets the definition of a major thoroughfare. The subdivision, as designed, is not consistent with the objective/policy listed above.

Traffic Generation and Access. The developer is not required to provide a Traffic Impact Analysis, since the development is not projected to generate in excess of 1,000 vehicle trips per day. The Institute of Transportation Engineers publication Trip Generation provides estimates of expected traffic generation based on land use. Data has been collected in the United States and Canada since the 1960's, primarily in suburban locations. Single-family residences are expected to generate 9.57 trips per day, on average. Based on this average, a 60 lot development would add approximately 574 vehicle trips per day to the surrounding roadways.

Development Fees. Park land dedication fees are due in the amount of \$1,802 per residential lot, prior to the plat being filed with the Tarrant County Clerk.

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

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

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

minimum levels of public facilities and accessibility to the site for the delivery of emergency services.

Tree Preservation. As required by Chapter 5-Tree Preservation of the Land Development Code, approval of a tree survey and mitigation plan will be required upon approval of the final plat for the property and drawn according to the requirements of Chapter 5-Tree Preservation of the Land Development Code.

Infrastructure. Water and sanitary sewer services are available along adjacent rights-of-way. The developer is responsible for the extension of water and sewer service lines to the individual lots.

Drainage and Stormwater Runoff. The developer has submitted a preliminary drainage analysis (attached), which has been reviewed by the Engineering Division of the Public Works Department. As indicated on the analysis, the developer proposes an underground retention system beneath the open space lot. Details of the proposed drainage system will be submitted as part of the platting process.

Master Plan. The Future Land Use Plan designates the subject properties for single family residential uses. The request is consistent with the Future Land Use Plan.

Residential Density. The Master Plan suggests a maximum residential density of 1.8 dwelling units per acre, in most situations. The 2004 Colleyville Master Plan states densities higher than 1.8 units per acre would be acceptable in those areas deemed consistent with sound land use planning principles, such as a transitional area situated between commercial uses and less dense residential developments, or near major street intersections.

The proposed development would be situated just west of institutional, public school properties and is located approximately 2,800 feet west of SH121. The proposed development of 60 residential units on the 11.22 acres will produce a residential density of 5.4 dwelling units per acre, based upon the density calculation method prescribed by the Master Plan; and will produce a residential density of 8.6 dwelling units per acre based upon the density calculation method prescribed by the Land Development Code.

The following are the residential densities, based on the Master Plan calculation method, of other PUD-R developments adjacent to the proposed development:

- Heritage Oaks (southeast of the proposed development): 4.6 dwelling units per acre
- Copperglen (southeast of the proposed development): 3.9 dwelling units per acre
- Creekside (southeast of the proposed development): 2.4 dwelling units per acre
- Fox Meadows Phase Two PUD (west of the proposed development): 2.9 dwelling units per acre

The attached Small Lot Development Comparison Chart, provides a comprehensive listing of approved developments since 1996 with residential densities that exceed 1.8 dwelling units per acre.

Summary of Requested Variances. The applicant requests the following variances to the requirements of the Land Development Code as part of their request:

1. Open Space - 20 percent is required; 16.6 percent is being requested;
2. Lot Area and Dimensions - Requested as follows:
 - Minimum Lot Area: 5,500 square feet; 13,000 square feet is required.
 - Minimum Lot Width: 50 feet; 100 feet is required.
 - Minimum Lot Depth: 90 feet: 120 feet is required.
 - Front Building Line: 10 feet; 40 feet is required.
 - Rear Building Line: 10 feet; 25 feet is required with an allowance for 10 feet if there are no rear facing openings or windows.
 - Side Building Line: 5 feet; 10 feet is required.
 - Maximum Building Height: Two and a half stories; 35 feet; 30 feet is the maximum allowed.
 - Maximum Lot Coverage: 60 percent; 50 percent is the maximum allowed.

Surrounding Development Trends. The properties to the north are located in the City of Grapevine and zoned for single family residential uses. The properties to the south are zoned AG-Agricultural and PUD-R-Planned Unit Development Residential and contain single family residential detached and attached uses. The properties to the east are zoned AG-Agricultural and developed as Heritage Middle School. The properties to the west are zoned PUD-R-Planned Unit Development Residential, RD-Two Family Residential and AG-Agricultural and developed as single family detached uses and a church.

Public Notification. Staff mailed notices to 41 adjacent property owners as well as all Homeowners Associations within 500 feet of the subject property regarding this request. Notice was sent to the Grapevine-Colleyville Independent School District as required by state law. Notice was published in the Fort Worth Star-Telegram as required by state law and the Land Development Code. To date, a petition containing eight (8) signatures, seven (7) letters and three (3) speakers cards opposed to the request and six (6) speaker cards supporting the request have been received.

The city manager owns property within 200 feet of the subject properties and as such the administration of this item may be deferred to the assistant city manager where deemed necessary.

Planning and Zoning Commission Recommendation. At the November 10, 2014 meeting, the Planning and Zoning Commission voted to deny the request by a vote of (6-0).

Supermajority Vote Requirement. Section 1.18.B(8) states that "no change of which the Planning and Zoning Commission has recommended denial or in case of a protest against such change, signed by the owners of twenty (20) percent or more of either the area of lots or land included in such proposed change, or lots or land immediately adjoining same and extending two hundred (200) feet therefrom, filed with the City Secretary, shall be passed except by a favorable vote of three-fourths (3/4) of all members of the City Council. In computing the percentage of land area, the area of streets and alleys shall be included in the computation". Therefore, a minimum of six of seven votes are required in order for the City Council to approve this item.

Summary. The revised proposed development contains 54 single family lots and eight open space lots with a residential density of 4.8 dwelling units per acre and a total open space percentage of 16.6 percent. Staff agrees that the area is a transitional area and a higher residential density is warranted given the recommendations of the Master Plan. Staff also agrees that the proposed development provides an opportunity to redevelop the area and mitigate a legal non-conforming use. However, given the proposed density relative to other residential development densities in the area, the lack of adequate open space provided, the lack of any greenbelts or buffer areas along Roberts Road and, finally, the lack of any detail for landscaping and open space amenities in the development, staff recommends denial.

Financial Impact

There is no financial impact to the City.

Recommendation

Denial

Attachments

1. Location and Zoning Map
2. Aerial
3. Future Land Use Map
4. Buffer Map
5. Notification List
6. Letters and Speaker Cards of Opposition
7. Letters and Speaker Cards of Support
8. Opposition Map

9. Revised Statement of Planning Objectives
10. Revised Conceptual Development Plan
11. Landscape Plan
12. Revised Presentation from Applicant
13. Revised Preliminary Drainage Analysis
14. Small Lot Development Comparison Chart - 1996 to 2013
15. Applicant's Appeal
16. Statement of Planning Objectives
17. Conceptual Development Plan
18. Trail Plan
19. Presentation from Applicant
20. Preliminary Drainage Analysis
21. Ordinance O-14-1943

This is a detailed plat map of a portion of the City of San Jose, California. The map shows various lots, streets, and property designations. A red outline highlights a specific area labeled "Subject Property".

Streets:

- FOX GLEN DR
- FOX MEADOWS DR
- ROBERTS RD
- BUR OAK DR
- SHUMARD DR
- CHINQUAPIN DR
- HERITAGE DR
- VE
- OST OAK TRL
- OAK LN

Property Designations:

- PUD-R
- AG
- PUD-R
- PUD-R

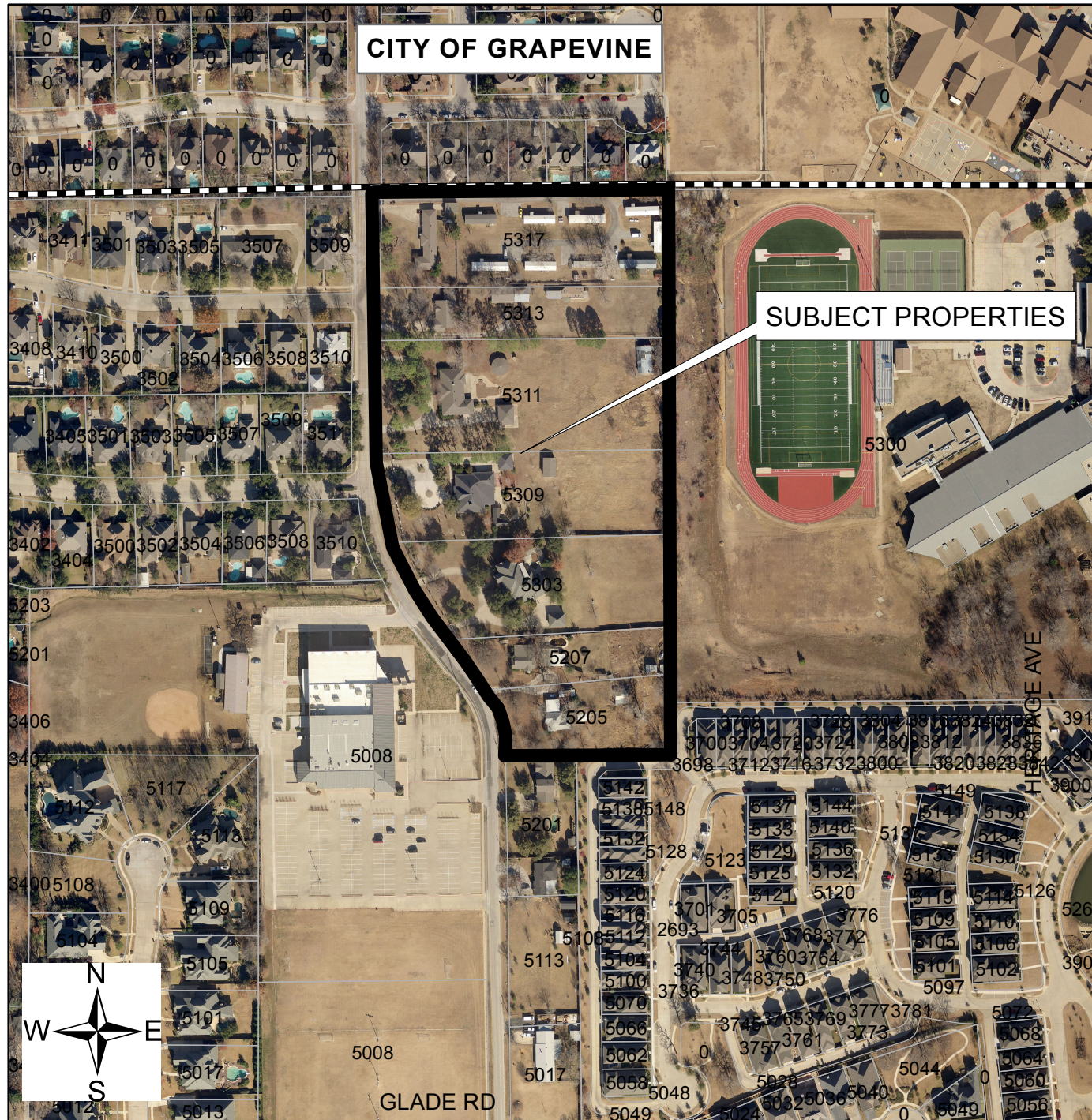
Lot Numbers:

- 3407, 3409, 3411, 3501, 3503, 3505, 3507, 3509
- 5317, 5313, 5311, 5309, 5303, 5207, 5205
- 5008, 5112, 5117, 5113, 5108, 5109, 5104, 5105, 5100, 5101, 5016
- 3400, 3408, 5017
- 5142, 5148, 5138, 5134, 5132, 5128, 5124, 5120, 5116, 5112, 5108, 5104, 5100, 5070, 5066
- 5137, 5144, 5133, 5140, 5136, 5132, 5120, 5123, 5125, 5121, 5129, 5130, 5134, 5126, 5114, 5110, 5106, 5102, 5101
- 3700, 3698, 3708, 3716, 3728, 3804, 3816, 3824, 3836, 3916, 3724, 3800, 3808, 3812, 3820, 3832, 3842, 3908, 3904, 3900, 5260, 3901, 5072, 5068, 3773, 3781, 3776, 3772, 3760, 3750, 3744, 3740, 3736, 3701, 3705

Subject Property:

The "Subject Property" is a large lot located between Roberts Rd and Bur Oak Dr, bounded by a red outline. It is designated as "AG" (Agricultural).

Aerial



Case ZC14-019

5205, 5207, 5303,
5309, 5311, 5313,
& 5317 Roberts Road

Legend

-  Subject properties
-  City Limit
-  Parcels



CITY OF GRAPEVINE

5205, 5207, 5303,
5309, 5311, 5313,
& 5317 Roberts Road

- Subject properties
- City Limit
- Parcels
- Single Family
- Multi-Family
- Office
- Retail
- Institutional
- Industrial
- Roadway
- Utilities
- Parks
- Private Open Space
- Water



The map shows the City of Grapevine, Texas, with a focus on the area around Roberts Rd and Heritage Ave. A red line highlights a specific area, and a callout points to 'SUBJECT PROPERTIES'. The map includes various street names and addresses, such as Hallmont Dr, Roberts Rd, Heritage Ave, and Copper Glen Cir. A compass rose indicates North is up.

5205, 5207, 5303,
5309, 5311, 5313,
& 5317 Roberts Road

 Properties within 200 feet
 Subject properties
 City Limit
 Parcels



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
Mdc-Heritage Oaks Estates Ltd	545 E John Carpenter Fwy	Irving	Texas	75062	000000 Post Oak Tr
Colleyville Assoc Heritage Oak	545 E John Carpenter Fwy #1500	Irving	Texas	75062	005123 Post Oak Tr
Colleyville Assoc Heritage Oak	545 E John Carpenter Fwy #1500	Irving	Texas	75062	000000 Post Oak Tr
Colleyville Assoc Heritage Oak	545 E John Carpenter Fwy #1500	Irving	Texas	75062	000000 Bur Oak Dr
Wieting, James L	9020 Cedar Bluffs Dr	North Richland Hills	Texas	76182	003704 Bur Oak Dr
Arnold, Thomas A	5205 Roberts Rd	Colleyville	Texas	76034	005205 Roberts Rd
Scribner, Deana	PO Box 768	Colleyville	Texas	76034	005201 Roberts Rd
Weinberg, Christina M	3712 Bur Oak Dr	Colleyville	Texas	76034	003712 Bur Oak Dr
Rietz, Barry S Etux Paula K	3700 Bur Oak Dr	Colleyville	Texas	76034	003700 Bur Oak Dr
Thomas Monroe Properties Llc	825 Regina Ct	Colleyville	Texas	76034	003708 Bur Oak Dr
Wall, Larry Etux Laurie	5132 Post Oak Trl	Colleyville	Texas	76034	005132 Post Oak Tr
Grapevine Colleyville ISD	3051 Ira E Woods Ave	Grapevine	Texas	76051	005300 Heritage Ave
Reince, Kevin Etux Martha	6412 Timber Rdg	Edina	Minnesota	55439	005134 Post Oak Tr
Williams, Alfloyd Jr	5128 Post Oak Trl	Colleyville	Texas	76034	005128 Post Oak Tr
Bryant, Lynn W	5138 Post Oak Trl	Colleyville	Texas	76034	005138 Post Oak Tr
Babul, Sajeed Etux Dinaz	5133 Post Oak Trl	Colleyville	Texas	76034	005133 Post Oak Tr
Mathis, Christopher Warren	5137 Post Oak Trl	Colleyville	Texas	76034	005137 Post Oak Tr
Greene, Michael Etux Gail	3716 Bur Oak Dr	Colleyville	Texas	76034	003716 Bur Oak Dr
Krieghbaum, David Etux Tracey	PO Box 459	Port Isabel Tx	Texas	78578	005142 Post Oak Tr
Belknap, Barbara Echols	5313 Roberts Rd	Colleyville	Texas	76034	005313 Roberts Rd
Wines, Robert M	PO Box 1348	Colleyville	Texas	76034	005317 Roberts Rd
Patel, Bharet V	5311 Roberts Rd	Colleyville	Texas	76034	005311 Roberts Rd
Andrae, Raymond R Jr Etux Chri	3510 Fox Meadows Dr	Colleyville	Texas	76034	003510 Fox Meadows Dr
Prazak, John B	5207 Roberts Rd	Colleyville	Texas	76034	005207 Roberts Rd
Henry, Robert Lee	3510 Fox Glen Dr	Colleyville	Texas	76034	003510 Fox Glen Dr
Cheatham, Matt Etux Melissa	3508 Fox Glen Dr	Colleyville	Texas	76034	003508 Fox Glen Dr
Phillips, Rodney L	3507 Fox Glen Dr	Colleyville	Texas	76034	003507 Fox Glen Dr
Heilman, Shanna	3509 Fox Glen Dr	Colleyville	Texas	76034	003509 Fox Glen Dr
Covenant Church	2660 E Trinity Mills Rd	Carrollton	Texas	75006	005008 Roberts Rd
Gillaspie, Marion R Etux Shiry	3511 Fox Meadows Dr	Colleyville	Texas	76034	003511 Fox Meadows Dr
Bangs, Richard A Etux Moireen	3509 Fox Meadows Dr	Colleyville	Texas	76034	003509 Fox Meadows Dr
King, Kenneth W & Doris	3506 Fox Meadows Dr	Colleyville	Texas	76034	003506 Fox Meadows Dr
Raine, Kimberly L	3508 Fox Meadows Dr	Colleyville	Texas	76034	003508 Fox Meadows Dr
Patel, Bharat V	5309 Roberts Rd	Colleyville	Texas	76034	005309 Roberts Rd
Hartley, Marietta Frances	200 Fremont Ct	Colleyville	Texas	76034	005303 Roberts Rd
Heritage Glen HOA	5105 Auburndale Ave	Colleyville	Texas	76034	Courtesy Notice
Colleyville Assoc Heritage Oak	545 E John Carpenter Fwy #1500	Irving	Texas	75062	000000 Bur Oak Dr
Fox Meadows HOA	5301 Bugle Ln.	Colleyville	Texas	76034	Courtesy Notice
Grapevine Colleyville ISD	3051 Ira E Woods Ave	Grapevine	Texas	76051	Courtesy Notice
City of Grapevine	P.O. Box 95140	Grapevine	Texas	76099	Courtesy Notice
Pat Atkins, Applicant	3076 Hays Lane	Rockwall	Texas	76034	Applicant

Public hearing notices were mailed
 Fri., October 24, 2014 by Taci
 Wrisley

Letters and Speaker Cards of Opposition

From: [Mona Gandy](#)
To: [Jennifer Fadden](#); [Terry Leake](#)
Cc: [Ron Ruthven](#); [Chris Fuller](#)
Subject: FW: City of Colleyville pending land zoning changes (ZC14-019 and ZC14-025)
Date: Friday, December 12, 2014 8:29:31 AM

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

From: Gary Evans [[mailto:](#)]
Sent: Thursday, December 11, 2014 9:13 PM
To: Colleyville
Cc: David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart; jim.gotcher@verizon.net; jeff.byerly@tx.rr.com; dwheelwright@me.com; phelps-david@swbell.net; careltornes@gmail.com; dondavis@yourcorvette.com; knox.ldk@gmail.com
Subject: City of Colleyville pending land zoning changes (ZC14-019 and ZC14-025)

To the Colleyville City Council:

I strongly urge you to oppose two zoning requests ZC14-019 and ZC14-025 (east side of Robert Road in Colleyville) in your upcoming council meeting Tuesday, December 16, 2014. The Colleyville Planning and Zoning Commission already unanimously voted (7-0) to deny both requests.

The neighbors most affected by these requests are vehemently opposed and have significant concerns with increased traffic, safety, property values and a continued loss of that "Colleyville feel". Please consider the following concerns while assessing these zoning change requests:

1. Pose undue and unreasonable public safety risk to:

- Residents of surrounding neighborhoods
- Traffic patterns and traffic safety,
- Heritage school students and parents, and Heritage school's staff

2. Excessive traffic burden and stress on an already stressed Roberts Road, Glade Road, and surrounding area road system
3. Lack of alignment with Glade Road Project
4. Unwarranted compromise to the Colleyville quality of life, a core value of the Colleyville long range plans

5. Negative environmental impact

- Requests present an extreme deviation from Colleyville's Land Use Guidelines
- Additional environmental stress to the huge 100 year flood plain zone south of Glade Road along Heritage Avenue

Opposing these requests will ensure that neighboring property is not substantially or permanently injured. Please heed the advice and counsel of your own Planning and Zoning Commission and Colleyville citizens, and deny both of these requests.

Respectfully,

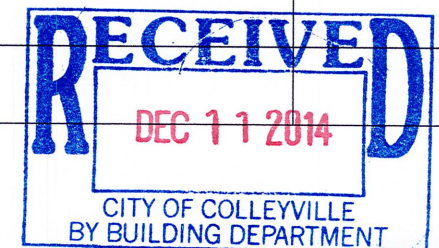
Gary Evans
5201 Bugle Lane (Fox Meadows)
Colleyville, TX 76034
[REDACTED]

Letters and Speaker Cards of Opposition

Protest to reduce the planned housing density for zoning case ZC14-019

Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to preserve the vision of our city and make choices that are beneficial to its current citizens and those of the future. The planned density of 56(+) dwelling units to be built on 11.22 acres does not belong in Colleyville. We strongly suggest a limit of 20 homes be placed on this development with a minimum of 20% of open space. There should be no special exemptions allowed as they would erode the vision of our community and set a dangerous precedent for the future.
------------------------------	---

Printed Name	Signature	Address	Comment	Date
Richard Bangs	<i>R. A. Bangs</i>	3509 Fox Meadows Dr	Agree with density concern & traffic issue	12/7/14
Tim Raine	<i>T. Raine</i>	3508 Fox Meadows Dr.	Too much density for that space & road width	12/7/14
Matt Cheatham	<i>Matt Cheatham</i>	3508 Fox Glen Dr.	Traffic concern, road Density concern, housing type	12/7/14
Rodney Phillips	<i>Rodney Phillips</i>	3507 Fox Glen Drive	Ditto	12/7/14
Shanna Heilman	<i>Shanna Heilman</i>	3509 Fox Glen Drive	Traffic & school crowding!	12/7/14
Shiryl Thompson Gillaspie	<i>Shiryl Thompson Gillaspie</i>	3511 Fox Meadows Dr	Ditto	12/7/14
RAYMOND R. ANDRAE JR	<i>Raymond R. Andrae Jr</i>	3516 Fox Meadows Dr	TRAFFIC	12/7/14
Robert Henry	<i>Robert Henry</i>	3510 Fox Glen Dr.	Ditto	12/10/14



Letters and Speaker Cards of Opposition

From: [Jennifer Fadden](#)
To: [Amy Shelley](#); [Ron Ruthven](#)
Cc: [Chris Fuller](#)
Subject: Fwd: Ordinance O-14-1943
Date: Monday, December 8, 2014 6:06:26 PM

FYI.

Jennifer Fadden
Sent from my iPhone

Begin forwarded message:

From: richard bangs <[REDACTED]>
Date: December 8, 2014 at 5:15:38 PM CST
To: "dkelly@colleyville.com" <dkelly@colleyville.com>,
"mtaylor@colleyville.com" <mtaylor@colleyville.com>,
"cwollin@colleyville.com" <cwollin@colleyville.com>,
"cmogged@colleyville.com" <cmogged@colleyville.com>,
"cputnam@colleyville.com" <cputnam@colleyville.com>,
"jshort@colleyville.com" <jshort@colleyville.com>, "thart@colleyville.com"
<thart@colleyville.com>, "jfadden@colleyville.com"
<jfadden@colleyville.com>
Subject: Ordinance O-14-1943
Reply-To: richard bangs <[REDACTED]>

Sirs and Madames:

I am a concerned citizen of Colleyville and am one of the property owners in the Fox Meadows Subdivision who will be directly impacted by this proposed development. We must act to preserve the vision of our city and the planned development that proposes to add 56 units on 11.22 acres does not fit that vision. The housing density along with other significant variances the developer is requesting are well outside the bounds of the Colleyville Land Use Guidelines. Additionally the proposal could significantly affect local school enrollment potentially resulting in redistricting and will definitely impact traffic congestion on Roberts Road. Beyond the obvious safety concerns for children coming and going to school, this traffic increase (approximately 100 vehicles) on a minor, relatively poorly maintained road such as Roberts is not acceptable. The intersection at Glade already is busy enough at work and school travel periods and adding this additional traffic will just exacerbate that situation. There may be possible solutions to this problem but so far the developer has offered none.

We have signatures by all the residences (except one who is out of town) within 200 feet in the Fox Meadows Subdivision on a petition opposing this proposal which will be submitted based on input by the Community Development Department.

Thank you for your kind attention to this matter.

Richard Bangs
3509 Fox Meadows Drive

Letters and Speaker Cards of Opposition

From: [Mona Gandy](#)
To: [Jennifer Fadden](#); [Terry Leake](#)
Cc: [Chris Fuller](#); [Ron Ruthven](#); [Amy Shelley](#)
Subject: FW: City of Colleyville's pending land zoning changes
Date: Monday, December 8, 2014 11:03:37 AM
Attachments: [Land Zoning Changes page 0.pdf](#)

From: Pedro [mailto:[REDACTED]]

Sent: Monday, December 8, 2014 8:17 AM

To: Colleyville

Cc: [REDACTED]
[REDACTED]

Subject: Fwd: City of Colleyville's pending land zoning changes

To the Colleyville City Council:

I strongly urge you to oppose zoning requests ZC14-019 & ZC141-025 in your upcoming council meeting Tuesday, December 16, 2014. Not only has your own Planning and Zoning Commission already unanimously voted (7-0) to deny both requests, the neighbors most affected don't want them. Increased traffic, safety, property values and a continued loss of that "Colleyville feel" are all primary concerns.

Please heed the advice and counsel of your own Planning and Zoning Commission and deny both of these requests.

Respectfully,

Pete Wurst
3402 Huntington Drive
Colleyville, TX 76034
[REDACTED]

Letters and Speaker Cards of Opposition

From: [Mona Gandy](#)
To: [Jennifer Fadden](#); [Terry Leake](#)
Cc: [Ron Ruthven](#); [Chris Fuller](#); [Amy Shelley](#)
Subject: FW: Zoning Issues
Date: Monday, December 8, 2014 4:28:07 PM

From: tim [mailto:t[REDACTED]]
Sent: Monday, December 8, 2014 4:16 PM
To: Colleyville
Subject: Zoning Issues

To the Colleyville City Council:

Please oppose zoning requests ZC14019 and ZC141025 in your December 16th meeting. am a resident of Fox Meadows and do not want these requests to go through.

Please deny both requests.

Sincerely,

Tim Carpenter
3400 Huntington Dr
Colleyville, TX 76034
[REDACTED]

Letters and Speaker Cards of Opposition

- Dear Fox Meadow and Colleyville Neighbor:
- Are you aware of the pending land use zoning change(s) requested for the properties on the east side of Roberts Road in Colleyville?
- There are two (2) separate zoning requests pending before the City Council.
 - Request ZC14-019, calls for the construction of 56 or 60 homes on 11 acres
 - Request ZC141-025, calls for the building of 12 homes on 2.5 acres
- On November 10, 2014, the Colleyville Planning and Zoning Commission voted unanimously (7-0) to deny the requested zoning changes for both cases. City staff also recommended a denial of the zoning change request. This is the first time a zoning change for a Colleyville residential development was ever denied by the P&Z Commission. The reasons for the denial(s) range from public safety to **extreme deviation** from Colleyville's own Land Use Guidelines or normally accepted zoning variances. Both of the land Developers, as is their right, have now appealed the P&Z denial to the City Council. On **Tuesday, December 16** the City Council will meet for the 2nd hearing on the Zoning cases and perhaps vote to override the P&Z recommendations.
- If you are concerned about the building of up to 72 homes on very small lots (~ 5500 sq ft) along Roberts Road, please contact the City Council Members and the City Manager by email. Similar overly aggressive zoning request changes have been modified or withdrawn but your concerns must be communicated to the City Council either in person at the Dec 16 meeting or in writing/mail/email. The City has an excellent web page for information and contacts.
- We all chose to live in Colleyville for its quality of life. While we all want progress for the City, these proposed zoning changes do not seem a positive step for the Fox Meadows or the City.

Letters and Speaker Cards of Opposition

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

Thursday, December 4, 2014

Although we are not against residential development near our subdivision, we do object to the current proposals before the council, Ordinances O-14-1943 and O-14-1944. Our concern is that these proposals will increase traffic significantly on Roberts Road which is not currently designed to support this increase in traffic. Other than the sections directly opposite the Fox Meadows Subdivision, the road is not in particularly good shape.

These two proposals would add 56 and 12(?) additional residential units which could (no particular formula used) add as many as 136 vehicles exiting them onto Roberts Road. In addition to the safety concerns (with the proximity to schools and current traffic exiting Fox Meadows), the increased traffic will certainly impact the longevity of the pavement and increase the cost of maintenance. Currently there are only single family homes exiting onto Roberts and although there is a need for improvements in the pavement in any case, the situation is manageable.

In comparison, the like development off Heritage was developed after that thoroughfare was improved to accommodate the school traffic and does seem to be working well. I am not sure that a similar approach is doable with Roberts. I am not sure what improvements to Roberts can be made to accommodate a similar increase in traffic.

The only alternative appears to be to significantly lower unit count, increase the open space (certainly to the minimum of 20%) and width and quality improvements to Roberts Road.

We have never had a problem with the current residences or the mobile home park (which is not particularly visible for the road) but do understand the desire by some of the residents take advantage of this opportunity. But these proposals as laid out are unacceptable to us.

Regards,

Richard and Moireen Bangs
3509 Fox Meadows Dr
Colleyville, TX 76034

Richard A Bangs
Moireen C. Bangs

RECEIVED

DEC 04 2014

Per

Letters and Speaker Cards of Opposition

From: Anthony Pardini

Sent: Saturday, November 29, 2014 11:55 AM

To: David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Jody Short; Tom Hart

Cc: Jennifer Fadden; Amy Shelley

Subject: Public Hearing: Dec 2 - An Appeal of A Denied Zoning Change Request (Roberts Road); Case ZC14-019

Dear Colleyville Councilors:

This letter concerns an appeal of a unanimous P&Z Board denial of a requested zoning change along Roberts Road. At that 10Nov14 meeting, the P&Z Board correctly concluded that the requested zoning change asked for so many large variances to City norms as to constitute an extremely poorly-posed plan. City staff also recommended denial of the request. As is his right, the developer is now asking for the Council to negate the P&Z vote and staff recommendation. My letter to the P&Z Board concerning that 10Nov14 meeting and remaining City development in general is attached for your reading.

Now on to the applicant appeal at a December 2nd Public Hearing. On 19Nov14, the developer sent to City staff (Mr. Ron Ruthven) a letter formally requesting an appeal of the denial at the Dec 2 Council meeting. In the that letter the developer says he will send, by email, a modified zoning change request along with the appeal request. It is not obvious to me that the the developers modified request for a zoning change is included in the on-line City Council Mtg agenda packet. My question is- did the City staff receive the modified request on Nov 24th and would they have sufficient time to review such a document considering the long Thanksgiving weekend. Without access to the modified zoning request change and in light of the compressed time frame and Holiday, any meaningful Citizen comments on the request would be difficult to prepare.

I am not knowledgeable about the accepted rules governing Public Hearings but I urge the Council not to take any final actions until any revised applicant information is clearly available for a prudent review by all interested parties.

Thank you,

Anthony Pardini
35404 Fox Glen Dr
29Nov2104

Letters and Speaker Cards of Opposition

From: **Anthony Pardini**

Date: Sat, Nov 29, 2014 at 9:54 AM

Subject: Colleyville P&Z - Roberts Road Variance Request

To:

Although I composed this email on November 11, I am just now sending to various parties.

I attended the P&Z meeting on Monday, November 10th. Of particular interest to were agenda items 6a and 6e, the Zoning change requests in the Roberts Road area.

I applaud the Staff recommendation to deny the overly aggressive nature of the zoning request change(s) and the P&Z board for its unanimous vote in denying item 6a. I had to leave the mtg prior to item 6e so I do not know if the P&Z board took any action on that item.

This planned development does not seem worth the few ongoing tax dollars generated (~ \$106,000 annually) by such a poorly posed plan.

I have lived in the City for nearly 20 years (in the Fox Glen subdivision) and in the GCISD for 30 years. All four of my children are graduates from GCISD. My daughter lives in the City and has children in GCISD. I also have a son who lives in Grapevine. In other words we are longtime residents of the City and plan to remain in the area even after I retire. We choose to live in the City for its small town nature in the midst of the ever expanding DFW metro-plex.

As the City is reaching build out, a quality of life perspective needs to be in place when any variances from existing zoning are requested. At this stage of the City's development, growth for growths sake does not maintain the Colleyville life style that we all desire. If I wanted to live in a City like Plano, I would. As I tell my work associates who live in Plano, that Plano was well engineered for cars and not so much for people and now not even the cars can get around.

Getting back to agenda items, 6a and 6e. As I listened to the discussion of merits or mostly lack thereof concerning item 6a, a few related points did not come out in the discussion or just some of my observations.

1) Ingress and egress to Roberts Road from proposed development 6a.

- The north entrance is directly across from Fox Glen Dr. Fox Glen already experiences more traffic than the Colleyville Fox Meadows subdivision alone generates due the connection of a Grapevine neighborhood. Having a new opposing subdivision entrance directly across Roberts road would only add to the difficult conditions on Glade.

- The south entrance is directly across from the Church's new addition parking lot entrance. Also this portion of Roberts Road (the S curve) is narrow and seems to have no taper into the curves (as I was taught as a common feature in a Civil Engineering road design class). I can't tell how many times in this "S" portion of Roberts I have been nearly hit/side swiped as I drive on Roberts. The City must agree with this obvious

Letters and Speaker Cards of Opposition

situation as the original road has been previously widened on the east with some type of low quality material.

2) Question: With the Glade Road traffic constriction and any solution being the most controversial City item (since the Town Center Planning days); do we need to encourage a smaller version of that traffic by allowing an extreme in high density development along Roberts Road? All current Glade Road plans call for virtually no improvements at the Roberts/Glade intersection. The City staff estimated that an additional 700 vehicle trips per day will be generated by 6a and 6e. Should not the developer be required to improve Roberts road or at least a portion of any expense?

3) The developers claim of removing “sub-standard” housing as a valid reason for applying for a zoning variance seems disingenuous and is obviously self serving. In my 20 years of driving/walking by those homes I have never witnessed any issues that would lead me to believe that the people living there were anything but decent people who had nice big yards. Even though the mobile home park is a bit unusual, I have never seen any unsavory actions or unusual police activity.

4) I might think that GCISD would be less than amused to know that a developer was using the concept of unapproved access to the school lands as a “selling” point for their commercial activities. Also the subject of school attendance zones has resurfaced. Does anyone know how this proposed development would impact the GCISD plans?

Thank you for your time in volunteering to the City.

Anthony C Pardini
3504 Fox Glen Dr

Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: 12/2/2014

Agenda Item Number: 5D

For example: **5a (this can be found on the far left side of the agenda copy)**

_____ I will speak **In Support** of this item. X I will speak **In Opposition** to this item.

_____ I do not wish to speak, but please record my: _____ support _____ opposition

Name: ANTHONY PARDINI

Address: 3504 FOX GLEN

City: COLLEYVILLE, TX

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: Anthony C. Pardini

This information is a Public Record

Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: 12/2/14

Agenda Item Number: 5d

For example: **5a (this can be found on the far left side of the agenda copy)**

_____ I will speak **In Support** of this item. _____ I will speak **In Opposition** to this item.

☒ I do not wish to speak, but please record my: _____ support ☒ opposition

Name: Richard Bandis

Address: 3509 Fox Meadows Dr City: Colleyville

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: Richard A. Bandis

This information is a Public Record

Letters and Speaker Cards of Opposition

Date: 12/2/14

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: 5d

Name: Shiryl Thompson Gillaspie

Address: 3511 Fox Meadows Dr.

City: Colleyville State: Tx Zip Code: 76034

Telephone Number: 817-283-2567 Representing: self
(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: Shiryl Thompson Gillaspie
This information is a Public Record.

Letters and Speaker Cards of Support

SPEAKER CARD

Date: 12/2

Agenda Item Number: 5a

For example: 5a (this can be found on the far left side of the agenda copy)

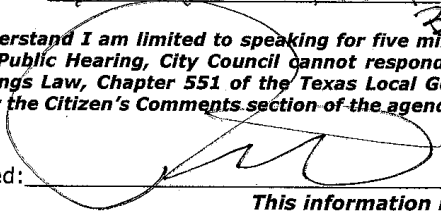
☒ I will speak **In Support** of this item. 5/7 I will speak **In Opposition** to this item.

☐ I do not wish to speak, but please record my: ☐ support ☐ opposition

Name: PAT ATKINS TCC1 / Land Development

Address: 30604 N. MCARTHUR City: Irving

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: 

This information is a Public Record

Letters and Speaker Cards of Support

SPEAKER CARD

Date: 12/2/14

Agenda Item Number: 5d

For example: 5a (this can be found on the far left side of the agenda copy)

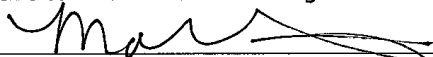
7 I will speak **In Support** of this item. _____ I will speak **In Opposition** to this item.

_____ I do not wish to speak, but please record my: _____ **support** _____ **opposition**

Name: Maretha Klein

Address: 200 Fremont Ct City: Conoverville

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: 

This information is a Public Record

Letters and Speaker Cards of Support

SPEAKER CARD

Date: 12/2/14

Agenda Item Number: 5d

For example: 5a (this can be found on the far left side of the agenda copy)

Y I will speak **In Support** of this item. _____ I will speak **In Opposition** to this item.

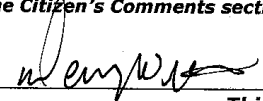
_____ I do not wish to speak, but please record my: _____ **support** _____ **opposition**

Name: DENNY WILES

Address: 200 FREMONT CT

City: COLLEYVILLE

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: 

This information is a Public Record

Letters and Speaker Cards of Support

SPEAKER CARD

Date: 12/2/14

Agenda Item Number: 5d

For example: **5a (this can be found on the far left side of the agenda copy)**

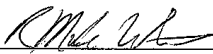
☒ I will speak **In Support** of this item. ☐ I will speak **In Opposition** to this item.

☐ I do not wish to speak, but please record my: ☐ **support** ☐ **opposition**

Name: Mark Wines

Address: 5317 Roberts Rd City: Colleyville

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: 

This information is a Public Record

Letters and Speaker Cards of Support

SPEAKER CARD

Date: 12-2-14

Agenda Item Number: 0-14-1943 (5d)

For example: **5a (this can be found on the far left side of the agenda copy)**

☒ I will speak **In Support** of this item. ☐ I will speak **In Opposition** to this item.

☐ I do not wish to speak, but please record my: ☐ **support** ☐ **opposition**

Name: BARBARA BELLKAP-KING

Address: 5313 Roberts Rd City: Collegeville

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: Barbara Bellcap

This information is a Public Record

Letters and Speaker Cards of Support

SPEAKER CARD

Date: 12/2/14

Agenda Item Number: 5d

For example: **5a (this can be found on the far left side of the agenda copy)**

_____ I will speak **In Support** of this item. _____ I will speak **In Opposition** to this item.

_____ I do not wish to speak, but please record my: ☒ **support** _____ **opposition**

Name: FRED KING

Address: 5313 ROBERTS RD

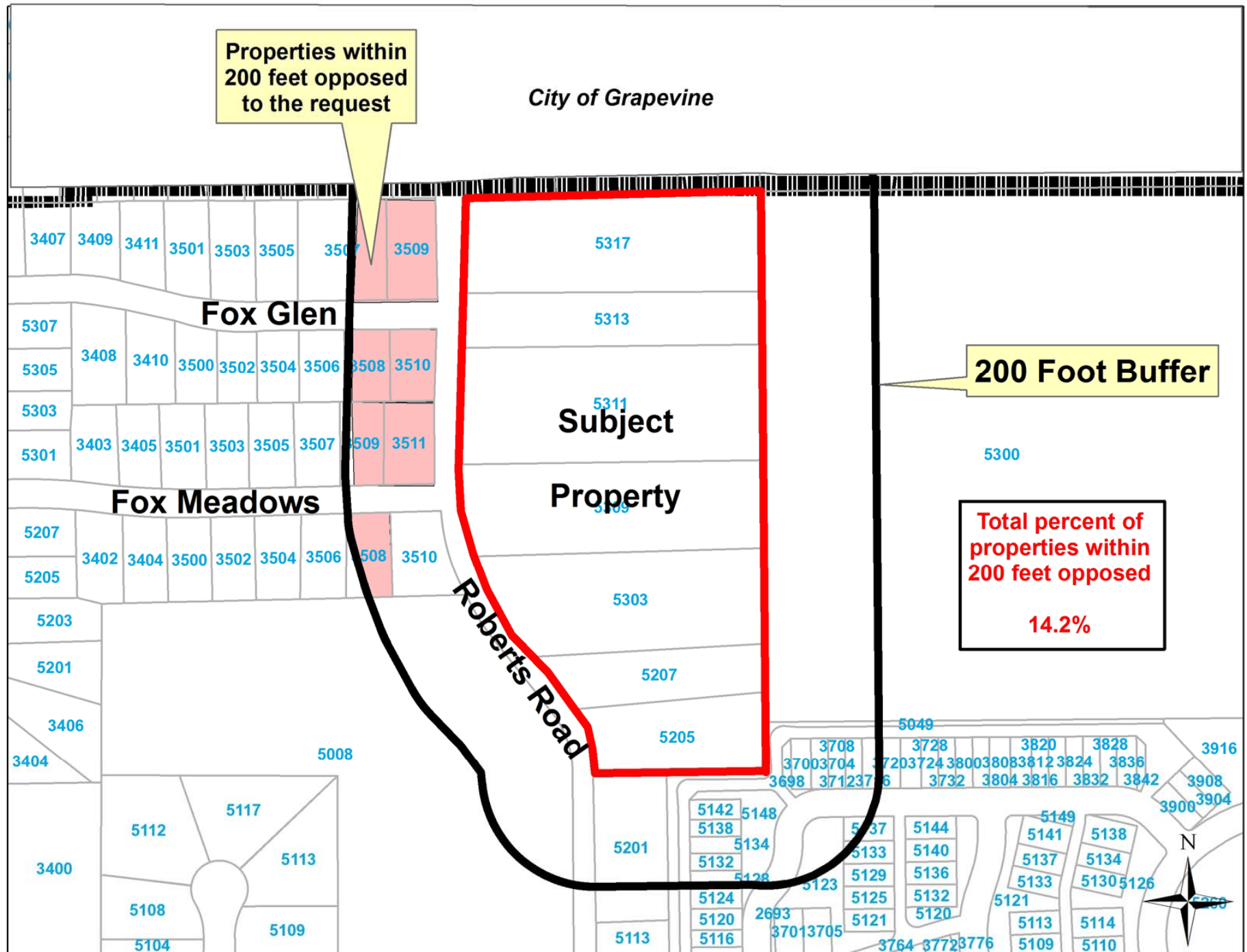
City: Colleyville

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Signed: Fred King

This information is a Public Record

Opposition Map



Revised Statement of Planning Objectives



December 8, 2014

Statement of Planning Objectives

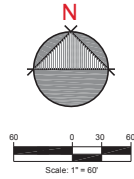
The Enclave at Heritage Meadows

The property consists of 11.6 acres of land, adjacent to Roberts Road A60' residential collector, west of existing Colleyville Elementary and Middle School. The property is sparsely vegetated with native trees of which a tree preservation plan will be prepared. Development of this property will eliminate mobile home uses that have been existing for a long period of time. New homes construction will range from \$650K and up. The homes will be marketed towards young families, young professionals and empty nesters lifestyle. Creating an additional 34 million dollars to the City of Colleyville tax base. There will be a Master H.O.A. required within the development of the property. We are excited to bring this upscale residential development to this area which surpasses expectations required in your comprehensive master plan within district one. A master trail system will be implemented which will connect Roberts Road and our development.

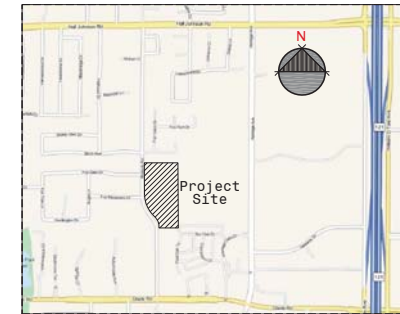
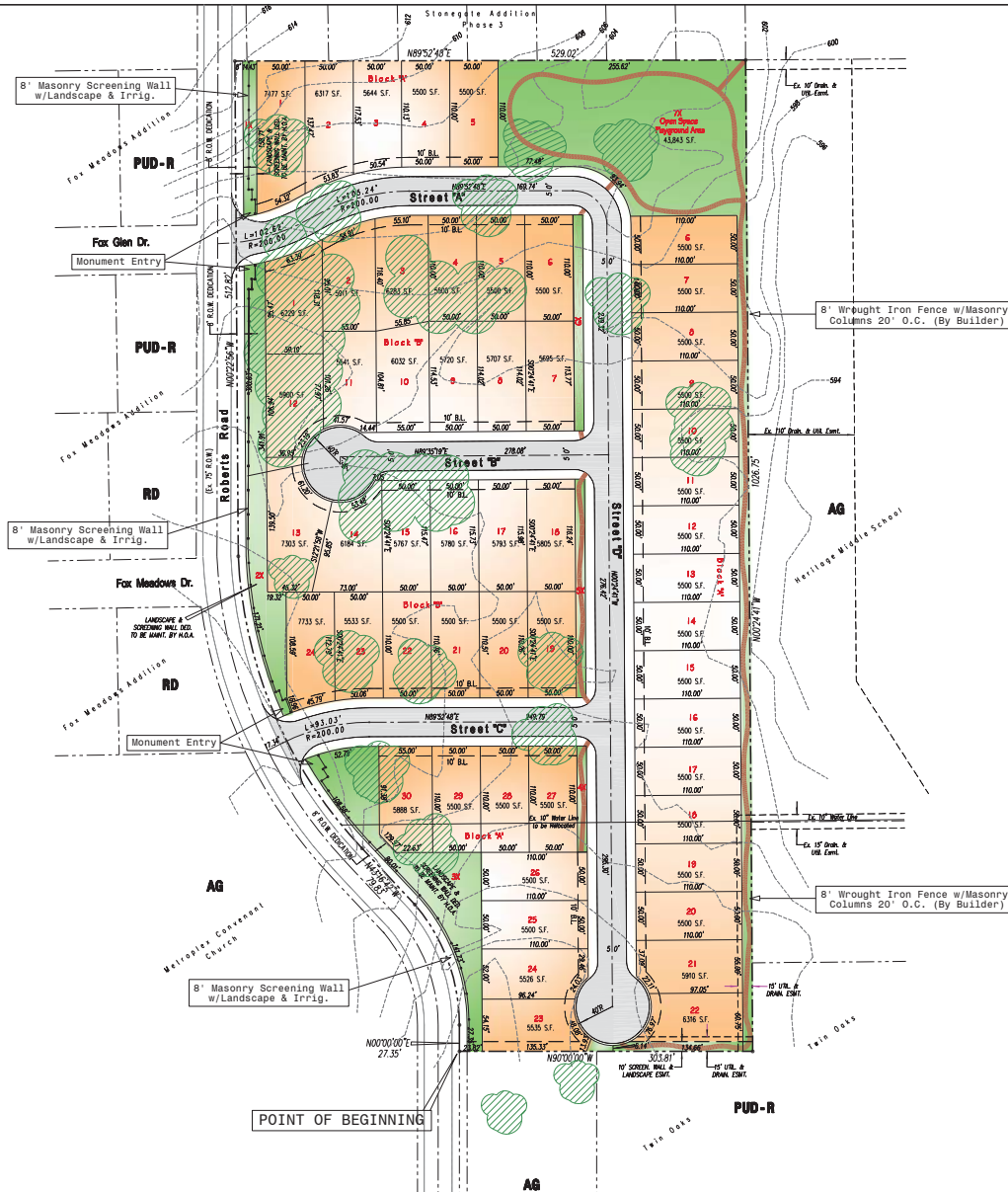
Development Standards

- A. MIN. LOT AREA: 5500 sq ft.
- B. Min Lot Width: 50' @ B.L.
- C. MIN. LOT DEPTH: 90'
- D. FRONT B.L.: 10'
- E. REAR B.L.: 10'
- F. SIDE B.L.: 5'/5' ADJ. TO STREET/ 5' ADJ. to Open Space Lots
- G. MAX. BUILDING HT: 2½ STORIES (35 FEET)
- H. MIN. DWELLING: 2000 sq. ft
- I. LOT COVERAGE: 60%

Revised Conceptual Development Plan



Legend



Vicinity Map
n. t. s.

Property Description

HERITAGE is 11.22 acres of land situated in the G.L.C. Midway Survey, Abstract No. 1054, situated in Tarrant County, Texas and being all of the land of said deceased by deed to Stuart V. Ford recorded in Instrument No. 010024446 and Instrument No. 020817000 of the Deed Records of Tarrant County, Texas, and all of the land of said deceased by deed to Patricia Lindsey and wife, Patricia J. Lindsey recorded in Volume 1278, Page 304 of the Deed Records of Tarrant County, Texas, and all of the land of said deceased by deed to Robert St. Vroom recorded in Instrument No. 020014004 of the Deed Records of Tarrant County, Texas and being more particularly described as follows:

BEING all of the Southeast corner of said tract and being the westerly right-of-way line of Roberts Road (an existing 60' right-of-way).

THENCE North a distance of 27.35 feet to a point for corner;

THENCE a curve to the left having a radius of 191.89 feet and a

length of 135.88 feet with a chord bearing of North 37°10'24" West;

THENCE North 47°10'12" West a distance of 78.83 feet to a point for corner;

THENCE a curve to the right having a radius of 473.91 feet and a length of 335.60 feet with a chord bearing of North 22°32'30" West;

THENCE North 7°22'30" West a distance of 872.82 feet to a point for corner;

THENCE North 89°52'40" East a distance of 626.02 feet to a point for corner;

THENCE South 72°44'14" East a distance of 1626.70 feet to a point for corner;

THENCE West a distance of 203.01 feet to the POINT OF BEGINNING and containing 81,248.10 square feet, 11.22 Acres, more or less.

Open Space - 81,248 SF - 16.6% of Property Area

From Ex. Zoning: AG
To Prop. Zoning: PUD-R

54 Lots
Lots 1X-8X Open Space (Maint. by H.O.A.)
Min. 5,500 SF ~ Min. 50'x110'
4.81 D.U. / Ac.

Site Plan

11.22 ± Ac.

The Enclave at Heritage Meadows

CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

Developer:
TCCI LAND DEVELOPMENT, INC.
3930 Glade Road, S. 108-322
Colleyville, Texas 76034
469.688.8224
Contact: Tommy Cansler

Engineer:
T. TABOR CONSULTING, PLLC
1301 E. Debbie Lane 102-152
Mansfield, Texas 76063
972.896-0989
Contact: Tommy Tabor, P.E.

Consultant:
KPA CONSULTING, INC.
3076 Hays Lane
Rockwall, Texas 75087
972.388.6383
Contact: Pat Atkins

December 8, 2014

Scale: 1" = 60'

Landscape Plan



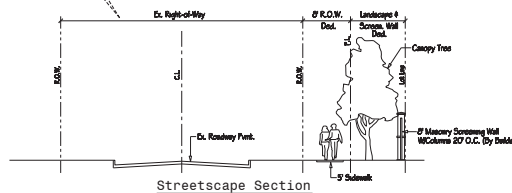
L a n d s c a p e P l a n
11.22 ± Ac.

The Enclave at Heritage Meadows

Developer:	Engineer:	Consultant:
TCOI LAND DEVELOPMENT, INC.	T. TABOR CONSULTING, PLLC	KPA CONSULTING, INC.
3930 Glade Road, S. 108-322	1301 E. Debbie Lane 102-152	3076 Hays Lane
Colleyville, Texas 76034	Mansfield, Texas 76063	Rockwall, Texas 75087
469.688.8224	972.896.6989	972.388.6383
Contact: Tommy Cansler	Contact: Tommy Tabor, P.E.	Contact: Pat Atkins

December 8, 2014

Scale: 1" = 60'





THE ENCLAVE AT HERITAGE MEADOWS

Colleyville, Texas

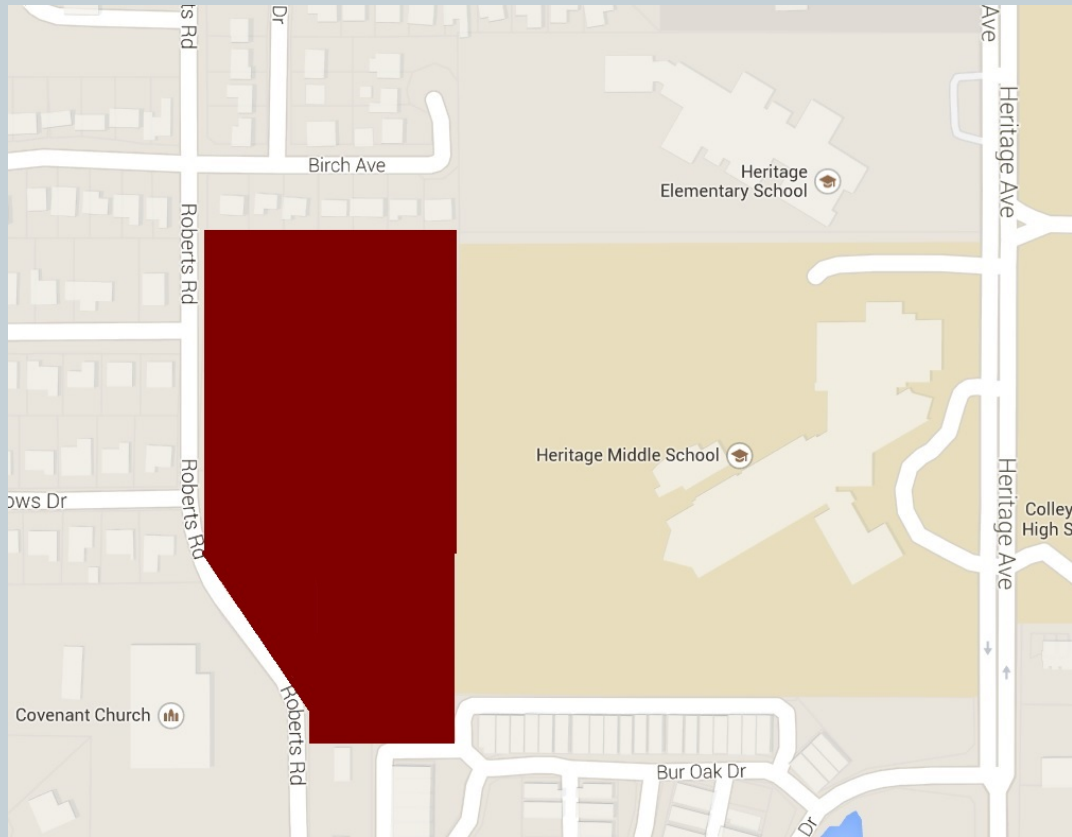
December, 2014

CONTENTS

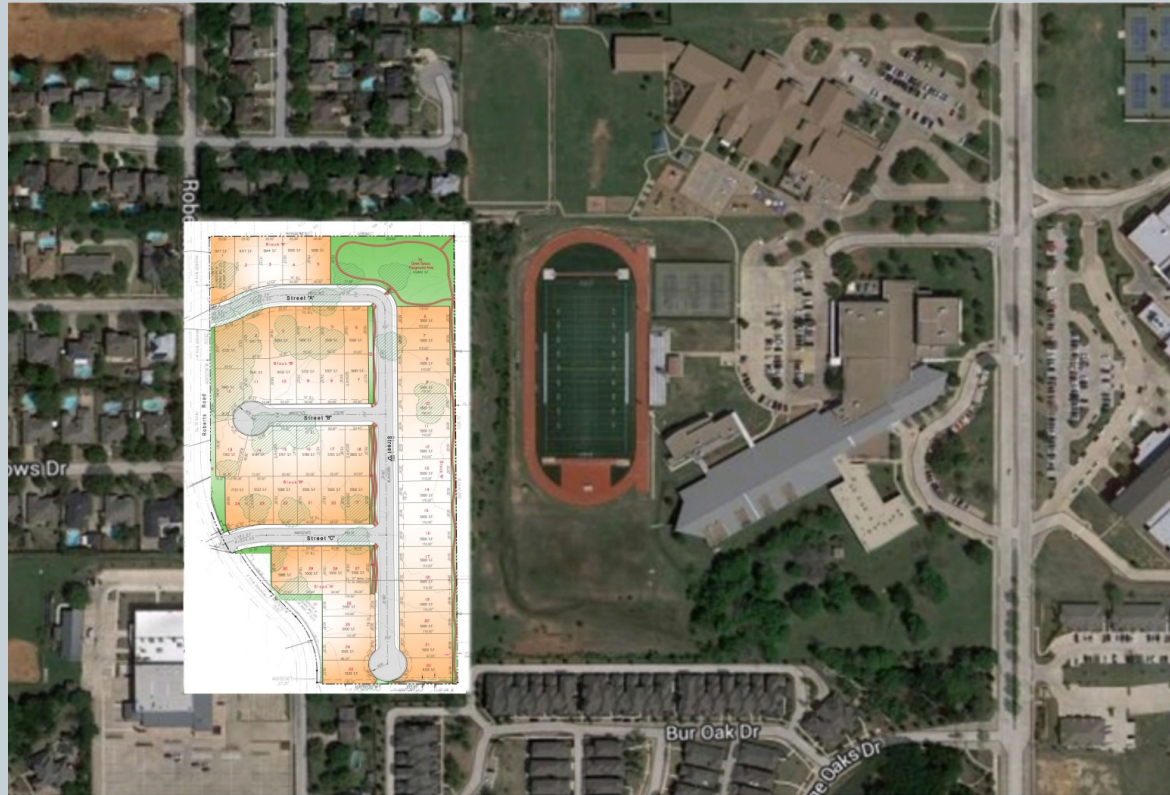


- I. LOCATION
- II. AERIAL OF SITE
- III. PROPERTY DESCRIPTION
- IV. DETAILED DEVELOPMENT PLAN
- V. BUILDING ARCHITECTURAL STANDARDS
- VI. PROPERTY DEVELOPMENT STANDARDS
- VII. PERIMETER SCREENING

I. LOCATION



II. AERIAL OF SITE



III. PROPERTY DESCRIPTION



The property consists of 11.6 acres of land, adjacent to Roberts Road A60' residential collector, west of existing Colleyville Elementary and Middle School. The property is sparsely vegetated with native trees of which a tree preservation plan will be prepared. Development of this property will eliminate mobile home uses that have been existing for a long period of time. New homes construction will range from \$650K and up. The homes will be marketed towards young families, young professionals and empty nesters lifestyle. Creating an additional 34 million dollars to the City of Colleyville tax base. There will be a Master H.O.A. required within the development of the property. We are excited to bring this upscale residential development to this area which surpasses expectations required in your comprehensive master plan within district one. A master trail system will be implemented which will connect Roberts Road and our development.

III. PROPERTY DESCRIPTION

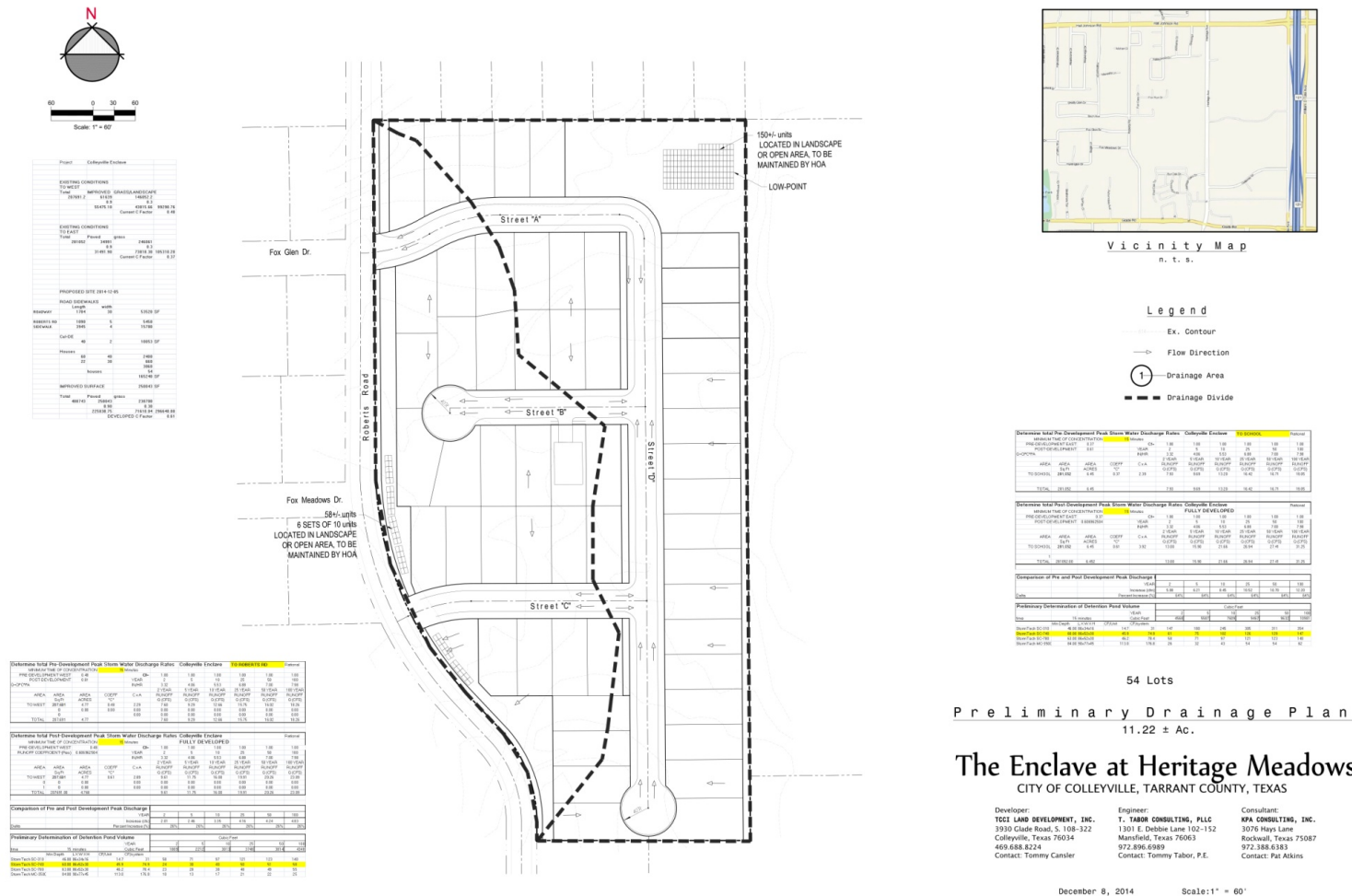


The density is justified based on elimination of substandard uses on the properties (mobile homes) and creation, with consolidation of properties of an exclusive high end residential neighborhood. This development will provide over 34 million dollars annual tax base to the City of Colleyville. The recently approved residential development to our southeast PUD-R is higher density and has lower property values than our proposal. The 2025 city comprehensive plan identifies this area within neighborhood district 1 being surrounded by public uses. The comprehensive plan is encouraging consolidation of parcels into upscale neighborhoods which we feel we have accomplished with our plan and have exceeded The City of Colleyville's expectations.

IV. DETAILED DEVELOPMENT PLAN



Revised Presentation from Applicant



Revised Presentation from Applicant



54 Lots

Preliminary Drainage Plan

11.22 ± AC.

The Enclave at Heritage Meadows CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

Developer:
TCCI LAND DEVELOPMENT, INC.
3950 Glade Road, S. 108-322
Colleyville, Texas 76034
469.688.8224
Contact: Tommy Cansler

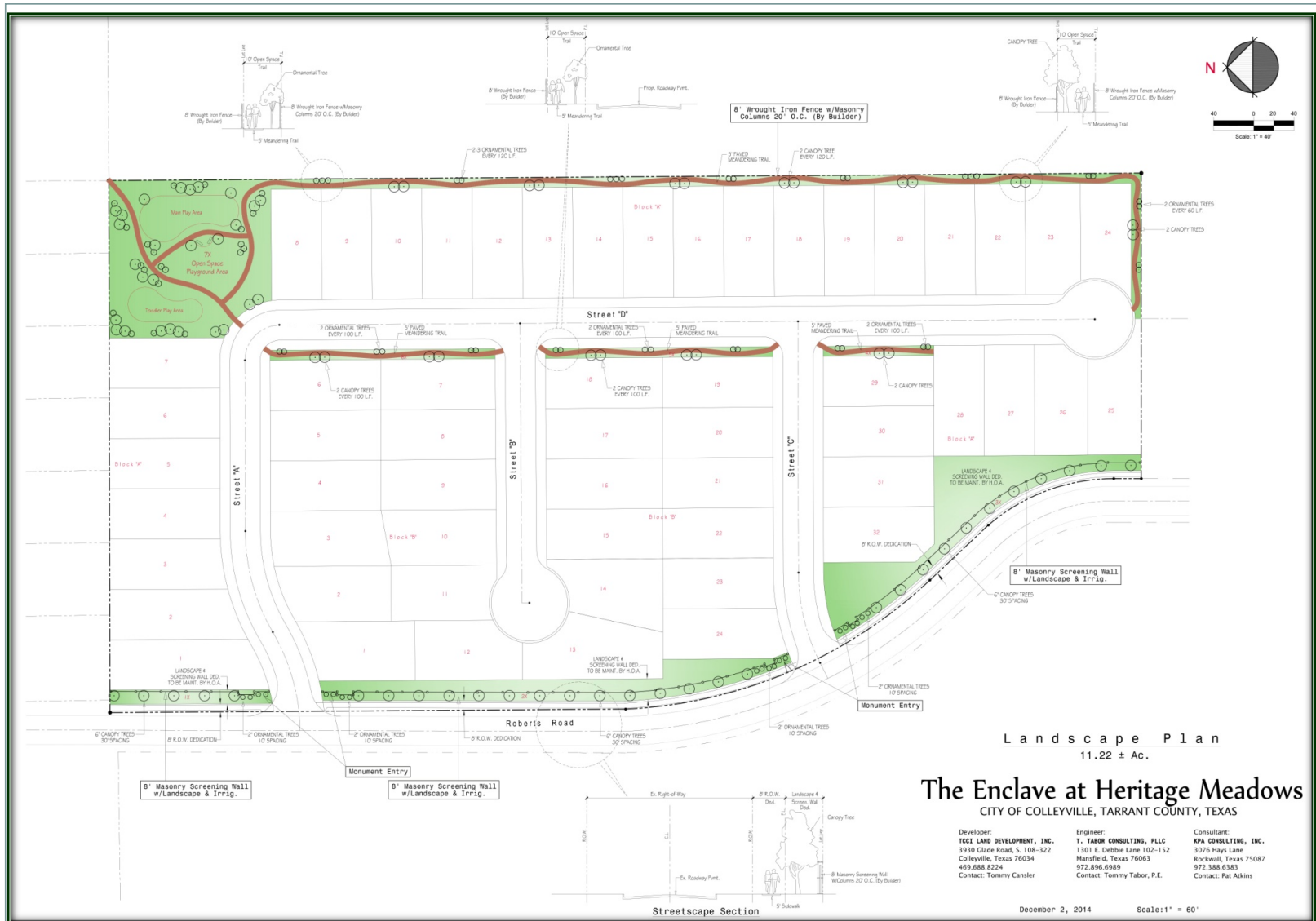
Engineer:
T. TABOR CONSULTING, PLLC
1301 E. Debbie Lane 102-152
Mansfield, Texas 76063
972.896.0989
Contact: Tommy Tabor, P.E.

Consultant:
KPA CONSULTING, INC.
3076 Hays Lane
Rockwall, Texas 75087
972.388.6183
Contact: Pat Atkins

December 8, 2014

Scale: 1" = 60'

Revised Presentation from Applicant



V. BUILDING ARCHITECTURAL STANDARDS



Revised Presentation from Applicant



Revised Presentation from Applicant



Revised Presentation from Applicant



Revised Presentation from Applicant



Revised Presentation from Applicant

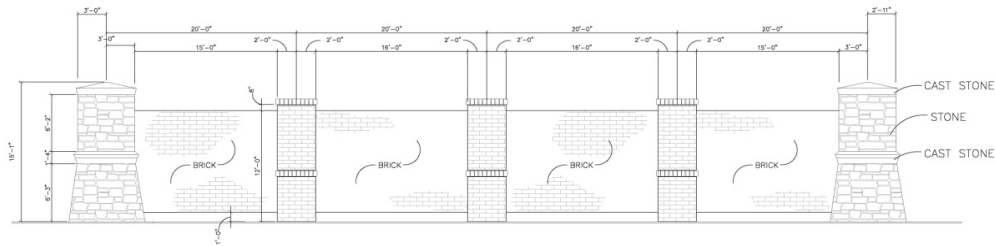


Revised Presentation from Applicant

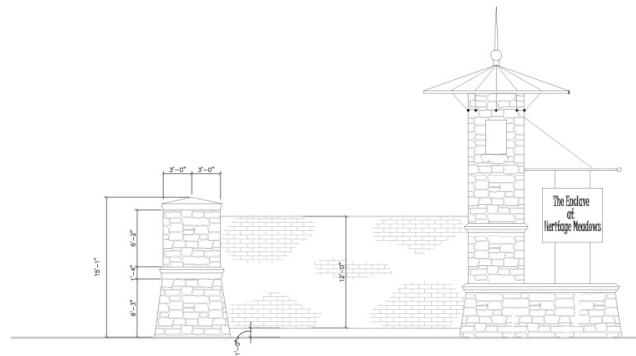


Revised Presentation from Applicant

VI. PROPERTY DEVELOPMENT STANDARDS



TYPICAL LANDSCAPE SCREENING WALL



TYPICAL ENTRY MONUMENT

The Enclave at Heritage Meadows CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

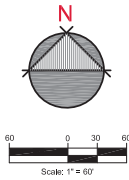
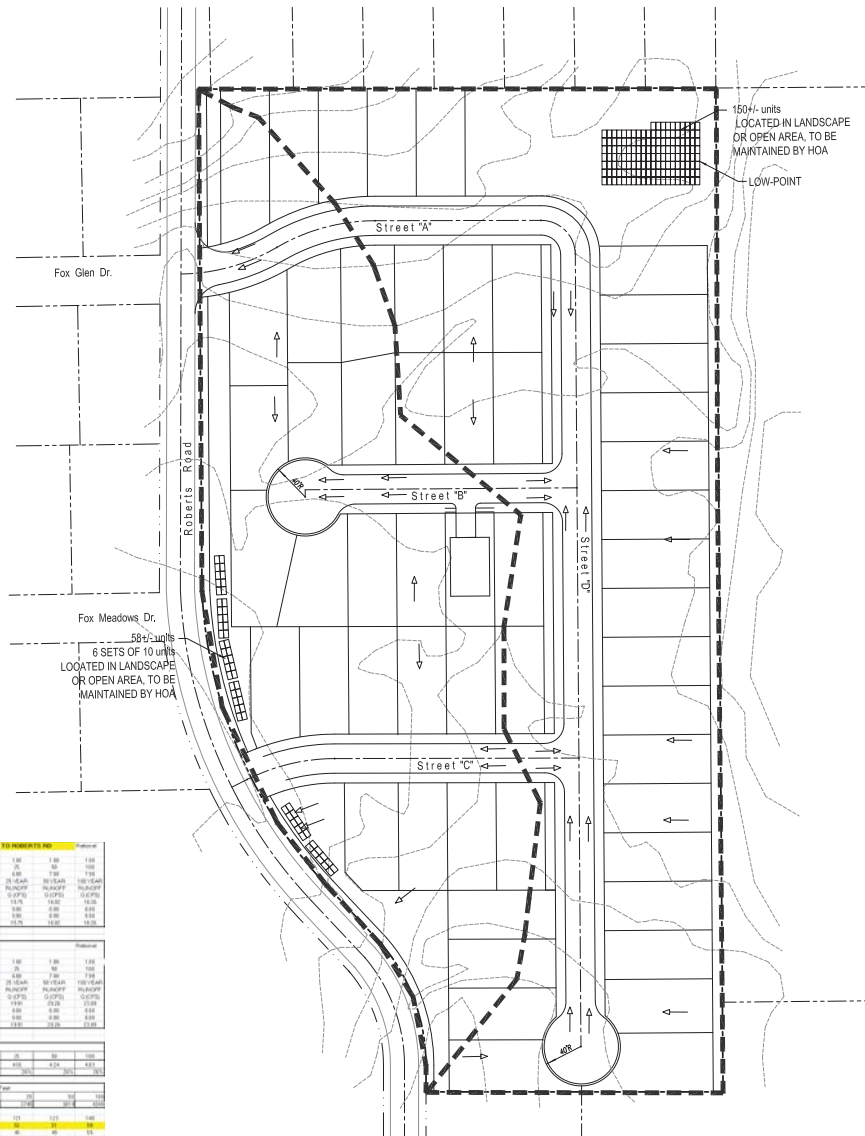
Developer: TCCI LAND DEVELOPMENT, INC. 3930 Glade Road, S. 1108-322 Colleyville, Texas 76034 469.688.8224 Contact: Tommy Cansler	Engineer: T. TABOR CONSULTING, PLLC 1301 E. Debbie Lane 102-152 Mansfield, Texas 76063 972.896.6989 Contact: Tommy Tabor, P.E.	Consultant: KPA CONSULTING, INC. 3076 Hays Lane Rockwall, Texas 75087 972.388.6383 Contact: Pat Atkins
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October 28, 2014 Scale: 1" = 60'

Revised Presentation from Applicant



Revised Preliminary Drainage Analysis

[illegible]

V i c i n i t y M a p
n . t . s .

Legend

- 614-----Ex. Contour
 → Flow Direction
 ① Drainage Area
 ■ ■ ■ Drainage Divide

[illegible][illegible]

Comparison of Pre and Post Development Peak Discharge						
VEAL	2	6	16	25	50	100
Increase (in)	5.59	6.21	9.46	18.52	32.70	12.28
Decrease (out)	0.4%	0.2%	0.2%	0.2%	0.2%	0.4%

Preliminary Determination of Detection Pond Volume			Color/Fast							
Time	15 minutes	15 min Color/Fast	0	50	100	150	200	250	300	
			400	500	700	900	1000	1200	1300	
Start/End SC-104	40 min SC-104	14.7	1	147	100	148	108	110	164	
Start/End SC-105	40 min SC-105	46.7	104	41	76	140	138	119	147	
Start/End SC-106	40 min SC-106	46.7	104	42	71	87	111	122	146	
Start/End SC-109	40 min SC-109	11.2	138	104	11	61	74	104	141	

54 Lots

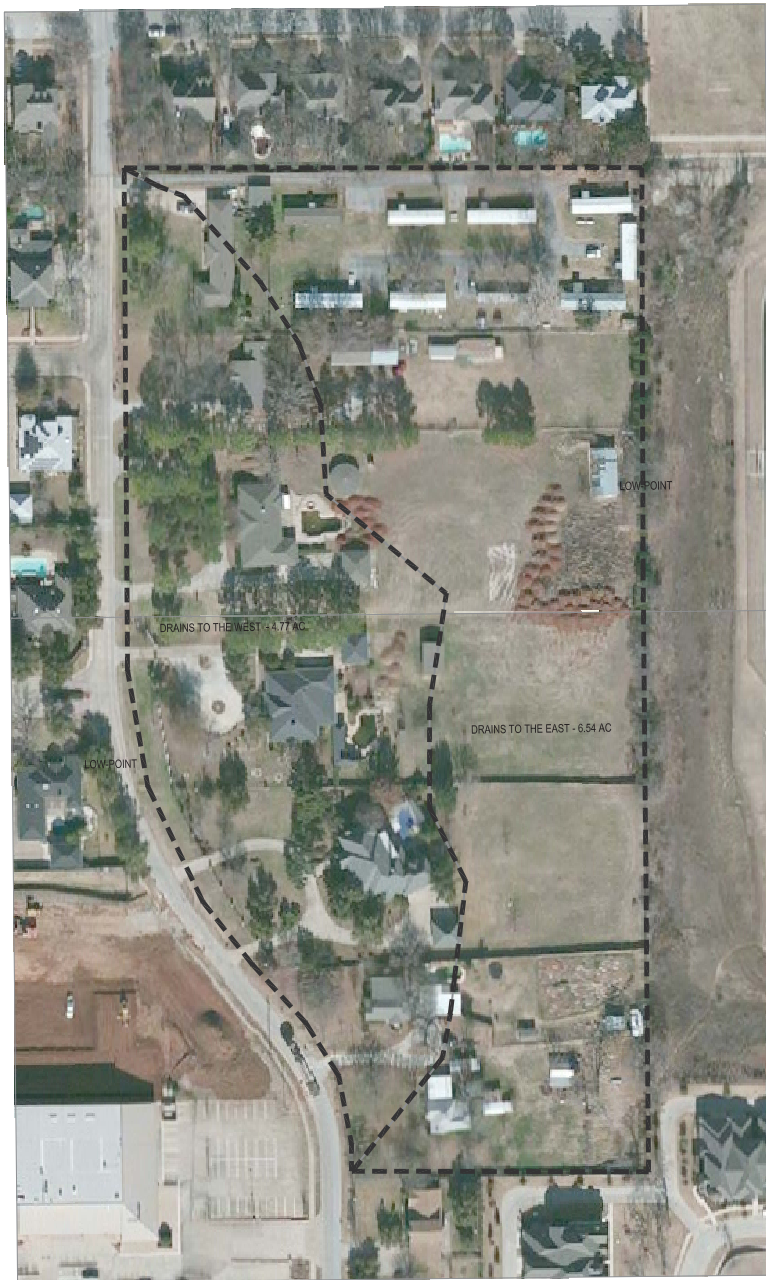
Preliminary Drainage Plan

 $11.22 \pm \text{Ac.}$

The Enclave at Heritage Meadows

Developer:	Engineer:	Consultant:
CCI LAND DEVELOPMENT, INC.	T. TABOR CONSULTING, PLLC	KPA CONSULTING, INC.
930 Glade Road, S. 108-322	1301 E. Debbie Lane 102-152	3076 Hays Lane
Colleyville, Texas 76034	Mansfield, Texas 76063	Rockwall, Texas 75087
69.688,8224	972.896.6989	972.388.6383
Contact: Tommy Cansler	Contact: Tommy Tabor, P.E.	Contact: Pat Atkins

Revised Preliminary Drainage Analysis



54 Lots

P r e l i m i n a r y D r a i n a g e P l a n

11.22 ± AC.

The Enclave at Heritage Meadows

CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

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3076 Hays Lane
Rockwall, Texas 75087
972,388,6383
Contact: Pat Atkins

December 8, 2014

Scale: 1" = 60'

Small Lot Development Comparison Chart - 1996 to 2013

Subdivision Name	Total Lots	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Lot Size (square feet)	Average Lot Size (square feet)	Maximum Lot Coverage	Master Plan Density - Dwelling Units Per Acre *	Land Development Code Density - Dwelling Units Per Acre **	Total Acres	Open Space	Approval Date	Ordinance
Spring Garden	45	36	70	2,520	2,700	90%	8	16.1	5.4	31.3%	12.17.96	O-96-1052
Villas of Caldwell Creek	43	59	115	6,594	7,408	50%	3.7	5.9	11.6	18.3%	4.1.97	O-97-1062
Bridges at Riverwalk	32	56	106	6,001	6,479	50%	3	6.7	10.0	24.0%	12.21.99	O-99-1192
Riverwalk at Colleyville	53	60	115	6,331	7,666	50%	3.2	5.7	20.0	20.0%	4.4.00	O-00-1210
Rosewood Villas	53	59	110	6,482	6,899	60%	3.6	6.3	14.8	21.4%	8.8.01	O-01-1286
Emerald Park	72	60	120	7,200	7,508	50%	3.5	5.8	20.2	19.6%	10.1.02	O-02-1366
Tiffany Park	25	60	100	7,200	7,580	50%	3.5	5.7	7.2	20.0%	10.21.03	O-04-1487
Tuscany	35	60	110	6,600	7,878	50%	3.9	5.5	8.8	6.6%	2.17.04	O-04-1442
Cambridge Place	38	50	58	4,500	5,300	60%	4.2	8.2	9.0	22.0%	7.6.04	O-04-1467
Heritage Oaks	103	30/40	90	2,700/3,600	3,600	90% and 75%	4.6	12.1	22.9	25.0%	03.21.06	O-09-1715
Villas at Oak Pointe	74	30/56	90/95/115	2,700/6,440	5,000	90% and 58%	3.7	8.7	13.6	22.0%	08.02.06	O-06-1584
Copperglen	22	55	105	5,924	6,650	65%	3.9	6.6	5.6	20.0%	10.17.06	O-06-1595
Villas of Colleyville	67	59	115	6,655	8,936	60%	3.4	4.9	19.8	21.0%	08.21.07	O-07-1627
Enclave at Arbor Estates	16	65	120	8,700	9,350	50%	2.9	4.7	5.6	19.3%	09.18.07	O-07-1634
Creekside at Colleyville	269	50	105	5,000	7,257	65%	2.4	6.0	108.5	20.0%	11.27.07	O-07-1645
Somerset Manor	77	50/60	100/110	5,000/6,600	6,000	50%	4	7.3	18.2	20.3%	05.05.08	O-08-1672
Ivy Glen	10	55	110	5,890	8,200	65%	3.4	5.3	3.0	20.0%	03.05.13	O-13-1864
The Preservation	36	60	140	8,500	9,170	50%	3	4.7	12.0	23.0%	05.14.13	O-13-1867
Heron Pond	49	47	120	7,000	7,800	65%	3.2	5.6	15.4	22.0%	11.19.13	O-13-1894

Average	59	56	106	6,260	6,915	58%	3.7	6.9	17.4	20.8%		
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Zoning Case ZC14-019	54	50	90	5,500	5,600	60%	4.8	7.8	11.2	16.6%		
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* Master Plan Density is calculated by dividing the total units in the development by the total acreage of the development

** Land Development Code Density is calculated by dividing the total units in the development by the total development acreage minus open space and right-of-way acreage



Applicant's Appeal



November 19, 201

To: Ron Ruthven, AICP, Director
Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034

Project Description: Enclave Heritage Meadows Colleyville, Texas Project 14021
Case Number: ZC14-019

Dear Mr. Ron Ruthven,

We are here by formally requesting appeal to the City Council on December 2nd, 2104. Based on action of denial by the Planning and Zoning Commission of November 10th, 2014. This appeal requests will be with modification that will be forwarded to you by email on Monday November 24, 2014.

Thank you,

A handwritten signature in black ink, appearing to read 'Pat Atkins', is written over a large, light-colored, irregular oval shape that serves as a background for the signature.

Pat Atkins

5605 N. MacArthur
Suite 1000
Irving, Texas 75038
972-388-6383

Statement of Planning Objectives

The Enclave at Heritage Meadows

The property consists of 11.16 acres of land adjacent to Roberts Road a 60 foot residential collector west of the existing Colleyville Elementary and Middle School. The property is sparsely vegetated with native trees of which a tree preservation plan will be prepared. Development of this property will eliminate mobile home uses that have been existing for a long period of time. New home construction will range from \$500K and up and will be marketed towards young families and the young professional/empty nester lifestyle. Creating an additional 31 million to the City of Colleyville tax base. There will be a master HOA required within the development of the property. We are excited to bring this upscale residential development to this area which surpasses expectations required in your comprehensive master plan within district one. A master trail system will be implemented which will connect Roberts Road, and our development to the schools and eventually Heritage Parkway. The product we anticipate will be similar to the 40' product of Heritage Cove recently built. With alley service that enhances the front architectural appeal along the residential street.

Development Standards

Min Lot Area 4400 s.f.

Min Lot Width 40' B.L.

Min Lot Depth 90'

Front B.L. 10'

Rear B.L. 10'

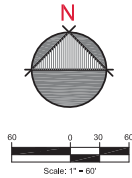
Side B.L. 5' /5' Adj to street.

Max Building Ht 2 Y, Stories (35 ft)

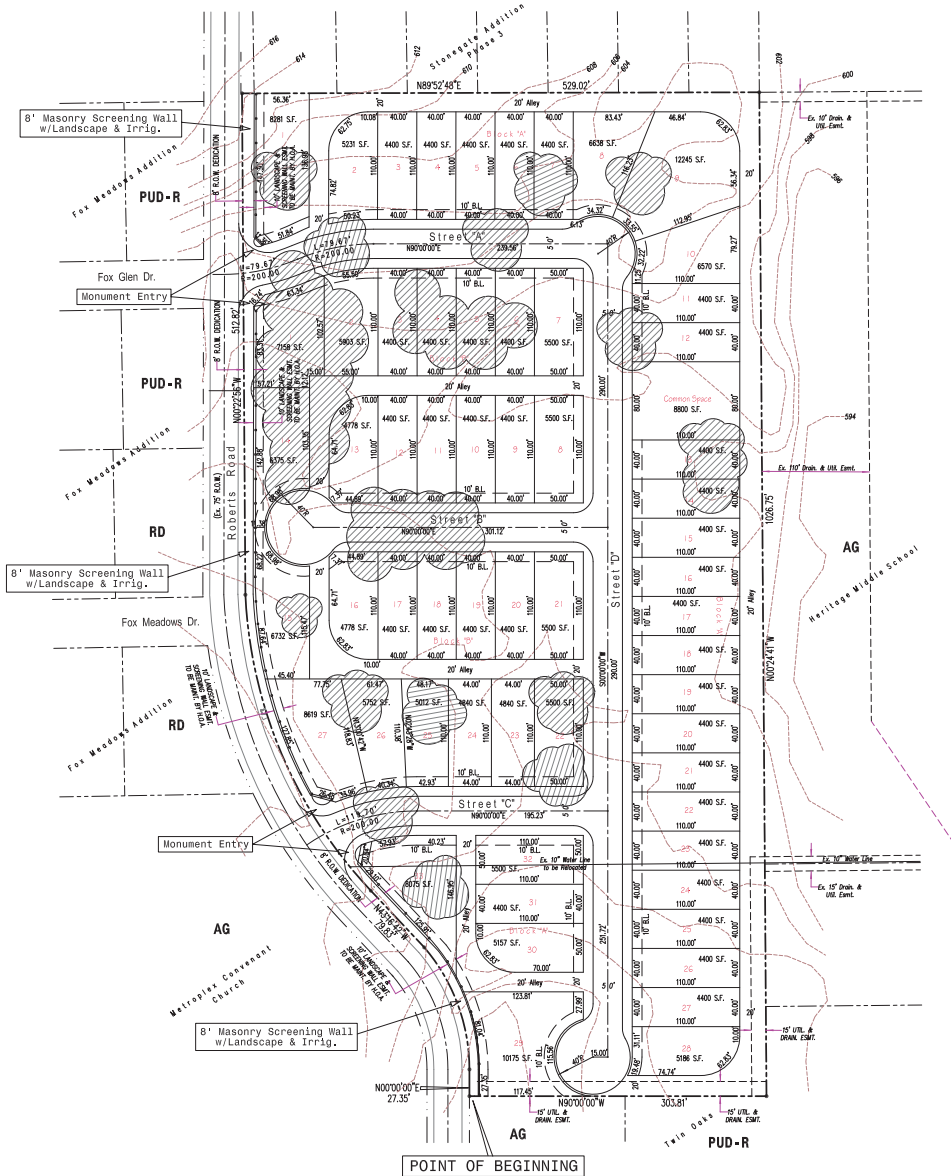
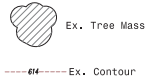
Min Dwelling 2000 s.f.

Lot Coverage 60%

Conceptual Development Plan



Legend



Vicinity Map
n. t. s.

Property Description

BEING a 11.22 acre tract of land situated in the G.W. Winters Survey, Abstract No. 1034, situated in Tarrant County, Texas and being all of the tracts of land described by deed to Bharat V. Patel recorded in Instrument No. 015862444 and Instrument No. 020817886 of the Deed Records of Tarrant County, Texas, all of the tract of land described by deed to Bharat V. Patel and wife, Barbara J. Patel recorded in Volume 7778, Page 304 of the Deed Records of Tarrant County, Texas, and all of the tract of land described by deed to Robert M. Viles recorded in Instrument No. 020814884 of the Deed Records of Tarrant County, Texas and being more particularly described as follows:

BEGINNING at the Southwest corner of said tract said point also being on the easterly Right-of-Way line of Roberts Road (an existing 60' right-of-way);

THENCE North a distance of 27.35 feet to a point for corner;

THENCE a curve to the left having a radius of 191.69 feet and a length of 135.86 feet with a chord bearing of North 20°16'24" West;

THENCE North 43°16'42" West a distance of 79.83 feet to a point for corner;

THENCE a curve to the right having a radius of 473.51 feet and a length of 335.80 feet with a chord bearing of North 22°58'26" West;

THENCE North 0°22'56" West a distance of 512.82 feet to a point for corner;

THENCE North 89°52'48" East a distance of 528.02 feet to a point for corner;

THENCE South 0°24'41" East a distance of 1028.75 feet to a point for corner;

THENCE West a distance of 303.81 feet to the POINT OF BEGINNING and containing 48908.397 square feet, 11.22 Acres, more or less.

Common Space - 8,800 SF - 1% of Property Area

From Ex. Zoning: AG
To Prop. Zoning: PUD-R

60 Lots
1 Open Space Lot
Min. 4,400 SF ~ Min. 40'x110'
5.30 D.U. / Ac.

Site Plan
11.22 ± Ac.

The Enclave at Heritage Meadows

CITY OF COLLEVILLE, TARRANT COUNTY, TEXAS

Developer:
TCCI LAND DEVELOPMENT, INC.
3930 Glade Road, S. 108-322
Colleyville, Texas 76034
469.688.8224
Contact: Tommy Cansler

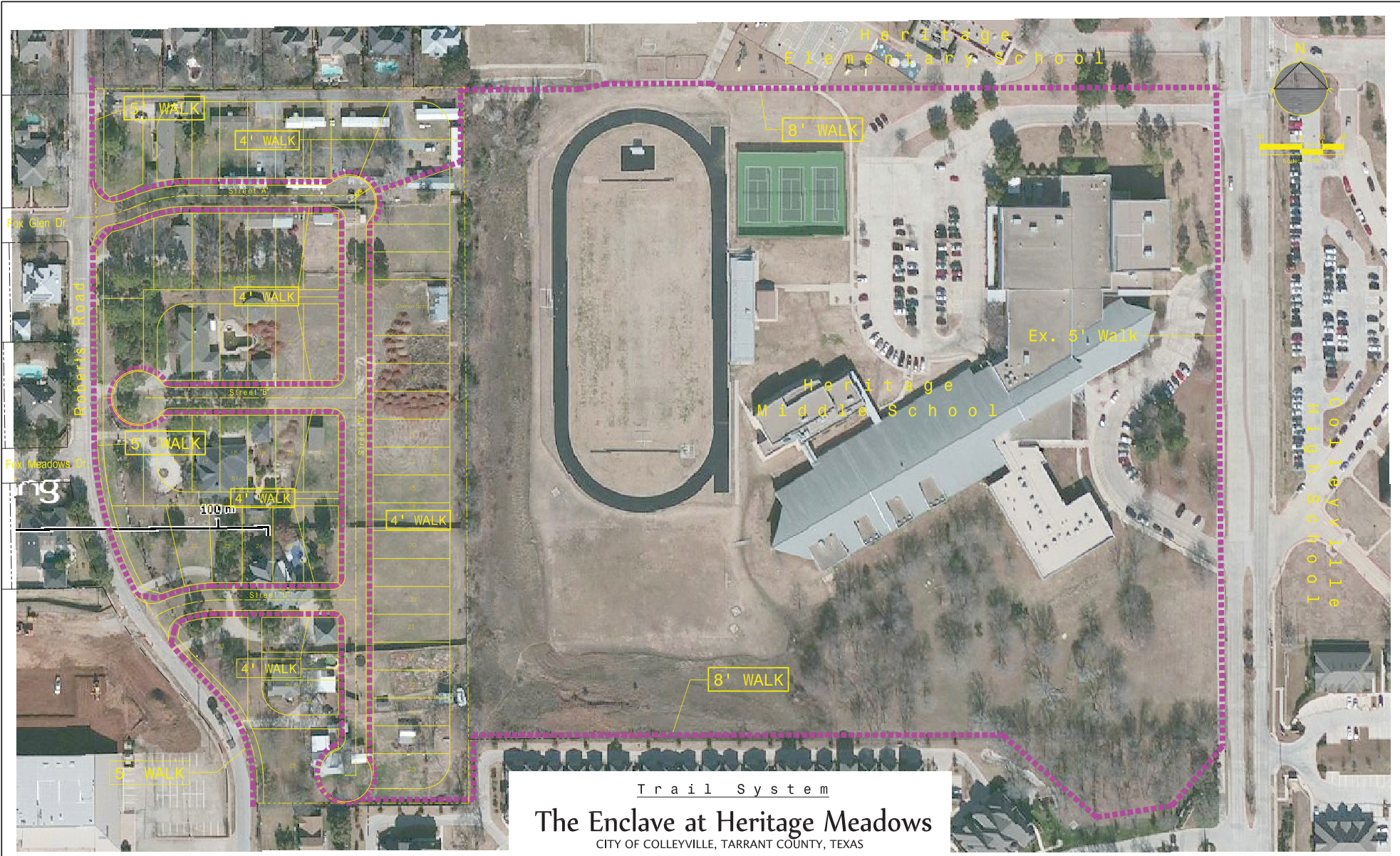
Engineer:
T. TABOR CONSULTING, PLLC
1301 E. Debbie Lane 102-152
Mansfield, Texas 76063
972.896.6989
Contact: Tommy Tabor, P.E.

Consultant:
KPA CONSULTING, INC.
3076 Ways Lane
Rockwall, Texas 75087
972.388.6383
Contact: Pat Atkins

October 28, 2014

Scale: 1" = 60'

Trail Plan



Developer:
TCCI LAND DEVELOPMENT, INC.
3930 Glade Road, S. 108-322
Colleyville, Texas 76034
469,688,8224
Contact: Tommy Cansler

Engineer:
ENGINEERING CONCEPTS & DESIGN
201 Windco Circle, S. 200
Wylie, Texas 75098
972,941,3400
Contact: Todd Winters, P.E.

Consultant:
KPA CONSULTING, INC.
3076 Hays Lane
Rockwall, Texas 75087
972,388,6383
Contact: Pat Atkins



THE ENCLAVE AT HERITAGE MEADOWS

Colleyville, Texas

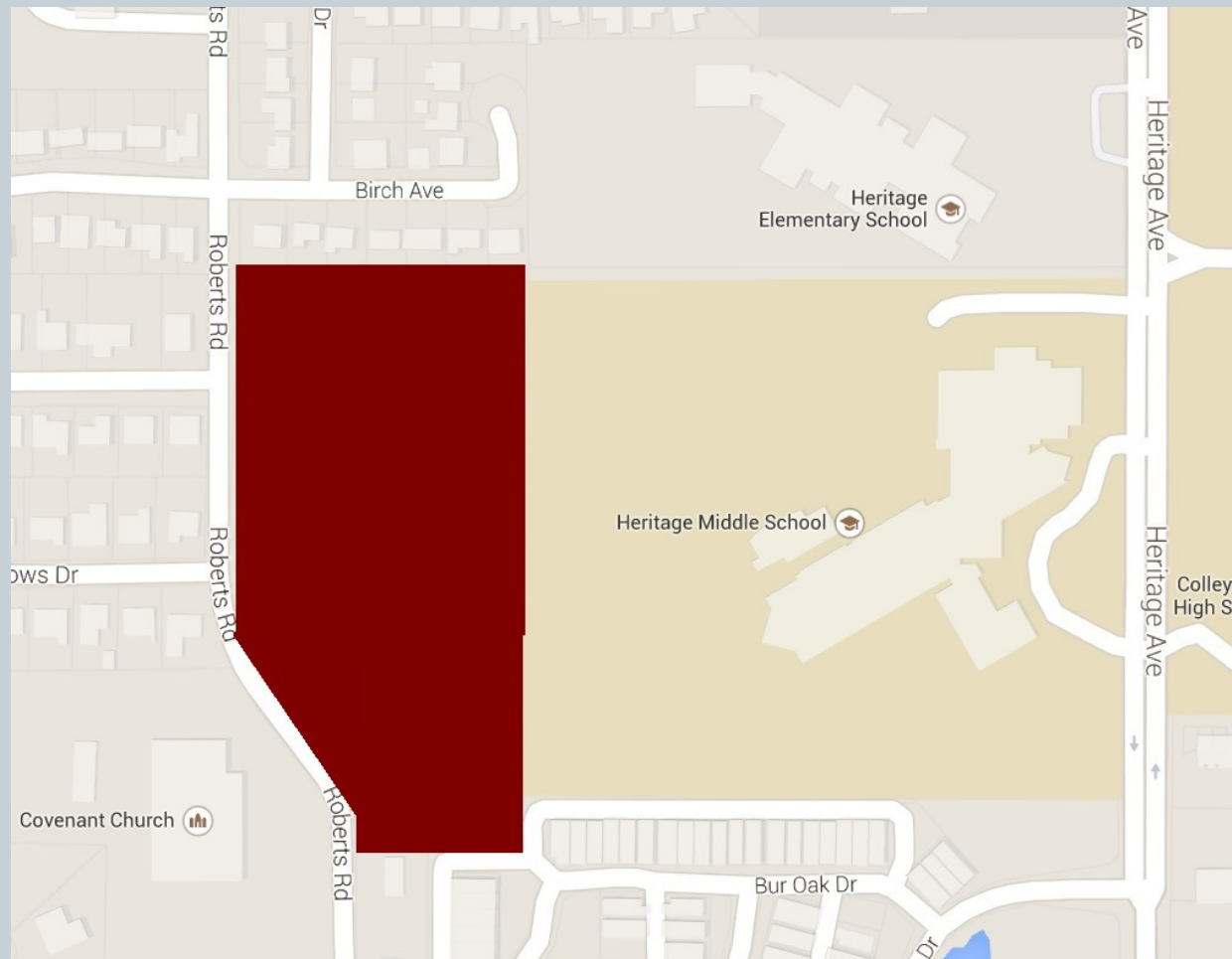
November, 2014

CONTENTS

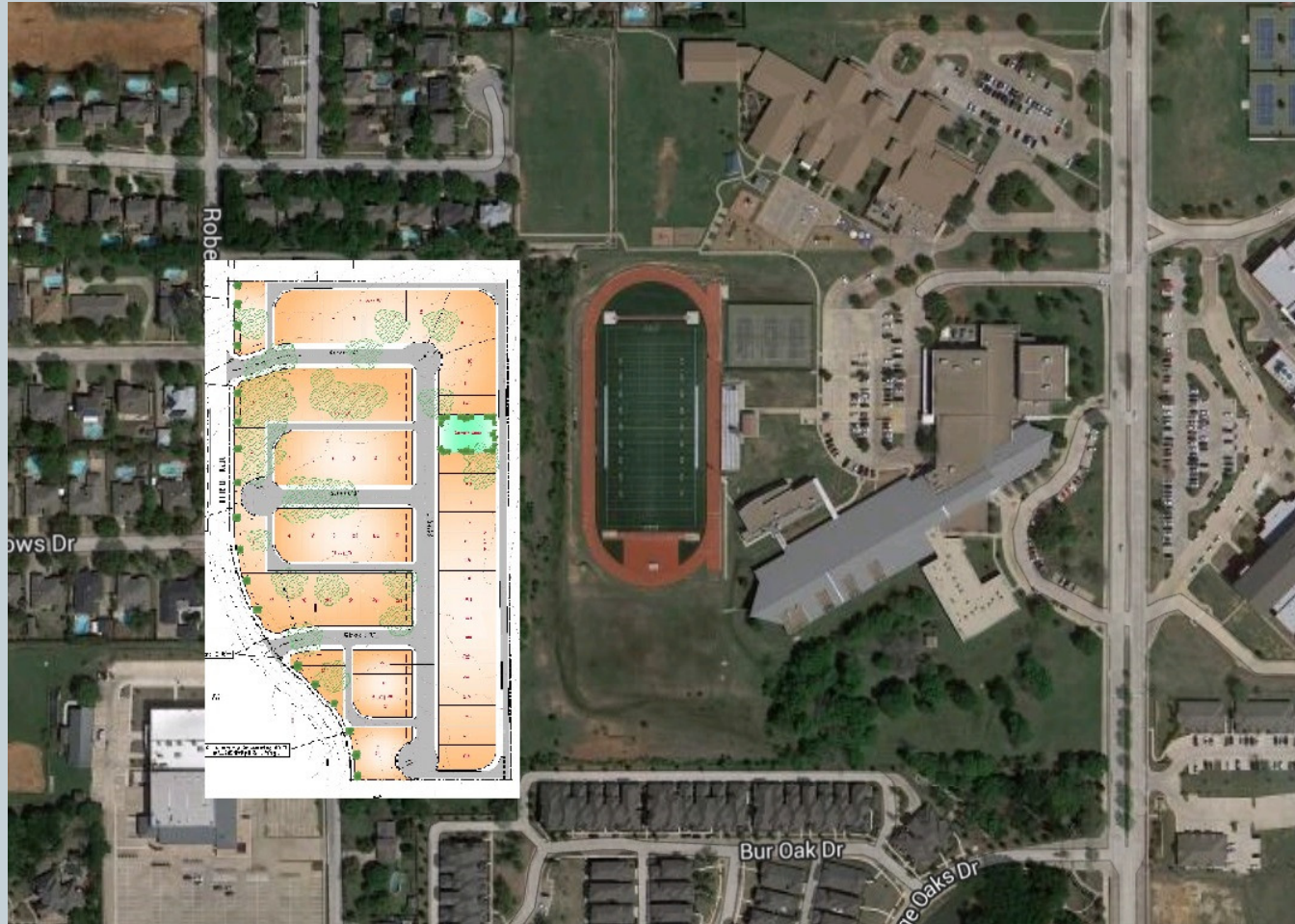


- I. LOCATION
- II. AERIAL OF SITE
- III. PROPERTY DESCRIPTION
- IV. DETAILED DEVELOPMENT PLAN
- V. BUILDING ARCHITECTURAL STANDARDS
- VI. PROPERTY DEVELOPMENT STANDARDS
- VII. PERIMETER SCREENING

I. LOCATION



II. AERIAL OF SITE



III. PROPERTY DESCRIPTION



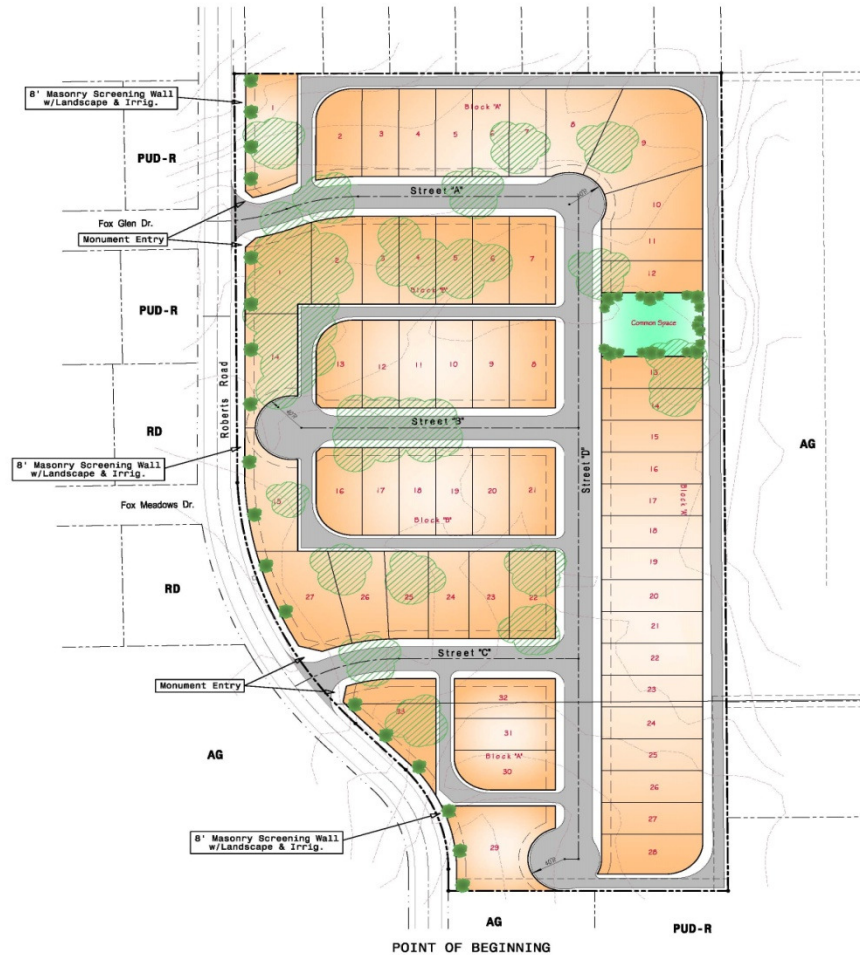
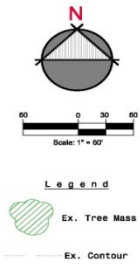
The property consists of 11.6 acres of land, adjacent to Roberts Road A60' residential collector, west of existing Colleyville Elementary and Middle School. The property is sparsely vegetated with native trees of which a tree preservation plan will be prepared. Development of this property will eliminate mobile home uses that have been existing for a long period of time. New homes construction will range from \$500K and up. The homes will be marketed towards young families, young professionals and empty nesters lifestyle. Creating an additional 30 million dollars to the City of Colleyville tax base. There will be a Master H.O.A. required within the development of the property. We are excited to bring this upscale residential development to this area which surpasses expectations required in your comprehensive master plan within district one. A master trail system will be implemented which will connect Roberts Road and our development to the schools and eventually Heritage Parkway. The product we anticipate will be similar to the product of Heritage Cove recently built, with alley service that enhances the front architectural appeal along the residential street.

III. PROPERTY DESCRIPTION



The density is justified based on elimination of substandard uses on the properties (mobile homes) and creation, with consolidation of properties of an exclusive high end residential neighborhood. This development will provide over 30 million dollars annual tax base to the City of Colleyville. The recently approved residential development to our southeast PUD-R is higher density and has lower property values than our proposal. The 2025 city comprehensive plan identifies this area within neighborhood district 1 being surrounded by public uses. The comprehensive plan is encouraging consolidation of parcels into upscale neighborhoods which we feel we have accomplished with our plan and have exceeded The City of Colleyville's expectations.

IV. DETAILED DEVELOPMENT PLAN



Vicinity Map
n. t. s.

Property Description

BEING a 11.22 acre tract of land situated in the 15 W. Minor Survey, Abstract No. 1024, situated in Tarrant County, Texas and being all of the lands described by deed to David V. Pohl recorded in Instrument No. 01865446 and Instrument No. 02081708 of the Deed Records of Tarrant County, Texas, all of the tract of land described by deed to Franklin Holdings and wife, Barbara J. Holdings recorded in Volume 7278, Page 354 of the Deed Records of Tarrant County, Texas, and all of the tract of land described by deed to Robert M. Hines recorded in Instrument No. 020814804 of the Deed Records of Tarrant County, Texas and being more particularly described as follows:

BEGINNING at the Southwest corner of said tract said point also being on the easterly right-of-way line of Robert's Road (as existing 80' right-of-way);
THENCE North a distance of 27.26 feet to a point for corner;
THENCE a curve to the left bearing a radius of 191.85 feet and a length of 135.88 feet with a chord bearing of North 22°19'29" West;
THENCE North 42°16'42" West a distance of 79.83 feet to a point for corner;
THENCE a curve to the right bearing a radius of 473.51 feet and a length of 335.80 feet with a chord bearing of North 22°34'29" West;
THENCE North 07°22'58" West a distance of 512.82 feet to a point for corner;
THENCE North 89°32'48" East a distance of 1025.75 feet to a point for corner;
THENCE South 07°24'41" East a distance of 1025.75 feet to a point for corner;
THENCE West a distance of 303.81 feet to the POINT OF BEGINNING and containing 48908.387 square feet, 11.22 Acres, more or less.

Common Space - 8,800 SF - 1% of Property Area

From Ex. Zoning: AG
To Prop. Zoning: PUD-R

60 Lots
1 Open Space Lot
Min. 4,400 SF ~ Min. 40'x110'
5.30 D.U. / Ac.

Site Plan
11.22 ± Ac.

The Enclave at Heritage Meadows CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

Developer:
TCCI LAND DEVELOPMENT, INC.
3930 Glade Road, S. 108-322
Colleyville, Texas 76034
469-6888-8224
Contact: Tommy Cansler

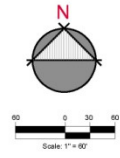
Engineer:
T. TABOR CONSULTING, PLLC
1301 E. Debbie Lane 102-152
Mansfield, Texas 76063
972-896-6989
Contact: Tommy Tabor, P.E.

Consultant:
AKA CONSULTING, INC.
3076 Hays Lane
Rockwall, Texas 75087
972-388-6383
Contact: Pat Atkins

October 28, 2014

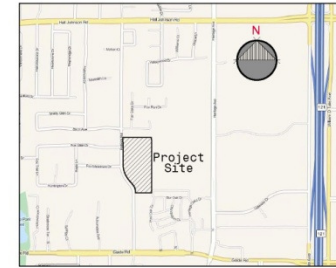
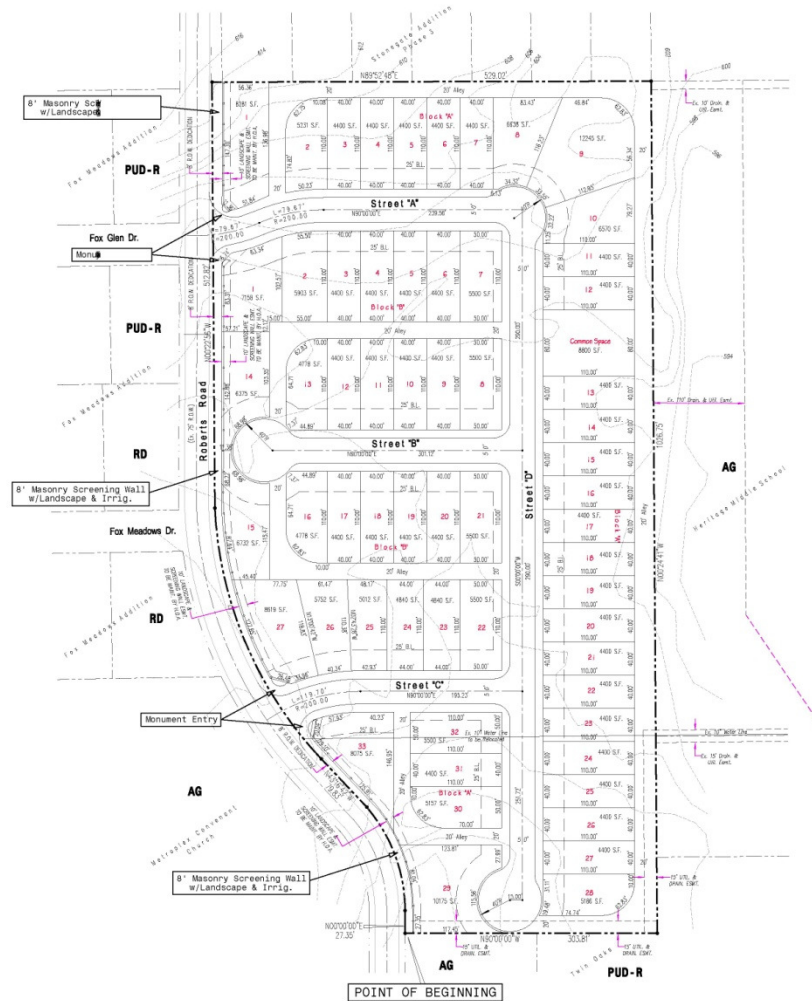
Scale: 1" = 60'

Presentation from Applicant



Legend

- Ex. Tree Mass
- Ex. Contour



Vicinity Map
N. T. S.

Property Description

SEMG is a 11.22 acre tract of land situated in the G.W. Miller Survey, Abstract No. 1024, situated in Tarrant County, Texas and being all of the tract of land described by deed to Robert V. Pohl recorded in Instrument No. 018829446 and Instrument No. 020075986 of the Deed Records of Tarrant County, Texas, all of the tract of land described by deed to Franklin Holdings and wife, Barbara J. Holdings recorded in Volume 1078, Page 324 of the Deed Records of Tarrant County, Texas, and all of the tract of land described by deed to Robert V. Pohl recorded in Instrument No. 020075986 of the Deed Records of Tarrant County, Texas and being more particularly described as follows:

BEGINNING at the Southwest corner of said tract said point also being on the easterly Right of Way line of Roberts Road (a widening 60' right of way);
 THENCE North a distance of 27.35 feet to a point for corner;
 THENCE a curve to the left having a radius of 191.88 feet and a length of 153.88 feet with a chord bearing of South 27° 02' 28" West;
 THENCE North 47° 16' 42" West a distance of 79.83 feet to a point for corner;
 THENCE a curve to the right having a radius of 473.51 feet and a length of 335.65 feet with a chord bearing of North 22° 06' 29" West;
 THENCE North 17° 22' 56" West a distance of 512.82 feet to a point for corner;
 THENCE North 89° 52' 48" East a distance of 528.32 feet to a point for corner;
 THENCE South 75° 04' 41" East a distance of 1526.75 feet to a point for corner;
 THENCE West a distance of 303.61 feet to the POINT OF BEGINNING and containing 48966.397 square feet, 11.22 Acres, more or less.

Common Space - 8,800 SF - 1% of Property Area

From Ex. Zoning: AG
 To Prop. Zoning: PUD-R

60 Lots
 1 Open Space Lot
 Min. 4,400 SF - Min. 40'x110'
 5.30 D.U. / Ac.

Site Plan
 11.22 ± Ac.

The Enclave at Heritage Meadows

Developer:
TDI LAND DEVELOPMENT, INC.
 3930 Glade Road, S. 108-322
 Colleyville, Texas 76034
 469.688.8224
 Contact: Tommy Candler

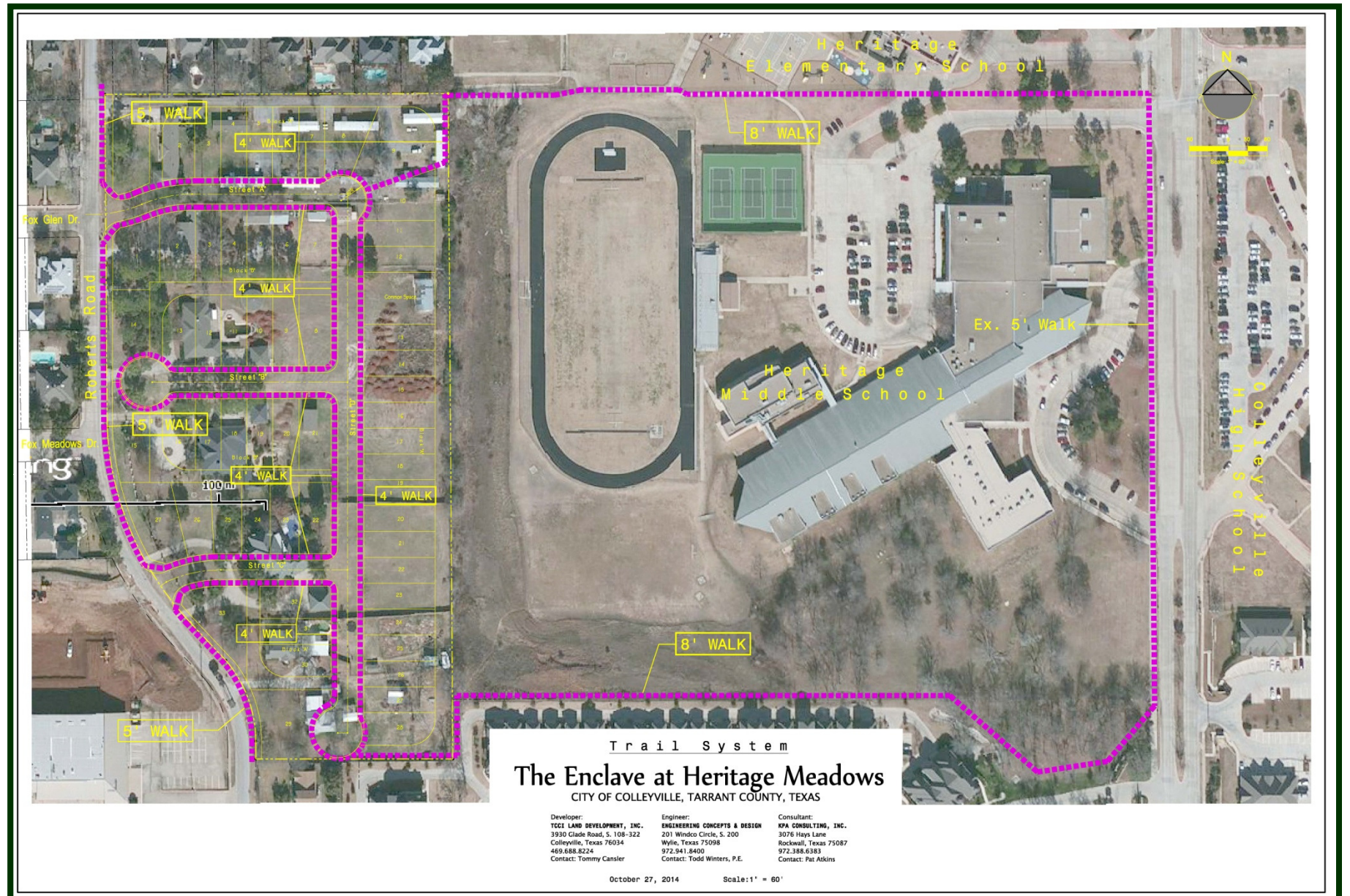
Engineer:
T. TABOR CONSULTING, PLLC
 1301 E. Oakblue Lane 102-152
 Mansfield, Texas 76063
 972.896.6989
 Contact: Tommy Tabor, P.E.

Consultant:
KPA CONSULTING, INC.
 3076 Hays Lane
 Rockwall, Texas 75087
 972.388.6383
 Contact: Pat Atkins

Doc #

Scale: 1" = 60'

Presentation from Applicant



V. BUILDING ARCHITECTURAL STANDARDS



Presentation from Applicant



Presentation from Applicant



Presentation from Applicant



Presentation from Applicant

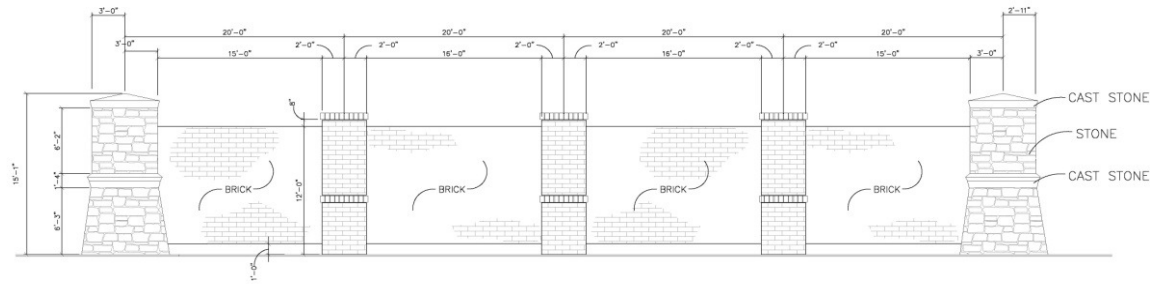


Presentation from Applicant

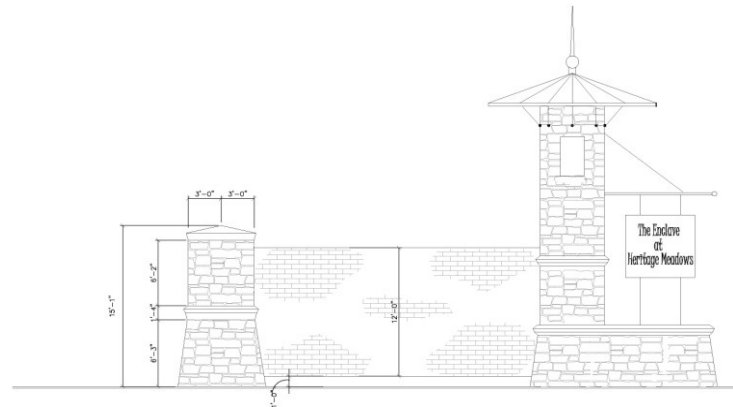


Presentation from Applicant

VI. PROPERTY DEVELOPMENT STANDARDS



TYPICAL LANDSCAPE SCREENING WALL



TYPICAL ENTRY MONUMENT

The Enclave at Heritage Meadows CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

Developer:
TCCI LAND DEVELOPMENT, INC.
3930 Glade Road, S. 108-322
Colleyville, Texas 76034
469.688.8224
Contact: Tommy Cansler

Engineer:
T. TABOR CONSULTING, PLLC
1301 E. Debbie Lane 102-152
Mansfield, Texas 76063
972.896.6989
Contact: Tommy Tabor, P.E.

Consultant:
KPA CONSULTING, INC.
3076 Hays Lane
Rockwall, Texas 75087
972.388.6383
Contact: Pat Atkins

October 28, 2014

Scale: 1" = 60'

Presentation from Applicant

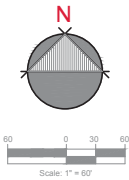


VI. PROPERTY DEVELOPMENT STANDARDS



- A. Min. Lot S.F. –4400 SF
- B. Min. Front Setback –10 Feet
- C. Min. Rear Setback –10 Feet
- D. Min. Side Setback –5 Feet
- E. Min. Side Setback (Adj. to Street) –5 Feet
- F. Min. Dwelling Size –2000 SF

Preliminary Drainage Analysis



V i c i n i t y M a p
n . t . s .

Project	Colonywide Estimates			
ESTIMATED CONDITIONS TO WHICH TO ADJUST				
2008M-2	87609	2	GRASSIE MEDICAL	10682.2
	612			1.2
	14576.18		43015.1	96706.76
			Connect C Factor	
ESTIMATED CONDITIONS TO EAST TIER				
2008E2	20982	2	grassie	20982
			1.3	1.3
	21487.3			21487.3
			Connect C Factor	0.7
PROPOSED SITE 4017 LOT# 24-10-20				
ROAD CONDITIONS				
WATER	1780	2	width	1780.00
ADJUST	2790	20		5580.00
ADJUST	2790	20		5580.00
ADJUSTMENT	1887	4		27474
C&E	80	2		1600.00
Houses	80	20		1600
	20	20		400
		houses		14000.00
IMPROVED SURFACE				
Total	20982	2	grassie	20982.00
	487674	4.30		7.30
	20474.50		50917.4	80959.50

[illegible]

Detention total Post-Development Peak Storm Water Discharge Rates (Culleyville's Volume)										Rate/m
SEASONAL PEAK OF CONCENTRATION										Rate/m
PRE-DEVELOPMENT EAST										Rate/m
POST DEVELOPMENT										Rate/m
AREA	AREA	AREA	AREA	COEFF	Peak	2 YEAR	5 YEAR	10 YEAR	25 YEAR	100 YEAR
TO SCHOOL	21.02	6.45	5.88	4.26	14.14	17.29	25.55	28.35	35.81	55.98

Comparison of Pre and Post Development Peak Discharge						
	2	5	10	25	50	100
Increase (cfs)	6.21	7.90	10.05	12.87	15.10	16.85
Data	Yes	Yes	Yes	Yes	Yes	Yes

Preliminary Determination of Detention Fund Values				Cabin Feet						
Line	15 minutes	YEAR	Cabin Feet	0		5		10		
				0000	000	000	1000	1000	1000	
Item/Depth	1,500 NM	Offshore	Offshore							
StormTech-SC-015	40:00 000000		14.7	0	180	201	300	274	300	430
StormTech-SC-780	00:00 000000		45.9	76.9	76	91	128	105	92	178
StormTech-SC-015	00:00 000000		46.2	76.4	71	87	113	146	150	178
StormTech-SC-015	00:00 000000		46.2	76.4	71	87	113	146	150	178

Notes:

1. Underground storage to be in stalled in Common Space and/or drainage easements.
2. All underground storage is to be H.O.A. maintained.
3. Final Sizing will be determined during the design phase.
4. All improvements will be in accordance with the City of Colleyville Land Development Code.

Legend

---614---Ex. Contour

Flow Direction

①—Drainage Area

Drainage Divide

[illegible][illegible]

Comparison of Pre and Post-development Peak Discharge									
Year		2	5	10	25	50	100	200	500
Percent Increase (%)		2.25	3.80	4.75	5.00	5.25	5.50	5.75	6.00
Date	Flow (cfs)	2004	2005	2006	2007	2008	2009	2010	2011
Preliminary Determination of Detention Pond Flow									
Year		2	5	10	25	50	100	200	500
Flow (cfs)		2004	2005	2006	2007	2008	2009	2010	2011
Site	15 minutes								
	Mid-Depth	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
	Off-site								
StormPeak S2-213	40.00 (MidDepth)	14.7	20	22	25	28	30	32	35
StormPeak S2-213	40.00 (OffDepth)	14.7	20	22	25	28	30	32	35
StormPeak S2-767	60.00 (MidDepth)	40.2	55.4	61.4	70.0	79.0	85.0	90.0	95.0
StormPeak S2-767	60.00 (OffDepth)	40.2	55.4	61.4	70.0	79.0	85.0	90.0	95.0
StormPeak S2-767	100.00 (MidDepth)	100.0	139.0	154.0	175.0	199.0	215.0	225.0	235.0
StormPeak S2-767	100.00 (OffDepth)	100.0	139.0	154.0	175.0	199.0	215.0	225.0	235.0

P r e l i m i n a r y D r a i n a g e

$$11.22 \pm \text{Ac.}$$

The Enclave at Heritage Meadows

CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

Developer:
TCCI LAND DEVELOPMENT, INC.
3930 Glade Road, S. 108-322
Colleyville, Texas 76034
469.688.8224
Contact: Tommy Cansler

Engineer:
T. TABOR CONSULTING, PLLC
1301 E. Debbie Lane 102-152
Mansfield, Texas 76063
972.896.6989
Contact: Tommy Tabor, P.E.

Consultant:
KPA CONSULTING, INC.
3076 Hays Lane
Rockwall, Texas 75087
972.388.6383
Contact: Pat Atkins

October 20, 2014

Scale: 1" = 60'

ORDINANCE O-14-1943

AMENDING THE ZONING ORDINANCE AND OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 11.22 ACRES IN THE G.W. MINTER SURVEY, ABSTRACT 1034 AND ON LOT 1, BLOCK 1, OF THE HARTLEY ADDITION, AND LOT 1, BLOCK A, OF THE TWIN OAK ESTATES ADDITION, LOCATED AT 5205, 5207, 5303, 5309, 5311, 5313, AND 5317 ROBERTS ROAD FROM THE AG-AGRICULTURAL ZONING DISTRICT TO THE PUD-R-PLANNED UNIT DEVELOPMENT RESIDENTIAL ZONING DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a rezoning under Case No. ZC14-019; 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 11.22 acres in the G.W. Minter Survey, Abstract 1034 and on Lot 1, Block 1, of the Hartley Addition, and Lot 1, Block A, of the Twin Oak Estates Addition, located at 5205, 5207, 5303, 5309, 5311, 5313 and 5317 Roberts Road from the AG-Agricultural zoning district to the PUD-R-Planned Unit Development Residential zoning district, as depicted in the attached Exhibit "A" and as legally described in Exhibit "B".
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The purpose of this PUD-R is for a single-family residential development of 54 detached dwelling units, constructed at a gross maximum density of 4.8 dwelling units per acre.
- b. This development shall be generally consistent with the Statement of Planning Objectives, attached as Exhibit "C".
- c. The subject property is subject to all the regulations contained in the Land Development Code, except where amended by this Ordinance.

2. DEVELOPMENT PLAN AND PLATTING

- a. The development shall be generally consistent with Exhibit “D”, Conceptual Development Plan, which shall not be considered the preliminary plat. The actual street and lot arrangement may differ from that shown on Exhibit “D” to accommodate topographic, drainage, or other conditions.
- b. The developer shall submit and receive approval from the City, a combination preliminary/final plat, in accordance with the requirements of the Land Development Code prior to development of this PUD-R.

3. PERMITTED USES

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

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

Residential lot requirements and setbacks shall comply with the following provisions:

- a. Minimum Lot Size: 5,500 square feet
- b. Minimum Lot Depth: 90 feet
- c. Minimum Lot Width: 50 feet
- d. Front Building Line: 10 feet
- e. Side Building Line: 5 feet
- f. Rear Building Line: 10 feet
- g. Maximum Lot Coverage: 60 percent
- h. Minimum House Size: 2,000 square feet
- i. Maximum Building Height: 2.5 stories; 35 feet

5. OPEN SPACE

- a. This development shall provide a minimum of 16.6 percent common open space, as shown on Exhibit "D", which shall be for the leisure and recreational use of the development's residents. The open space shall comply with the provisions contained in the Land Development Code. All open space areas shall be landscaped and maintained by the Homeowner's Association (HOA).

6. FENCES, SCREENING, LANDSCAPING AND SIDEWALKS

- a. A minimum eight (8) foot masonry screening wall shall be built along the entire length of Roberts Road adjacent to the development by the developer prior to the final acceptance of the subdivision.
- b. For any homes that are adjacent to any open space lots, an eight (8) foot decorative wrought iron fence shall be built by the builder at the time of new home construction along the portion of the lot adjacent to an open space lot.
- c. Prior to the acceptance of public improvements, a decorative minimum eight (8) foot wrought iron fence with masonry columns spaced every 20 feet shall be constructed by the developer along the entire northern, eastern and southern boundary of the development where there is adjacent open space as depicted on Exhibit "E".
- d. As depicted on Exhibit "E", prior to the acceptance of public improvements, a minimum of two trees, three (3) inches in caliper width or greater, shall be planted a minimum of every 100 linear feet in all open space areas not located along Roberts Road. For open space lots located along Roberts Road, one minimum six (6) inch caliper tree shall be planted a minimum of every 30 linear feet of frontage along Roberts Road. At each entrance into the development from Roberts Road there shall be a minimum of six ornamental trees, three (3) inches in caliper width or greater, planted on each side of each entrance.

- e. Prior to the acceptance of public improvements, a five foot concrete pathway shall be constructed by the developer within the common open space located along the eastern boundary of the development as depicted on Exhibits "D" and "E". Where adjacent to any road rights-of-way, all sidewalks located within open space lots shall be constructed by the developer per the requirements of the Land Development Code.

- Sec. 5. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 7. THAT if any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 8. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 9. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 2nd day of December 2014.

The second reading and public hearing being conducted on the 16th day of December 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 A –Location and Zoning Map

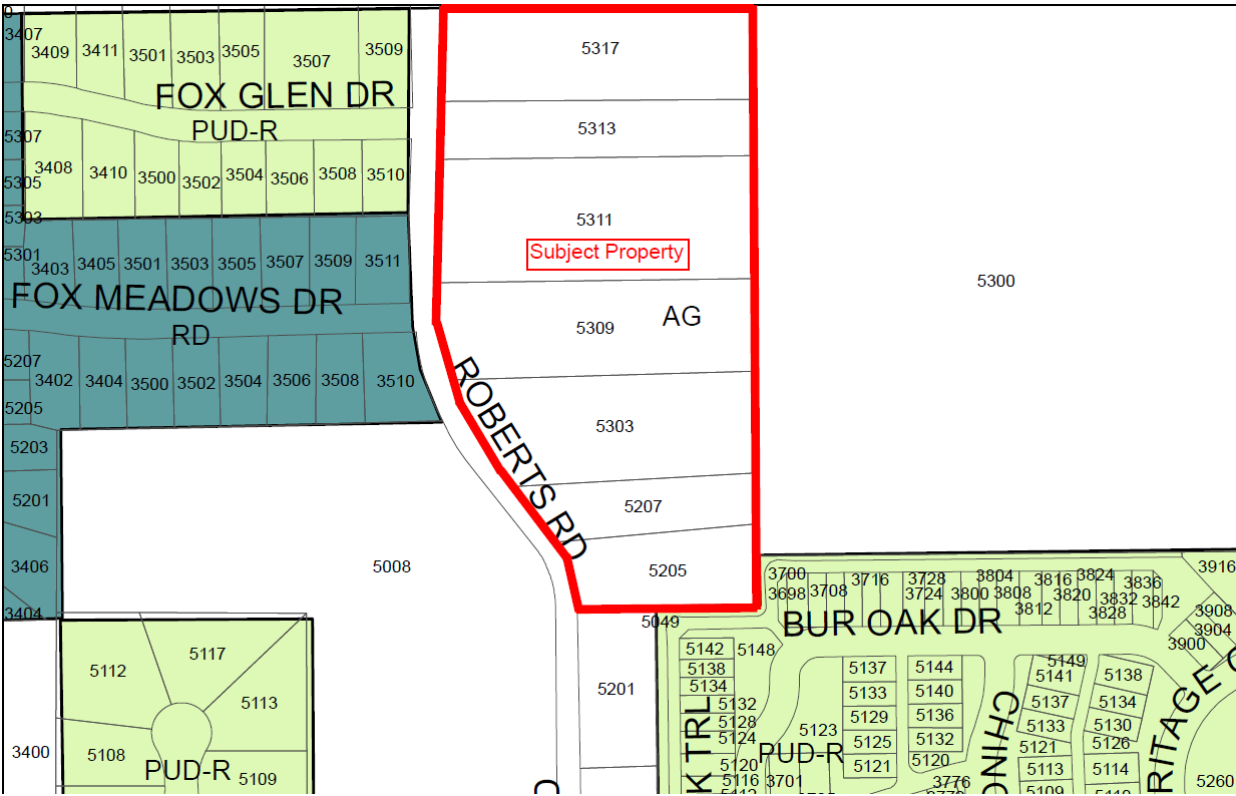


Exhibit B – Legal Description

Property Description

BEING a 11.22 acre tract of land situated in the G.W. Minter Survey, Abstract No. 1034, situated in Tarrant County, Texas and being all of the tracts of land described by deed to Bharat V. Patel recorded in Instrument No. D198024440 and Instrument No. D206175996 of the Deed Records of Tarrant County, Texas, all of the tract of land described by deed to Franklin Belknap and wife, Barbara J. Belknap recorded in Volume 7278, Page 304 of the Deed Records of Tarrant County, Texas, and all of the tract of land described by deed to Robert M. Vines recorded in Instrument No. D206149804 of the Deed Records of Tarrant County, Texas and being more particularly described as follows:

BEGINNING at the Southwest corner of said tract said point also being on the easterly Right-of-Way line of Roberts Road (an existing 60' right-of-way);

THENCE North a distance of 27.35 feet to a point for corner;

THENCE a curve to the left having a radius of 191.69 feet and a length of 135.88 feet with a chord bearing of North 20°18'24" West;

THENCE North 43°16'42" West a distance of 79.83 feet to a point for corner;

THENCE a curve to the right having a radius of 473.51 feet and a length of 335.60 feet with a chord bearing of North 22°58'26" West;

THENCE North 0°22'56" West a distance of 512.82 feet to a point for corner;

THENCE North 89°52'48" East a distance of 529.02 feet to a point for corner;

THENCE South 0°24'41" East a distance of 1026.75 feet to a point for corner;

THENCE West a distance of 303.81 feet to the POINT OF BEGINNING and containing 489008.397 square feet, 11.22 Acres, more or less.

Exhibit C - Statement of Planning Objectives



December 8, 2014

Statement of Planning Objectives

The Enclave at Heritage Meadows

The property consists of 11.6 acres of land, adjacent to Roberts Road A60' residential collector, west of existing Colleyville Elementary and Middle School. The property is sparsely vegetated with native trees of which a tree preservation plan will be prepared. Development of this property will eliminate mobile home uses that have been existing for a long period of time. New homes construction will range from \$650K and up. The homes will be marketed towards young families, young professionals and empty nesters lifestyle. Creating an additional 34 million dollars to the City of Colleyville tax base. There will be a Master H.O.A. required within the development of the property. We are excited to bring this upscale residential development to this area which surpasses expectations required in your comprehensive master plan within district one. A master trail system will be implemented which will connect Roberts Road and our development.

Development Standards

- A. MIN. LOT AREA: 5500 sq ft.
- B. Min Lot Width: 50' @ B.L.
- C. MIN. LOT DEPTH: 90'
- D. FRONT B.L.: 10'
- E. REAR B.L.: 10'
- F. SIDE B.L.: 5'/5' ADJ. TO STREET/ 5' ADJ. to Open Space Lots
- G. MAX. BUILDING HT: 2½ STORIES (35 FEET)
- H. MIN. DWELLING: 2000 sq. ft
- I. LOT COVERAGE: 60%

LANDSCAPE PLAN
11.22 ± AC.

THE ENCLAVE AT HERITAGE MEADOWS
CITY OF COLLEVILLE, TARRANT COUNTY, TEXAS

OWNER: HERITAGE MEADOWS, LLC
3930 CHASE ROAD, S. 104-222
COLLEVILLE, TEXAS 76034

DESIGNER: CONCEPTS, LLC
13013 CHERRY LANE
ROCKWELL, TEXAS 76087

DATE: 11/22/11

SCALE: 1" = 40'

NOTES:
1. ALL LOT LINES TO BE VERIFIED BY SURVEY.
2. ALL LOT LINES TO BE VERIFIED BY SURVEY.
3. ALL LOT LINES TO BE VERIFIED BY SURVEY.
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28. ALL LOT LINES TO BE VERIFIED BY SURVEY.
29. ALL LOT LINES TO BE VERIFIED BY SURVEY.
30. ALL LOT LINES TO BE VERIFIED BY SURVEY.



City of Colleyville City Council Agenda Briefing

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

Agenda Number 5e

Agenda Date 12/16/2014

Number Ordinance O-14-1944

Type Ordinance

Department Community Development

Title

Consideration of a zoning change from the AG-Agricultural zoning district to the PUD-R-Planned Unit Development-Residential zoning district on 2.62 acres of Abstract 1034, of the G. W. Minter Survey, located at 5017, 5113, and 5201 Roberts Road, Case ZC14-025

Explanation

Second Reading and Public Hearing

There were no speakers at the December 2, 2014 City Council meeting. One letter of opposition has been received since the December 2, 2014 meeting and it has been added to the letters of opposition attached to the briefing.

The City Council directed the applicant to redesign the proposed development such that the amount of curbs on Roberts Road is minimized through the addition of a "slip lane" or something similar. Staff gave the applicant until 12:00 noon on Monday, December 8, 2014 to provide updated exhibits per the City Council's direction above. To date staff has not received any correspondence from the applicant.

Per the attached letters, two of the three property owners of the subject property, Gary Lecocq at 5113 Roberts Road and Ken Sauer at 5017 Roberts Road, have withdrawn their authorization for the rezoning request. Although both property owner's authorization has been withdrawn, the applicant, Charles Starnes, has not requested a withdrawal of the case, therefore, the request remains active and any action regarding approval, denial, or a continuance of the case to a future date remains at the discretion of the City Council. Although there exists a supermajority vote requirement for this item due to the recommendation of denial on the part of the Planning and Zoning Commission, an additional supermajority requirement is now in effect given the withdrawal of authorization from more than 20 percent of the property owners within the area to be rezoned. Section 1.18(B)8 of the Land Development Code states that a protest of a zoning change signed by the owners of twenty (20) percent or more of either the area of lots or land included in such proposed change, or lots or land immediately adjoining same and extending two hundred (200) feet therefrom, filed with the City Secretary, shall be passed except by a favorable vote of three-fourths (3/4) of all members of the City Council. The City Attorney's Office has reviewed and provided direction concerning this condition.

First Reading and Public Hearing

Applicant's Appeal to City Council. Section 1.18.B(6)b in the Land Development Code states that "denial of the proposal by the Planning and Zoning Commission 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 rezoning request on the next available agenda for consideration by the City Council".

Per the attached letter of appeal, the applicant requests to appeal the action of the Planning and Zoning Commission to the December 2, 2014 City Council meeting. No changes to the original application have been submitted.

Charles Starnes submitted a request to change the zoning of approximately 2.62 acres located at 5017, 5113 and 5201 Roberts Road. The applicant is requesting to rezone the property from the AG-Agricultural zoning district to the PUD-R-Planned Unit Development Residential zoning district. The applicant is seeking a zoning change in order to develop the property for 12 single family residential lots and six open space lots.

Existing Conditions. The subject properties are currently zoned AG-Agricultural and are unplatted. Each lot currently contains a single family detached home. Approval of a combination preliminary/final plat will be required upon approval of the rezoning request.

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

Minimum Lot Area: 5,088 square feet

Minimum Lot Width: 50 feet

Minimum Lot Depth: 101 feet

Front Building Line: 20 feet

Rear Building Line: 20 feet

Side Building Line: 5 feet

Maximum Building Height: 30 feet

Maximum Lot Coverage: 50 percent

Street Design. The applicant proposes to develop three public stub streets, each of which would connect to Roberts Road and extend for approximately 145 feet to a dead end. Each street would have two lots fronting on both sides of the street.

Section 9.17(B)5 of the Land Development Code states that “no street shall be designed as a permanent dead-end street, but shall be designed to incorporate a cul-de-sac which complies with this Section”. Therefore the applicant is requesting a waiver to this requirement. Staff does not agree with this waiver request given the danger presented for large vehicles that would be required to back onto Roberts Road, which is considered a Minor Collector on the Master Thoroughfare Plan and contains only 20 feet of pavement width adjacent to the subject property.

On the attached development plan, the applicant shows a “temporary asphalt connection” between the new street and Roberts Road. All new streets must be constructed with concrete up to the edge of the existing pavement for any existing streets. Therefore, the applicant is requesting a waiver to this requirement as well.

Right-of-Way Dedication. Roberts Road is classified as a Minor Collector on the Master Thoroughfare Plan, which requires 75 feet of right-of-way. Therefore, upon platting, the developer will be required to dedicate a minimum of 37.5 feet of right-of-way for Roberts Road from the centerline of the street.

The applicant is requesting to dedicate only 30 feet of right-of-way from the centerline of the street and is requesting a waiver to this requirement.

Open Space and Landscaping. The PUD-R regulations require a minimum 20 percent of the development be reserved for open space for use by the residents of the development. The proposed Development Plan for the development indicates 11.9 percent of the total development as open space located on six open space lots, each totaling approximately 2,543.75 square feet and located between the residential lots and Roberts Road.

The applicant proposes to plant two minimum three (3) inch caliper trees within each open space lot along with 4 ornamental trees. This requirement has been added to the proposed ordinance.

Given the limited open space provided, approval of a waiver will be required.

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

A minimum five (5) foot sidewalk is required to be constructed along Roberts Road whenever the homes are constructed on the lots. The applicant proposes to construct a six foot wide sidewalk within the adjacent open space along Roberts Road. Given the larger size, any transitions to a five foot sidewalk from the six foot sidewalk must meet all Public Works construction requirements.

Traffic Generation and Access. The developer is not required to provide a Traffic Impact Analysis, since the development is not projected to generate in excess of 1,000 vehicle trips per day. The Institute of Transportation Engineers publication Trip Generation provides estimates of expected traffic generation based on land use. Data has been collected in the United States and Canada since the 1960's, primarily in suburban locations. Single-family residences are expected to generate 9.57 trips per day, on average. Based on this average, a 12 lot development would add approximately 115 vehicle trips per day to the surrounding roadways.

Development Fees. Park land dedication fees are due in the amount of \$1,802 per residential lot, prior to the plat being filed with the Tarrant County Clerk.

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

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

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

Tree Preservation. As required by Chapter 5-Tree Preservation of the Land Development Code, approval of a tree survey and mitigation plan will be required upon approval of the final plat for the property and drawn according to the requirements of Chapter 5-Tree Preservation of the Land Development Code.

Infrastructure. Water and sanitary sewer services are available along adjacent rights-of-way. The developer is responsible for the extension of water and sewer service lines to the individual lots.

Drainage and Stormwater Runoff. The developer has submitted a preliminary drainage analysis, which has been reviewed by the Engineering Division of the Public Works Department. As indicated on the analysis, the developer does not intend to provide any on-site retention.

Master Plan. The Future Land Use Plan designates the subject properties for single family residential uses. The request is consistent with the Future Land Use Plan.

Residential Density. The Master Plan suggests a maximum residential density of 1.8 dwelling units per acre, in most situations. The 2004 Colleyville Master Plan states densities higher than 1.8 units per acre would be acceptable in those areas deemed consistent with sound land use planning principles, such as a transitional area situated between commercial uses and less dense residential developments, or near major street intersections.

The proposed development of 12 residential units on 2.62 acres will produce a residential density of 4.5 dwelling units per acre, based upon the density calculation method prescribed by the Master Plan; and will produce a residential density of 8.6 dwelling units per acre based upon the density calculation method prescribed by the Land Development Code.

The following are the residential densities, utilizing the Master Plan density calculation method, of other PUD-R developments adjacent to the proposed development:

- Heritage Oaks (directly east of the proposed development): 4.6 dwelling units per acre
- Copperglen (southeast of the proposed development): 3.9 dwelling units per acre
- Creekside (southeast of the proposed development): 2.4 dwelling units per acre
- Fox Meadows Phase Two PUD (northwest of the proposed development): 2.9 dwelling units per acre

The attached Small Lot Development Comparison Chart, provides a comprehensive listing of approved developments since 1996 with residential densities that exceed 1.8 dwelling units per acre.

Surrounding Development Trends. The properties to the north are zoned AG-Agricultural and developed as single family homes. The property to the south is zoned AG-Agricultural and developed as a church. The properties to the east are zoned PUD-R-Planned Unit Development Residential and developed as single family detached and attached uses. The properties to the west are zoned AG-Agricultural and developed as a church.

Public Notification. Staff mailed notices to 42 adjacent property owners as well as all Homeowners Associations within 500 feet of the subject property regarding this request. Notice was sent to the Grapevine-Colleyville Independent School District as

required by state law. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. To date two (2) letters of opposition and three (3) speaker cards in support of the item have been received.

Planning and Zoning Commission Recommendation. At the November 10, 2014 meeting, the Planning and Zoning Commission voted to deny the request by a vote of (6-0).

Supermajority Vote Requirement. Section 1.18.B(8) states that "no change of which the Planning and Zoning Commission has recommended denial or in case of a protest against such change, signed by the owners of twenty (20) percent or more of either the area of lots or land included in such proposed change, or lots or land immediately adjoining same and extending two hundred (200) feet therefrom, filed with the City Secretary, shall be passed except by a favorable vote of three-fourths (3/4) of all members of the City Council. In computing the percentage of land area, the area of streets and alleys shall be included in the computation". Therefore, a minimum of six of seven votes are required in order for the City Council to approve this item.

Summary. The proposed development contains 12 single family lots and six open space lots with a residential density of 4.5 dwelling units per acre and a total open space percentage of 11.9 percent. Staff agrees that the area is a transitional area and a higher residential density is warranted given the recommendations of the Master Plan. Staff also agrees that the proposed development provides an opportunity to redevelop the area. However, given the high proposed density relative to other residential development densities in the area, the low open space provided and the street design, staff recommends denial. In particular, the street design proposed by the applicant does not comply with the Land Development Code and presents a hazard for garbage trucks, fire apparatus, and any other large vehicles having to back out onto Roberts Road once having pulled into a street, thereby creating a public safety issue.

Financial Impact

There is no financial impact to the City.

Recommendation

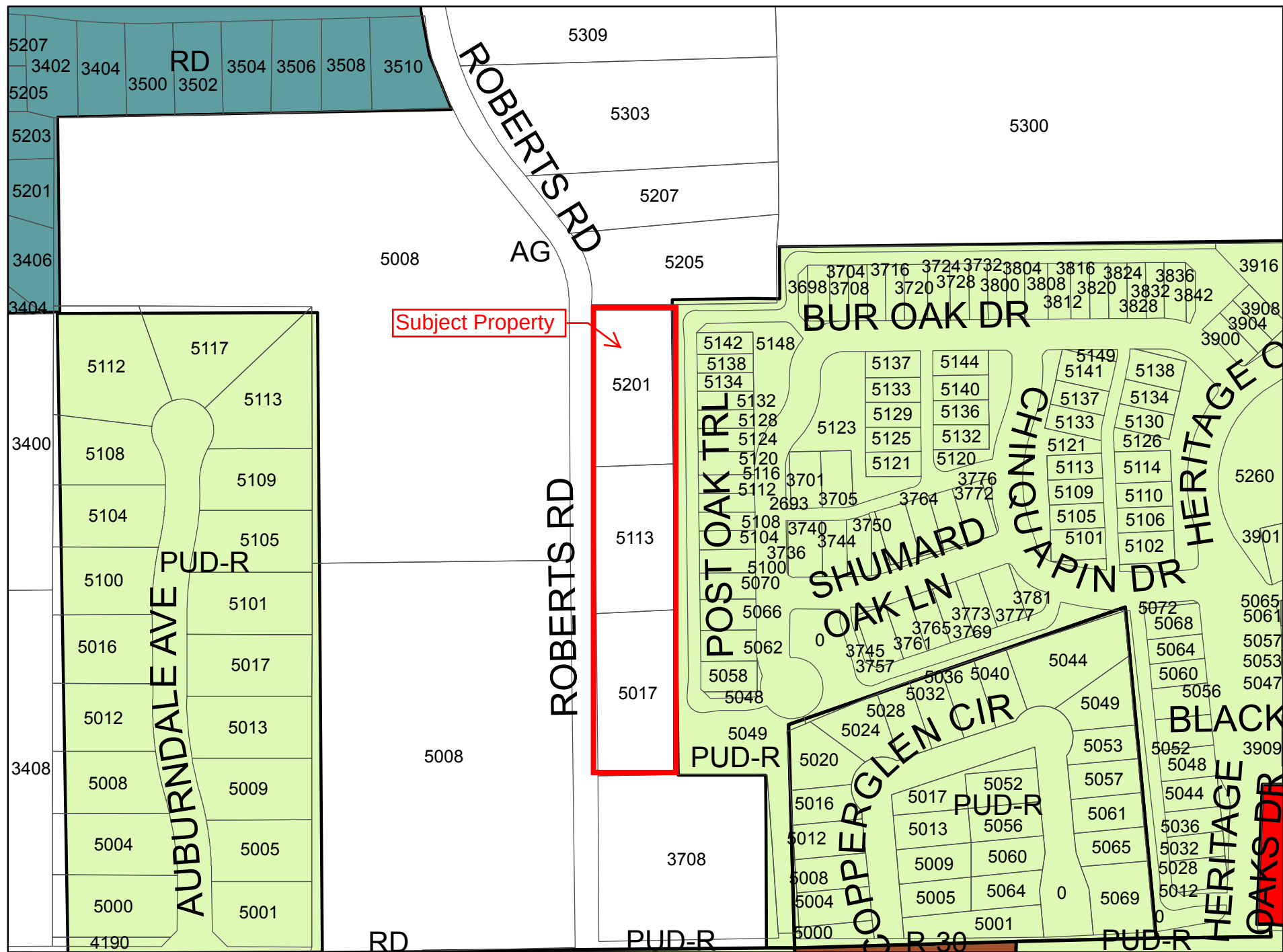
Denial

Attachments

1. Location and Zoning Map
2. Aerial
3. Future Land Use Map
4. Buffer Map
5. Notification List
6. Letters of Opposition

7. Speaker Cards in Support
8. 5113 Roberts Road Withdrawal of Authorization
9. 5017 Roberts Road Withdrawal of Authorization
10. Applicant's Appeal
11. Statement of Planning Objectives
12. Development Plan
13. Preliminary Drainage Analysis
14. Small Lot Development Comparison Chart - 1996 to 2013
15. Ordinance O-14-1944

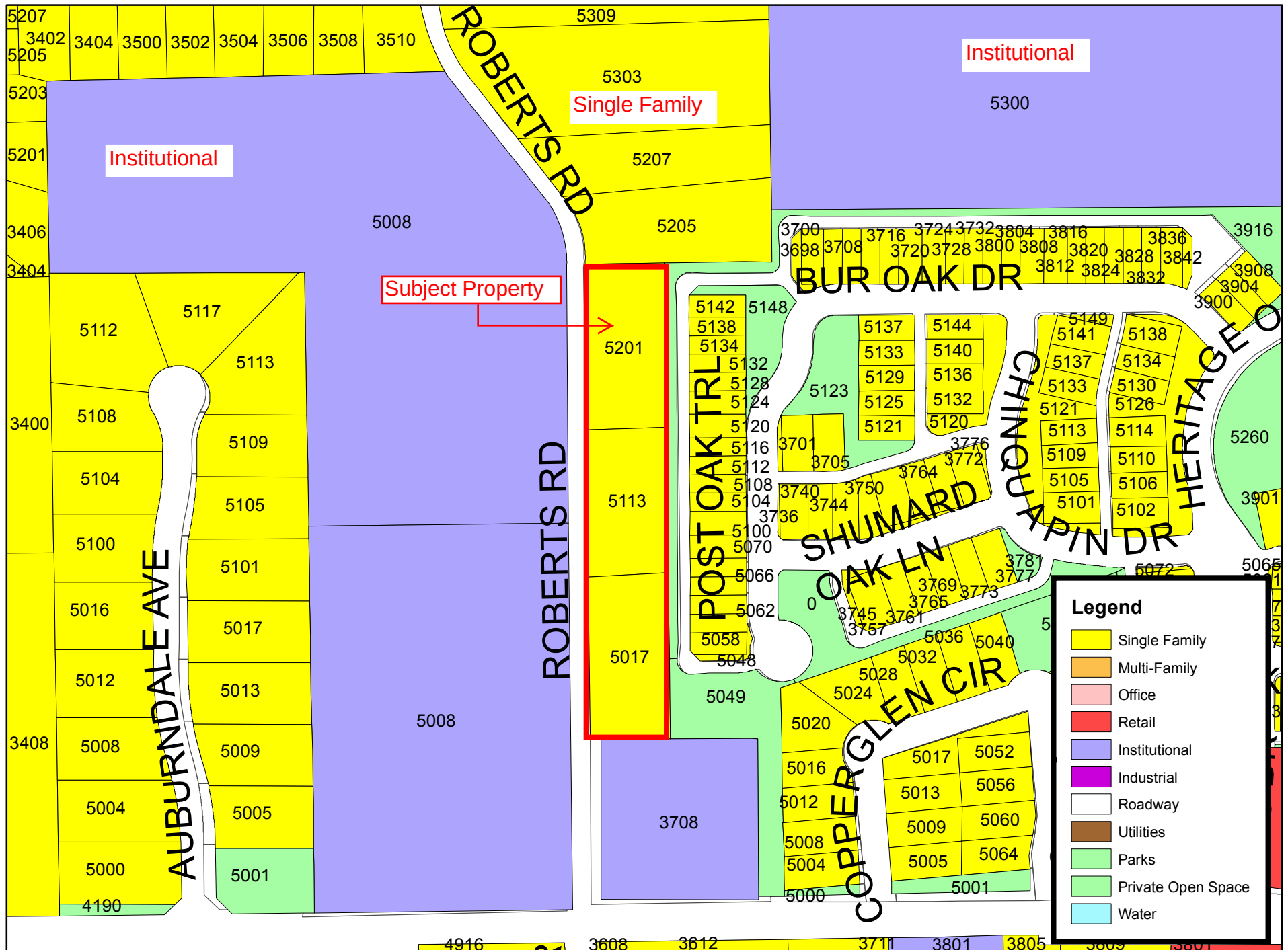
Location and Zoning Map



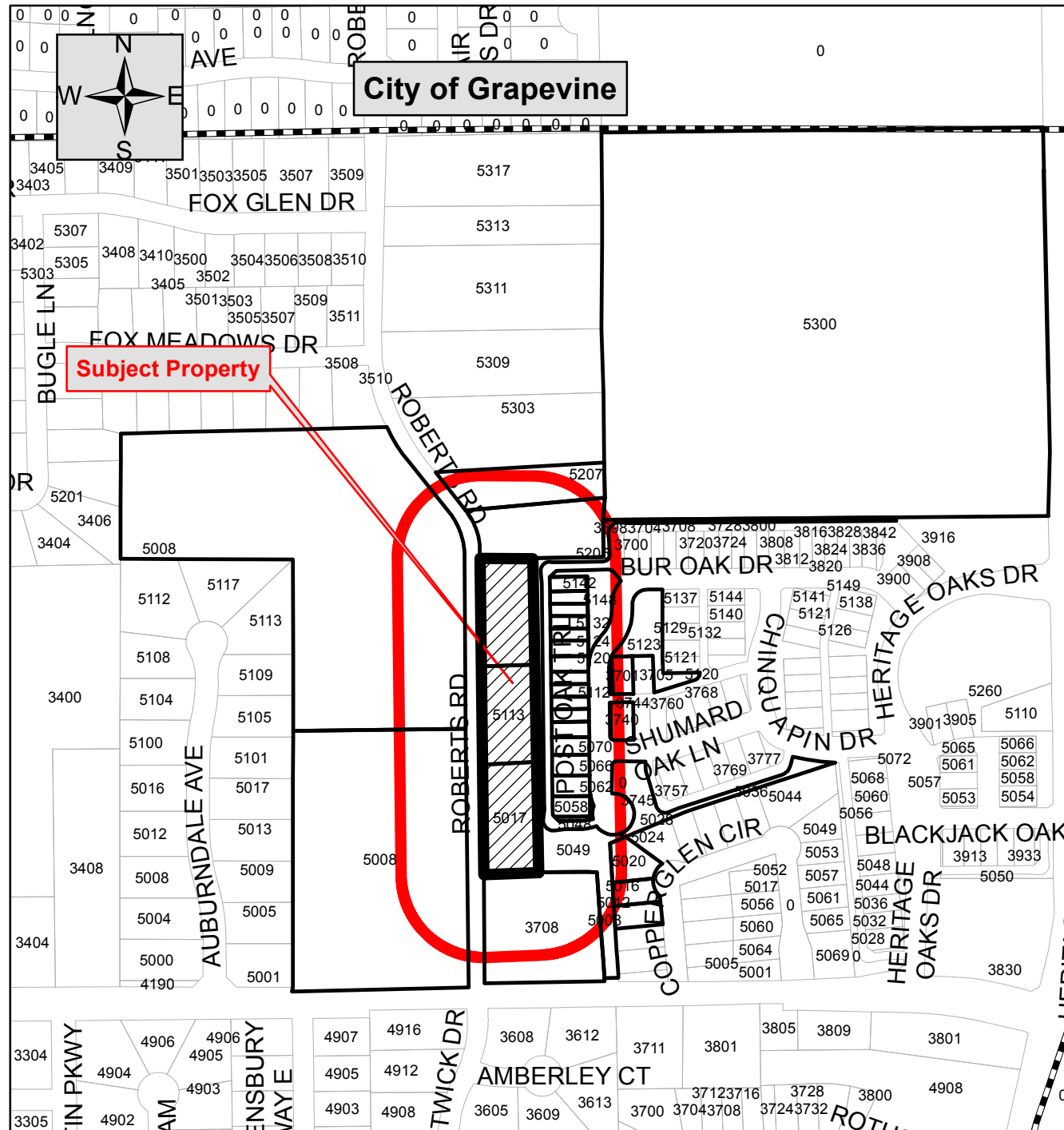
Aerial



Future Land Use Map



Buffer Map



Case ZC14-025

5017, 5113, and
5201 Roberts Road



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
Mdc-Heritage Oaks Estates Ltd	545 E John Carpenter Fwy	Irving	Texas	75062	000000 Post Oak Tr
Colleyville Assoc Heritage Oak	545 E John Carpenter Fwy #1500	Irving	Texas	75062	000000 Post Oak Tr
Coleman, Gary S Etux Rebecca S	5120 Post Oak Trl	Colleyville	Texas	76034	005120 Post Oak Tr
Weakley, Jerry	5016 Copperglen Cir	Colleyville	Texas	76034	005016 Copperglen Cir
Colleyville Assoc Heritage Oak	545 E John Carpenter Fwy #1500	Irving	Texas	75062	005123 Post Oak Tr
Colleyville Assoc Heritage Oak	545 E John Carpenter Fwy #1500	Irving	Texas	75062	000000 Post Oak Tr
Bender, Jeffery Etux Cyndi	5020 Copperglen Cir	Colleyville	Texas	76034	005020 Copperglen Cir
O'Shell, Howard C Etux Roxanne	5012 Copperglen Cir	Colleyville	Texas	76034	005012 Copperglen Cir
Arnold, Thomas A	5205 Roberts Rd	Colleyville	Texas	76034	005205 Roberts Rd
Scribner, Deana	PO Box 768	Colleyville	Texas	76034	005201 Roberts Rd
Sauer, Kenneth William	5017 Roberts Rd	Colleyville	Texas	76034	005017 Roberts Rd
Chitkara, Jaideep Etux Rajni	3701 Post Oak Trl	Colleyville	Texas	76034	003701 Post Oak Tr
Singh, Vinita H	3740 Shumard Oak Ln	Colleyville	Texas	76034	003740 Shumard Oak Ln
Wall, Larry Etux Laurie	5132 Post Oak Trl	Colleyville	Texas	76034	005132 Post Oak Tr
Colleyville Assoc Heritage Oak	545 E John Carpenter Fwy #1500	Irving	Texas	75062	002693 Post Oak Tr
Pleasant Glade Baptist Church	3708 Glade Rd	Colleyville	Texas	76034	003708 Glade Rd
Grapevine Colleyville ISD	3051 Ira E Woods Ave	Grapevine	Texas	76051	005300 Heritage Ave
Reince, Kevin Etux Martha	6412 Timber Rdg	Edina	Minnesota	55439	005134 Post Oak Tr
Williams, Alfloyd Jr	5128 Post Oak Trl	Colleyville	Texas	76034	005128 Post Oak Tr
Chapman, Phillip H Etux Jill	5100 Post Oak Trl	Colleyville	Texas	76034	005100 Post Oak Tr
Bryant, Lynn W	5138 Post Oak Trl	Colleyville	Texas	76034	005138 Post Oak Tr
Layer, Donna J	5104 Post Oak Trl	Colleyville	Texas	76034	005104 Post Oak Tr
Shabay, Paul	5108 Post Oak Trl	Colleyville	Texas	76034	005108 Post Oak Tr
Stovall, Jimmy Etux Cindy	5112 Post Oak Trl	Colleyville	Texas	76034	005112 Post Oak Tr
Siminski, James Thomas	5116 Post Oak Trl	Colleyville	Texas	76034	005116 Post Oak Tr
Hart, Billy Etux Glenda	5124 Post Oak Trl	Colleyville	Texas	76034	005124 Post Oak Tr
Krieghbaum, David Etux Tracey	PO Box 459	Colleyville	Texas	78578	005142 Post Oak Tr
Covenant Church	2660 E Trinity Mills Rd	Colleyville	Texas	75006	005008 Roberts Rd
Lecocq, James Gary	PO Box 2032	Colleyville	Texas	76034	005113 Roberts Rd
Prazak, John B	5207 Roberts Rd	Colleyville	Texas	76034	005207 Roberts Rd
Covenant Church	2660 E Trinity Mills Rd	Colleyville	Texas	75006	005008 Roberts Rd
Sokhey, Simren	5066 Post Oak Trl	Colleyville	Texas	76034	005066 Post Oak Tr
Phipps, Rebecca C Etvir Van E	5062 Post Oak Tr	Colleyville	Texas	76034	005062 Post Oak Tr
Hastings, Doris Etvir Daryl G	5070 Post Oak Trl	Colleyville	Texas	76034	005070 Post Oak Tr
Bryant, Steven W Etux Debora D	5058 Post Oak Trl	Colleyville	Texas	76034	005058 Post Oak Tr
Colleyville Assoc Heritage Oak	545 E John Carpenter Fwy #1500	Colleyville	Texas	75062	003736 Shumard Oak Ln
Grapevine Colleyville ISD	3051 Ira E Woods Ave	Grapevine	Texas	76051	005300 Heritage Ave
Heritage Glen HOA	5105 Auburndale Ave	Colleyville	Texas	76034	Courtesy Notice
Fox Meadows HOA	5301 Bugle Lane	Colleyville	Texas	76034	Courtesy Notice
Prestwick Park HOA	4912 Prestwick Drive	Colleyville	Texas	76034	Courtesy Notice
Colleyville Assoc Heritage Oak	545 E John Carpenter Fwy #1500	Irving	Texas	75062	Courtesy Notice
Charles Starnes	204 W. Nash Street	Grapevine	Texas	76051	Applicant

Public hearing notices were mailed
Thurs. Oct. 30, 2014 by Taci Wrisley

Letters of Opposition

From: [Mona Gandy](#)
To: [Jennifer Fadden](#); [Terry Leake](#)
Cc: [Ron Ruthven](#); [Chris Fuller](#)
Subject: FW: City of Colleyville pending land zoning changes (ZC14-019 and ZC14-025)
Date: Friday, December 12, 2014 8:29:31 AM

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

From: Gary Evans [[mailto:](#)]]
Sent: Thursday, December 11, 2014 9:13 PM
To: Colleyville
Cc: David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart; jim.gotcher@verizon.net; jeff.byerly@tx.rr.com; dwheelwright@me.com; phelps-david@swbell.net; careltornes@gmail.com; dondavis@yourcorvette.com; knox.ldk@gmail.com
Subject: City of Colleyville pending land zoning changes (ZC14-019 and ZC14-025)

To the Colleyville City Council:

I strongly urge you to oppose two zoning requests ZC14-019 and ZC141-025 (east side of Robert Road in Colleyville) in your upcoming council meeting Tuesday, December 16, 2014. The Colleyville Planning and Zoning Commission already unanimously voted (7-0) to deny both requests.

The neighbors most affected by these requests are vehemently opposed and have significant concerns with increased traffic, safety, property values and a continued loss of that "Colleyville feel". Please consider the following concerns while assessing these zoning change requests:

1. Pose undue and unreasonable public safety risk to:

- Residents of surrounding neighborhoods
- Traffic patterns and traffic safety,
- Heritage school students and parents, and Heritage school's staff

2. Excessive traffic burden and stress on an already stressed Roberts Road, Glade Road, and surrounding area road system

3. Lack of alignment with Glade Road Project

4. Unwarranted compromise to the Colleyville quality of life, a core value of the Colleyville long range plans

• Requests present an extreme deviation from Colleyville's Land Use Guideleines

5. Negative environmental impact

• Additional environmental stress to the huge 100 year flood plain zone south of Glade Road along Heritage Avenue

Opposing these requests will ensure that neighboring property is not substantially or permantently injured. Please heed the advice and counsel of your own Planning and Zoning Commission and Colleyville citizens, and deny both of these requests.

Respectfully,

Gary Evans
5201 Bugle Lane (Fox Meadows)
Colleyville, TX 76034

Letters of Opposition

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

Thursday, December 4, 2014

Although we are not against residential development near our subdivision, we do object to the current proposals before the council, Ordinances O-14-1943 and O-14-1944. Our concern is that these proposals will increase traffic significantly on Roberts Road which is not currently designed to support this increase in traffic. Other than the sections directly opposite the Fox Meadows Subdivision, the road is not in particularly good shape.

These two proposals would add 56 and 12(?) additional residential units which could (no particular formula used) add as many as 136 vehicles exiting them onto Roberts Road. In addition to the safety concerns (with the proximity to schools and current traffic exiting Fox Meadows), the increased traffic will certainly impact the longevity of the pavement and increase the cost of maintenance. Currently there are only single family homes exiting onto Roberts and although there is a need for improvements in the pavement in any case, the situation is manageable.

In comparison, the like development off Heritage was developed after that thoroughfare was improved to accommodate the school traffic and does seem to be working well. I am not sure that a similar approach is doable with Roberts. I am not sure what improvements to Roberts can be made to accommodate a similar increase in traffic.

The only alternative appears to be to significantly lower unit count, increase the open space (certainly to the minimum of 20%) and width and quality improvements to Roberts Road.

We have never had a problem with the current residences or the mobile home park (which is not particularly visible for the road) but do understand the desire by some of the residents take advantage of this opportunity. But these proposals as laid out are unacceptable to us.

Regards,

Richard and Moireen Bangs
3509 Fox Meadows Dr
Colleyville, TX 76034

Richard A. Bangs
Moireen C. Bangs

RECEIVED
DEC 04 2014
Per

Speaker Cards in Support

Date: 11-10-14

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: 6e

Name: Gary Lecocq

Address: 5113 Roberts Rd

City: Colleyville State: TX Zip Code: 76034

Telephone Number: 817 471 2690 Representing: self
(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: Gary Lecocq

This information is a Public Record.

Date: 11-10-14

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: 6e

Name: CHARLES G STARNES

Address: 204 W. NASH ST

City: GRAPEVINE State: TX Zip Code: 76051

Telephone Number: 817-366-6955 Representing: PROPERTY OWNERS
(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: Charles G Starnes

This information is a Public Record.

Speaker Cards in Support

SPEAKER CARD

Date: 12-02-14

Agenda Item Number: 5c

For example: **5a (this can be found on the far left side of the agenda copy)**

☒ I will speak **In Support** of this item. ☐ I will speak **In Opposition** to this item.

☐ I do not wish to speak, but please record my: ☐ **support** ☐ **opposition**

Name: CHARLES STARNES

Address: 204 WEST NASH St.

City: GRAPEVINE

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: Charles D. Starnes

This information is a Public Record

5113 Roberts Road Withdrawal of Authorization

RECEIVED

DEC 05 2014

Per 

Ron;

As we discussed, it is necessary for me to withdraw the zoning request for myself and Ken Sauer, per his instructions. We do not want to rezone our properties, at this time. We appreciate your time and many efforts to help us resolve all details of our project, but we are not at the point of resolution. I also appreciate you forwarding this to the City Council, so that they do not move forward with this project to rezone our properties at 5113 and 5017 Roberts Rd.

We are very grateful that you have extended yourself on our behalf. We sincerely hope that we are able to give you a better project to consider soon. All the best!



Gary Lecocq

Owner 5113 Roberts Rd Colleyville, TX 76034

(817)937-7996

5017 Roberts Road Withdrawal of Authorization

Row,

RECEIVED

DEC 10 2014

Per

JRH VIA FAX

I, Ken Sauer, hereby withdraw my authorization, and
support, to rezone my property located at 5017 Roberts

Ken Sauer

12-8-2014

Applicant's Appeal



November 18, 2014

Taci Wrisley
Planning and Zoning Assistant
Community Development
100 Main Street
City of Colleyville, Texas 76034

Re: Zoning Case ZC14-025

Dear Taci,

This letter is in response to your letter of November 12, 2014 advising me of the action taken by the Planning and Zoning Commission at their meeting on November 10, 2014.

As the Applicant for the Zoning Case, I am herein requesting that the City Council consider our request for the zoning change at their next meeting on December 2, 2014.

Please advise me by telephone, U.S. mail or E-mail that our referenced case will be placed on the City Council Agenda as requested.

Thank you,

Charles G. Starnes

Charles G. Starnes, P.E., R.P.L.S.

Statement of Planning Objectives

STATEMENT OF PLANNING OBJECTIVES

The site that is the subject of this change of zoning request consists of three tracts with separate ownership totaling 2.66± acres. The present owners of the tracts are senior citizens and, due to changes in their lives, are seeking a way to turn the value of their home sites into more liquid assets that give them more flexible options for their future.

The existing homes are from a time, style and condition that results in a market value that is very limited today. The existing houses and appurtenances exhibit limited opportunity for refurbishing of the entire sites or remodeling of the individual home sites.

The new construction near this site has been categorized as greater development densities with new and larger residences being built on smaller lots with added amenities.

This overall site, and others nearby, are styled as a transitional zone between similar developments to the north, south and east bordering commercial and retail developments fronting on Highway 121 and other established PUD-R zoning to the west.

Roberts Road is experiencing a steady increase in traffic volume between Hall Johnson and Glade roads. It is depicted on the thoroughfare plan as a Collector Road and needs to be reconstructed as such.

These three tracts have an overall shape of 760.66 feet north and south and a useable east west dimension of 121.67 feet after the dedication of 30 feet of right of way for Roberts Road. Since Roberts Road will be a collector street, no lots can front on it. Consequently, the plan herein submitted is the only plan that works considering the limitations posed by adjoining recent residential developments, the needed improvements to Roberts Road and the remaining shape of the residual of the said three individually owned tracts.

The overall development of the twelve lots will be for zero lot line use with six common area lots that present many opportunities for attractive uses, which will also be a landscaped buffer from the future Roberts Road collector street.

DEVELOPMENT SCHEDULE

The following is a time related scheduling of events from:

Zoning Changes	September 19, 2014 – December 16, 2014
Preliminary Plat	October 17, 2014 – January 20, 2015
Construction Plans production	January – February 2015

Final Plat preparation submittal and filing in Tarrant County Deed Records

Let contract for construction	March 2015
-------------------------------	------------

Statement of Planning Objectives

Construction Period for wet utilities, grading, drainage, paving and dry utilities
March – July 2015

Final construction and release lots to builders
August 2015

ECONOMIC DEVELOPMENT INFORMATION

Total square feet of building area, 2,400 s.f. X 12 lots = 28,800 s.f.

Estimated sales per square foot, \$208.33

All lots will be sold in 2015, resulting in \$6,000,000 sales.

Estimated ad valorem taxes annually, \$21,354.

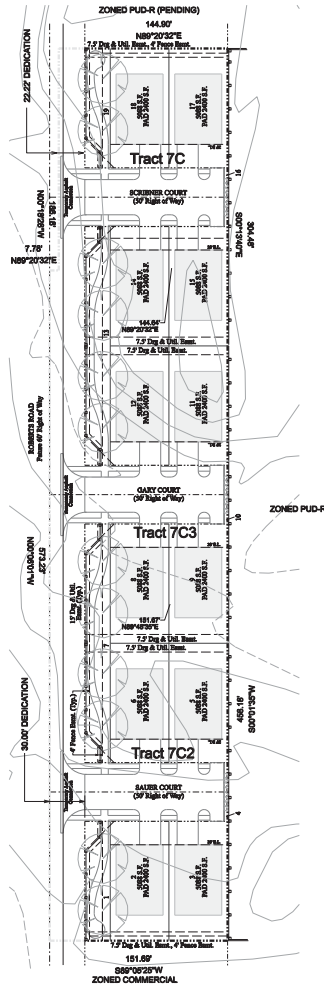
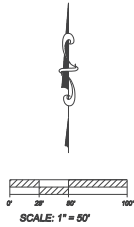
Additionally

Street and Road Impact Fees	$\$4,941 \times 12 = \$59,292$
Park Land Fee	$\$1,802 \times 12 = \$21,624$
Water Impact Fees	$\$6,227 \times 12 = \$74,724$
Wastewater Impact Fee	$\$1,606 \times 12 = \underline{\$19,272}$
Total Impact Fees	$\$174,912$

TRAFFIC IMPACT ANALYSIS

Due to the small size of this development, no Traffic Impact Analysis is warranted.

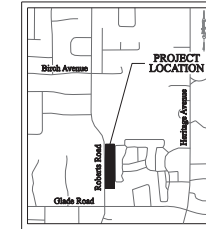
Development Plan



SITE PLAN

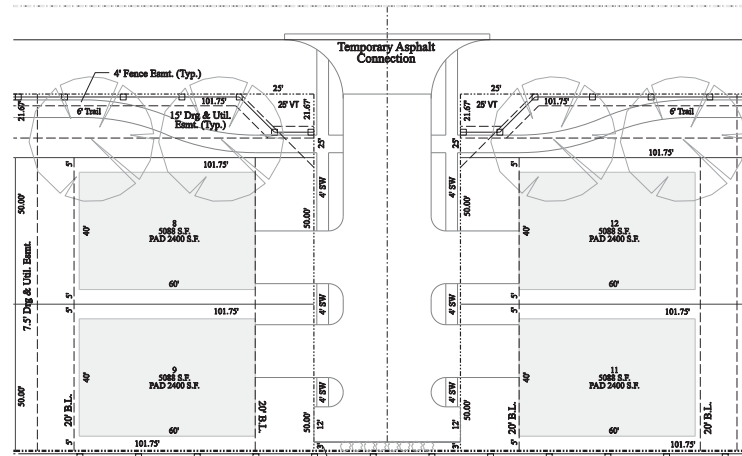
LEGEND	
	LARGE SPECIES 3\"/>
	BOUNDARY
	25' VISIBILITY TRIANGLE

LAND USE SUMMARY				
GREEN W. MINTER SURVEY ABSTRACT #1034				
TRACT	OWNER	GNOMES (AC.)	COUNTY RD. (AC.)	ROBERTS RD. R.O.W. (AC.)
7C2	SAUER	1.000	0.168	0.030
7C3	LACOCQ	1.000	0.168	0.030
7C	SCRIBNER	0.619	0.074	0.021
TOTALS		2.619	0.405	0.086
RIGHT OF WAY DEDICATED FOR COURTS (AC.)				
NET AREA FOR 12 LOTS (AC.)				
OPEN SPACE AREA (AC.)				
% OF OPEN SPACE TO TOTAL AREA				
% OF OPEN SPACE TO LAND AREA - ROBERTS RD R.O.W.				
NUMBER OF DWELLING UNITS PER ACRE				



VICINITY MAP
Scale: 1" = 100'

ROBERTS ROAD
Future 60' Right of Way



TYPICAL MODULE
SCALE: 1" = 20'

LEGAL DESCRIPTION

Being a 114,285 square foot (2.62 acre) parcel of unsplit land situated in the Green W. Minter Survey, Abstract Number 1034, and being all portions of three tracts of property, said tracts being Tract 7C, a tract of land conveyed to Ted Scribner and wife, Deana Scribner by Warranty Deed recorded in Volume 5594, Page 688, Deed Records, Tarrant County, Texas, Tract 7C3 being a tract of land conveyed to James Gary Lecoq by General Warranty Deed recorded in Instrument Number D203104586, Deed Records, Tarrant County, Texas and Tract 7C2 being a tract of land conveyed to Kenneth W. Sauer by Special Warranty Deed recorded in Instrument Number D21194190, Deed Records, Tarrant County, Texas, said 114,285 square foot parcel being more particularly described as follows:

BEGINNING at a 1/2" iron rod found at the northwest corner of Tract 7C, said point being at the most westerly northwest corner of a tract of land described in the Final Plat of Heritage Oaks, as recorded in Cabinet A, Slide 11703, Plat Records, Tarrant County, Texas, said point also being in the south line of a tract of land conveyed to Thomas A. Arnold by Special Warranty Deed recorded in Instrument Number D203464901, Deed Records, Tarrant County, Texas;

THENCE S00°48'20"E, departing the south line of said Arnold tract along the east line of Tract 7C and the west line of said Heritage Oaks tract, passing at 185.18' an established point at the southwest corner of Tract 7C, said point also being the northeast corner of Tract 7C3, in all a distance of 304.48' to a 1/2" iron rod found in the west line of said Heritage Oaks, said point being in the east line of Tract 7C3;

THENCE S00°33'05"E continuing along the west line of said Heritage Oaks tract and the east line of Tract 7C3, passing at 185.89' an established point at the southeast corner of Tract 7C3, said point also being the northwest corner of Tract 7C2, in all a distance of 455.18' to a 1/2" iron rod found at the southwest corner of Tract 7C2 and the most westerly southwest corner of said Heritage Oaks tract, said point being in the north line of a tract of land described in the Minor Plat of Lot 1, Block 1, Pleasant Glade Baptist Church Addition, an addition to the City of Colleyville, Tarrant County, Texas recorded in Cabinet A, Slide 7891, Plat Records, Tarrant County, Texas;

THENCE S88°50'45"W a distance of 151.69' along the common line between Tract 3 and said Pleasant Glade tract to a 1" iron pipe found at the southwest corner of Tract 7C2, said point being in the north line of said Pleasant Glade tract;

THENCE N00°48'42"W, departing the north line of said Pleasant Glade tract along the west line of Tract 7C2, passing at 285.10' an established point at the northwest corner of Tract 7C2, said point also being the southwest corner of Tract 7C3, in all a distance of 573.23' to an established point at the northwest corner of Tract 7C3;

THENCE N88°45'52"E along the north line of Tract 7C3 a distance of 7.78' to an established point at the southwest corner of Tract 7C;

THENCE N00°33'05"E departing the north line of Tract 7C3 a distance of 185.18' along the west line of Tract 7C to a 1/2" iron rod found for corner at the northwest corner of Tract 7C, said point being at the southwest corner of said Arnold tract;

THENCE N88°45'52"E a distance of 144.90' along the common line between said Arnold tract and Tract 7C to the POINT OF BEGINNING, containing 114,285 square feet or 2.62 acres of land.

NOTES:

1. All common open spaces will be owned and maintained by the homeowners association.
2. The existing six foot high brick masonry fence was installed as part of the adjoining Heritage Oaks Addition.
3. The perimeter fences along the north, west and south sub-division boundaries will be owned and maintained by the homeowners association.

Minimum Lot Width: 60.0 feet
Minimum Lot Depth: 101.8 feet
Minimum Front Yard Setback: 20.0 feet
Minimum Side Yard Setback: 6.0 feet
Minimum Rear Yard Setback: 20.0 feet
Maximum Lot Coverage: 60 Percent
Maximum Building Height: 30.0 feet

EXHIBIT ONE

ZONING EXHIBIT FOR
ZONING CHANGE REQUEST
FROM AGRICULTURAL TO PUD-R

2.62 ACRE PARCEL

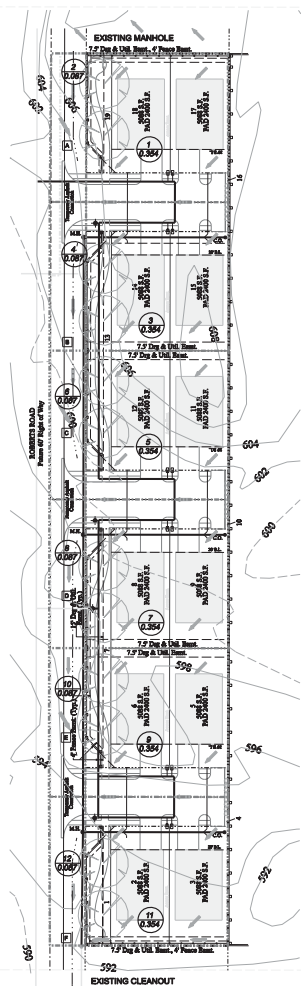
GREEN W. MINTER SURVEY, ABSTRACT NO. 1034
CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS
SEPTEMBER 2014

ENGINEER/SURVEYOR:
THE CIVIL ENGINEERING
COMPANY OF TEXAS
d/b/a CE-TEX Inc.
Texas Registered Engineering
Firm F-4703
204 West Nash Street
Grapevine, Texas 76051

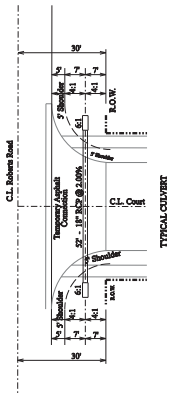
APPLICANT:
Charles G. Starnes
204 West Nash Street
Grapevine, Texas 76051

OWNERS:
Kenneth Sauer, 5017 Roberts Road, Colleyville, Tx 76034
Gary Lecoq, P.O. Box 2032, Colleyville, Tx 76034
Deana Scribner, P.O. Box 786, Colleyville, Tx 76034

Preliminary Drainage Analysis



DRAINAGE ANALYSIS
PROPOSED WATER AND
SANITARY SEWER LAYOUT



LEGEND

**0.83
0.21** DRAINAGE AREA NUMBER AND AREA (ACRES)

--- OUTSIDE LIMITS OF DRAINAGE AREA

--- DIRECTION OF RUNOFF FLOW

--- BOUNDARY

[P] DESIGN POINT

M.H. MANHOLE

C.O. CLEANOUT

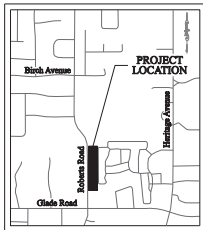
--- EXIST. WATER

--- PROPOSED WATER

--- EXIST. SANITARY SEWER

--- PROPOSED SANITARY SEWER

◆ FIRE HYDRANT



VICINITY MAP
Scale: 1" = 1000'

STORM WATER RUNOFF CALCULATIONS (EXISTING CONDITIONS)											
DRAINAGE AREA (AC.) A	RUNOFF COEFF. C*	TIME OF CONCN. (MIN.) C X A	INTENSITY (I) IN./HR. DISCHARGE (Q) CUBIC FEET PER SECOND								
			2 YR	5 YR	10 YR	25 YR	50 YR	100 YR			
INTENSITY			3.90	4.86	5.53	6.46	7.20	7.88			
1+2 0.441	0.83	15	0.233	0.91	1.13	1.29	1.51	1.68	1.88		
3+4 0.441	0.83	15	0.233	0.91	1.13	1.29	1.51	1.68	1.88		
5+6 0.441	0.83	15	0.233	0.91	1.13	1.29	1.51	1.68	1.88		
7+8 0.441	0.83	15	0.233	0.91	1.13	1.29	1.51	1.68	1.88		
9+10 0.441	0.83	15	0.233	0.91	1.13	1.29	1.51	1.68	1.88		
11+12 0.441	0.83	15	0.233	0.91	1.13	1.29	1.51	1.68	1.88		
TOTAL AT DESIGN POINT			A	0.91	1.13	1.29	1.51	1.68	1.88	1.88	1.88
			B	1.82	2.26	2.58	3.02	3.36	3.72	3.72	3.72
			C	2.73	3.39	3.87	4.58	5.04	5.58	5.58	5.58
			D	3.64	4.52	5.16	6.04	6.72	7.44	7.44	7.44
			E	4.55	5.65	6.45	7.55	8.40	9.30	9.30	9.30
			F	5.46	6.78	7.74	9.06	10.08	11.16	11.16	11.16

* COMPOSITE RUNOFF COEFFICIENT CALCULATED FROM PROPOSED LAND USE AND SURFACE MATERIALS

STORM WATER RUNOFF CALCULATIONS (PROPOSED CONDITIONS)											
DRAINAGE AREA (AC.) A	RUNOFF COEFF. C*	TIME OF CONCN. (MIN.) C X A	INTENSITY (I) IN./HR. DISCHARGE (Q) CUBIC FEET PER SECOND						2 YR	5 YR	10 YR
			2 YR	5 YR	10 YR	25 YR	50 YR	100 YR			
INTENSITY			3.90	4.86	5.53	6.46	7.20	7.88			
1 0.354	0.85	15	0.230	0.89	1.12	1.27	1.49	1.66	1.84	1.84	1.84
2 0.087	0.45	15	0.039	0.15	0.19	0.22	0.26	0.28	0.31	0.31	0.31
3 0.354	0.85	15	0.230	0.89	1.12	1.27	1.49	1.66	1.84	1.84	1.84
4 0.087	0.45	15	0.039	0.15	0.19	0.22	0.26	0.28	0.31	0.31	0.31
5 0.354	0.85	15	0.230	0.89	1.12	1.27	1.49	1.66	1.84	1.84	1.84
6 0.087	0.45	15	0.039	0.15	0.19	0.22	0.26	0.28	0.31	0.31	0.31
7 0.354	0.85	15	0.230	0.89	1.12	1.27	1.49	1.66	1.84	1.84	1.84
8 0.087	0.45	15	0.039	0.15	0.19	0.22	0.26	0.28	0.31	0.31	0.31
9 0.354	0.85	15	0.230	0.89	1.12	1.27	1.49	1.66	1.84	1.84	1.84
10 0.087	0.45	15	0.039	0.15	0.19	0.22	0.26	0.28	0.31	0.31	0.31
11 0.354	0.85	15	0.230	0.89	1.12	1.27	1.49	1.66	1.84	1.84	1.84
12 0.087	0.45	15	0.039	0.15	0.19	0.22	0.26	0.28	0.31	0.31	0.31
TOTAL AT DESIGN POINT			A	2 YR	5 YR	10 YR	25 YR	50 YR	100 YR		
			B	1.04	1.21	1.40	1.74	1.94	2.15		
			C	2.08	2.42	2.86	3.46	3.86	4.30		
			D	3.12	3.63	4.27	5.22	5.82	6.45		
			E	4.16	5.24	5.96	6.96	7.76	8.50		
			F	5.20	6.35	7.46	8.70	9.70	10.78		
			G	6.24	7.58	8.94	10.44	11.64	12.90		

* COMPOSITE RUNOFF COEFFICIENT CALCULATED FROM PROPOSED LAND USE AND SURFACE MATERIALS

EXHIBIT TWO
ZONING EXHIBIT FOR
ZONING CHANGE REQUEST
FROM AGRICULTURAL TO PUD-R

2.62 ACRE PARCEL
GREEN W. WINTER SURVEY, ABSTRACT NO. 1034
CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS
SEPTEMBER 2014

ENGINEER/SURVEYOR:
THE CIVIL ENGINEERING
COMPANY OF TEXAS
d/b/a CE-TEX Inc.
Texas Registered Engineering
Firm F-9703
204 West Nash Street
Grapevine, Texas 76051

APPLICANT:
Charles G. Starnes
204 West Nash Street
Grapevine, Texas 76051

OWNERS:
Kenneth Sauer, 5017 Roberts Road, Colleyville, Tx 76034
Gary Lecoco, P.O. Box 2032, Colleyville, Tx 76034
Deana Scribner, P.O. Box 786, Colleyville, Tx 76034

Small Lot Development Comparison Chart - 1996 to 2013

Subdivision Name	Total Lots	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Lot Size (square feet)	Average Lot Size (square feet)	Maximum Lot Coverage	Master Plan Density - Dwelling Units Per Acre *	Land Development Code Density - Dwelling Units Per Acre **	Total Acres	Open Space	Approval Date	Ordinance
Spring Garden	45	36	70	2,520	2,700	90%	8	16.1	5.4	31.3%	12.17.96	O-96-1052
Villas of Caldwell Creek	43	59	115	6,594	7,408	50%	3.7	5.9	11.6	18.3%	4.1.97	O-97-1062
Bridges at Riverwalk	32	56	106	6,001	6,479	50%	3	6.7	10.0	24.0%	12.21.99	O-99-1192
Riverwalk at Colleyville	53	60	115	6,331	7,666	50%	3.2	5.7	20.0	20.0%	4.4.00	O-00-1210
Rosewood Villas	53	59	110	6,482	6,899	60%	3.6	6.3	14.8	21.4%	8.8.01	O-01-1286
Emerald Park	72	60	120	7,200	7,508	50%	3.5	5.8	20.2	19.6%	10.1.02	O-02-1366
Tiffany Park	25	60	100	7,200	7,580	50%	3.5	5.7	7.2	20.0%	10.21.03	O-04-1487
Tuscany	35	60	110	6,600	7,878	50%	3.9	5.5	8.8	6.6%	2.17.04	O-04-1442
Cambridge Place	38	50	58	4,500	5,300	60%	4.2	8.2	9.0	22.0%	7.6.04	O-04-1467
Heritage Oaks	103	30/40	90	2,700/3,600	3,600	90% and 75%	4.6	12.1	22.9	25.0%	03.21.06	O-09-1715
Villas at Oak Pointe	74	30/56	90/95/115	2,700/6,440	5,000	90% and 58%	3.7	8.7	13.6	22.0%	08.02.06	O-06-1584
Copperglen	22	55	105	5,924	6,650	65%	3.9	6.6	5.6	20.0%	10.17.06	O-06-1595
Villas of Colleyville	67	59	115	6,655	8,936	60%	3.4	4.9	19.8	21.0%	08.21.07	O-07-1627
Enclave at Arbor Estates	16	65	120	8,700	9,350	50%	2.9	4.7	5.6	19.3%	09.18.07	O-07-1634
Creekside at Colleyville	269	50	105	5,000	7,257	65%	2.4	6.0	108.5	20.0%	11.27.07	O-07-1645
Somerset Manor	77	50/60	100/110	5,000/6,600	6,000	50%	4	7.3	18.2	20.3%	05.05.08	O-08-1672
Ivy Glen	10	55	110	5,890	8,200	65%	3.4	5.3	3.0	20.0%	03.05.13	O-13-1864
The Preservation	36	60	140	8,500	9,170	50%	3	4.7	12.0	23.0%	05.14.13	O-13-1867
Heron Pond	49	47	120	7,000	7,800	65%	3.2	5.6	15.4	22.0%	11.19.13	O-13-1894

Average	59	56	106	6,260	6,915	58%	3.7	6.9	17.4	20.8%		
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Zoning Case ZC14-025	12	50	101	5,088	5,088	50%	4.5	8.6	2.6	11.9%		
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* Master Plan Density is calculated by dividing the total units in the development by the total acreage of the development

** Land Development Code Density is calculated by dividing the total units in the development by the total development acreage minus open space and right-of-way acreage



ORDINANCE O-14-1944

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 2.62 ACRES IN THE G.W. MINTER SURVEY, ABSTRACT 1034, LOCATED AT 5017, 5113 AND 5201 ROBERTS ROAD FROM THE AG-AGRICULTURAL ZONING DISTRICT TO THE PUD-R-PLANNED UNIT DEVELOPMENT RESIDENTIAL ZONING DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a rezoning under Case No. ZC14-025; 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 2.62 acres in the G.W. Minter Survey, Abstract 1034, located at 5017, 5113 and 5201 Roberts Road from the AG-Agricultural zoning district to the PUD-R-Planned Unit Development Residential zoning district, as depicted in the attached Exhibit "A" and as legally described in Exhibit "B".
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The purpose of this PUD-R is for a single-family residential development of 12 detached dwelling units, constructed at a gross maximum density of 4.5 dwelling units per acre.
- b. This development shall be generally consistent with the Statement of Planning Objectives, attached as Exhibit "C".
- c. The subject property is subject to all the regulations contained in the Land Development Code, except where amended by this Ordinance.

2. DEVELOPMENT PLAN AND PLATTING

- a. The development shall be generally consistent with Exhibit "D", Development Plan, which shall not be considered the

preliminary plat. The actual street and lot arrangement may differ from that shown on Exhibit "D" to accommodate topographic, drainage, or other conditions.

- b. The developer shall submit and receive approval from the City, a combination preliminary/final plat, in accordance with the requirements of the Land Development Code prior to development of this PUD-R.

3. PERMITTED USES

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

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

Residential lot requirements and setbacks shall comply with the following provisions:

- a. Minimum Lot Size: 5,088 square feet
- b. Minimum Lot Depth: 101 feet
- c. Minimum Lot Width: 50 feet
- d. Front Building Line: 20 feet
- e. Side Building Line: 5 feet
- f. Rear Building Line: 20 feet
- g. Maximum Lot Coverage: 50 percent
- h. Maximum Building Height: 30 feet

5. OPEN SPACE AND LANDSCAPING

- a. This development shall provide a minimum of 11.9 percent common open space, as shown on Exhibit "D", which shall be for the leisure and recreational use of the development's residents. The open space shall comply with the provisions contained in the Land Development Code. All open space

areas shall be landscaped and maintained by the Homeowner's Association (HOA).

- b. A minimum of two, three (3) inch caliper trees and four ornamental trees shall be planted in each open space lot along Roberts Road by the developer, prior to the final acceptance of the subdivision.

- Sec. 5. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 7. THAT if any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 8. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 9. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 2nd day of December 2014.

The second reading and public hearing being conducted on the 16th day of December 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 A –Location and Zoning Map

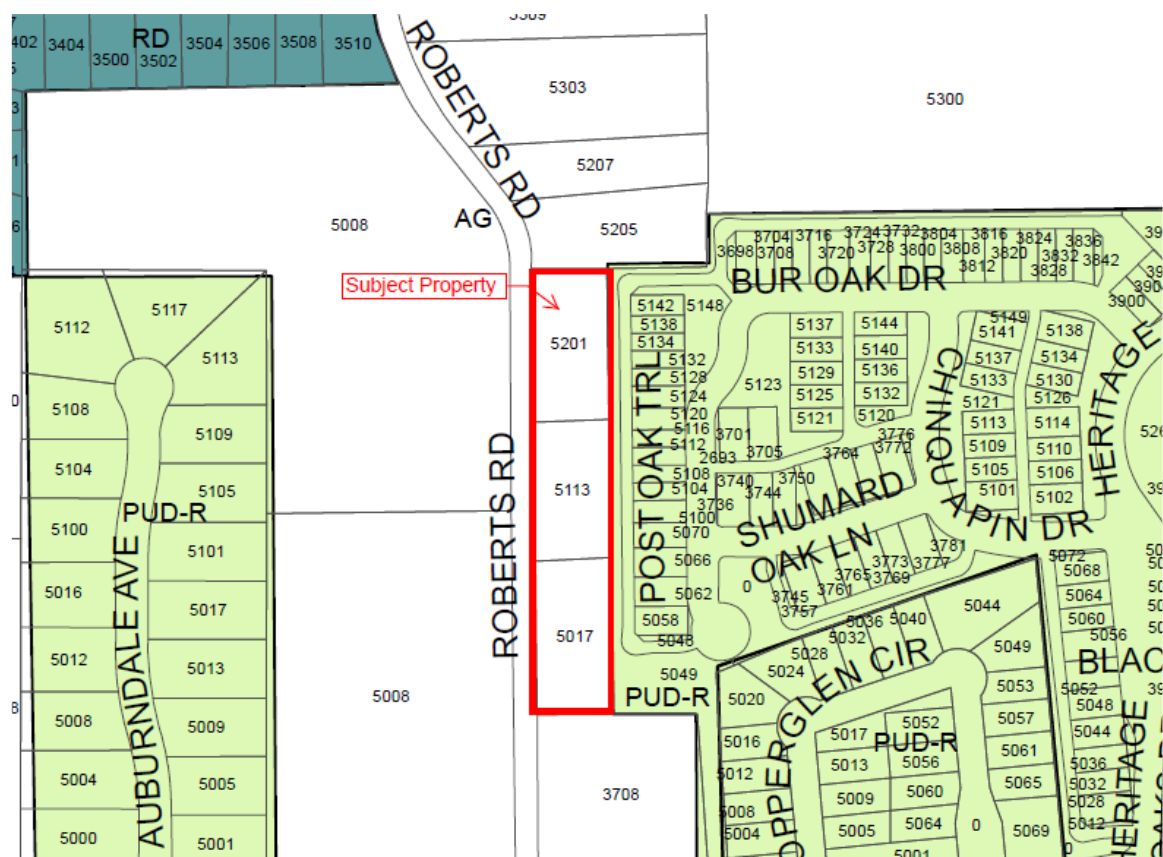


Exhibit B – Legal Description

LEGAL DESCRIPTION

Being a 114,285 square foot (2.62 acre) parcel of unplatted land situated in the G. Minter Survey, Abstract Number 1034, and being all portions of three tracts of property, said tracts being Tract 7C, a tract of land conveyed to Ted Scribner and wife, Deana Scribner by Warranty Deed recorded in Volume 5564, Page 899, Deed Records, Tarrant County, Texas, Tract 7C3 being a tract of land conveyed to James Gary Lecocq by General Warranty Deed recorded in Instrument Number D203104559, Deed Records, Tarrant County, Texas and Tract 7C2 being a tract of land conveyed to Kenneth W. Sauer by Special Warranty Deed recorded in Instrument Number D211194190, Deed Records, Tarrant County, Texas, said 114,285 square foot parcel being more particularly described as follows:

BEGINNING at a 1/2" iron rod found at the northeast corner of Tract 7C, said point being at the most westerly northwest corner of a tract of land described in the Final Plat of Heritage Oaks, as recorded in Cabinet A, Slide 11703, Plat Records, Tarrant County, Texas, said point also being in the south line of a tract of land conveyed to Thomas A. Arnold by Special Warranty Deed recorded in Instrument Number D203464501, Deed Records, Tarrant County, Texas;

THENCE S00°48'20"E, departing the south line of said Arnold tract along the east line of Tract 7C and the west line of said Heritage Oaks tract, passing at 186.18' an established point at the southeast corner of Tract 7C, said point also being the northeast corner of Tract 7C3, in all a distance of 304.48' to a 1/2" iron rod found in the west line of said Heritage Oaks, said point being in the east line of Tract 7C3;

THENCE S00°33'05"E continuing along the west line of said Heritage Oaks tract and the east line of Tract 7C3, passing at 168.98' an established point at the southeast corner of Tract 7C3, said point also being the northeast corner of Tract 7C2, in all a distance of 456.18' to a 1/2" iron rod found at the southeast corner of Tract 7C2 and the most westerly southwest corner of said Heritage Oaks tract, said point being in the north line of a tract of land described in the Minor Plat of Lot 1, Block 1, Pleasant Glade Baptist Church Addition, an addition to the City of Colleyville, Tarrant County, Texas recorded in Cabinet A, Slide 7691, Plat Records, Tarrant County, Texas;

THENCE S88°30'45"W a distance of 151.69' along the common line between Tract 3 and said Pleasant Glade tract to a 1" iron pipe found at the southwest corner of Tract 7C2, said point being in the north line of said Pleasant Glade tract;

THENCE N00°48'42"W, departing the north line of said Pleasant Glade tract along the west line of Tract 7C2, passing at 289.10' an established point at the northwest corner of Tract 7C2, said point also being the southwest corner of Tract 7C3, in all a distance of 573.23' to an established point at the northwest corner of Tract 7C3;

THENCE N88°45'52"E along the north line of Tract 7C3 a distance of 7.78' to an established point at the southwest corner of Tract 7C;

THENCE N00°53'08"E departing the north line of Tract 7C3 a distance of 186.18' along the west line of Tract 7C to a 1/2" iron rod found for corner at the northwest corner of Tract 7C, said point being at the southwest corner of said Arnold tract;

THENCE N88°45'52"E a distance of 144.90' along the common line between said Arnold tract and Tract 7C to the POINT OF BEGINNING, containing 114,285 square feet or 2.62 acres of land.

Exhibit C - Statement of Planning Objectives

STATEMENT OF PLANNING OBJECTIVES

The site that is the subject of this change of zoning request consists of three tracts with separate ownership totaling 2.66± acres. The present owners of the tracts are senior citizens and, due to changes in their lives, are seeking a way to turn the value of their home sites into more liquid assets that give them more flexible options for their future.

The existing homes are from a time, style and condition that results in a market value that is very limited today. The existing houses and appurtenances exhibit limited opportunity for refurbishing of the entire sites or remodeling of the individual home sites.

The new construction near this site has been categorized as greater development densities with new and larger residences being built on smaller lots with added amenities.

This overall site, and others nearby, are styled as a transitional zone between similar developments to the north, south and east bordering commercial and retail developments fronting on Highway 121 and other established PUD-R zoning to the west.

Roberts Road is experiencing a steady increase in traffic volume between Hall Johnson and Glade roads. It is depicted on the thoroughfare plan as a Collector Road and needs to be reconstructed as such.

These three tracts have an overall shape of 760.66 feet north and south and a useable east west dimension of 121.67 feet after the dedication of 30 feet of right of way for Roberts Road. Since Roberts Road will be a collector street, no lots can front on it. Consequently, the plan herein submitted is the only plan that works considering the limitations posed by adjoining recent residential developments, the needed improvements to Roberts Road and the remaining shape of the residual of the said three individually owned tracts.

The overall development of the twelve lots will be for zero lot line use with six common area lots that present many opportunities for attractive uses, which will also be a landscaped buffer from the future Roberts Road collector street.

DEVELOPMENT SCHEDULE

The following is a time related scheduling of events from:

Zoning Changes	September 19, 2014 – December 16, 2014
Preliminary Plat	October 17, 2014 – January 20, 2015
Construction Plans production	January – February 2015

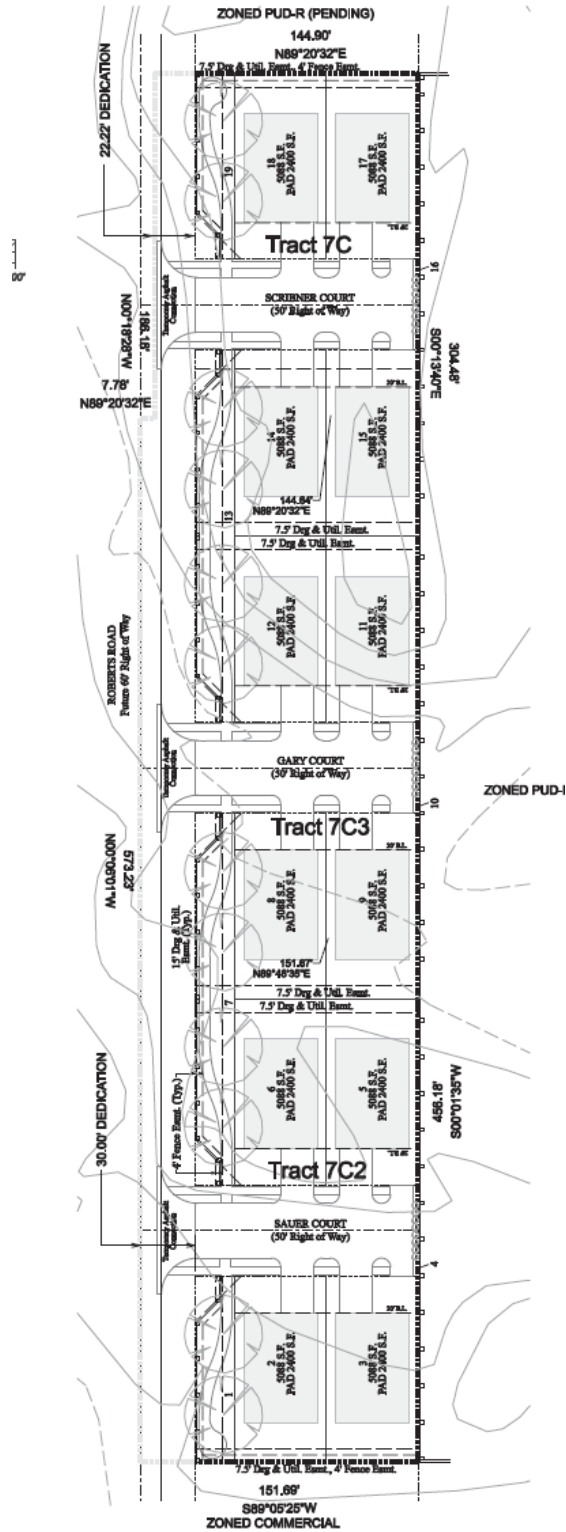
Final Plat preparation submittal and filing in Tarrant County Deed Records

Let contract for construction	March 2015
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Construction Period for wet utilities, grading, drainage, paving and dry utilities
March – July 2015

Final construction and release lots to builders
August 2015

Exhibit D - Development Plan





City of Colleyville City Council Agenda Briefing

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

Agenda Number 5f
Type Ordinance
Department City Manager

Agenda Date 12/16/2014

Number Ordinance O-14-1945

Title

Approval to amend various sections of the Colleyville, Texas, Code of Ordinances and the Land Development Code, setting fees and charges for City services

Explanation

Second Reading and Public Hearing

There were no speakers regarding this request at the December 2, 2014 City Council meeting.

First Reading and Public Hearing

As a part of the annual budget process, staff reviews the fees charged by the City and proposes new fees, revisions of current fees, or deletions of fees. The following fee changes are proposed by staff and were discussed at the Pre Council meeting on September 16, 2014:

Fire Prevention Fees and Charges

In an effort to more fully recover the cost of staff time, staff recommends a number of changes related to charges for fire prevention services. In addition to the actual fee changes, staff recommends moving the authorization for fire prevention fees from Chapter 22-Businesses, Section 22-1 (b) fee schedule, to Chapter 2-Administration, Section 2-26, fees and charges for City services. Staff is working toward moving all of the City's fees and charges to a single location in the Code of Ordinances, to the extent reasonable, in order to improve transparency and increase efficiency of updating the fee schedule annually. The recommended changes are as follows:

Fire Alarm Systems

The City's Fire Marshal reviews plans for fire alarm systems, and also inspects those systems once they are in place. A fee of \$50 is charged for plans review, but no separate fee is charged for the inspection. The charge is only for commercial buildings and is one-time in nature, unless the facility is expanded. Based on the personnel costs for the Fire Marshal, as well as a comparison of the fees charged by the two neighboring cities with comparable fee structures, staff recommends increasing the plans review fee to \$70 and charging for the inspection of the fire alarm system based on the number of devices, or smoke alarms, the system includes.

Number of Devices	Recommended Fee
1 to 10	\$75
11 to 25	\$100
26 to 100	\$200
101 to 200	\$275
201 to 500	\$500
Per device for each over 500	\$1

Fire Sprinkler Systems- Above Ground

Fees relating to fire sprinkler systems are somewhat similar to those for fire alarm systems, in that there is a plans review conducted prior to construction, as well as an inspection of the system after construction. However, in this case, there is currently no charge for the review work and a three tiered fee structure for inspection. These fees are one-time in nature unless the building is expanded. Fire sprinkler systems are typically only for commercial buildings, but they are also required for homes built that are more than 7,500 square feet under a single roof, or 6,000 square feet of total air-conditioned space. They are also required in cul-de-sacs with 12 or more homes, regardless of home size. Staff recommends charging a plans review fee of \$150, and a five-tiered structure for inspection fees based on the number of sprinkler heads, in order to more accurately recover the costs of providing these review and inspection services. These changes would also provide consistency in structure for both fire alarm and fire sprinkler systems, charging for work performed both before and after construction.

Current Inspection Fees:

1 to 50 heads	\$100
51 to 500 heads	\$150
501+ heads	\$200

Recommended Inspection Fees:

1 to 19 heads	\$75
20 to 100 heads	\$100
101 to 300 heads	\$200
301 to 1,000 heads	\$400
Per head for each over 1,000 heads	\$1

Licensing Inspections

There are several state mandated annual inspections required for certain entities to receive or maintain licenses. The City's Fire Marshal performs these inspections, for which no fee is currently assessed. Staff recommends implementing the fees below, to begin recovering the cost of these services.

Hospitals	\$100
Nursing/long term care homes	\$75
Day care/Mothers' day out	\$50
Foster and adoptive homes	\$10
Home inspection - insurance	\$50

Recommended for Removal

Two fees currently included on the City's fee schedule for fire prevention services are recommended for removal, as they are not applicable to services offered. The first is a fee for a placard that is placed on vehicles that are transporting hazardous materials. This is not a program administered by the Colleyville Fire Department, but rather the Texas Department of Transportation. The second fee recommended for removal is a permit for fire extinguisher sales. It is unclear what the purpose of this fee is for or what situation it would apply to, and is not a permit issued by the City.

Public Works Fees and Charges

Public Infrastructure Plan Review and Inspection Fee

Many times, plans are submitted that are not complete, or changes are made after the plans have been reviewed and accepted. Each time a plan set is reviewed by staff, comments are provided to the applicant regarding issues that do not comply with the Land Development Code, or asking for additional information. Often times the comments are not fully or adequately addressed, resulting in multiple reviews and a significant amount of staff time. When this repeatedly happens, the costs incurred to re-review plans are not recovered. Staff recommends charging \$250 for each additional review after the second submittal, and \$50 per hour for reviews due to change orders after initial acceptance of the plans. Plan review and inspection fees are currently authorized in Chapter 14, Section 14-120 C of the Land Development Code. Staff recommends moving these fees to Chapter 2 Administration, Section 2-26, fees and charges for City services, of the Code of Ordinances, and adding the new fees for additional reviews to this location.

Application for Encroachment and Joint Use Agreement

The current fee to apply for an Encroachment and Joint Use Agreement is \$55.00. Each application requires staff review, which takes a minimum of one hour to complete. Additionally, due to the legal nature of these documents, they must be filed by City personnel at the Tarrant County Clerk's Office located in downtown Fort Worth. The cost to file the document is \$14.00 for the first page, and \$6.00 for each additional page. A complete application requires that at least five pages be filed with the County, resulting in a minimum fee of \$38.00. Based on staff review, the average filing fee per application is \$70.00. As such, the current \$55.00 fee is not recovering the hard costs for filing most applications, and is often not recovering any of the City personnel costs

for time spent processing the applications. At the Pre Council meeting, City Council suggested that the fee be adjusted to increase with the number of pages, as opposed to a flat fee based on the average cost. Staff has revised the recommended change as reflected in the chart below. A fee for certain page ranges is recommended, as the exact number of pages required is not always known at the time of application and is less burdensome administratively. The majority of applications would fall into the first category, for 1 to 10 pages.

Document Length	Fee
1 to 10 pages	\$120
11 to 20 pages	\$160
21 to 30 pages	\$200
Over 30 pages	\$240

Water Tap Fees

To provide a water tap where none currently exist, the current charge is \$350.00 for a one inch tap and \$500.00 for a two inch tap. These fees have been in place for more than 15 years. Actual costs are approximately \$1,016.00 for a one inch tap and \$1,353.00 for a two inch tap. These costs include parts, labor, and equipment. In order to more fully recover costs, it is recommended that fees be increased to \$1,100.00 for a one inch tap and \$1,400.00 for a two inch tap. Tap fees are currently authorized in Appendix A of the Code of Ordinances, Water and Sewer Policy and Procedure Manual. Staff recommends continuing to keep Utility Fund charges in this location. A few other administrative changes have been made to this section of the Water and Sewer Policy and Procedure Manual, to align the Municipal Code with current practices.

Water Reconnection Fees

When service has been disconnected for non-payment, a charge of \$25.00 is made for each meter disconnected before service will be restored. In the event the customer requests reconnection outside of normal business hours, the reconnection fee is \$40.00. In reviewing the actual costs to provide these services, the after-hours fee does not recover the costs of providing this service. It is recommended that the after-hour reconnection fee be increased from \$40.00 to \$75.00, to recover personnel costs for providing this service. This fee is currently authorized in Appendix A of the Code of Ordinances, Water and Sewer Policy and Procedure Manual. Staff recommends continuing to keep Utility Fund charges in this location.

Parks and Recreation Fees and Charges

Non-resident Athletic Field Use Fee

Non-residents currently pay a \$15.00 non-resident field use fee per participant, per

season. Due to the rising cost of maintaining the City's athletic complexes and fields, staff recommends this fee be increased from \$15.00 to \$20.00, per participant, per season. This recommendation was unanimously approved by the Parks and Recreation Advisory Board at their meeting on July 28, 2014.

Non-resident Rental Fee for McPherson Park Group Pavilion

Due to the steady increase of reservations and utilization of the McPherson Park group pavilion, and the rising cost of maintaining parks and facilities, staff recommends that the hourly fee for non-resident reservation of the pavilion be increased by \$10.00, from \$60.00 to \$70.00 per hour. This recommendation was unanimously approved by the Parks and Recreation Advisory Board at their meeting on July 28, 2014.

Administrative Updates

Library Fees

As a part of our annual update to the City's fee schedule, several administrative updates and edits are included, to clean up certain outdated areas. In this review, it was noticed that several library fees are currently included on the schedule that are no longer part of current practice, for equipment and room rental. Staff has also recently received direction from the City Council to determine how, to what extent, and at what price certain City buildings could be made available for the public to rent. Removing the outdated fees from the Code, which are not a part of current practice or policy, will provide a clean slate as staff researches potential rental options.

L.D. Lockett House Rental

The rental fee for the L.D. Lockett House has been removed from Sec. 2-26 Fees and Charges for City Services, as this building is scheduled for demolition. This section of the Code currently states a \$75.00 fee for a two hour rental.

Annual Tennis Court Usage

The fees currently included in Sec. 2-26 Fees and Charges for City Services for annual tennis court usage have been removed. It is no longer current practice to charge annual usage fees, however the tennis court rental fees of \$3.00 per person, per 1.5 hours remains in effect.

Animal Services and Police Fees

The portion of Sec. 2-26 Fees and Charges for City Services related to animal services fees has been updated to reflect the changes discussed with the City Council on July 1, 2014 and formally adopted on September 16, 2014. Two additional updates were also made to tie the fee schedule to current practice. A fee of \$5.00 for each additional

conduct letter provided by the Police Department, after a \$10.00 fee for the first conduct letter, was added to the schedule. And the \$1 fee currently in place for the press release of a police report was added. These changes ensure that the fee schedule codified in Sec. 2-26 is up-to-date and reflective of current practices and policies.

Financial Impact

Approval of the recommended fee changes and additions would, ultimately, increase the amount of revenue received by the City. However, as the Fiscal Year 2015 budget has already been adopted, any revenue received over the amount budgeted will be allocated in the year-end budget amendment. The proposed fee changes are intended to more fully recover the cost of providing services.

Recommendation

Approve

Attachments

1. Ordinance O-14-1945

ORDINANCE O-14-1945

AMENDING PART II, CHAPTER 2-ADMINISTRATION, ARTICLE II-FINANCE, DIVISION 1, SEC. 2-26-FEES AND CHARGES FOR CITY SERVICES; AMENDING PART II, CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, DIVISION 6, SEC. 18-23-PERMIT FEES; AMENDING PART II, CHAPTER 22-BUSINESSES, ARTICLE I, SEC. 22-1-FIRE PROTECTION EQUIPMENT SERVICES AND CONTRACTORS; AMENDING APPENDIX A-WATER AND SEWER POLICY AND PROCEDURE MANUAL, SECTION 3-SERVICE CHARGES, SEC. D.-DISCONTINUANCE OF SERVICE, NOTICE; RECONNECTION FEE; AND SECTION 4-CHARGES FOR DEPOSITS FOR CONNECTIONS TO EXISTING MAINS AND LATERALS, SEC. A.-WATER SERVICE; OF THE COLLEYVILLE, TEXAS, CODE OF ORDINANCES; AMENDING CHAPTER 14, SECTION 14-120 C, PLAN REVIEW AND INSPECTION FEES, OF THE LAND DEVELOPMENT CODE, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Colleyville charges fees for services and materials as authorized in the Code of Ordinances and it is desirous to update those fees; and

WHEREAS, all statutory and constitutional requirements for the passage of this ordinance have been adhered to, including but not limited to the Open Meeting Act; and

WHEREAS, the City Council determines that the passage of this ordinance is in the best interests of the health, safety, and welfare of the public.

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

- Sec. 1. THAT all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.
- Sec. 2. THAT from and after the effective date of this ordinance, Chapter 2, Section 2-26 of the Code of Ordinances, fees and charges for city services shall be deleted and replaced in its entirety with the revisions as shown on Exhibit "A".
- Sec. 3. THAT from and after the effective date of this ordinance, Chapter 22, Section 22-1, of the Code of Ordinances, fire

protection equipment services and contractors, (b) fee schedule shall be deleted and replaced in its entirety with the following language: Specific fees may be found in the Code of Ordinances Part II, Chapter 2, Section 2-26, fees and charges for city services.

- Sec. 4. THAT from and after the effective date of this ordinance, Chapter 18, Section 18-23, of the Code of Ordinances, permit fees shall be deleted and replaced in its entirety with the following language: Specific fees may be found in the Code of Ordinances Part II, Chapter 2, Section 2-26, fees and charges for city services.
- Sec. 5. THAT from and after the effective date of this ordinance, Part II, Appendix A- Water and Sewer Policy and Procedure Manual, Section 3-Service Charges, Sec. D. discontinuance of service, notice; reconnection fee 1. , shall read as follows: In the event that any month's charges remain delinquent and unpaid at the time of a subsequent billing's due date, the user or customer shall receive a cut-off notice which will be mailed no later than two working days after the subsequent billing's due date. Services will be disconnected if any arrearages over 30 days are not paid within six working days of the cut-off notice. Where service has been discontinued for failure to pay for service rendered, a charge of \$25.00 shall be made for each meter disconnected before said service shall be restored. In the event the customer requests reconnection at hours other than 8:00 a.m. to 4:30 p.m., said reconnect fee shall be increased to \$75.00.
- Sec. 6. THAT from and after the effective date of this ordinance, Part II, Appendix A- Water and Sewer Policy and Procedure Manual, Section 4-Charges for Deposits for Connections to Existing Mains and Laterals, Sec. A. Water Service, shall be deleted and replaced in its entirety with the revisions as shown on Exhibit "B".
- Sec. 7. THAT from and after the effective date of this ordinance, Chapter 14, Section 14-120 C. Plan Review and Inspection Fees in the Land Development Code shall be revised to read as

follows: Prior to the commencement of any public infrastructure improvements associated with private development, the developer shall pay the City a plan review and inspection fee as stated in the Code of Ordinances Part II, Chapter 2, Section 2-26, fees and charges for city services.

Sec. 7. THAT the effective date of this ordinance shall be December 16, 2014.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 2nd day of December 2014.

The second reading and public hearing being conducted on the 16th day of December 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 "A"

Sec. 2-26. Fees and charges for city services.

(a) The following fees will be in effect in all city departments:

Notary fee (non-city related business): As prescribed by V.T.C.A., Government Code § 406.024.

(b) City secretary services:

Records request research, per hour\$15.00

Document certification (per transaction)8.00

Agenda mailings12.00

The city will charge fees for public information in accordance with the Texas State Library and Archives Commission.

(c) Financial services:

New utility account processing\$ 2.00

Confidentiality of utility records request processing2.00

Parking violation court cost fee5.00

Failure to appear warrant fee25.00

Broken/damaged/cut lock or tie25.00

(d) Police services:

Accident reports6.00

Fingerprinting - First card10.00

Fingerprinting - Each additional card5.00

Conduct letters10.00 for original and 5.00 for each additional

Miscellaneous police reports2.00

Press release of police report1.00

(e) Animal services:

Daily care of impounded animals, per day10.00

Each additional impounded animal, same owner, per day10.00

Removal and disposal of live unwanted pets30.00

Animal impound fee (second impounding)50.00

Animal impound fee (third impounding)75.00

Animal impound fee (fourth impounding)150.00

Exhibit "A"

Animal impound fee (fifth and greater impoundings)150.00

Removal of individually trapped animals (private trap)30.00

(f) Fire prevention:

Fire alarm systems:

Plans review (new, alteration, or relocation)70.00

Inspection of system once in place

Number of Devices	Fee
1 to 10	75.00
11 to 25	100.00
26 to 100	200.00
101 to 200	275.00
201 to 500	500.00
Per device for each over 500	1.00

Fire sprinkler systems- above ground:

Plans review (new, alteration, or relocation)150.00

Inspection of system once in place

Number of heads	Fee
1 to 19 heads	75.00
20 to 100 Heads	100.00
101 to 300 Heads	200.00
301 to 1,000 Heads	400.00
Per head for each over 1,000 heads	1.00

Exhibit "A"

Fire sprinkler systems- underground:

Fire Sprinkler System (Relocation or modification) 3 sets of detailed plans	
a. Inspection is required before ditch is covered	
b. 2 hour/200 lb. test is required	50.00

Licensing inspections:

Hospitals	100.00
Nursing/long term care homes	75.00
Day care/Mothers' day out	50.00
Foster and adoptive homes	10.00
Home inspection- insurance	50.00

Permits and miscellaneous fees:

Fixed Fire Protection System (New, alteration, or relocation) 3 sets of detailed plans	50.00
Security Gates (Required 3 set of detail plans) Plus \$25.00 per required sign.	50.00
Storage of Flammable or Combustible Liquids at Construction Sites	50.00
Installation of Compressed Natural Gas (CNG) Container or Stations	50.00
Removal, relocation of Compressed Natural Gas (CNG) Container or Station	50.00
Installation of Liquid Petroleum Gas (LPG) Container	50.00
Removal, relocation of Liquid Petroleum Gas (LPG) Container	50.00
Installation of Liquefied Natural Gas (LNG) Container or Station	50.00
Removal, relocation of Liquefied Natural Gas (LNG) Container or Station	50.00
Spray Booths (New) 3 sets of detailed plans	50.00

Exhibit “A”

Spray Booths (Modification or relocation) 3 sets of detailed plans	50.00
Carnivals and fairs—Site Plan & Layout of vendors required	50.00
Fireworks display—Site inspection is required	100.00
Flammable and combustible liquids:	
a. Repair or modify a pipeline	100.00
b. Product removal from Underground Storage tank	50.00
c. Status change in product facilities	50.00
d. Change type of contents in liquid tank(s)	50.00
Occupant load increase	50.00
Pyrotechnical special effects	100.00
Tents (Any Size)	50.00

(g) Response related to natural gas leaks and hazardous materials releases:

Recovery of expenses related to natural gas leaks and hazardous materials releases caused by contractors or carriers which require an on scene response where city staff are unavailable for other emergencies for one hour or more and incidents involving negligence related to drug and/or alcohol impairment will be billed for public safety services if the incident involved any criminal offense greater than a Class C misdemeanor will be as follows:

Employee costs—Actual employee salary costs during the incident.

Emergency vehicle use fees:

Ambulance—To 210 HP, per hour\$ 41.00

Police car—Patrolling, per mile0.63

Police car—Stationary, per hour18.00

Fire truck—1500 GPM, per hour95.00

Fire truck—2000 GPM, per hour105.00

Ladder truck—At least 75 feet, per hour145.00

Exhibit "A"

(h) Development Fees- Planning and zoning services:

Preliminary plat\$250.00

plus, per lot7.50

Final plat or replat350.00

plus, per lot7.50

Minor plat250.00

Amending plat250.00

Rezoning application500.00

plus, per acre5.00

PUD application500.00

plus, per acre5.00

Amendment to existing PUD to add, delete, or change a special condition to an existing PUD ordinance450.00

SUP application500.00

plus, per acre5.00

SUP residential accessory building175.00

SUP residential carport175.00

SUP alcoholic beverage sales500.00

ZBA variance and appeal application\$175.00

Sign board appeal175.00

Tree mitigation appeal125.00

Site plan application review250.00

Landscape plan application review250.00

Zoning verification letter20.00

(i) Development Fees- Sign permits:

Subdivision wall sign45.00

Wall sign75.00

Awning sign35.00

Canopy sign35.00

Exhibit "A"

Development sign75.00

Weekend builder sign (per year)125.00

Permanent sign permits:

Business monument sign75.00

Freeway pole sign75.00

Institutional monument sign75.00

Institutional off-premises35.00

Major shopping center (structure)75.00

Major shopping center (plaque)35.00

Model home sign75.00

Projecting sign5.00

Subdivision wall plaques45.00

Face replacement35.00

Temporary sign permits:

Grand opening0.00

Pole banners35.00

Search light35.00

Temporary business sign35.00

Off-premises real estate open house signs annual permit fee50.00

(j) Development Fees- Plan review, inspection, and permit fees:

Permit fees. The schedule of permit fees shall be in accordance with the fee schedules contained in the 1997 Uniform Administrative Code as follows:

(1) Table 3-A—Building Permit Fees

(2) Table 3-B—Electrical Permit Fees

(3) Table 3-C—Mechanical Permit Fees

(4) Table 3-D—Plumbing Permit Fees

Calculating construction values. The construction values used for calculating permit fees shall not be less than the most recent Building Valuation Data published by the International Conference of Building Officials. Said permit fees shall be adjusted on an annual basis for permit applications received on or after the 1st day of June using the most recent edition of the Building Valuation Data. The regional modifier of 0.93 shall be applied to the Building Valuation Data used for calculating construction values.

Exhibit "A"

Plan review fee. When a plan or other data are required to be submitted by the building code, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees specified in this subsection are separate fees and are in addition to the permit fees. No additional plan review fee shall be charged where plans are incomplete or for reviewing a construction plan that has been previously reviewed and resubmitted with corrections. Where construction plans are changed to a new proposal or where a third plan review is necessary, an additional plan review fee is required.

Inspection charges. Permit fees shall include the cost of all required inspections.

Reinspection fees. If the code official is required to make a reinspection, the following fees shall apply: (1) The first reinspection fee shall be \$75.00; (2) The second, and any subsequent, reinspection fee shall be \$125.00. Failure to pay such charges as provided in this code may result in the forfeiture of the right of such contractor to obtain other permits until such charges are paid.

Fees due. All building permit fees shall be due when the permit is issued.

Fee refunds. The code official shall be authorized the refunding of fees as follows:

- (1) The full amount of any fee paid hereunder that was erroneously paid or collected.
- (2) Not more than 90 percent of the permit fee when no work has been done under a permit issued in accordance with this code.
- (3) Not more than 90 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.]

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Lot grading and drainage compliance fee125.00

New residence plan review350.00

Residential addition and remodel plan review150.00

Commercial plan review fee65% of building permit fee

Swimming pool plan review fee50.00

Water well drilling permit\$50.00

Irrigation system permit, each75.00

Fence permit75.00

Masonry screening fence permit.....125.00

Retaining wall125.00

Above-ground pool permit50.00

In-ground pool permit300.00

Exhibit "A"

Re-roofing permit (ten squares or more)50.00
Grading and earthwork permit75.00
Curb cut permit55.00
Driveway approach permit75.00
Foundation repair permit100.00
Temporary construction trailer100.00
Temporary event permit100.00
Temporary use permit100.00
Temporary use permit—Portable storage structure\$25.00
Used/obsolete street sign purchase fee (per sign)25.00
Application for Encroachment and Joint Use Agreement...

Document Length	Fee
1 to 10 pages	\$120
11 to 20 pages	\$160
21 to 30 pages	\$200
Over 30 pages	\$240

Weed mowing administrative fee120.00
Weed mowing violation notification letter fee (second and all following notification letters within current calendar year)50.00
Weed mowing fee, per acre175.00
Demolition fee50.00
Brush abatement fee:
Actual expenses incurred, not to exceed the estimated value of the affected property.
Sidewalk waiver request general waiver request to a Land Development Code or Code of Ordinances requirement125.00

(k) Charges related to oil and gas wells:

Gas and oil well permit fee (per well bore)10,000.00
Gas well special use permit fee (per pad site)15,000.00
Seismic survey permit250.00

Exhibit "A"

Pipeline permit2,500.00

(l) Public infrastructure plan review and inspection:

Prior to the commencement of any public infrastructure improvements associated with private development, the developer shall pay the City a plan review and inspection fee as follows:

Engineering Plan Review Fee – 2% of the actual cost of the public improvements

Engineering Inspection Fee – 3% of the actual cost of the public improvements

For each additional review after the second submittal..... 250.00

Inspections performed outside of regular business hours for the construction of public infrastructure projects 50.00 per hour

(m) Recreation:

City sponsored activities- The fee for the city park and recreation sponsored recreation and athletic activities not covered elsewhere shall be calculated for respective activity based upon the estimated costs of conducting such activity (including such items as materials, instructors, umpires, scorekeeper, trophies and other direct program costs) plus an administrative fee, or shall be as stipulated by nationally or statewide recognized athletic organizations.

Nonresident programming fee..... 5.00 per class/course

Senior Center annual membership required for participation in all activities:

Colleyville residentFree

Non-Colleyville resident10.00

Senior Center membership card replacement fee:

Colleyville resident2.00

Non-Colleyville resident2.00

(n) Parks:

Youth Sports Associations:

Athletic Field Use Fees:

Colleyville residents5.00 per participant/per season/per association

Non-Colleyville residents5.00 per participant/per season/per association

Non-Colleyville resident Fee: A fee of \$20.00 shall be charged to each non-resident, per participation in each organized sports association per season.

Exhibit "A"

Field Rental Fees:

Field		No lights/With Lights	Time
Reagan Park	Resident	35.00 / 50.00	Per 2 hours
	Nonresident	60.00 / 100.00	Per 2 hours
City Park	Resident	50.00 / 80.00	Per 2 hours
	Nonresident	100.00 / 180.00	Per 2 hours
Pleasant Run Park (Game Field)	Resident	50.00 / 80.00	Per 2 hours
	Nonresident	125.00 / 175.00	Per 2 hours
Pleasant Run Park (Practice Field)	Resident	35.00 / 50.00	Per 2 hours
	Nonresident	60.00 / 100.00	Per 2 hours

Rental Fees:

Park Pavilion Rental per hour (no minimum):

Colleyville residents20.00

Non-Colleyville residents30.00

Webb House Rental:

Weekday (Monday—Thursday) three hour minimum

Colleyville resident60.00/hr

Non-Colleyville resident90.00/hr

Weekday (Monday—Thursday) each additional hour

Colleyville resident20.00/hr

Non-Colleyville resident35.00/hr

Weekend (Friday—Sunday) three hour minimum

Colleyville resident80.00/hr

Non-Colleyville resident130.00/hr

Weekend (Friday—Sunday) each additional hour

Colleyville resident35.00/hr

Non-Colleyville resident55.00/hr

Webb House damage deposit200.00

Tennis Court Rental—Per person (per one and one-half hour increment3.00

McPherson Park Group Pavilion rental per hour (no minimum):

Exhibit "A"

Colleyville residents40.00

Non-Colleyville residents70.00

Wedding event in a park without amenities100.00

(o) Colleyville Center fees and charges:

NON-RESIDENT & BUSINESS - STANDARD RATES

ROOM	MAX OCC. THEATER = T BANQUET = B CLASSROOM = C	* WEEKDAY RATE <i>FOUR HOUR BLOCK OF TIME, EXCEPT FOR ENTIRE BUILDING RENTAL WHICH IS EIGHT HOURS</i>	PRIME WEEKEND FRI / SAT / SUN <i>EIGHT HOUR RENTAL</i>
SMALL CONFERENCE ROOM <i>792 SQ. FT.</i>	T-60 B-50 C-35	\$200	ENTIRE BUILDING RENTAL ONLY
NORTH HALL <i>3,155 SQ. FT. 1,664 PLUS 1491 STAGE</i>	T-200 B-100 C- 70	\$375	ENTIRE BUILDING RENTAL ONLY
SOUTH HALL <i>2,872 SQ. FT. 1,872 PLUS 1,000 KITCHEN</i>	T-200 B-100 C- 70	\$375	ENTIRE BUILDING RENTAL ONLY
NORTH-SOUTH HALL <i>TOTAL 6,027 FLOOR -3,536</i>	T-500 B-300 C-150	\$700	ENTIRE BUILDING RENTAL ONLY
ENTIRE BUILDING <i>8,475 SQ. FT.</i>	BUILDING OCCUPANCY T-500	\$1,800 WEEKDAY	FRIDAY & SUNDAY \$1,800 PRIME SATURDAY \$2,200
GARDEN PLAZA (Including chairs)	T-50	\$300	\$300

*Includes tables, chairs, and all add-ons listed in the Video, Audio, and Room Set sections of the Administrative Fee Schedule.

Exhibit "A"

COLLEYVILLE RESIDENT / BUSINESS - WITH 20 % DISCOUNT

ROOM	MAX OCC. THEATER = T BANQUET = B CLASSROOM = C	* WEEKDAY RATE <i>FOUR HOUR BLOCK OF TIME, EXCEPT FOR ENTIRE BUILDING RENTAL WHICH IS EIGHT HOURS</i>	PRIME WEEKEND FRI / SAT / SUN <i>EIGHT HOUR RENTAL</i>
SMALL CONFERENCE ROOM <i>792 SQ. FT.</i>	T-60 B-50 C-35	\$160	ENTIRE BUILDING RENTAL ONLY
NORTH HALL <i>3,155 SQ. FT. 1,664 PLUS 1491 STAGE</i>	T-200 B-100 C- 70	\$300	ENTIRE BUILDING RENTAL ONLY
SOUTH HALL <i>2,872 SQ. FT. 1,872 PLUS 1,000 KITCHEN</i>	T-200 B-100 C- 70	\$300	ENTIRE BUILDING RENTAL ONLY
NORTH-SOUTH HALL <i>TOTAL 6,027 FLOOR -3,536</i>	T-500 B-300 C-150	\$560	ENTIRE BUILDING RENTAL ONLY
ENTIRE BUILDING <i>8,475 SQ. FT.</i>	BUILDING OCCUPANCY T-500	\$1,440 WEEKDAY	\$1,440 FRIDAY & SUNDAY \$1,760 PRIME SATURDAY
GARDEN PLAZA (Including chairs)	T-150	\$300	\$300

*Includes tables, chairs, and all add-ons listed in the Video, Audio, and Room Set sections of the Administrative Fee Schedule.

Exhibit "A"

COLLEYVILLE BASED NON-PROFIT & CIVIC ORGANIZATIONS

ROOM	MAX OCC. THEATER = T BANQUET = B CLASSROOM = C	WEEKDAY RATE <i>FOUR HOUR BLOCK OF TIME, EXCEPT FOR ENTIRE BUILDING RENTAL WHICH IS EIGHT HOURS</i>	PRIME WEEKEND FRI / SAT / SUN <i>EIGHT HOUR RENTAL</i>
SMALL CONFERENCE ROOM <i>792 SQ. FT.</i>	T-60 B-50 C-35	\$60	ENTIRE BUILDING RENTAL ONLY
NORTH HALL <i>3,155 SQ.FT. 1,664 PLUS 1491 STAGE</i>	T-200 B-100 C- 70	\$80	ENTIRE BUILDING RENTAL ONLY
SOUTH HALL <i>2,872 SQ. FT. 1,872 PLUS 1,000 KITCHEN</i>	T-200 B-100 C- 70	\$80	ENTIRE BUILDING RENTAL ONLY
NORTH-SOUTH HALL <i>TOTAL 6,027 FLOOR -3,536</i>	T-500 B-300 C-150	\$140	ENTIRE BUILDING RENTAL ONLY
ENTIRE BUILDING <i>8,475 SQ. FT.</i>	BUILDING OCCUPANCY T-500	\$300 WEEKDAY	50% DISCOUNT FRIDAY & SUNDAY \$900 20% DISCOUNT PRIME SATURDAY \$1,760
GARDEN PLAZA (Including chairs)	T-150	\$300	\$300

ADMINISTRATIVE FEES		
	Non-Profit	Standard
VIDEO		
LCD Projector per hour (portable and ceiling mount)	\$65 with weekday max \$150	\$65
LCD 220" Rear Screen HD Projector per hour	\$75 with weekday max \$200	\$75
Rolling Video cart with electrical and extension	\$2	\$10
Gallery Flat Screen or TV Monitor (per event)	\$65	\$65
Stage Front Drop Screen	\$10	\$40
Portable screen (9')	\$40	\$40
Conference Room pull down	\$20	\$20
White Board / Flip Chart with easel	\$20	\$20
Easel	\$15	\$15
AUDIO		
Baby Grand Piano	\$100	\$100

Exhibit "A"

Stage Lighting (one time setting – per hour)	\$50	\$50
Stage Lighting and sound board (must use AV Tech)	\$200 + AV Tech	\$200 + AV Tech
Podium with Microphone	\$20	\$35
iPod Connection	\$20	\$20
Corded Microphone on stand – one free with N/S Hall	\$15	\$15
Wireless Microphone (hand held or lapel)	\$25	\$50
Colored Up Lights	\$200	\$200
ROOM SET		
Linens (per linen) Weekdays only	\$5	\$5
Draped and Skirted Registration Table	\$15	\$15
Room Change after final set (per table and chair set)	\$20	\$20
Repositioning room during event	\$400 + \$10 ea. Table set	\$400 + \$10 ea. Table Set
CATERING		
Catering fee 15% of F&B with \$1.50 pp min.	15% F&B	15% F&B
Catering (client self-catering – KU) Flat Fee based upon set up or attendance whichever is greater	\$1 per person weekday or weekend (\$300 Max)	\$1 per person weekday \$2 per person weekends
Deluxe Coffee Service with condiments	15 cup carafe - \$15	15 cup carafe - \$15
Continental Breakfast (w/20 person minimum)	\$10 pp including fruit	\$10 pp including fruit
Gourmet Box Lunch (w/20 person minimum)	\$15 pp including beverage	\$15 pp including beverage
Break Service (beverage & cookies – w/20 person minimum)	\$5 per person	\$5 per person
Water/Soda Service	\$1 per bottle	\$1 per bottle
MISCELLANEOUS		
Copies 1-50 - \$.25 first copy, \$.10 thereafter	\$.25/\$.10	\$.25/\$.10
Fax Machine (incoming and outgoing)	\$2 per page	\$2 per page
DEPOSITS		
Entire Building	\$500	\$500
Grand Hall	\$300	\$300
Half Hall (North or South)	\$200	\$200
Conference Room	\$50	\$50

MISCELLANEOUS FEES/POLICIES

Cancellation Policy- Any cancellation of a Friday, Saturday, or Sunday entire building rental or combined North/South Hall booking shall result in lessee forfeiting one-half of the deposit. If the cancellation is received 180 to 120 calendar days prior to the event, the lessee will forfeit all of the deposit. If the cancellation is received less than 120 calendar days prior to the event, the lessee will forfeit all monies paid to the Colleyville Center.

Colleyville Center Service Fees- A service fee of up to \$500.00 will be charged to lessee for failure to leave the premises (building and grounds) in as good or better condition than it was prior to being leased.

Exhibit "A"

AV Surcharge- All rented audio visual equipment brought into the building by another vendor incurs a 15 percent charge of the Colleyville Center fee for same equipment.

Non-profit Donations- Any not for profit organization that donates over \$50,000.00 to the Colleyville Center does not incur equipment fees. Supply and service fees are not included in this waiver. If a not for profit organization donates a single piece of equipment, it becomes Colleyville Center property and use of that equipment by that organization does not incur equipment fees.

Discount for Using Local Businesses- If a client uses three or more Colleyville businesses during their event, the Center will provide complimentary colored up-lighting (\$200 value).

Additional Rental Hours- If a client requests to extend a rental of the entire building beyond their eight hour rental, additional hours will be available for an additional \$250 per hour, within the business hours of the Center. The additional hours must be requested in advance. Fees will not be pro-rated for increments of time less than one hour.

Late Fees- The Colleyville Center closes at 12 a.m. (midnight) on Friday and Saturday and 11 p.m. Sunday through Thursday. Should a client remain on the premises after the building is closed, a fee will be assessed at the rate of \$500 per hour until such time the building is vacated. Fees will not be pro-rated for increments of time less than one hour.

Colleyville Center Rental Hours- The Colleyville Center is available for rental from 8 a.m. to 11 p.m. Monday through Thursday, 8 a.m. to midnight on Friday, 11 a.m. to midnight on Saturday, and 11 a.m. to 11 p.m. on Sunday. Weekday rental rates apply Monday through 4 p.m. on Friday. Prime Weekend Rates apply 4 p.m. Friday through 11 p.m. Sunday.

Exhibit "A"

(p) Library:

COLLEYVILLE PUBLIC LIBRARY CIRCULATING MATERIALS RESTRICTIONS

MATERIALS	LOAN PERIOD	LIMITS*	FEES/FINES**	RENEWAL LIMITS***
Fiction books	21 days	No limit	\$0.25 per day	5
Non-fiction books	21 days	No limit	\$0.25 per day	5
Best sellers	7 or 14 days	No limit	\$0.25 per day	5
Magazines	7 days	No limit	\$0.25 per day	5
Pamphlets	7 days	No limit	\$0.25 per day	5
Feature-length DVDs (60 min. +)	7 days	10	\$1.00 per day	5
Educational/DVDs	7 days	10	\$0.25 per day	5
Children's DVDs (under 60 min.)	7 days	10	\$0.25 per day	5
Compact discs	7 days	10	\$0.25 per day	5
J Kits	21 days	No limit	\$0.25 per day	5
Books on compact disc	21 days	No limit	\$0.25 per day	5
J Holiday books	7 days	Varies by holiday	\$0.25 per day	0 during holiday

* No limit until a maximum of 40 items is reached. A total of 40 items per card.

** Overdue fines threshold is \$5.00.

*** Renewals are allowed when materials are not on reserve for another patron.

Exhibit "A"

COLLEYVILLE PUBLIC LIBRARY MATERIALS REPLACEMENT AND PROCESSING FEES

ITEM	COST	PROCESSING FEE
Library card	\$2.00	\$0.00
Book	Cost of item	5.00
Paperback book	Cost of item	5.00
Board book	Cost of item	2.00
Magazine	Cost of item	2.00
Compact disc	Cost of item	5.00
Lost compact disc outer insert	0.00	5.00
Book on CD	Cost of item	5.00
Lost/damaged single book on CD disc	Cost of single CD	1.00
DVD	Cost of item	5.00
Lost DVD outer insert	0.00	5.00
Audio-visual material containers	Cost of item	5.00
Kit bags	Cost of item	2.00
Bar codes/RFID tags	\$1.00	0.00

Print card0.50

Color copies (per page)1.00

Black and white copies (per page)0.10

Fax—Incoming (per page)1.00

Exhibit "A"

Fax—Outgoing (per page)

Local1.00

Long distance2.00

Non-resident fees:

Non-resident card (Non-TexShare, Non-reciprocal borrowing participating home library)25.00

Non-resident card (without home library)25.00

Interlibrary loan materials not picked up2.00

Exhibit "B"

SECTION 4. - CHARGES FOR DEPOSITS FOR CONNECTIONS TO EXISTING MAINS AND LATERALS

Sec. A. - Water service.

All applicants for water service will be required to make a meter deposit (payment security deposit) for each water service connection, such deposit to remain with the city throughout the term of the service contract. The amount of the deposit shall be determined as follows:

1. The deposit for all residential and commercial customers shall be \$50.00 and the deposit for all customers using a city provided fire hydrant meter shall be \$750.00.
2. For customers who have previously been eligible for discontinuance under preceding section 3.D, the deposit shall be determined by the Utility Billing Supervisor to equal the multiple of \$5.00 nearest the largest amount ever previously owed by that particular customer, but in no case [shall be] less than \$30.00.

The deposit will be refunded, or in event a balance is due, applied against the final bill for services required upon termination of the contract. The city will not pay interest on meter deposit funds.

In locations where a complete service connection, including tap, service line, curb stop, meter and box were paid for or installed by a prior single customer, no charges are made other than the meter deposit (above) and the regular monthly service charges as set forth in [section 3](#).

In locations where a complete service connection, including tap, service line, curb stop, meter and box were paid for or installed by a developer, the charge for the right to connect to the system shall be \$100.00 plus the meter deposit set forth above and the regular monthly service charges as set forth in [section 3](#).

For three-fourths inch and one inch connections (tap fees) the cost shall be \$1,100.00. For one and one-half inch and two inch connections (tap fees) the cost shall be \$1,400.00. For connections larger than two inches, the connection will be made by the applicant's utility contractor and inspected by the city.

Where applicable, there shall be added the cost of street repairs as follows: A minimum street cut of \$100.00 shall be deposited at the time water service is requested and before service is started on installation of such connection. Should the final cost of the work exceed the amount of the deposit, a statement showing the amount of the excess will be immediately furnished to the person having made the deposit, and this amount will be due before water service is actually begun. Should the final cost be less than the amount of the deposit or estimate, a refund of overpayment will be immediately made to the person from whom the deposit was received.

Extension of the service piping from the city's meter and curb stop shall be accomplished by the customer at his/her expense; however, such installation shall be in accordance with the applicable ordinances of the city.

The use of a fire hydrant meter for a permanent or semi-permanent irrigation system shall be prohibited.

Exhibit "B"

Any evidence of tampering or damage to a fire hydrant meter shall be documented at the time of reading and the meter shall be kept for repair. The customer shall be required to remit an additional security deposit of \$750.00 for the use of another meter.

This deposit will be applied to the repair of the damaged meter. Upon completion of repair, the remaining monies will be applied to the account, if needed. If there is no outstanding balance on the account, the monies shall be remitted to the customer.



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6a

Agenda Date 12/16/2014

Number Resolution R-14-3816

Type Resolution

Department City Secretary

Title

Consideration of appointments to the Colleyville Center Advisory Committee

Explanation

Reading and Public Hearing

There are eight at-large members, and six members representing Colleyville civic organizations on the Colleyville Center Advisory Committee (CCAC). The CCAC meets quarterly and is responsible for making recommendations to City Council regarding fee structures, policies, and development of long-range plans for the Center's use and marketing.

The terms of three (3) at-large members, and three (3) organization representatives (Colleyville Garden Club, Colleyville Lions Club, and National Charity League) of the Colleyville Center Advisory Committee expire December 2014. The positions were advertised and incumbents and organizations, were asked to submit an Application for Appointment, if they wished to be considered for reappointment.

The following at-large committee member's terms expire December 2014:

- Louis Miller
- Paul Vigiletti
- Vacancy

The following organization committee member's terms expire December 2014:

- Julie George – Colleyville Garden Club
- Tom Westerman – Colleyville Lions Club
- Irma Villalobos – National Charity League

There are two (2) applicants for the at-large positions, and three (3) organization applicants, whose names are listed below and applications are attached, for City Council consideration:

At-Large:

- Louis Miller
- Paul Vigiletti

Organization representatives:

- Julie George – Colleyville Garden Club

- Tom Westerman – Colleyville Lions Club
- Lisa Branscum – National Charity League

As there are more vacancies than applicants for the at-large positions, City Council will determine the need for re-advertising and advise staff accordingly.

This resolution provides for City Council to consider appointments to the Colleyville Center Advisory Committee.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Colleyville Center Advisory Committee roster
2. Colleyville Center Advisory Committee Applications for Appointment
3. Resolution R-14-3816

Colleyville Center Advisory Committee

At-large

Judith Goodwin
4001 Allendale Street
Colleyville, TX 76034
H: (817) 267-8702
dongoodwin@verizon.net
TERM:Mar 2014 - Dec 2015

At-large

Sue Anne Martinez
1816 Maplewood Trail
Colleyville, TX 76034
W: (972) 586-1938
H: (817) 525-5342
sueanne.martinez@aviall.com
TERM:Dec 2013 - Dec 2015

At-large

Fred Mills
5400 Linden Court
Colleyville, TX 76034
H: (817) 545-6862
saxmills@verizon.net
TERM:Dec 2013 - Dec 2015

At-large

VACANT
TERM:Aug 2014 - Dec 2014

Arts Council NE

Earlene Garvey
4508 Cresthaven Drive
Colleyville, TX 76034
W: (817) 271-3257
H: (817) 571-1266
Earlene.Garvey@gmail.com
TERM:Dec 2013 - Dec 2015

Colleyville Lions Club

Tom Westerman
308 Oak Valley
Colleyville, TX 76034
W: (817) 300-0881
H: (817) 485-0911
twesterman1@att.net
TERM:Dec 2012 - Dec 2014

At-large

Mark Johnson
4804 Mill Brook Drive
Colleyville, TX 76034
H: (817) 909-0778
markjohnson49@mac.com
TERM:Dec 2013 - Dec 2015

At-large

Louis C. Miller
7802 Tillman Hill Court
Colleyville, TX 76034
W: (817) 994-6180
H: (817) 577-8546
millerlouis@sbcglobal.net
TERM:Dec 2012 - Dec 2014

At-large

Tevon Taylor
1113 Garry Lynn Drive
Colleyville, TX 76034
W: (817) 374-9292
H: (817) 251-9104
aggie_ol_army@hotmail.com
TERM:Mar 2014 - Dec 2015

At-large

Paul Vigiletti
604 Summertree Court
Colleyville, TX 76034
W: (817) 689-4475
H: (817) 485-7417
paubervig@att.net
TERM:Dec 2012 - Dec 2014

Colleyville Garden Club

Representative

Julie George
5908 Quality Hill Road
Colleyville, TX 76034
W: (214) 202-4671
H: (817) 577-2627
juliefgeorge@sbcglobal.net
TERM:Dec 2012 - Dec 2014

National Charity League

Irma Villalobos
5108 Apple Valley Drive
Colleyville, TX 76034
W: (817) 846-0499
H: (817) 605-6192
irmavillalobos@me.com
TERM:Dec 2012 - Dec 2014

Colleyville Center Advisory Committee

Colleyville Rotary Club

Mike Bolton

1305 Caldwell Creek Drive

Colleyville, TX 76034

H: (817) 876-0212

dauppaoc@mymts.net

TERM:Dec 2013 - Dec 2015

Colleyville Woman's Club

Darla Dennison

100 Franklin Court

Colleyville, TX 76034

H: (817) 770-8805

TERM:Dec 2013 - Dec 2015



Application for Appointment for City Council Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130, or download the [Financial Disclosure form here](#).

Board, Commission, or Committee: (only those with current openings)

1. Colleyville Center Advisory Committee

If you are willing to be considered for another board, commission, or committee, please list below.

2. Click here for drop down menu

3. Click here for drop down menu

Name: ☐ Ms. ☒ Mrs. ☐ Mr. Lisa Branscum

Address: 7902 Jefferson Circle

Home phone: 817-581-1166

Work phone: 817-269-5850

E-mail Address: branclanfive@sbcglobal.net

- ☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.
- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I will be required to comply with the Texas Open Meetings Act training.
- ☒ I understand I will be required to bring my own device to meetings to view packet information.

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

Grapevine Colleyville Education Foundation Board Member, 2013-present (co-chair annual fundraising event 2014)

National Charity League, 2007-present (2 years served as VP on Exec Board & 2 years as class advisor)

Grapevine High School Project Graduation, Chair Restaurant Kickback Committee

Grapevine High School PTSA, Parliamentarian

PTA and PTSA, 2002-present (served various Officer and Committee Chair positions)

BS Business Admn - DePaul University

☐ Check if additional materials are attached. Other information (City/civic service, interests):

Signature: *Lisa Branscum*

Date: 12-1-14

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139

Mail: City Secretary, 100 Main Street, Colleyville, TX 76034



Application for Appointment for City Council Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130, or download the Financial Disclosure form here.

Board, Commission, or Committee: (only those with current openings)

1. Colleyville Center Advisory Committee

If you are willing to be considered for another board, commission, or committee, please list below.

2. Click here for drop down menu

3. Click here for drop down menu

Name: ☐ Ms. ☒ Mrs. ☐ Mr. Julie George

Address: 5908 Quality Hill Road, Colleyville, TX 76034

Home phone: 817-577-2627

Work phone: 214-202-4671

E-mail Address: juliefgeorge@sbcglobal.net

- ☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.
- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I will be required to comply with the Texas Open Meetings Act training.
- ☒ I understand I will be required to bring my own device to meetings to view packet information.

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

I have worked in sales and marketing for over 17 years. I have served the Colleyville Center Advisory Committee for two years, am an active member of the Colleyville Garden Club, and have served in many voluntary positions in school, civic, and church organizations.

☐ Check if additional materials are attached. Other information (City/civic service, interests):

Signature: *Julie George*

Date: 11/19/14

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139

Mail: City Secretary, 100 Main Street, Colleyville, TX 76034



Application for Appointment for City Council Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130, or download the Financial Disclosure form here.

Board, Commission, or Committee: (only those with current openings)

1. Colleyville Center Advisory

If you are willing to be considered for another board, commission, or committee, please list below.

2.

3.

Name: Ms. Mrs.

OV (DR)
(Mr.)

Levi C. Miller

Address: 1802 Tillman Hill Ct.

Home phone: 817-994-6180

Work phone:

E-mail Address: millerlevi@sbcslobal.net

By providing an e-mail address, I consent to the release of my e-mail address by the City.

I understand attendance and active support is required for each appointee.

I understand I will be required to comply with the Texas Open Meetings Act training.

I understand I will be required to bring my own device to meetings to view packet information.

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

40 yr resident & business in Colleyville

Check if additional materials are attached. Other information (City/civic service, interests):

Signature:

Date:

10/10/2014

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139

Mail: City Secretary, 100 Main Street, Colleyville, TX 76034



Application for Appointment for City Council Boards, Commissions, and Committees

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Board, Commission, or Committee: (only those with current openings)

1. Colleyville Center Advisory Committee

If you are willing to be considered for another board, commission, or committee, please list below.

2. Click here for drop down menu

3. Click here for drop down menu

Name: ☐ Ms. ☐ Mrs. ☒ Mr. Paul Vigiletti

Address: 604 Summertree Court Colleyville, Tx 76034

Home phone: 8174857417

Work phone: 8176894475

E-mail Address: paubervig@att.net

- ☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.
- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I will be required to comply with the Texas Open Meetings Act training.
- ☒ I understand I will be required to bring my own device to meetings to view packet information.

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

I have been a member of the Colleyville Center Advisory board since the very beginning. I helped as an advisor before and during the building of the Center. Because of the length of time being on the committee I have gained a wealth of knowledge about the Center and the working of the city with the center. The Center is very special to me so I would like to remain on the Advisory Committee Board.

☐ Check if additional materials are attached. Other information (City/civic service, interests):

Signature: *Paul Vigiletti*

Date: 11/10/14

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139

Mail: City Secretary, 100 Main Street, Colleyville, TX 76034



Application for Appointment for City Council Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130, or [download the Financial Disclosure form here](#).

Board, Commission, or Committee: (only those with current openings)

1. Colleyville Center Advisory Committee

If you are willing to be considered for another board, commission, or committee, please list below.

2. Click here for drop down menu
3. Click here for drop down menu

Name: ☐ Ms. ☐ Mrs. ☒ Mr. Thomas Westerman

Address: 308 Oak Valley Dr.

Home phone: 817-485-0911

Work phone: 817-300-0881

E-mail Address: twesterman1@att.net

- ☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.
- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I will be required to comply with the Texas Open Meetings Act training.
- ☒ I understand I will be required to bring my own device to meetings to view packet information.

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

Retired from the Nuclear Regulatory Commission as Chief of the Region IV Engineering Branch.
Registered Professional Engineer.

Past President of the Colleyville Lions Club and Chair of the Breakfast With Santa for 17 yrs.

Past District Governor of Lions District 2-E2.

Served on Original Celebrate Colleyville Committee and then Holley Colley until 2010.

Lions District 2-E2 Budget Chair, Sports Extravaganza Chair and LEO Chair.

☐ Check if additional materials are attached. Other information (City/civic service, interests):

Served two terms (4yrs) on the Colleyville Planning and Zoning Board.

Signature:

Date:

11/13/

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139

Mail: City Secretary, 100 Main Street, Colleyville, TX 76034

RESOLUTION R-14-3816

**A RESOLUTION APPOINTING MEMBERS TO THE COLLEYVILLE
CENTER ADVISORY COMMITTEE**

WHEREAS, the Colleyville Center Advisory Committee has six (6) positions whose terms expire December 2014; and

WHEREAS, three (3) positions are at-large and three (3) positions represent the Colleyville Garden Club, Colleyville Lions Club, and the National Charity League.

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

Sec. 1. THAT the following persons are hereby appointed to the Colleyville Center Advisory Committee with a term expiring December 2016:

At-Large
At-Large
At-Large
Colleyville Garden Club
Colleyville Lions Club
National Charity League

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF __ AYES, __ NAYS, AND __ ABSTENTIONS ON THIS THE 16TH DAY OF DECEMBER 2014.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6b

Agenda Date 12/16/2014

Number Resolution R-14-3817

Type Resolution

Department City Secretary

Title

Consideration of appointments to the Architectural Review Commission

Explanation

Reading and Public Hearing

The Architectural Review Commission (ARC), is comprised of seven members and meets as needed, having convened three meetings in 2014. The City Council established ARC to engage the Colleyville community in the City's economic development efforts. The Commission serves in an advisory role to the City Council and provides recommendations on matching grant applications, recommendations related to issues such as the quality and effectiveness of Colleyville's Commercial Design Standards, and the possibility of an Overlay District within the core of the Colleyville Boulevard corridor.

There are four (4) positions on the Architectural Review Commission whose terms expire December 2014. The positions were advertised and the incumbents were notified their term was expiring and asked to submit an Application for Appointment, if they wished to be considered for reappointment.

The following Commission member's terms expire December 2014:

- Christina Keilson-Talley
- Jim Makens
- Alan Greer
- Curtis Young

The applicants are listed below and the applications are attached:

- Nancy Coplen
- Christina Keilson-Talley
- Jim Makens
- Curtis Young

This resolution provides for City Council to consider appointments to the Architectural Review Commission.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Architectural Review Commission roster
2. Architectural Review Commission applications for appointment
3. Resolution R-14-3817

Architectural Review Commission

Alan Greer

2304 Mulberry Court
Colleyville, TX 76034
W: (214) 217-2220
H: (817) 684-1144
adg@freese.com
TERM: Dec 2012 - Dec 2014

John Hines

4806 Cranbrook Drive East
Colleyville, TX 76034
W: (817) 239-8688
H: (817) 571-2775
husker.1power@yahoo.com
TERM: Dec 2013 - Dec 2015

Jim Makens

1312 Somerset Court
Colleyville, TX 76034
W: (214) 957-8284
jm@makens.com
TERM: Dec 2012 - Dec 2014

Curtis Young

8003 Jefferson Circle
Colleyville, TX 76034
W: (817) 424-2626
H: (817) 498-2011
cyoung@sage-dfw.com
TERM: Dec 2012 - Dec 2014

Jeff Ground

4108 Dundee Court
Colleyville, TX 76034
W: (817) 320-5330
H: (817) 354-5640
jg@aggienetwork.com
TERM: Dec 2013 - Dec 2015

Christina Keilson Talley

1113 Garry Lynne Drive
Colleyville, TX 76034
H: (214) 679-7109
chrisktalley@gmail.com
TERM: Dec 2012 - Dec 2014

Gerald Ward

4301 Briar Ridge Drive
Colleyville, TX 76034
W: (817) 281-5600
H: (817) 656-7939
wardarchitecture@sbcglobal.net
TERM: Dec 2013 - Dec 2015

Application for Appointment For City Council appointed Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130 or [download the Financial Disclosure form here](#).

Board, Commission, or Committee: (only those with current openings)

Please write-in your preference of (up to three) board(s), commission(s), or committee(s), for which you would like to be considered.

1. Parks & Recreation Advisory Board
2. Architectural Review Commission
3. _____

Name: ☐ Ms. ☒ Mrs. ☐ Mr. Nancy M. Caplen

Address: 4803 Queensbury Way E., 76034

Home Phone: 817-300-8351 Work Phone: _____

- ☒ I understand attendance and active support is required for each appointee.
☒ I understand I will be required to comply with the Texas Open Meetings Act training.
☒ I understand I will be required to bring my own device to meetings to view packet information.
☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.

E-mail Address: caplen2@gmail.com Fax: _____

Knowledge, experience, or education applicable to Board, Commission, or Committee function: Past tennis & basketball coach. Landscape Architect having a understanding of planning & zoning, design, circulation etc,

City service and experience, civic organizations, interest: ☒ Additional materials attached.

See attached bio with city service

Signature:  Date: 12-1-14

Once positions have been filled, you must reapply for future openings.
All information provided is public pursuant to the Texas Public Information Act.

Please return completed application to:
City Secretary, 100 Main Street, Colleyville, TX 76034, Office: 817.503.1130 Fax: 817.503.1139
cloven@colleyville.com or ashelley@colleyville.com

Nancy Coplen

Community Involvement

School District Elected Official

- GCISD Board of Trustees June 2001-2010
- President of GCISD Board of Trustees 2006-07
- Vice-President and Secretary GCISD Board of Trustees

School District Committees

- Parent Advisory Committee
- District Improvement Plan
- Principal Selection Committee
- Diversity Advisory Council
- Fine Arts Advisory Committee,
- Partners in Education Committee
- Attendance Area Revision Committee

Schools PTAs

- President of the Colleyville Heritage PTSA 1999-2001
- Heritage Middle School PTA Colleyville Texas, designed, developed and chair of the outdoor classroom for 8 years
- GCISD Council of PTAs as first vice president and secretary.

Schools Other

- President of Grapevine High Cheerleader Booster Club 1996-97
- Member of the CEC at Colleyville Heritage High School
- Developed "Lunch Box Performances" classical music performance at CHHS 2000-2006
- Member and officer of various band booster clubs
- Developed and designed Panther Plaza-Colleyville Heritage High School, Colleyville, Texas 1999

Community at Large

- 28 years with the Boy Scouts of America, Helped direct several boy's Eagle Projects in Colleyville City and School parks.
- Merit Badge Counselor
- Mentor for Eagle Board of Reviews
- Grapevine Chamber of Commerce - Women's Division- 2001-present
 - Chair-elect 2013-2014
 - Christmas Spirit Chair 2012-2013
 - Second Chance School Supplies Co-Chair 2010-2011
 - Secretary 2010-2011, 2012
 - Christmas Spirit GCISD School Supply Distribution 2012
- Grapevine Historical Society 2001-2009
- Colleyville Chamber of Commerce.
 - Member since 2001
 - Advisory member of the Colleyville Chamber 2003-2008
 - Youth Leadership Instructor 2011-2012
- Keep Colleyville Beautiful Committee Member 2005-present, Executive Board 2012-to present
- Liaison for the Colleyville City Library Board 2007-2010

Liaison for the Colleyville City Parks 2001-2007
Colleyville Historical Preservation Committee 2013-present
Colleyville Tree Committee 2014
Woodland Hills HOA Board- City Liaison 2013-present
Colleyville Woman's Club
 By laws chair 2003-04
 Executive Board-Secretary 2004-06
 Youth Recognition/Scholarship chair 2007-09, 2011-2012
 Youth Recognition committee 2006-07
 Bridges committee- 2006-07
Colleyville Garden Club- Chairman for Colleyville Civic Beautification (Webb House),
Parliamentarian
Coached youth basketball Colleyville Parks and Rec and tennis teams, certified
basketball referee in CA
Past president of children and youth groups at church.
Taught 4 years of seminary
Church Director of Public Affairs for North Tarrant County 2013- present
Member of Mid-Cities Republican Women

National Level

Volunteer for the 2002 Winter Olympics
Work the 2004 Presidential Election in Pittsburgh PA, 2006 US Rep Campaign
in New Mexico,
2007-08 Presidential Primary Campaign
Texas Finance Committee Mitt Romney 2011-2012
Presidential Campaign in Iowa, New Hampshire, Texas, and Virginia 2012
2012 Grassroots Chair Presidential North Texas

Awards

Texas PTA Life Membership
Texas PTA Extended Life Membership
Nominated for Colleyville Chamber Citizen of the year.
Partners in Education, Texas State Adult Volunteer for 2005.
Hall of Honor Recipient for Colleyville Heritage High School 2006
Texas Volunteer of the Year 2012 Republican Party Senate District 10



Application for Appointment for City Council Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130, or [download the Financial Disclosure form here](#).

Board, Commission, or Committee: (only those with current openings)

1. Architectural Review Commission

If you are willing to be considered for another board, commission, or committee, please list below.

2. Click here for drop down menu

3. Click here for drop down menu

Name: ☐ Ms. ☐ Mrs. ☒ Mr. Jim Makens

Address: 3231 Harwood Bedford TX 76021

Home phone:

Work phone: 214-57-8284

E-mail Address: jm@makens.com

- ☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.
- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I will be required to comply with the Texas Open Meetings Act training.
- ☒ I understand I will be required to bring my own device to meetings to view packet information.

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

Broker/developer

☐ Check if additional materials are attached. Other information (City/civic service, interests):

Signature: *Jim Makens*

Date: 10/9/14

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139

Mail: City Secretary, 100 Main Street, Colleyville, TX 76034



Application for Appointment for City Council Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130, or download the Financial Disclosure form here.

Board, Commission, or Committee: (only those with current openings)

1. Architectural Review Commission

If you are willing to be considered for another board, commission, or committee, please list below.

2. Click here for drop down menu

3. Click here for drop down menu

Name: ☐ Ms. ☒ Mrs. ☐ Mr. Christina Keilson Talley

Address: 200 Capriole Court , Colleyville Texas 76034

Home phone: 214-679-7109

Work phone:

E-mail Address: chrisktalley@gmail.com

- ☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.
- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I will be required to comply with the Texas Open Meetings Act training.
- ☒ I understand I will be required to bring my own device to meetings to view packet information.

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

I have a bachelor's degree in Architecture. I have designed and worked in architecture firms focused on mixed-use development, retail development, commercial design, hospitality design and residential design for the last 16 years. I have served on the ARC since it's inception. I have contributed greatly to the aesthetic revisions and solutions on the cases the Commission has reviewed this far.

☐ Check if additional materials are attached. Other information (City/civic service, interests):

Signature: *Christina K Talley*

Date: 10/28/14

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139

Mail: City Secretary, 100 Main Street, Colleyville, TX 76034



Application for Appointment for City Council Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130, or [download the Financial Disclosure form here.](#)

Board, Commission, or Committee: (only those with current openings)

1. Architectural Review Commission

If you are willing to be considered for another board, commission, or committee, please list below.

2. Click here for drop down menu
3. Click here for drop down menu

Name: ☐ Ms. ☐ Mrs. ☒ Mr. Curtis Young

Address: 8003 Jefferson Circle, Colleyville

Home phone: 817-498-2011

Work phone: 817-424-2626

E-mail Address: cyoung@sage-dfw.com

- ☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.
- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I will be required to comply with the Texas Open Meetings Act training.
- ☒ I understand I will be required to bring my own device to meetings to view packet information.

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

Registered Architect for 30+ years, previous service on this Commission, and the SH-26 Design Review Advisory Committee for the City of Colleyville. Responsible for the design of several neighborhoods in Colleyville and surrounding communities.

☐ Check if additional materials are attached. Other information (City/civic service, interests):

Signature:

Date: 9 OCT 14

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139

Mail: City Secretary, 100 Main Street, Colleyville, TX 76034

RESOLUTION R-14-3817

**A RESOLUTION APPOINTING MEMBERS TO THE
ARCHITECTURAL REVIEW COMMISSION**

WHEREAS, four (4) positions on the Architectural Review Commission have terms expiring December 2014.

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

Sec. 1. THAT the Colleyville City Council hereby appoints the following persons to the Architectural Review Commission with a term expiring December 2016:

-
-
-
-

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ___ AYES, ___ NAYS, AND ___ ABSTENTIONS ON
THIS THE 16TH DAY OF DECEMBER 2014.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6c

Agenda Date 12/16/2014

Number Resolution R-14-3818

Type Resolution

Department City Secretary

Title

Consideration of appointments to the Colleyville Events Steering Committee

Explanation

Reading and Public Hearing

The Colleyville Events Steering Committee meets as needed to review and make recommendations to City Council on the schedule, structure, venue(s), budget, and long range planning of City events. The committee met five times in 2014.

The committee membership was reduced from 15 members to seven members effective December 2012, with the approval of Resolution R-12-3483, attached to this agenda briefing. To appropriately stagger terms, Resolution R-12-3483 required three members to serve a 21-month term, allowing the terms to end in an odd numbered year. The remaining four members were appointed to serve through December 2014, allowing the terms to end in even numbered years.

There are four (4) positions on the Colleyville Events Steering Committee whose terms expire December 2014. The positions were advertised and the incumbents were notified their term was expiring and asked to submit an Application for Appointment, if they wished to be considered for reappointment.

The following Committee member's terms expire December 2014:

- Manjiri Joshi
- Walt Mills
- Amy Redfearn
- Patti Tanaka

The applicants are listed below and the applications are attached.

- Walt Mills
- Amy Redfearn
- Catherine Torrez

As there are more vacancies than applicants, City Council will determine the need for re-advertising and advise staff accordingly.

This resolution provides for City Council to consider appointments to the Colleyville

Events Steering Committee.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Colleyville Events Steering Committee roster
2. Colleyville Events Steering Committee applications for appointment
3. Resolution R-12-3483
4. Resolution R-14-3818

Colleyville Events Steering Committee

CHAIR

Amy Redfearn

7300 Chanel Court
Colleyville, TX 76034
W: (972) 896-3796
H: (817) 577-1009
amyredfearn@verizon.net
TERM: Dec 2012 - Dec 2014

Mary Lou Dove

800 Colleyville Terrace
Colleyville, TX 76034
W: (817) 713-2284
H: (817) 498-4949
mldove1@tx.rr.com
TERM: Dec 2013 - Dec 2015

Sandra McIntosh

500 Eudaly Drive
Colleyville, TX 76034
W: (469) 432-1903
H: (469) 432-1903
Mcintoshmail2012@gmail.com
TERM: Dec 2013 - Dec 2015

Walt Mills

404 Vintage Court
Colleyville, TX 76034
W: (817) 271-0353
H: (817) 271-0353
walt@PhotosByWalt.com
TERM: Dec 2012 - Dec 2014

VICE-CHAIR

Patti Tanaka

4108 Cheshire Drive
Colleyville, TX 76034
H: (682) 552-5080
ptanaka86@yahoo.com
TERM: Dec 2012 - Dec 2014

Manjiri Joshi

1109 Riverwalk Court
Colleyville, TX 76034
H: (682) 325-4172
Mjoshi13@hotmail.com
TERM: Dec 2012 - Dec 2014

Ryan Milakovich

604 Colts Neck Court
Colleyville, TX 76034
W: (817) 335-1121
H: (469) 939-6931
RyanMilakovich@msn.com
TERM: Dec 2013 - Dec 2015



Application for Appointment for City Council Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130, or [download the Financial Disclosure form here.](#)

Board, Commission, or Committee: (only those with current openings)

1. Colleyville Events Steering Committee

If you are willing to be considered for another board, commission, or committee, please list below.

2. Click here for drop down menu

3. Click here for drop down menu

Name: ☐ Ms. ☐ Mrs. ☒ Mr. J. Walt Mills

Address: 404 Vintage Court, Colleyville, TX 76034

Home phone: 817-271-0353

Work phone: 817-271-0353

E-mail Address: walt@photosbywalt.com

- ☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.
- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I will be required to comply with the Texas Open Meetings Act training.
- ☒ I understand I will be required to bring my own device to meetings to view packet information.

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

I have served/currently serve on the Historical Preservation Committee, the Traffic Safety Advisory Committee, and the Colleyville Events Steering Committee. A Colleyville/Grapevine resident for 21 years.

☐ Check if additional materials are attached. Other information (City/civic service, interests):

Signature: *J. Walt Mills*

Date: 12/1/14

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139

Mail: City Secretary, 100 Main Street, Colleyville, TX 76034



Application for Appointment for City Council Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130, or download the Financial Disclosure form here.

Board, Commission, or Committee: (only those with current openings)

1. Colleyville Events Steering Committee

If you are willing to be considered for another board, commission, or committee, please list below.

2. Parks and Recreation Advisory Board

3. Click here for drop down menu

Name: ☐ Ms. ☒ Mrs. ☐ Mr. Amy Redfearn

Address: 7300 Chanel Court

Home phone: 817-577-1009

Work phone: 972-896-3796

E-mail Address: amyredfearn@verizon.net

- ☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.
- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I will be required to comply with the Texas Open Meetings Act training.
- ☒ I understand I will be required to bring my own device to meetings to view packet information.

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

☒ Check if additional materials are attached. Other information (City/civic service, interests):

Signature: /Amy Redfearn

Date: 10/15/14

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139

Mail: City Secretary, 100 Main Street, Colleyville, TX 76034

Amy C. Redfearn

7300 Chanel Court
Colleyville, Texas 76034

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

<u>City of Colleyville Special Event Committee</u>	2010- Present
Chair	2012-Present

I helped plan and execute Holley Colley and Red, White & Sousa. I enhanced R/W & Sousa by suggesting round tables that patrons could sit at to enjoy the concert. It was also my recommendation to bring in food trucks for this event.

<u>City of Colleyville Healthy Lifestyle Delegate</u>	2012-2013
Secured \$15,000 grant for city	

Developed programs to showcase the variety of activities that citizens of Colleyville engaged in to promote a healthy way of life. Examples of the events were a Walk, Run & Read 5K time run & 1 mile fun run, cooking demonstrations, kids programs and a weight loss challenge. Created the spiral bound document for contest submission.

<u>City of Colleyville Comprehensive Plan Advisory Committee</u>	August-November 2014
---	-----------------------------

<u>Grapevine/Colleyville Council of PTA</u>	2003-Present
Grapevine High School, Board member	Current
Executive Board member for district	2012-2014
Cross Timbers Middle School, past Board member	2010-2012
Colleyville Elementary School, past President	2008-2010

<u>National Charity League, Colleyville Chapter</u>	2012-present
Vice President of Provisionals	Current

<u>Grapevine/Colleyville Student Health Advisory Council</u>	2010-Present
Chair	Current

<u>LifeTime Fitness</u>	2008- Present
Group Fitness Executive Leadership Instructor	
Master Instructor	



Application for Appointment for City Council Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130, and on the City's website at: www.colleyville.com/files/Financial%20Disclosure%20form.pdf

Board, Commission, or Committee: (only those with current openings)

1. Colleyville Events Steering Committee



If you are willing to be considered for another board, commission, or committee, please list below.

2. Traffic Safety Advisory Committee



3. Click here for drop down menu

Name: ☐ Ms. ☒ Mrs. ☐ Mr. Catherine Torrez

Address: 4608 Jim Mitchell Trail East

Home phone: 817-676-7683

Work phone:

By providing an e-mail address, you are consenting to the release of your e-mail address by the City.

E-mail Address: StilettoSpy@yahoo.com

Fax:

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

Former Chief of Police of Cockrell Hill, TX. Have assisted in many event plans throughout my police career. I did all the city event plans in Everman, TX via the D.A.R.E. Program and also a few in White Settlement ISD as the Police Captain. I began the annual Cockrell Hill Fiesta Night (which was a version of National Night Out). I also began the City Christmas Tree Lighting event for the city. I have assisted in the Annual DARE conference Awards banquets and my husband and I are annual volunteers at the Margarita Ball. I have drawn up safety plans for schools and been involved in the training throughout the school district for Lockdown Evacuation plans/drills. I have already attended "Open Meetings Act" training.

☐ Check if additional materials are attached. Other information (City/civic service, interests):

☒ I understand attendance and active support is required for each appointee.

☒ I understand I will be required to comply with the Texas Open Meetings Act training.

Signature: C Torrez

Date: 11/18/2014

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139

Mail: City Secretary, 100 Main Street, Colleyville, TX 76034

CATHERINE TORREZ, LCC



LEADERSHIP COMMAND COLLEGE – CLASS #42

P. O. Box 1942., Colleyville, TX 76034

cell 817-676-7683

Emergency Planning / Investigations / Security Consulting / Management / Instructor / Public Speaker / Writer

Summary of Qualifications

General Management

Experience with developing and implementing plans, structure, policies and procedures, city ordinances and protocols to ensure the proper administration and financial operations of law enforcement organizations as well as community wellness and operations. Adept at researching avenues for additional revenues and means of budget reduction. Trained and capable of preparing for Critical Incidents (Natural Disaster, Civil Disorder or Terrorism), implementing response and recovery aftermath.

Human Resource Development

Proactive and Results driven management to develop and motivate a Team Leadership style of management that encourages personal growth and development to every level of staff member thus delivering high morale and motivation.

Education

- Graduate – Sam Houston State University – Law Enforcement Management Institute of Texas - LCC in Huntsville, TX – 2003
- Bachelor of Science – 2015 (Estimated)
Rio Salado College in Tempe, AZ
Criminal Justice

Certifications, Licenses & Specialized Training

- Master Peace Officer Certification, Texas Commission on Law Enforcement Officer Standards and Education
- Private Investigator License, Texas Department of Public Safety – Private Security Board
- Police Instructor Certification, Texas Commission on Law Enforcement Officer Standards and Education
- Mental Health Officer Certification, Texas Commission on Law Enforcement Officer Standards and Education
- D.A.R.E. Officer Certification (Elementary, Jr. High & Sr. High certifications), Texas DARE Institute of TX – Southwest Texas State University

- Advanced Incident Command Certification (InCoSit training/NIMS – Bill Blackwood Law Enforcement Management Institute of Texas)
- Civil Disorder Management
- Emergency Response and Preparedness Training, Emergency Management Institute (make request for complete list of certifications)
- Experience in Writing, Training and Implementing School/College Campus/Workplace Emergency Plans and Drills for Weather-related and School Violence or Crisis Incidents.
- Specialized training for Education Professionals with respect to “Prevention and De-escalation of Violent Episodes in the Classroom/Workplace”.
- Texas Certified Investigator

Specialized Skills

Criminal Investigations – Specializing in Crimes Against Children and Juvenile Crimes
 Kinesic Interview Skills - Advanced
 Excellent Public Speaking and Presentation skills
 Public and Police Educator
 Excellent Verbal and Written Communication skills
 Mediation skills
 Major Public Event planning and organization skills
 Mitigation Skills
 Media Relations training and experience
 Intermediate Accident Investigation
 Emergency Planning for School/College Campuses
 Training for Education Professionals in Classroom Safety

Professional Experience

Business Owner / Manager – Ten (10) years
 Management/Leadership/Supervisor – Nine (9) years
 Over Twenty (20) years of Law Enforcement Experience as follows:

White Settlement ISD Police Department **Reserve Police Officer**

October 2010 -Present

Assist the ISD police department with training and as needed on a volunteer basis.

Stiletto Spy & Company Investigations **Owner/Manager/Investigator**

June 2010 -Present

Own and manage a private investigations firm involved in civil and criminal investigations, surveillance, persons & asset searches and a focus on pre-relationship background investigations and Crimes Against Women & Children cases.

Infomart – DCI Technologies
Director of Security

October 2008-May 2009

Manage professional security staff and oversee security systems, emergency management plans and general security related operations for 1.6 million sq. ft., Class – An office environment and data center.

Taurus Investigations
Private Investigator/Contractor/Consultant

May 2008-Present

Security Consultation regarding planning, equipment, implementation & practice drills for schools and workplace institutions. Professional and competent corporate investigations that includes but is not limited to due diligence, employee and financial and background investigations, criminal and civil litigation matters and persons searches.

Cockrell Hill Police Department
Chief of Police

June 2004-May 2008

Was responsible for smaller urban police department located within southwest Dallas (connected to Oak Cliff on the western side) for approximately four years. Overcame economic challenges for the department by:

- reviewing and revising budgeted contracts and expenses to attain higher quality services and goods at lower costs and savings,
- implementing policies and ordinances to procure additional revenue for violators of insurance laws,
- soliciting and attaining donations from area businesses and corporations (over \$80,000),
- applying for and receiving local and federal grant funding for unfunded projects and equipment (approximately \$50,000), and
- working with Municipal judge to receive bartered services from convicted traffic and class C Misdemeanor violators.
- assist in Criminal Investigations – case filing, write warrants, crime scene (documentation, video/photograph, obtain statements, evidence gathering and submissions, fingerprints)
- Evidence Guardian – developed proper evidence logging/storing. Audits of evidence room.

Instituted numerous policies and procedures to reduce liability, protect community and staff, and preserve integrity and ethical police practices. Cockrell Hill's crime statistics were the lowest in Dallas County south of Interstate 30 due to proactive policing and community efforts. Established positive working relationships and alliances with local city departments (fire, courts and public works), area law enforcement agencies (local, county, state and federal), area social services, probation and parole services, and health services. Instituted numerous positive, proactive, community policing programs to build trust with citizens and children:

- Lunch with the Law,
- Coin Program,
- Christmas tree lighting program,
- Annual Cockrell Hill Fiesta Night (drawing nearly 2,000 in 2007),
- Town Talk Meetings,
- Cockrell Hill Pride Award (neighborhood incentive program targeting the "broken windows" effect)
- D.A.R.E. program (taught in three area DISD elementary schools by Chief Smit),

- accepting numerous invitations to speak or do presentations at area church, civic, safety and school events and
- continued annual Christmas Toys for Tots program.

Instituted standardized hiring procedures and practices that were nonexistent with prior administrations.

Improved department morale by:

- fair and equitable practices to acknowledge staff efforts
- fair promotional advancement
- officer and staff development
- Provided necessary equipment, training and leadership for professional police practices.

Warrant Program lead in the area for highest collections by working with municipal judge in extraordinary means of reaching violators. Worked with local departments to develop mitigation and evacuation plans for Cockrell Hill and submit to County Emergency Plan. Join in area critical incident response training scenario with area Law Enforcement agencies.

White Settlement ISD Police Department **Police Captain**

August 1999-June 2004

Lead district in all emergency response planning, writing scenario emergency drills, training of all staff, students and police, implementing drills, and readiness procedures. Provided staff training in school/classroom safety issues. Provided community training events. Taught Stop Smoking Clinics and Identity Theft training. Applied for and received Step Grant and implemented policy and procedures. Collaborated in area Campus Improvement Committees. Coordinated 1st Responder training event, Major event emergency plans and weapons qualifications trainings. Lead in investigations including all high profile incidents and child abuse cases. Taught Jr. High DARE program and offered additional classroom topics for all grade levels.

Everman Police Department **Police Officer**

April 1991-August 1999

Patrol Duties

Coordinated all major events with School districts and local business and community:

- Santa Cop (providing for approximately 120 needy students annually)
- Duck Race (fund raiser)
- Car Shows
- Circus
- Vial of Life Program

Developed, trained volunteers and coordinated the Citizens Awareness Patrol Program. Worked 2 years in Criminal Investigations Division (focus on Crimes Against Children and Juvenile Crimes). Primary patrol duties and assisted as relief Communications Officer. Instituted Sr. Citizen Visitation program, specialized in Gang Intelligence and provided community training.

Grand Prairie Police Department
Reserve Police Patrol Officer

October 1988-April 1991

Received Reserve Police Officer Award for most volunteer hours in patrol, jail and special event functions.
Assisted task force operations and patrol.

Alpha & Omega Janitorial Service & Minor Maintenance and Repair Service
Business Owner

May 1984-July 1994

Operated full line janitorial service, landscaping service and minor maintenance and repair service throughout the DFW Metroplex as a major competitor in the field for ten years. Provided detailed Bid Proposals following through with service contracts and quality control. Managed marketing, human resources issues and accounting records for all business aspects to included payroll and taxes.

Associations and Affiliations

- Texas Police Chiefs Association – 2004-2008
- North Texas Police Chiefs Association – 2004-2008
- Texas D.A.R.E. Officers Association – 1992-2008
- Texas D.A.R.E. Officers Association – Board Member (Secretary and Sgt.@ Arms (1999-2004)
- North Dallas Republican Club – Program Chair – 2008-2010
- Campus Improvement Committee – L. O. Donald Elementary, DISD – 2006-07
- Private School Board Member – FWAA 1996-2006
- Church Board Member 2000 – 2006
- Texas Association Licensed Investigators 2011 – 2013
- Texas Association Licensed Investigators, Region 2 Director 2013-2015

Additional History

Republican Candidate for Dallas County Sheriff – March 2008 election

Author/Self Published Book – “Tragedy to Triumph” ‘Discover the secret of gaining victory over abuse’ 1996, “Unburied Treasure” ‘A Guide To Leaving Your Legacy’ Westbow Press 2012
“Unburied Treasure” ‘A guide to leaving your legacy’, Westbow Press, 2011

Public Speaker – various venues on the following topics:

Law Enforcement/Personal Safety
How To Prevent Becoming A Victim Of A Stranger Attack
Gangs
Drugs – Prevention & Recovery
Identity Theft – Prevention & Recovery
Various Youth and Faith-based topics
Parents & Grandparents Legacy

RESOLUTION R-12-3483

A RESOLUTION REPLACING RESOLUTION R-10-3259 CHANGING THE STRUCTURE AND MEMBERSHIP OF THE COLLEYVILLE EVENTS STEERING COMMITTEE

- WHEREAS,** Resolution R-10-3259 established a fifteen (15) member Colleyville Events Steering Committee to develop the structure, venue(s), budget and planning efforts of City sponsored special events; and
- WHEREAS,** the City Council desires to achieve the maximum benefit for the community with the continuance of special events; and
- WHEREAS,** the City Council would like to continue to involve citizens in the development of the structure, venue(s), budget and long-range planning efforts of such events; and
- WHEREAS,** to facilitate the planning and coordinating of City of Colleyville special events, it is the desire of the City Council to change the structure and membership of the Colleyville Events Steering Committee; and
- WHEREAS,** the City Council desires to reduce the Colleyville Events Steering Committee membership of (15) members to seven (7) members and have two-year terms.

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

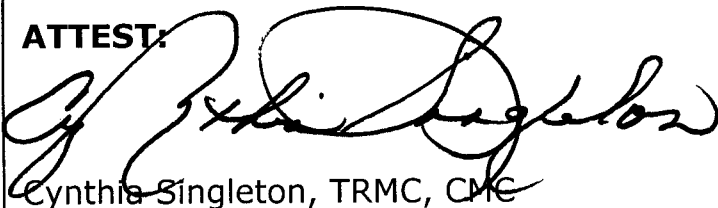
- Sec. 1. THAT the seven (7) member Colleyville Events Steering Committee is hereby established for the purpose of planning and coordinating special events.
- Sec. 2. THAT the Colleyville Events Steering Committee will meet as needed to review and make recommendations to the City Council on the schedule, structure, venue (s), budget and long-range planning of events.
- Sec. 3. THAT the Colleyville Events Steering Committee will annually elect a Chairman and Vice-Chairman from their membership.
- Sec. 4. THAT three members will be appointed each odd-numbered year and four members will be appointed each even-numbered year.

- Sec. 5. THAT the three members whose terms will begin in odd-numbered years will be appointed at this time and serve a 21 month term through December 2013. In subsequent years, the three members appointed in odd-numbered years would serve two full-year terms. The four members to be appointed even numbered years would begin their term in December 2012, and serve through December 2014.
- Sec. 6. THAT the eight members whose terms end in December 2012 would continue to serve through the remainder of the term.

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF 7 AYES, 0 NAYS, AND 0
ABSTENTIONS ON THIS THE 11th DAY OF APRIL 2012.

ATTEST:



Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor

RESOLUTION R-14-3818

**A RESOLUTION APPOINTING MEMBERS TO THE
COLLEYVILLE EVENTS STEERING COMMITTEE**

WHEREAS, the Colleyville Events Steering Committee has four (4) positions whose terms expire December 2014.

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

Sec. 1. THAT the following persons are hereby appointed to the Colleyville Events Steering Committee to serve a term expiring December 2016:

•
•
•
•

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 16TH DAY OF DECEMBER 2014.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6d

Agenda Date 12/16/2014

Number Resolution R-14-3819

Type Resolution

Department City Secretary

Title

Consideration of appointments to the Colleyville Sidewalks Committee

Explanation

Reading and Public Hearing

Seven members comprise the Colleyville Sidewalks Committee, which meets as needed and makes recommendations to City Council regarding the priority of sidewalk improvement projects relative to connectivity, constructability, and cost. The Committee may also be called upon to make recommendations to the City Council relative to sidewalk construction policies. The committee did not conduct any meetings in 2014.

There are four (4) positions on the Colleyville Sidewalks Committee, whose terms expire December 2014. The positions were advertised and the incumbents were notified their term was expiring and asked to submit an Application for Appointment, if they wished to be considered for reappointment.

The following Committee member's terms expire December 2014:

- Kathryn Howlett
- Joy Lee
- Ida Munson
- Vacancy

The applicants are listed below and the applications are attached:

- Dee Kamerman
- Joy Lee

As there are more vacancies than applicants, City Council will determine the need for re-advertising and advise staff accordingly.

This resolution provides for City Council to consider appointments to the Colleyville Sidewalks Committee.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Colleyville Sidewalks Committee roster
2. Colleyville Sidewalks Committee applications for appointment
3. Resolution R-14-3819

Colleyville Sidewalks Committee

Jeff Ground

4108 Dundee Court
Colleyville, TX 76034
W: (817) 320-5330
H: (817) 354-5640
jg@aggienetwork.com
TERM:Dec 2013 - Dec 2015

Joy Lee

7109 Waldon Court
Colleyville, TX 76034
W: (817) 907-9293
H: (817) 421-2613
joyfultonlee@gmail.com
TERM:Dec 2012 - Dec 2014

Ida Munson

6909 Westmont Drive
Colleyville, TX 76034
W: (720) 891-5334
ldamunson@yahoo.com
TERM:Dec 2012 - Dec 2014

VACANT

TERM:Apr 2014 - Dec 2014

Kathryn Howlett

6101 Highland Hills Lane
Colleyville, TX 76034
W: (817) 975-8805
H: (817) 251--1671
kathrynowlett@icloud.com
TERM:Dec 2012 - Dec 2014

Ryan Milakovich

604 Colts Neck Court
Colleyville, TX 76034
W: (817) 335-1121
H: (469) 939-6931
RyanMilakovich@msn.com
TERM:Dec 2013 - Dec 2015

Ajit Purandare

1109 Riverwalk Court
Colleyville, TX 76034
W: (202) 361-7674
H: (682) 325-4172
apurandoc@aol.com
TERM:Dec 2013 - Dec 2015

Application for Appointment For City Council appointed Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130 or download the Financial Disclosure form here.

Board, Commission, or Committee: (only those with current openings)

Please write-in your preference of (up to three) board(s), commission(s), or committee(s), for which you would like to be considered.

1. Park and Recreation Advisory Board
2. Colleyville Sidewalk Committee
3. _____

Name: ☐ Ms. ☒ Mrs. ☐ Mr. Dee Kamerman

Address: 1521 Tennison Parkway Colleyville, TX

Home Phone: 817-416-2277 Work Phone: _____

- ☒ I understand attendance and active support is required for each appointee.
☒ I understand I will be required to comply with the Texas Open Meetings Act training.
☒ I understand I will be required to bring my own device to meetings to view packet information.
☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.

E-mail Address: deekamerman@hotmail.com Fax: _____

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

As an individual and a parent I have always use public parks and groups.

City service and experience, civic organizations, interest: ☐ Additional materials attached.

I have been a coach for my own children.

Signature: Dee Kamerman Date: 11/5/14

Once positions have been filled, you must reapply for future openings.
All information provided is public pursuant to the Texas Public Information Act.

Please return completed application to:
City Secretary, 100 Main Street, Colleyville, TX 76034, Office: 817.503.1130 Fax: 817.503.1139
cloven@colleyville.com or ashelley@colleyville.com



Application for Appointment for City Council Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130, or [download the Financial Disclosure form here.](#)

Board, Commission, or Committee: (only those with current openings)

1. Colleyville Sidewalks Committee

If you are willing to be considered for another board, commission, or committee, please list below.

2. Parks and Recreation Advisory Board

3. Click here for drop down menu

Name: ☐ Ms. ☒ Mrs. ☐ Mr. Joy Fulton Lee

Address: 7109 Waldon Ct. Colleyville TX 76034

Home phone: 817-907-9293

Work phone: 817-907-9293

E-mail Address: joyfultonlee@gmail.com

- ☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.
- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I will be required to comply with the Texas Open Meetings Act training.
- ☒ I understand I will be required to bring my own device to meetings to view packet information.

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

Current member of the Colleyville Sidewalks Committee

☐ Check if additional materials are attached. Other information (City/civic service, interests):

Signature: *Joy F. Lee*

Date: 17 November 2014

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139

Mail: City Secretary, 100 Main Street, Colleyville, TX 76034

RESOLUTION R-14-3819

**A RESOLUTION APPOINTING MEMBERS TO THE
COLLEYVILLE SIDEWALKS COMMITTEE**

WHEREAS, the Colleyville Sidewalks Committee has four (4) positions whose terms expire December 2014.

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

Sec. 1. THAT the following persons are hereby appointed to the Colleyville Sidewalks Committee to serve a term expiring December 2016:

-
-
-
-

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 16TH DAY OF DECEMBER 2014.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6e

Agenda Date 12/16/2014

Number Resolution R-14-3820

Type Resolution

Department City Secretary

Title

Consideration of appointments to the Parks and Recreation Advisory Board

Explanation

Reading and Public Hearing

The eight-member Parks and Recreation Advisory Board meets quarterly and acts in an advisory capacity to City Council and staff on all matters pertaining to Parks and Recreation. In an effort to advance sound Parks and Recreation planning and programming, the Board may also coordinate with other governmental agencies, civic groups, and citizens of Colleyville.

There are four (4) positions on the Parks and Recreation Advisory Board, whose terms expire December 2014. The positions were advertised and the incumbents were notified their term was expiring and asked to submit an Application for Appointment, if they wished to be considered for reappointment.

The following board member's terms expire December 2014:

- Suzanne Hughes, Place 1
- Charles Bethards, Place 3
- Carel Tornes, Place 5
- Michelle McGarry, Place 7

The applicants are listed below, and the applications are attached:

- Charles (Charlie) Bethards
- Nancy Coplen
- Dee Kamerman
- Joy Lee
- Kenneth Llewellyn
- Michelle McGarry
- Amy Redfearn

This resolution provides for City Council to consider appointments to the Parks and Recreation Advisory Board.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Parks and Recreation Advisory Board roster
2. Parks and Recreation Advisory Board applications for appointment
3. Resolution R-14-3820

Parks and Recreation Advisory Board

PLACE 1

Suzanne Hughes

901 Hardage Lane
Colleyville, TX 76034

H: (817) 329-0076

suzanne-hughes@tx.rr.com

TERM: Dec 2012 - Dec 2014

PLACE 3

Charles Bethards

1602 Royal Lane
Colleyville, TX 76034

W: (817) 281-7136

H: (817) 581-7005

bethards@sbcglobal.net

TERM: Dec 2012 - Dec 2014

PLACE 5 - VICE CHAIRMAN

Carel Tornes

6712 Hillier Court
Colleyville, TX 76034

H: (817) 788-5611

careltornes@gmail.com

TERM: Dec 2012 - Dec 2014

PLACE 7 - CHAIRMAN

Michelle McGarry

4912 Prestwick Drive
Colleyville, TX 76034

H: (214) 449-8155

mlamontagne15@hotmail.com

TERM: Dec 2012 - Dec 2014

PLACE 2

Leti Carson

4504 Jim Mitchell Trail West
Colleyville, TX 76034

H: (817) 540-1250

leticarson@hotmail.com

TERM: Dec 2013 - Dec 2015

PLACE 4

David Hays

6508 Connie Lane
Colleyville, TX 76034

W: (817) 300-1871

H: (817) 300-1871

david.hays@fnti.com

TERM: Dec 2013 - Dec 2015

PLACE 6

Ajit Purandare

1109 Riverwalk Court
Colleyville, TX 76034

W: (202) 361-7674

H: (682) 325-4172

apurandoc@aol.com

TERM: Dec 2013 - Dec 2015

PLACE 8

Hillary Schwanbeck

5816 Quality Hill
Colleyville, TX 76034

W: (817) 552-7302

H: (832) 656-4977

hillary.schwanbeck@gmail.com

TERM: Dec 2013 - Dec 2015



Application for Appointment for City Council Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130, or download the Financial Disclosure form here.

Board, Commission, or Committee: (only those with current openings)

1. Parks and Recreation Advisory Board

If you are willing to be considered for another board, commission, or committee, please list below.

2. Click here for drop down menu

3. Click here for drop down menu

Name: ☐ Ms. ☐ Mrs. ☒ Mr. Charlie Bethards

Address: 1602 Royal Lane, Colleyville, TX 76034

Home phone: 817-581-7005

Work phone: 817-999-4784

E-mail Address: bethards@sbcglobal.net

- ☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.
- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I will be required to comply with the Texas Open Meetings Act training.
- ☒ I understand I will be required to bring my own device to meetings to view packet information.

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

MSEE, MBA, JD;

29 years with Motorola, Inc. in various Engineering, Engineering Mgmt, Product Mgmt, patent Law and Law Office Mgmt as well as Chairing National Level Standards bodies; 12 years as Independent Patent Lawyer.

Have served on the Events and Parks and Recreation Committee, active in Colleyville Lions Club

☐ Check if additional materials are attached. Other information (City/civic service, interests):

Signature: /Charles Bethards

Date: 12/1/14

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139

Mail: City Secretary, 100 Main Street, Colleyville, TX 76034

Application for Appointment For City Council appointed Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130 or [download the Financial Disclosure form here](#).

Board, Commission, or Committee: (only those with current openings)

Please write-in your preference of (up to three) board(s), commission(s), or committee(s), for which you would like to be considered.

1. Parks & Recreation Advisory Board
2. Architectural Review Commission
3. _____

Name: ☐ Ms. ☒ Mrs. ☐ Mr. Nancy M. Caplen

Address: 4803 Queensbury Way E., 76034

Home Phone: 817-300-8351 Work Phone: _____

- ☒ I understand attendance and active support is required for each appointee.
☒ I understand I will be required to comply with the Texas Open Meetings Act training.
☒ I understand I will be required to bring my own device to meetings to view packet information.
☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.

E-mail Address: caplen2@gmail.com Fax: _____

Knowledge, experience, or education applicable to Board, Commission, or Committee function: Past tennis & basketball coach. Landscape Architect having a understanding of planning & zoning, design, circulation etc,

City service and experience, civic organizations, interest: ☒ Additional materials attached.

See attached bio with city service

Signature:  Date: 12-1-14

Once positions have been filled, you must reapply for future openings.
All information provided is public pursuant to the Texas Public Information Act.

Please return completed application to:
City Secretary, 100 Main Street, Colleyville, TX 76034, Office: 817.503.1130 Fax: 817.503.1139
cloven@colleyville.com or ashelley@colleyville.com

Nancy Coplen

Community Involvement

School District Elected Official

- GCISD Board of Trustees June 2001-2010
- President of GCISD Board of Trustees 2006-07
- Vice-President and Secretary GCISD Board of Trustees

School District Committees

- Parent Advisory Committee
- District Improvement Plan
- Principal Selection Committee
- Diversity Advisory Council
- Fine Arts Advisory Committee,
- Partners in Education Committee
- Attendance Area Revision Committee

Schools PTAs

- President of the Colleyville Heritage PTSA 1999-2001
- Heritage Middle School PTA Colleyville Texas, designed, developed and chair of the outdoor classroom for 8 years
- GCISD Council of PTAs as first vice president and secretary.

Schools Other

- President of Grapevine High Cheerleader Booster Club 1996-97
- Member of the CEC at Colleyville Heritage High School
- Developed "Lunch Box Performances" classical music performance at CHHS 2000-2006
- Member and officer of various band booster clubs
- Developed and designed Panther Plaza-Colleyville Heritage High School, Colleyville, Texas 1999

Community at Large

- 28 years with the Boy Scouts of America, Helped direct several boy's Eagle Projects in Colleyville City and School parks.
- Merit Badge Counselor
- Mentor for Eagle Board of Reviews
- Grapevine Chamber of Commerce - Women's Division- 2001-present
 - Chair-elect 2013-2014
 - Christmas Spirit Chair 2012-2013
 - Second Chance School Supplies Co-Chair 2010-2011
 - Secretary 2010-2011, 2012
 - Christmas Spirit GCISD School Supply Distribution 2012
- Grapevine Historical Society 2001-2009
- Colleyville Chamber of Commerce.
 - Member since 2001
 - Advisory member of the Colleyville Chamber 2003-2008
 - Youth Leadership Instructor 2011-2012
- Keep Colleyville Beautiful Committee Member 2005-present, Executive Board 2012-to present
- Liaison for the Colleyville City Library Board 2007-2010

Liaison for the Colleyville City Parks 2001-2007
Colleyville Historical Preservation Committee 2013-present
Colleyville Tree Committee 2014
Woodland Hills HOA Board- City Liaison 2013-present
Colleyville Woman's Club
 By laws chair 2003-04
 Executive Board-Secretary 2004-06
 Youth Recognition/Scholarship chair 2007-09, 2011-2012
 Youth Recognition committee 2006-07
 Bridges committee- 2006-07
Colleyville Garden Club- Chairman for Colleyville Civic Beautification (Webb House),
Parliamentarian
Coached youth basketball Colleyville Parks and Rec and tennis teams, certified
basketball referee in CA
Past president of children and youth groups at church.
Taught 4 years of seminary
Church Director of Public Affairs for North Tarrant County 2013- present
Member of Mid-Cities Republican Women

National Level

Volunteer for the 2002 Winter Olympics
Work the 2004 Presidential Election in Pittsburgh PA, 2006 US Rep Campaign
in New Mexico,
2007-08 Presidential Primary Campaign
Texas Finance Committee Mitt Romney 2011-2012
Presidential Campaign in Iowa, New Hampshire, Texas, and Virginia 2012
2012 Grassroots Chair Presidential North Texas

Awards

Texas PTA Life Membership
Texas PTA Extended Life Membership
Nominated for Colleyville Chamber Citizen of the year.
Partners in Education, Texas State Adult Volunteer for 2005.
Hall of Honor Recipient for Colleyville Heritage High School 2006
Texas Volunteer of the Year 2012 Republican Party Senate District 10

Application for Appointment For City Council appointed Boards, Commissions, and Committees

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Board, Commission, or Committee: (only those with current openings)

Please write-in your preference of (up to three) board(s), commission(s), or committee(s), for which you would like to be considered.

1. Park and Recreation Advisory Board
2. Colleyville Sidewalk Committee
3. _____

Name: ☐ Ms. ☒ Mrs. ☐ Mr. Dee Kamerman

Address: 1521 Tennison Parkway Colleyville, TX

Home Phone: 817-416-2277 Work Phone: _____

- ☒ I understand attendance and active support is required for each appointee.
☒ I understand I will be required to comply with the Texas Open Meetings Act training.
☒ I understand I will be required to bring my own device to meetings to view packet information.
☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.

E-mail Address: deekamerman@hotmail.com Fax: _____

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

As an individual and a parent, I have always use public parks and groups.

City service and experience, civic organizations, interest: ☐ Additional materials attached.

I have been a coach for my own children.

Signature: Dee Kamerman Date: 11/5/14

Once positions have been filled, you must reapply for future openings.
All information provided is public pursuant to the Texas Public Information Act.

Please return completed application to:

City Secretary, 100 Main Street, Colleyville, TX 76034, Office: 817.503.1130 Fax: 817.503.1139
cloven@colleyville.com or ashelley@colleyville.com



Application for Appointment for City Council Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130, or download the Financial Disclosure form here.

Board, Commission, or Committee: (only those with current openings)

1. Colleyville Sidewalks Committee

If you are willing to be considered for another board, commission, or committee, please list below.

2. Parks and Recreation Advisory Board

3. Click here for drop down menu

Name: ☐ Ms. ☒ Mrs. ☐ Mr. Joy Fulton Lee

Address: 7109 Waldon Ct. Colleyville TX 76034

Home phone: 817-907-9293

Work phone: 817-907-9293

E-mail Address: joyfultonlee@gmail.com

- ☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.
- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I will be required to comply with the Texas Open Meetings Act training.
- ☒ I understand I will be required to bring my own device to meetings to view packet information.

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

Current member of the Colleyville Sidewalks Committee

☐ Check if additional materials are attached. Other information (City/civic service, interests):

Signature: Joy F. Lee

Date: 17 November 2014

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139

Mail: City Secretary, 100 Main Street, Colleyville, TX 76034



Application for Appointment for City Council Boards, Commissions, and Committees

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Board, Commission, or Committee: (only those with current openings)

1. Parks and Recreation Advisory Board

If you are willing to be considered for another board, commission, or committee, please list below.

2. Click here for drop down menu

3. Click here for drop down menu

Name: ☐ Ms. ☐ Mrs. ☒ Mr. Kenneth Llewellyn

Address: 7905 Jefferson Circle, Colleyville, TX

Home phone: 817-988-6525

Work phone: 817-410-4775

E-mail Address: ken.llewellyn@employeebenefitresources.com

- ☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.
- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I will be required to comply with the Texas Open Meetings Act training.
- ☒ I understand I will be required to bring my own device to meetings to view packet information.

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

Served on the Parks and Recreation Advisory Board from 2008-2013. Active and contributing member of the community and feel very fortunate to call Colleyville home.

☐ Check if additional materials are attached. Other information (City/civic service, interests):

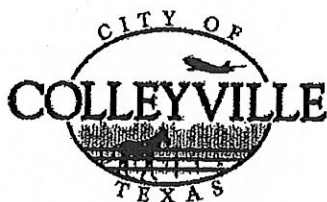
Signature: /Ken Llewellyn

Date: 12/1/14

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139

Mail: City Secretary, 100 Main Street, Colleyville, TX 76034



Application for Appointment for City Council Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130, or download the Financial Disclosure form here.

Board, Commission, or Committee: (only those with current openings)

1. Parks and Recreation Advisory Board

If you are willing to be considered for another board, commission, or committee, please list below.

2. Click here for drop down menu

3. Click here for drop down menu

Name: ☐ Ms. ☒ Mrs. ☐ Mr. Michelle McGarry

Address: 4912 Prestwick Dr., Colleyville, TX 76034

Home phone: 214-449-8155

Work phone:

E-mail Address: mlamontagne15@hotmail.com

- ☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.
- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I will be required to comply with the Texas Open Meetings Act training.
- ☒ I understand I will be required to bring my own device to meetings to view packet information.

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

Current Chairperson of the Parks and Rec Advisory Board

☐ Check if additional materials are attached. Other information (City/civic service, interests):

Signature: 

Date: 10/31/14

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139

Mail: City Secretary, 100 Main Street, Colleyville, TX 76034



Application for Appointment for City Council Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130, or download the Financial Disclosure form here.

Board, Commission, or Committee: (only those with current openings)

1. Colleyville Events Steering Committee

If you are willing to be considered for another board, commission, or committee, please list below.

2. Parks and Recreation Advisory Board

3. Click here for drop down menu

Name: ☐ Ms. ☒ Mrs. ☐ Mr. Amy Redfearn

Address: 7300 Chanel Court

Home phone: 817-577-1009

Work phone: 972-896-3796

E-mail Address: amyredfearn@verizon.net

- ☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.
- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I will be required to comply with the Texas Open Meetings Act training.
- ☒ I understand I will be required to bring my own device to meetings to view packet information.

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

☒ Check if additional materials are attached. Other information (City/civic service, interests):

Signature: /Amy Redfearn

Date: 10/15/14

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139

Mail: City Secretary, 100 Main Street, Colleyville, TX 76034

Amy C. Redfearn

7300 Chanel Court
Colleyville, Texas 76034

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

<u>City of Colleyville Special Event Committee</u>	2010- Present
Chair	2012-Present

I helped plan and execute Holley Colley and Red, White & Sousa. I enhanced R/W & Sousa by suggesting round tables that patrons could sit at to enjoy the concert. It was also my recommendation to bring in food trucks for this event.

<u>City of Colleyville Healthy Lifestyle Delegate</u>	2012-2013
Secured \$15,000 grant for city	

Developed programs to showcase the variety of activities that citizens of Colleyville engaged in to promote a healthy way of life. Examples of the events were a Walk, Run & Read 5K time run & 1 mile fun run, cooking demonstrations, kids programs and a weight loss challenge. Created the spiral bound document for contest submission.

<u>City of Colleyville Comprehensive Plan Advisory Committee</u>	August-November 2014
---	-----------------------------

<u>Grapevine/Colleyville Council of PTA</u>	2003-Present
Grapevine High School, Board member	Current
Executive Board member for district	2012-2014
Cross Timbers Middle School, past Board member	2010-2012
Colleyville Elementary School, past President	2008-2010

<u>National Charity League, Colleyville Chapter</u>	2012-present
Vice President of Provisionals	Current

<u>Grapevine/Colleyville Student Health Advisory Council</u>	2010-Present
Chair	Current

<u>LifeTime Fitness</u>	2008- Present
Group Fitness Executive Leadership Instructor	
Master Instructor	

RESOLUTION R-14-3820

**A RESOLUTION APPOINTING MEMBERS TO THE
PARKS AND RECREATION ADVISORY BOARD**

WHEREAS, four (4) positions on the Parks and Recreation Advisory Board have terms expiring December 2014.

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

Sec. 1. THAT the following persons are hereby appointed to the Parks and Recreation Advisory Board for a term expiring December 2016:

- Place 1
- Place 3
- Place 5
- Place 7

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 16TH DAY OF DECEMBER 2014.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6f
Type Resolution
Department City Secretary

Agenda Date 12/16/2014

Number Resolution R-14-3821

Title

Consideration of appointments to the Traffic Safety Advisory Committee

Explanation

Reading and Public Hearing

The five member Traffic Safety Advisory Committee meets as needed to act in an advisory capacity to City Council and makes recommendations regarding traffic safety based on reports from consultants, City staff, and suggestions from the public. The Committee did not meet in 2014.

There are two positions, on the Traffic Safety Advisory Committee, whose terms expire December 2014. The positions were advertised and the incumbents were notified their term was expiring and asked to submit an Application for Appointment, if they wished to be considered for reappointment.

The following Committee member's terms expire December 2014:

- Chuck McGuire
- Vernon Noronha

The applicant is listed below, and the application is attached:

- Catherine Torrez

As there are more vacancies than applicants received for the positions, City Council will determine the need for re-advertising and advise staff accordingly.

This resolution provides for City Council to consider appointments to the Traffic Safety Advisory Committee.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Traffic Safety Advisory Committee roster

2. Traffic Safety Committee application for appointment
3. Resolution R-14-3821

Traffic Safety Advisory Committee

Sean Bryan

7506 John McCain Road
Colleyville, TX 76034
W: (817) 886-5079
H: (817) 485-6479
brysk@tx.rr.com

TERM:Dec 2013 - Dec 2015

Chuck McGuire

313 Chapelwood Drive
Colleyville, TX 76034
W: (817) 733-7636
H: (817) 281-5060
chuckmcguire@att.net

TERM:Dec 2012 - Dec 2014

Janet Suedmeier

2301 Mulberry Court
Colleyville, TX 76034
H: (817) 600-3532
newweirdodor@msn.com

TERM:Dec 2013 - Dec 2015

John Hines

4806 Cranbrook Drive East
Colleyville, TX 76034
W: (817) 239-8688
H: (817) 571-2775
husker.1power@yahoo.com

TERM:Dec 2013 - Dec 2015

Vernon Noronha

200 Old Grove Road
Colleyville, TX 76034
W: (214) 840-4255
H: (817) 576-2050
vernon.noronha@gmail.com

TERM:Dec 2013 - Dec 2014



Application for Appointment for City Council Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130, and on the City's website at: www.colleyville.com/files/Financial%20Disclosure%20form.pdf

Board, Commission, or Committee: (only those with current openings)

1. Colleyville Events Steering Committee



If you are willing to be considered for another board, commission, or committee, please list below.

2. Traffic Safety Advisory Committee



3. Click here for drop down menu

Name: ☐ Ms. ☒ Mrs. ☐ Mr. Catherine Torrez

Address: 4608 Jim Mitchell Trail East

Home phone: 817-676-7683

Work phone:

By providing an e-mail address, you are consenting to the release of your e-mail address by the City.

E-mail Address: StilettoSpy@yahoo.com

Fax:

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

Former Chief of Police of Cockrell Hill, TX. Have assisted in many event plans throughout my police career. I did all the city event plans in Everman, TX via the D.A.R.E. Program and also a few in White Settlement ISD as the Police Captain. I began the annual Cockrell Hill Fiesta Night (which was a version of National Night Out). I also began the City Christmas Tree Lighting event for the city. I have assisted in the Annual DARE conference Awards banquets and my husband and I are annual volunteers at the Margarita Ball. I have drawn up safety plans for schools and been involved in the training throughout the school district for Lockdown Evacuation plans/drills. I have already attended "Open Meetings Act" training.

☐ Check if additional materials are attached. Other information (City/civic service, interests):

☒ I understand attendance and active support is required for each appointee.

☒ I understand I will be required to comply with the Texas Open Meetings Act training.

Signature: C Torrez

Date: 11/18/2014

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139

Mail: City Secretary, 100 Main Street, Colleyville, TX 76034

CATHERINE TORREZ, LCC



LEADERSHIP COMMAND COLLEGE – CLASS #42

P. O. Box 1942., Colleyville, TX 76034

cell 817-676-7683

Emergency Planning / Investigations / Security Consulting / Management / Instructor / Public Speaker / Writer

Summary of Qualifications

General Management

Experience with developing and implementing plans, structure, policies and procedures, city ordinances and protocols to ensure the proper administration and financial operations of law enforcement organizations as well as community wellness and operations. Adept at researching avenues for additional revenues and means of budget reduction. Trained and capable of preparing for Critical Incidents (Natural Disaster, Civil Disorder or Terrorism), implementing response and recovery aftermath.

Human Resource Development

Proactive and Results driven management to develop and motivate a Team Leadership style of management that encourages personal growth and development to every level of staff member thus delivering high morale and motivation.

Education

- Graduate – Sam Houston State University – Law Enforcement Management Institute of Texas - LCC in Huntsville, TX – 2003
- Bachelor of Science – 2015 (Estimated)
Rio Salado College in Tempe, AZ
Criminal Justice

Certifications, Licenses & Specialized Training

- Master Peace Officer Certification, Texas Commission on Law Enforcement Officer Standards and Education
- Private Investigator License, Texas Department of Public Safety – Private Security Board
- Police Instructor Certification, Texas Commission on Law Enforcement Officer Standards and Education
- Mental Health Officer Certification, Texas Commission on Law Enforcement Officer Standards and Education
- D.A.R.E. Officer Certification (Elementary, Jr. High & Sr. High certifications), Texas DARE Institute of TX – Southwest Texas State University

- Advanced Incident Command Certification (InCoSit training/NIMS – Bill Blackwood Law Enforcement Management Institute of Texas)
- Civil Disorder Management
- Emergency Response and Preparedness Training, Emergency Management Institute (make request for complete list of certifications)
- Experience in Writing, Training and Implementing School/College Campus/Workplace Emergency Plans and Drills for Weather-related and School Violence or Crisis Incidents.
- Specialized training for Education Professionals with respect to “Prevention and De-escalation of Violent Episodes in the Classroom/Workplace”.
- Texas Certified Investigator

Specialized Skills

Criminal Investigations – Specializing in Crimes Against Children and Juvenile Crimes
 Kinesic Interview Skills - Advanced
 Excellent Public Speaking and Presentation skills
 Public and Police Educator
 Excellent Verbal and Written Communication skills
 Mediation skills
 Major Public Event planning and organization skills
 Mitigation Skills
 Media Relations training and experience
 Intermediate Accident Investigation
 Emergency Planning for School/College Campuses
 Training for Education Professionals in Classroom Safety

Professional Experience

Business Owner / Manager – Ten (10) years
 Management/Leadership/Supervisor – Nine (9) years
 Over Twenty (20) years of Law Enforcement Experience as follows:

White Settlement ISD Police Department **Reserve Police Officer**

October 2010 -Present

Assist the ISD police department with training and as needed on a volunteer basis.

Stiletto Spy & Company Investigations **Owner/Manager/Investigator**

June 2010 -Present

Own and manage a private investigations firm involved in civil and criminal investigations, surveillance, persons & asset searches and a focus on pre-relationship background investigations and Crimes Against Women & Children cases.

Infomart – DCI Technologies
Director of Security

October 2008-May 2009

Manage professional security staff and oversee security systems, emergency management plans and general security related operations for 1.6 million sq. ft., Class – An office environment and data center.

Taurus Investigations
Private Investigator/Contractor/Consultant

May 2008-Present

Security Consultation regarding planning, equipment, implementation & practice drills for schools and workplace institutions. Professional and competent corporate investigations that includes but is not limited to due diligence, employee and financial and background investigations, criminal and civil litigation matters and persons searches.

Cockrell Hill Police Department
Chief of Police

June 2004-May 2008

Was responsible for smaller urban police department located within southwest Dallas (connected to Oak Cliff on the western side) for approximately four years. Overcame economic challenges for the department by:

- reviewing and revising budgeted contracts and expenses to attain higher quality services and goods at lower costs and savings,
- implementing policies and ordinances to procure additional revenue for violators of insurance laws,
- soliciting and attaining donations from area businesses and corporations (over \$80,000),
- applying for and receiving local and federal grant funding for unfunded projects and equipment (approximately \$50,000), and
- working with Municipal judge to receive bartered services from convicted traffic and class C Misdemeanor violators.
- assist in Criminal Investigations – case filing, write warrants, crime scene (documentation, video/photograph, obtain statements, evidence gathering and submissions, fingerprints)
- Evidence Guardian – developed proper evidence logging/storing. Audits of evidence room.

Instituted numerous policies and procedures to reduce liability, protect community and staff, and preserve integrity and ethical police practices. Cockrell Hill's crime statistics were the lowest in Dallas County south of Interstate 30 due to proactive policing and community efforts. Established positive working relationships and alliances with local city departments (fire, courts and public works), area law enforcement agencies (local, county, state and federal), area social services, probation and parole services, and health services. Instituted numerous positive, proactive, community policing programs to build trust with citizens and children:

- Lunch with the Law,
- Coin Program,
- Christmas tree lighting program,
- Annual Cockrell Hill Fiesta Night (drawing nearly 2,000 in 2007),
- Town Talk Meetings,
- Cockrell Hill Pride Award (neighborhood incentive program targeting the "broken windows" effect)
- D.A.R.E. program (taught in three area DISD elementary schools by Chief Smit),

- accepting numerous invitations to speak or do presentations at area church, civic, safety and school events and
- continued annual Christmas Toys for Tots program.

Instituted standardized hiring procedures and practices that were nonexistent with prior administrations.

Improved department morale by:

- fair and equitable practices to acknowledge staff efforts
- fair promotional advancement
- officer and staff development
- Provided necessary equipment, training and leadership for professional police practices.

Warrant Program lead in the area for highest collections by working with municipal judge in extraordinary means of reaching violators. Worked with local departments to develop mitigation and evacuation plans for Cockrell Hill and submit to County Emergency Plan. Join in area critical incident response training scenario with area Law Enforcement agencies.

White Settlement ISD Police Department **Police Captain**

August 1999-June 2004

Lead district in all emergency response planning, writing scenario emergency drills, training of all staff, students and police, implementing drills, and readiness procedures. Provided staff training in school/classroom safety issues. Provided community training events. Taught Stop Smoking Clinics and Identity Theft training. Applied for and received Step Grant and implemented policy and procedures. Collaborated in area Campus Improvement Committees. Coordinated 1st Responder training event, Major event emergency plans and weapons qualifications trainings. Lead in investigations including all high profile incidents and child abuse cases. Taught Jr. High DARE program and offered additional classroom topics for all grade levels.

Everman Police Department **Police Officer**

April 1991-August 1999

Patrol Duties

Coordinated all major events with School districts and local business and community:

- Santa Cop (providing for approximately 120 needy students annually)
- Duck Race (fund raiser)
- Car Shows
- Circus
- Vial of Life Program

Developed, trained volunteers and coordinated the Citizens Awareness Patrol Program. Worked 2 years in Criminal Investigations Division (focus on Crimes Against Children and Juvenile Crimes). Primary patrol duties and assisted as relief Communications Officer. Instituted Sr. Citizen Visitation program, specialized in Gang Intelligence and provided community training.

Grand Prairie Police Department
Reserve Police Patrol Officer

October 1988-April 1991

Received Reserve Police Officer Award for most volunteer hours in patrol, jail and special event functions.
Assisted task force operations and patrol.

Alpha & Omega Janitorial Service & Minor Maintenance and Repair Service
Business Owner

May 1984-July 1994

Operated full line janitorial service, landscaping service and minor maintenance and repair service throughout the DFW Metroplex as a major competitor in the field for ten years. Provided detailed Bid Proposals following through with service contracts and quality control. Managed marketing, human resources issues and accounting records for all business aspects to included payroll and taxes.

Associations and Affiliations

- Texas Police Chiefs Association – 2004-2008
- North Texas Police Chiefs Association – 2004-2008
- Texas D.A.R.E. Officers Association – 1992-2008
- Texas D.A.R.E. Officers Association – Board Member (Secretary and Sgt.@ Arms (1999-2004)
- North Dallas Republican Club – Program Chair – 2008-2010
- Campus Improvement Committee – L. O. Donald Elementary, DISD – 2006-07
- Private School Board Member – FWAA 1996-2006
- Church Board Member 2000 – 2006
- Texas Association Licensed Investigators 2011 – 2013
- Texas Association Licensed Investigators, Region 2 Director 2013-2015

Additional History

Republican Candidate for Dallas County Sheriff – March 2008 election

Author/Self Published Book – “Tragedy to Triumph” ‘Discover the secret of gaining victory over abuse’ 1996, “Unburied Treasure” ‘A Guide To Leaving Your Legacy’ Westbow Press 2012
“Unburied Treasure” ‘A guide to leaving your legacy’, Westbow Press, 2011

Public Speaker – various venues on the following topics:

Law Enforcement/Personal Safety

How To Prevent Becoming A Victim Of A Stranger Attack

Gangs

Drugs – Prevention & Recovery

Identity Theft – Prevention & Recovery

Various Youth and Faith-based topics

Parents & Grandparents Legacy

RESOLUTION R-14-3821

**A RESOLUTION APPOINTING MEMBERS TO THE TRAFFIC SAFETY
ADVISORY COMMITTEE**

WHEREAS, the Traffic Safety Advisory Committee has two (2) positions
whose term expires December 2014.

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

Sec. 1. THAT the following persons are hereby appointed to the Traffic
Safety Advisory Committee for a term expiring December 2016:

•
•

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _____AYES, _____NAYS, AND _____ABSTENTIONS ON
THIS THE 16TH DAY OF DECEMBER 2014.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6g

Agenda Date 12/16/2014

Number Resolution R-14-3822

Type Resolution

Department City Secretary

Title

Consideration of appointments to the Tax Increment Finance District Board

Explanation

Reading and Public Hearing

The Tax Increment Finance District Board (TIF) meets annually in July and as needed. The purpose of the TIF Board is to adopt and oversee the implementation of the TIF project plan to promote reinvestment within the TIF zone.

Per the TIF bylaws, the Board of Directors shall consist of nine (9) directors, five (5) of whom shall be appointed by the City Council. The governing bodies of the Grapevine-Colleyville Independent School District (GCISD), Tarrant County, Tarrant County College, and the Tarrant County Hospital District shall appoint one (1) member to the District. As per the TIF Bylaws, directors shall be appointed by the governing bodies and shall serve for two-year terms, or until their successors are appointed by the respective governing bodies. Staff notified the respective governing bodies to request the appointment of a TIF representative to serve for a term beginning on January 1, 2015 and continuing until December 2016.

The following City Council members currently serve as the TIF Board of Directors for the City of Colleyville, whose terms expire December 31, 2014:

- Tom Hart
- David Kelly
- Jody Short
- Mike Taylor
- Carol Wollin

The governing bodies of the respective entities appointed the following representatives to the TIF Board of Directors for a term beginning January 2015 through December 2016:

- Mark McClendon - Tarrant County College
- Scott Rule - Tarrant County Hospital District
- Carolyn Sims - Tarrant County
- John Eubanks - Grapevine-Colleyville Independent School District

This resolution provides for City Council to consider appointments of five City

Councilmembers and approval of the governing bodies representatives to the Tax Increment Finance District Board for a term of January 1, 2015 through December 31, 2016.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Tax Increment Financing District Board Bylaws excerpt
2. Tax Increment Finance District Board of Directors roster
3. Resolution R-14-3822

BYLAWS OF
REINVESTMENT ZONE NUMBER ONE
THE CITY OF COLLEYVILLE, TEXAS
STATE HIGHWAY 26 AREA TAX INCREMENT FINANCING DISTRICT

ARTICLE I

POWERS AND PURPOSE

Section 1. Financing Development or Redevelopment in the Zone. In order to implement the purposes for which Tax Increment Financing Reinvestment Zone Number One, City of Colleyville, Texas (the "Zone") was formed, as set forth in Ordinance No. 0-08-1124, dated November 4, 1998, creating the zone, the City of Colleyville, Texas (the "City") may issue obligations to finance all or part of the cost of implementing the "project plan" for the Zone as defined in the Tax Increment Financing Act of the Tax Code, Chapter 311, Vernon's Texas Codes Annotated (the "Act").

Section 2. Books and Records: Approval of Programs and Financial Statements. The Board of Directors shall keep correct and complete books and records of account and shall also keep minutes of its proceedings and the proceedings of committees having any of the authority of the Board of Directors. All books and records of the Zone may be inspected by any director or his agent or attorney for any proper purpose at any reasonable time; and at all times the City Council and the Finance Director will have access to the books and records of the Zone. The City Council must approve all programs and expenditures for the Zone and annually review any financial statements of the Zone.

ARTICLE II

BOARD OF DIRECTORS

Section 1. Powers, Number and Term of Office. The property and affairs of the Zone shall be managed and controlled by the City Council based on the recommendations of the Board of Directors of the Zone ("Board of Directors" or "Board"), subject to the restrictions imposed by law, the ordinance creating the Zone, and these Bylaws. It is the intention of the City Council that the Board of Directors shall function only in an advisory or study capacity with respect to the Zone and shall exercise only those powers, advisory in nature, which are either granted to the Board pursuant to the Act or delegated to the Board by the City Council.

The Board of Directors shall consist of nine (9) directors: five (5) of whom shall be appointed by the City Council of the City; one (1) of whom shall be appointed by the governing body of the Grapevine-Colleyville Independent School District (GCISD); one (1) appointed by the governing body of Tarrant County (County); one (1) appointed by the Tarrant County Hospital District; and (1) appointed by the Tarrant County Junior College District (Junior College District); provided however, that if a taxing unit (other

than the City) waives its right to appoint a member to the Board, as evidenced by written resolution duly adopted by the governing body of such taxing unit, the City may appoint such Boardmember in its stead.

The first Board of Directors shall serve for an initial term ending December 31, 2000; or until his or her successor is appointed. Subsequent directors shall be appointed by the governing bodies of the City, GCISD, County, Hospital District, and Junior College District and shall serve for two (2) year terms beginning January 1, 2001 or until their successors are appointed by the respective governing bodies.

Any director may be removed from office by the City Council; for cause deemed by the City Council as sufficient for their removal in the interest of the public, but only after a public hearing before the City Council on charges publicly made, if demanded by such Boardmember within 10 days of notification by the City Council that he or she is to be removed.

In the event of a vacancy caused by the resignation, death, or removal for any reason, of a director, the governing body of the respective taxing unit (i.e. City, County, Hospital District, GCISD, Junior College District) which made such Board appointment shall be responsible for filling the vacancy.

Section 2. Meetings of Directors. The directors may hold their meetings within a public building in the City as the Board of Directors may from time to time determine.

Section 3. Regular Meetings. Regular Meetings of the Board of Directors shall be held at such times and places as shall be designated, from time to time, by resolution of the Board of Directors. All meetings of the board shall be of a public nature unless pertaining to matters of land purchase, security, personnel, or strictly legal matters. Notice of all regular and special meetings of the Board and any committees thereof shall be posted in accordance with the provisions of the Texas Open Meetings Act, Article 6252-17, Vernon's Texas Civil Statutes. There shall be at least one Regular Meeting held each year in the month of July.

Section 4. Special Meetings. Special Meetings of the Board of Directors shall be held whenever called by the chairman, by the secretary, by a majority of the directors then in office or upon advice of or request by the City Council.

The secretary shall give notice to each director of each Special Meeting in person, or by mail, courier, facsimile, telephone, or e-mail, at least twenty-four (24) hours before the meeting. Notice of all Special Meetings shall state the purpose, which shall be the only business, conducted.

Section 5. Quorum. A majority of the directors holding current appointments shall constitute a quorum for the consideration of matters pertaining to the purposes of the Zone. The act of a majority of the directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board of Directors, unless the act of a greater number is required by law.

Tax Increment Finance District Board

CHAIR

David Kelly
905 Inwood Lane
Colleyville, TX 76034
H: (817) 656-1862
dkelly@colleyville.com
TERM:Dec 2012 - Dec 2014

DIRECTOR

Tom Hart
1717 Avondale
Colleyville, TX 76034
H: (817) 540-1171
thart@colleyville.com
TERM:Dec 2012 - Dec 2014

DIRECTOR

Carol Wollin
4600 Dartmoore Lane
Colleyville, TX 76034
H: (817) 281-3058
cwollin@colleyville.com
TERM:Dec 2012 - Dec 2014

Tarrant County College

Mark McClendon
1500 Houston Street
Fort Worth, TX 76102
W: (817) 515-5203
TERM:Dec 2012 - Dec 2014

Tarrant County

Carolyn Sims
645 Grapevine Highway, Suite 6
Hurst, TX 76054
W: (817) 581-3600
cssims@tarrantcounty.com
TERM:Dec 2012 - Dec 2014

VICE-CHAIR

Mike Taylor
5209 Coventry Place
Colleyville, TX 76034
H: (817) 267-5407
mtaylor@colleyville.com
TERM:Dec 2012 - Dec 2014

DIRECTOR

Jody Short
7703 Jefferson Circle
Colleyville, TX 76034
H: (817) 713-6111
jshort@colleyville.com
TERM:Jun 2014 - Dec 2014

GCISD

John Eubanks
7009 Lismore Court
Colleyville, TX 76034
H: (817) 481-3009
johnteubanks@verizon.net
TERM:Dec 2012 - Dec 2014

Tarrant County Hospital

Scott Rule
1500 South Main Street
Fort Worth, TX 76104
W: (817) 702-6871
srule@jpshealth.org
TERM:Dec 2012 - Dec 2014

RESOLUTION R-14-3822

A RESOLUTION APPOINTING MEMBERS TO THE TAX INCREMENT FINANCING DISTRICT BOARD OF DIRECTORS

WHEREAS, the Tax Increment Financing (TIF) District Board of Directors shall consist of nine (9) directors, five (5) of whom shall be appointed by the City Council; and

WHEREAS, the governing bodies of the Grapevine-Colleyville Independent School District (GCISD), Tarrant County, Tarrant County College and Tarrant County Hospital District shall appoint one (1) member to the TIF; and

WHEREAS, in accordance with Tax Increment Financing District Bylaws, the members shall serve two (2) year terms or until their successors are appointed by the respective governing bodies.

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

Sec. 1. THAT the following persons are hereby appointed to serve on the Tax Increment Financing District Board of Directors to serve a two-year term, beginning on January 1, 2015 and ending on December 31, 2016, or until their successors are appointed by the City Council:

-
-
-
-
-

Sec. 2. THAT the governing bodies hereby appointed the following representatives to the Tax Increment Financing District Board of Directors to serve a two-year term, beginning on January 1, 2015 and ending on December 31, 2016, or until their successors are appointed by the respective governing bodies:

Scott Rule	Tarrant County Hospital District
Mark McClendon	Tarrant County College
Carolyn Sims	Tarrant County
John Eubanks	Grapevine-Colleyville
	Independent School District

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS
THIS THE 16TH DAY OF DECEMBER 2014.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6h

Agenda Date 12/16/2014

Number Resolution R-14-3823

Type Resolution

Department City Secretary

Title

Consideration of an appointment to the Park Land Dedication Committee

Explanation

Reading and Public Hearing

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

The Parks and Recreation Advisory Board will make a recommendation for the Park Land Dedication Committee during their meeting to be held in January, 2015.

On November 10, 2014, the Planning and Zoning Commission recommended the appointment of Mr. David Wheelwright to the Park Land Dedication Committee, with a term expiring September 2016, respectively, to coincide with his Planning and Zoning Commission term.

This item provides for City Council to consider the Planning and Zoning Commission appointment to the Park Land Dedication Committee.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Park Land Dedication Committee roster
2. Resolution R-14-3823

Park Land Dedication Committee

Parks and Recreation

Representative

Leti Carson

4504 Jim Mitchell Trail West
Colleyville, TX 76034

H: (817) 540-1250

leticarson@hotmail.com

TERM:Mar 2014 - Dec 2015

Parks and Recreation

Representative

Suzanne Hughes

901 Hardage Lane
Colleyville, TX 76034

H: (817) 329-0076

suzanne-hughes@tx.rr.com

TERM:Mar 2014 - Dec 2014

Planning and Zoning

Representative

Carel Tornes

6712 Hillier Court
Colleyville, TX 76034

H: (817) 788-5611

careltornes@gmail.com

TERM:Nov 2013 - Sep 2015

Planning and Zoning

Representative

David Wheelwright

5701 Reatta Place
Colleyville, TX 76034

H: (817) 875-6082

dwheelwright@me.com

TERM:Nov 2013 - Sep 2014

RESOLUTION R-14-3823

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

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

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

WHEREAS, the Planning and Zoning Commission recommends the appointment of David Wheelwright to the Park Land Dedication Committee.

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

Sec. 1. THAT the City Council hereby appoints David Wheelwright to serve on the Park Land Dedication Committee with a term expiring September 2016.

AND IT IS SO RESOLVED.

PASSED BY A VOTE OF _____ AYES, _____ NAYS, AND _____ ABSTENTIONS ON THIS THE 16TH DAY OF DECEMBER 2014.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6i
Type Resolution
Department Public Works

Agenda Date 12/16/2014

Number Resolution R-14-3824

Title

Approval of a resolution requesting the Texas Department of Transportation (TxDOT) complete the reconstruction of State Highway 26/Colleyville Boulevard from John McCain Road to Brown Trail

Explanation

Reading and Public Hearing

The City of Colleyville has been working for over a decade in an effort to have the Texas Department of Transportation (TxDOT) reconstruct State Highway 26 (SH26) throughout the City of Colleyville. The reconstruction has been divided into phases. The status of each phase is as follows:

- Phase I (Northern City limits to John McCain Road) is currently under construction.
- Phase II (Hall-Johnson Road to Brown Trail) has federal and state funding allocated and is nearing the bidding stage.
- Phase III (John McCain Road to Hall-Johnson Road) does not have identified funding, and will not proceed to construction without action taken to identify and allocate funding.

The City has previously committed and expended significant funds toward the reconstruction of SH26, which is owned, operated, and maintained by TxDOT.

The proposed resolution formally requests TxDOT to complete the reconstruction of State Highway 26/Colleyville Boulevard from John McCain Road to Brown Trail. The resolution also requests the North Central Texas Council of Governments (NCTCOG) provide funding for the costs for the construction of lanes five and six when such becomes necessary.

If approved by City Council, the resolution will be forwarded to TxDOT and NCTCOG to allow for further negotiations.

Financial Impact

There is not an immediate budgetary impact. The City is requesting TxDOT fully fund the reconstruction project.

Recommendation

Approve

Attachments

1. Resolution R-14-3824

RESOLUTION R-14-3824

A RESOLUTION REQUESTING THE TEXAS DEPARTMENT OF TRANSPORTATION COMPLETE THE RECONSTRUCTION OF STATE HIGHWAY 26/COLLEYVILLE BOULEVARD FROM JOHN MCCAIN ROAD TO BROWN TRAIL

WHEREAS, the City of Colleyville wishes to have State Highway 26/Colleyville Boulevard reconstructed; and

WHEREAS, the Texas Department of Transportation currently owns and operates State Highway 26/Colleyville Boulevard; and

WHEREAS, the City, through its Tax Increment Financing District, has previously committed and expended significant funds towards the reconstruction of State Highway 26/Colleyville Boulevard; and

WHEREAS, reconstruction of the section of State Highway 26/Colleyville Boulevard between John McCain Road and Hall-Johnson Road is currently not funded; and

WHEREAS, the City urges the Texas Department of Transportation to complete the reconstruction of State Highway 26/Colleyville Boulevard; and

WHEREAS, all legal prerequisites for the approval of this Resolution have been met, including but not limited to the Open Meetings Act and the Property Code; and

WHEREAS, the City Council hereby determines that the approval of this Resolution is in the best interests of the health, safety, and welfare of the public.

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

Sec. 1. THAT all of 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 City Council respectfully requests the Texas Department of Transportation complete the reconstruction of State Highway 26/Colleyville Boulevard from John McCain Road

to Brown Trail with consideration of alternative funding for the currently unfunded section. The City further requests that the North Central Texas Council of Governments provide funding for the costs for the construction of lanes five and six when such becomes necessary.

Sec. 3. THAT this resolution shall become effective immediately from and after its passage.

AND IT IS SO RESOLVED.

PASSED BY A VOTE OF ___ AYES, ___ NAYS, AND ___ ABSTENTIONS ON THIS THE 16TH DAY OF DECEMBER 2014.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6j

Agenda Date 12/16/2014

Number Resolution R-14-3825

Type Resolution

Department Public Works

Title

Approval of a resolution to utilize the Turnback Program as consideration for the full reconstruction of State Highway 26/Colleyville Boulevard

Explanation

Reading and Public Hearing

The City of Colleyville has been working for over a decade in an effort to have the Texas Department of Transportation (TxDOT) reconstruct State Highway 26 (SH26) throughout the City of Colleyville. The reconstruction has been divided into phases. The status of each phase is as follows:

- Phase I (Northern City limits to John McCain Road) is currently under construction.
- Phase II (Hall-Johnson Road to Brown Trail) has federal and state funding allocated and is nearing the bidding stage.
- Phase III (John McCain Road to Hall-Johnson Road) does not have identified funding, and will not proceed to construction without action taken to identify and allocate funding.

The City has requested TxDOT fully fund the reconstruction of State Highway 26/Colleyville Boulevard from John McCain Road to Brown Trail.

On April 4, 2014, the (TxDOT), the Texas Municipal League (TML), and the Association of Texas Metropolitan Planning Organizations (TEMPO), executed a Memorandum of Understanding (MOU) concerning the TxDOT Voluntary Turnback Program. The MOU is attached for reference. The program allows interested municipalities to voluntarily remove roadways, including right-of-way, from the state highway system and take over control of operation and maintenance of the roadways. The benefit being the local municipality would then have control of items such as access, signage, pavement markings, speed limits, and signals; however, the local municipality would also be responsible, in perpetuity, for maintenance of the roadway, such as pavement repair and mowing.

The Texas Department of Transportation has indicated they would fund the reconstruction from John McCain Road to Brown Trail, if the reconstructed roadway is

taken off-system after the completion of said reconstruction.

After several presentations and discussions regarding all of the approaches which could be utilized to facilitate the reconstruction of SH26, direction was provided by City Council to pursue the Turnback Program. The most recent discussion was at the December 2, 2014, Pre Council meeting, and the presentation is attached for reference. At that meeting, City Council directed staff to prepare a resolution for the December 16, 2014 City Council agenda, to move forward with the voluntary Turnback Program.

The proposed Resolution R-14-3825 formally states that the City Council would agree, upon the completion of the reconstruction of SH26, the City will respectfully request TxDOT remove from the State Highway System, the portion of SH26 from John McCain Road to Brown Trail, including the transfer of right-of-way to the City of Colleyville, as soon as feasible.

If approved by City Council, the resolution will be forwarded to TxDOT and the North Central Texas Council of Governments to allow for further negotiations. No commitment to remove the road from the State Highway System is being made at this time. At the time an agreement is reached with TxDOT, a formal agreement will be prepared and placed on the City Council agenda for approval.

Financial Impact

There is not an immediate budgetary impact. Upon the removal of the roadway from the State Highway System, the City of Colleyville will be responsible, in perpetuity, for all roadway maintenance. The City would take ownership of the corridor when the project has been completed, and that is estimated to be, at the earliest, in FY 2017. The financial obligations of the future fiscal year budgets will be determined through the respective budget development processes.

Recommendation

Approve

Attachments

1. December 2, 2014 Presentation
2. Memorandum of Understanding
3. Resolution R-14-3825



TxDOT SH26 Reconstruction Project

**Pre Council
December 2, 2014**

Purpose



- To update the City Council on the public forum meeting that was held on November 12, 2014
- To discuss the options available for the completion of the unfunded section of SH26 from John McCain Road to Hall-Johnson Road
- To receive direction from the City Council on how to proceed with the funding of the section from John McCain Road to Hall-Johnson Road

Public Forum



- The City in conjunction with TxDOT held a public forum on the SH26 Reconstruction Project on November 12, 2014
- Approximately 100 residents and Colleyville business owners attended the meeting to learn about the project and to provide comments and feedback
- 15 comment cards received at the public meeting
- Four comments received by email

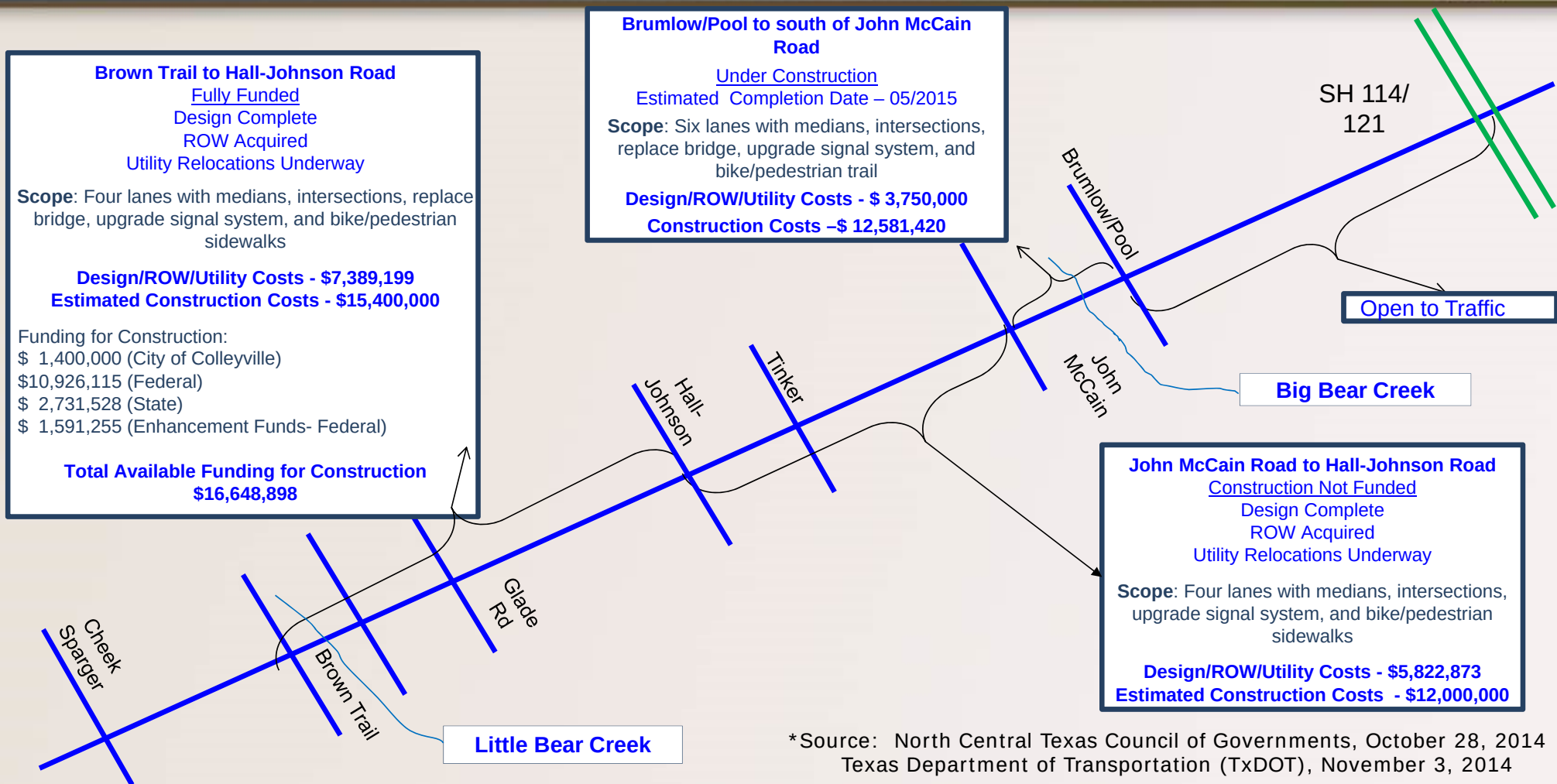
2014 Traffic Counts



- Kimley-Horn and Associates, Inc. (an engineering consultant firm) was retained by the City of Colleyville to conduct traffic counts along the SH26 corridor to validate the extrapolations used by NCTCOG
- Counts were taken on Tuesday, Wednesday, and Thursday during the first week of November 2014*
- The traffic counts were consistent with the NCTCOG extrapolations presented during previous meetings

* Due to rain, a recount was taken on Thursday, November 13 for the section between Tinker Road and John McCain Road

Funding for SH26 in Colleyville*



*Source: North Central Texas Council of Governments, October 28, 2014
Texas Department of Transportation (TxDOT), November 3, 2014

Phase III

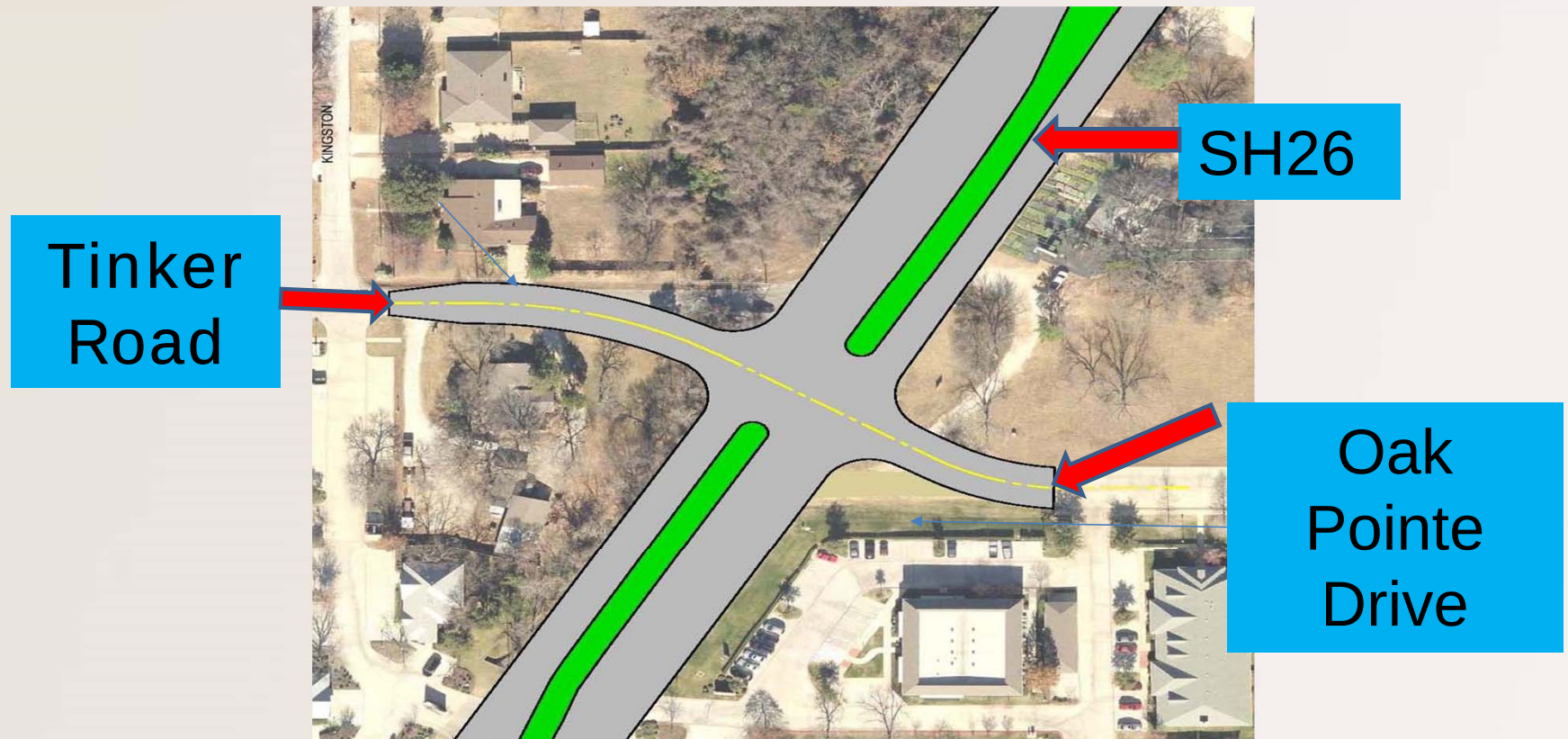
South of John McCain Road
to Hall-Johnson Road

Phase III



- Currently unfunded
- Phase III encompasses reconstruction of 1.4 miles of SH 26 between Hall-Johnson Road and John McCain Road
- Creates a four-lane road with concrete pavement and medians, with the ability to widen to six lanes in the future, if traffic counts warrant
- Includes realignment of the intersection at Tinker Road and Oak Pointe Drive

Tinker / Oak Pointe Intersection



Phase III (Pass-Through Funding)



Pass-Through Funding Option

- TxDOT would bid phases II and III concurrently and manage construction
- The City would be responsible for the initial cost of Phase III and would be reimbursed over time per funding terms
- Funding Terms
 - Estimated construction cost is \$10,900,000 (+/-10%) with a \$12,000,000 cap
 - City fronts the money and would be reimbursed 80% of the cost, up to a maximum of \$9,600,000
 - Interim funding would be through the City's Tax Increment Financing District (TIF)
 - This funding scenario would not require a property tax increase

Phase III (Pass-Through Funding)



Advantages

- Allows Phase III (John McCain Road to Hall-John Road) to be built concurrently with Phase II (Hall-Johnson Road to Brown Trail)
- State retains the long-term maintenance and reconstruction obligations including the costs associated with:
 - Traffic signals
 - Pavement markings
 - Pavement maintenance and repair

Disadvantages

- City is responsible for the initial construction costs
- City is reimbursed 80% of the initial construction cost
- Reimbursement over a 12-year period
- City is responsible for any debt or interest costs associated with fronting the funding

Phase III (Turnback Program)



Owner Option (Turnback Program)

- TxDOT fully funds reconstruction of SH26 in a four-lane configuration from John McCain Road to Brown Trail
- Upon completion of reconstruction, the City would assume ownership of the highway from the State for the limits of John McCain Road to Brown Trail

Phase III (Turnback Program)



Other Turnback Projects in the Region

- **City of Allen – SH 5 (Greenville Ave)**
 - The City of Allen City Council recently (October of 2014) approved an agreement for the Turnback Program
 - Purpose: two thirds of the corridor was already off-system and this would take the remaining third off-system allowing for more consistency along the corridor, the road was reconstructed in 2008
- **City of Fort Worth – Rosedale Boulevard**
 - Originally built six lanes with federal funds
 - Purpose: To reduce to four lanes for the redevelopment of the area
- **City of Weatherford - US Highway 80**
 - Currently negotiating terms
 - Purpose: Pass-through funding reimbursement in a lump sum and to aid in the redevelopment of the downtown area
- **City of Mansfield – US Highway 287 (Business)**
 - Currently negotiating terms
 - Purpose: To promote development along the corridor in downtown area

Phase III (Turnback Program)



Advantages

- Allows Phase III (John McCain Road to Hall-John Road) to be built concurrently with Phase II (Hall-Johnson Road to Brown Trail)
- City Control
 - Speed limits
 - Driveway cuts
 - Signage
 - Street lighting
 - Location of new traffic signals

Disadvantages

- Cost of Ownership
 - Traffic signals
 - Pavement markings
 - Pavement maintenance and repair
- Responsible for any future reconstruction of the road (30+ years)

Phase III (Turnback Program)



Estimated Cost of Ownership

- **Signal maintenance**
 - Nine signals @ \$9,831/year = \$88,479
- **Pavement markings**
 - \$120,000 every 5-7 years based on wear
- **Pavement maintenance and repairs**
 - Increases over time; difficult to estimate
- **Possible addition of two more lanes at a future date**
 - Currently projected to be no earlier than 2030

Phase III (Turnback Program)



Possible Funding Sources

Immediate Funding Needs

Phase II and III enhancements (stamped and color crosswalks, street lighting, backlit signage, signal poles, etc.): approximately \$1,400,000

Potential funding sources:

- 1998 TIF uncommitted funds
- County contribution
- 2012 TIF project plan (TIF economic development grant funds or improvement funds)

Future Maintenance / Reconstruction Funding Options

- Extend municipal participation in TIF beyond FY 2030 expiration
 - FY 2018-30: use all or a portion of the \$13,829,239 in municipal contributions
 - FY 2030 forward: \$1,161,000 annual municipal TIF revenue
 - Total by FY 2048: \$24,153,066
 - Based on 1.5% annual ad valorem increase
- Allocate General Fund revenue annually
 - Signal maintenance, signal pole repair/replacement, electricity for signal lights
- Debt issuance at the time repairs/reconstruction are needed

Questions and Discussion



The Transportation Policy Body for the North Central Texas Council of Governments
(Metropolitan Planning Organization for the Dallas-Fort Worth Region)

TO: Mayors, City Managers

DATE: July 14, 2014

FROM: Mike Cantrell
Chair, Regional Transportation Council
Commissioner, Dallas County

SUBJECT: Regional Transportation Council Resolution Endorsing the Memorandum of Understanding
regarding the Texas Department of Transportation Highway Turnback Program

The Texas Department of Transportation (TxDOT), the Texas Municipal League (TML), and the Association of Texas Metropolitan Planning Organizations (TEMPO) developed a Memorandum of Understanding (MOU) governing the general parameters for the TxDOT Highway Turnback Program. The MOU provides written confirmation of the program's voluntary nature and outlines the limits for TxDOT and the cities that voluntarily choose to take over control of certain state highways. As a result, the Regional Transportation Council (RTC) approved a resolution endorsing the MOU between TxDOT, TML, and TEMPO.

Please find enclosed the RTC Resolution Endorsing the MOU regarding the TxDOT Highway Turnback Program (R14-02).

If you have any questions, please feel free to contact me or Michael Morris, P.E., Director of Transportation for the North Central Texas Council of Governments (NCTCOG) at (817) 695-9241.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Cantrell", is positioned above the typed name and title.

Mike Cantrell, Chair
Regional Transportation Council
Commissioner, Dallas County

RH:ch
Enclosure

cc: Lt. Gen. Joe Weber, USMC, (Ret.), Executive Director, Texas Department of Transportation
Ashby Johnson, Executive Director, Association of Texas Metropolitan Planning Organizations
Jungus Jordan, President, Texas Municipal League
Michael Morris, P.E., Director of Transportation, NCTCOG

**RESOLUTION ENDORSING THE MEMORANDUM OF UNDERSTANDING REGARDING
THE TEXAS DEPARTMENT OF TRANSPORTATION HIGHWAY TURNBACK PROGRAM
(R14-02)**

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is designated as the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth Metropolitan Area by the Governor of Texas in accordance with federal law; and,

WHEREAS, the Regional Transportation Council (RTC), comprised primarily of local elected officials, is the regional transportation policy body associated with the North Central Texas Council of Governments, and has been and continues to be the regional forum for cooperative decisions on transportation; and,

WHEREAS, in August 2013, the Texas Department of Transportation (TxDOT) informed mayors and county judges in certain populous areas of the State of a proposed approach for the return of off-system roadways to local governments known as the Highway Turnback Program; and,

WHEREAS, the Texas Transportation Commission conducted a public meeting on the Highway Turnback Program where it was clarified that the program would be voluntary on the part of the cities; and,

WHEREAS, officials representing the Texas Municipal League (TML) and the Association of Texas Metropolitan Planning Organizations (TEMPO) met with TxDOT in January 2014 to discuss cooperative efforts in relation to the program; and,

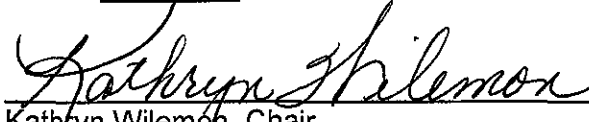
WHEREAS, as a result of the meeting, TxDOT, TML and TEMPO officials developed a Memorandum of Understanding (MOU) governing the general parameters for TxDOT and the cities that voluntarily choose to take over control of certain state highways, as well as written confirmation of the program's voluntary nature.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

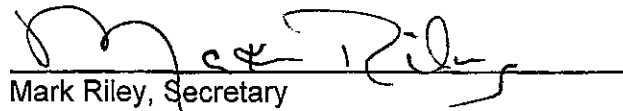
Section 1. The Regional Transportation Council endorses the Memorandum of Understanding between the Texas Department of Transportation, the Texas Municipal League, and the Association of Texas Metropolitan Planning Organizations regarding the parameters for the TxDOT Highway Turnback Program (Attachment 1).

Section 2. This resolution will be transmitted to TxDOT, TML, TEMPO, and all impacted local governments in the Dallas-Fort Worth region.

Section 3. This resolution shall be in effect immediately upon its adoption.


Kathryn Wilemon, Chair
Regional Transportation Council
Mayor Pro Tem, City of Arlington

I hereby certify that this resolution was adopted by the Regional Transportation Council of the North Central Texas Council of Governments for the Dallas-Fort Worth Metropolitan Area on May 8, 2014.


Mark Riley, Secretary
Regional Transportation Council
County Judge, Parker County

**MEMORANDUM OF UNDERSTANDING REGARDING THE TEXAS
DEPARTMENT OF TRANSPORTATION'S VOLUNTARY TURNBACK
PROGRAM**

This Memorandum of Understanding (MOU) is by and between the Texas Department of Transportation (TxDOT), an agency of the State of Texas; the Texas Municipal League (TML); and the Association of Texas Metropolitan Planning Organizations (TEMPO).

Whereas, TxDOT is the state agency that has traditionally maintained the state's highways;

Whereas, TML is a non-profit association consisting of 1,136 member cities;

Whereas, TEMPO represents the state's 25 metropolitan planning organizations;

Whereas, on August 13, 2013, TxDOT sent a letter to mayors and county judges in certain, populous areas of the state;

Whereas, that letter informed mayors and county judges of a newly-proposed "Highway Turnback Program" from TxDOT;

Whereas, on August 29, 2013, the Texas Transportation Commission (TTC) conducted a public meeting on the Turnback Program;

Whereas, numerous city and other local officials testified at the meeting, speaking primarily to clarify that the Turnback Program be voluntary on the part of cities;

Whereas, a select committee of city officials appointed by TML President Jungus Jordan, and leaders from TEMPO, met with TxDOT officials on January 6, 2014, to discuss cooperative efforts in relation to the Turnback Program;

Whereas, what was originally perceived by city officials as a unilateral, unfunded mandate on cities has become a cooperative effort between cities and TxDOT to address the state's highway maintenance needs;

Whereas, the committee met with TxDOT officials again on January 6 and February 7, 2014, to develop this written MOU governing the general parameters for TxDOT and the cities that voluntarily choose to take over control of certain state highways, as well as written confirmation of the program's voluntary nature.

Whereas, a city will own and have local control over a turned back highway, such as access management, parking, signage, markings, speed limits, signals, and other issues;

Whereas, Texas Transportation Code chapter 311 grants a city control over the streets within its city limits, Chapter 201 allows the TTC to remove a segment of the state highway system that it determines is not needed for the system, and Chapter 202 allows for the transfer of highway right-of-way no longer needed for a state highway purpose.

Now, therefore, TxDOT , TML, and TEMPO agree to and acknowledge the following in relation to the voluntary Turnback Program:

1. General Items:

- a. The Turnback Program is a cooperative program between cities and TxDOT.
- b. City participation in the program is voluntary.
- c. The objective of the Turnback Program is to transfer ownership of some state-owned roads, used primarily for local traffic purposes, to cities.
- d. TxDOT will ensure that a candidate highway is in satisfactory condition before a transfer occurs, and no highway will be turned back unless the city agrees that it is in satisfactory condition.
- e. The Turnback Program is available to any city within the boundaries of a metropolitan planning organization (MPO).

2. Financial Items:

- a. As an incentive to cities, TxDOT will use a portion of its future maintenance savings from the Turnback Program in a participating city in accordance with Sections 2(b) and (c) below and the local implementation plan under section 3 of this MOU (the "Turnback Expenditures").
- b. Turnback Expenditures in connection with the Turnback Program will be capped at a statewide total of \$100 million and will be offered on a first come/first served basis.
- c. Turnback Expenditures will be used by TxDOT on eligible mobility, safety, and preservation projects within the same city that accepts the responsibilities for a turned back road pursuant to a local implementation plan.
- d. TxDOT will not use a city's refusal to accept a turned back highway as justification to reduce spending in the city or TxDOT district in which the city is located.
- e. A city should confirm with both TxDOT and its MPO that any highway accepted for turnback retains federal eligibility for funding as determined by state and federal law and rules. TxDOT will work with TEMPO to prevent financial harm to an MPO that contains a highway that is turned back to a city in that MPO.

- f. Before transferring a highway to a city under the Turnback Program, TxDOT will implement any project currently in the State Transportation Improvement Plan and in its current four-year pavement preservation plan, and current local participation percentages will not be increased.
- g. Bridges located on a turned back highway will retain their federal eligibility and continue to be on TxDOT's two-year inspection cycle. Before transferring a bridge currently programmed for replacement in TxDOT's four-year plan to a city under the Turnback Program, the bridge replacement will be completed at the current participation levels.

3. Local Implementation Plan:

- a. A city, its MPO, and the local TxDOT district will meet and develop a local implementation plan for the highways within their region, including highways that: (1) do not fit the functional classification and need to remain as state highways; and (2) fit the functional classification and can be part of the voluntary Turnback Program.
- b. If a city requests a transition or phasing plan to allow it to take over the responsibility for some highways over time to fit within its budgetary constraints and project scheduling, that phasing plan should be included.
- c. The local implementation plan should jointly identify any immediate pavement maintenance needs on highways proposed to be transferred.
- d. No binding commitments will be made during the development of the plan.
- e. The local implementation plan will be reviewed and approved by TxDOT administration before submission to the city's governing body in order to maintain consistency and uniformity.
- f. A city's municipal maintenance agreement will be updated to reflect the turned back highways.
- g. The local implementation plan will be provided to the city's governing body for its consideration and approval.

4. Right-of-way Transfer:

- a. The intent of the voluntary Turnback Program is to convey the real estate or right-of-way property that underlies a highway to the city at no cost to the city. Right-of-way value and administrative costs related to conveyance will not be deducted from TxDOT funding that would otherwise be spent in the city.
- b. The appropriate mechanism for the transfer of the real estate ownership will depend upon the type of title that the state holds.
- c. An adequate delineation or survey of the right-of-way that is legally sufficient to convey title to the real estate is required. This does not

necessarily require a new survey if a previous survey reflects a precise delineation of the right-of-way to be transferred to local ownership.

- d. A quitclaim deed may be used for the state to generally disclaim any unrecorded and un-delineated rights that the state may have in order to clear the title to a highway. For instance, if the property interest was originally acquired and held by a city or county in its own name for use by the state, or if there is no record title to the property.
- e. Title by deed may be used to convey state ownership to a city as described in section 202.021(e)(1) of the Texas Transportation Code, which provides the authority to transfer the title to the right-of-way in consideration of the savings of the estimated future cost of maintenance and operation of the public road.

5. Other Items:

- a. The parties will work together in good faith to ensure the effective and efficient implementation of TxDOT's voluntary Turnback Program.
- b. The parties will meet to re-evaluate the terms of this MOU on or about January 1 of each even-numbered year for the duration of this MOU's term.
- c. In the event there is a disagreement between TxDOT and TML or TEMPO about the implementation of the voluntary Turnback Program, the parties agree to meet within 30 days of receiving a written request from the other party of a desire to meet to resolve any disagreement. The parties will make good faith efforts to resolve any disagreement as efficiently as is reasonably possible.
- d. An amendment to this MOU must be in writing and signed by all parties.

This MOU becomes effective upon execution by all parties and automatically renews each year, unless a party notifies the other parties of its intent to terminate the agreement.

The following procedure shall be observed by the parties in regard to any notifications:

Any notice required or permitted to be given under this MOU shall be in writing and may be effected by personal delivery, by hand delivery through a courier or a delivery service, or by registered or certified mail, postage prepaid, return receipt requested, addressed to the proper party, at the address set forth below the signature of the party:

By:

Date:

Texas Department of Transportation

James M Bass

4/4/14

Name: James M Bass
Executive Director
125 E. 11th Street
Austin, Texas 78701

Texas Municipal League

Jungus Jordan

3/28/2014

Name: Jungus Jordan
President
1821 Rutherford Lane, Suite 400
Austin, Texas 78754

Texas Association of Metropolitan Planning Organizations

Ashby Johnson

3/28/2014

Name: Ashby Johnson
Executive Director
c/o Houston-Galveston Area Council (HGAC)
P.O. Box 22777
Houston, TX 77227-2777

RESOLUTION R-14-3825

A RESOLUTION COMMITTING TO THE UTILIZATION OF THE TURNBACK PROGRAM AS CONSIDERATION FOR THE FULL RECONSTRUCTION OF STATE HIGHWAY 26/COLLEYVILLE BOULEVARD

WHEREAS, the City of Colleyville has requested to have State Highway 26/Colleyville Boulevard reconstructed; and

WHEREAS, the Texas Department of Transportation currently owns and operates State Highway 26/Colleyville Boulevard; and

WHEREAS, the Texas Department of Transportation has indicated they would fund the reconstruction from John McCain Road to Brown Trail, if the reconstructed roadway is taken off-system after the completion of said reconstruction; and

WHEREAS, the Texas Department of Transportation has a Turnback Program, which provides a mechanism by which the local jurisdiction is provided some measure of consideration in return for assuming maintenance responsibility for such roadways; and

WHEREAS, the City of Colleyville desires to have local control for the operation and maintenance of State Highway 26/Colleyville Boulevard from John McCain Road to Brown Trail; and

WHEREAS, all legal prerequisites for the approval of this Resolution have been met, including but not limited to the Open Meetings Act and the Property Code; and

WHEREAS, the City Council hereby determines that the approval of this Resolution is in the best interests of the health, safety, and welfare of the public.

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

Sec. 1. THAT all of 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 City Council respectfully requests the Texas Department of Transportation fully fund the reconstruction of State Highway 26/Colleyville Boulevard from John McCain Road to Brown Trail.
- Sec. 3. THAT the City Council agrees upon the completion of the reconstruction of State Highway 26/Colleyville Boulevard, the City will respectfully request the Texas Department of Transportation remove from the State Highway System the portion of State Highway 26/Colleyville Boulevard from John McCain Road to Brown Trail, including the transfer of the right-of-way to the City of Colleyville, as soon as feasible. The City Manager, or her designee, is directed to negotiate such an agreement subject to the final approval of the City Council.
- Sec. 4. THAT this resolution shall become effective immediately from and after its passage.

AND IT IS SO RESOLVED.

PASSED BY A VOTE OF ___ AYES, ___ NAYS, AND ___ ABSTENTIONS ON THIS THE 16TH DAY OF DECEMBER 2014.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6k

Agenda Date 12/16/2014

Number Resolution R-14-3826

Type Resolution

Department Parks and Recreation

Title

Approval of a resolution approving a License Agreement with Dallas Area Rapid Transit (DART) for the Cotton Belt Trail, and authorizing the city manager to execute the agreement

Explanation

Reading and Public Hearing

On September 30, 1998, the cities of Colleyville, Southlake and North Richland Hills ("Licensees") entered into the attached "Municipal Corridor Use License 980909" with Dallas Area Rapid Transit (DART) ("Licensor") for the purposes of constructing and maintaining the Cotton Belt Hike and Bike Trail. The license was granted for an initial term of five years beginning in November of 1999 and offered two successive options for renewal in five year increments.

Options to renew the agreement were exercised in 2004, per the attached DART April 14, 2004, Municipal Corridor Use License 980909 renewal correspondence, and again in 2009 per the DART May 28, 2009 Municipal Corridor Use License 980909 amendment and renewal correspondence. The 2004 renewal extended the original terms and conditions of the license; however, the license was amended in 2009 to include the City of Grapevine, which took over the City of Southlake's responsibility under the license, and added the City of Hurst as a licensee. All cities now have trails located within the DART right-of-way providing 10.5 miles of trail from North Richland Hills to Grapevine.

Over the past 10 months, representatives from North Richland Hills, Grapevine, Hurst, and Colleyville have met with DART to construct the attached proposed License Agreement 220742, which will cancel and supersede all previous agreements and licenses.

The most significant change to the proposed license agreement is the clarification of the term "maintenance" and that the agreement lasts into perpetuity, unless terminated by DART or one of the Licensees. The maintenance responsibilities across the corridor require that it be maintained by each city, as Colleyville has done since the trail was installed. The agreement requires the licensees maintain the right-of-way in compliance with their respective city codes and ordinances. The cost of coordinating and performing this required maintenance is the only cost associated with the proposed license agreement, which allows for the existence of the Cotton Belt Trail

within DART right-of-way. Absent this agreement, DART would require the City to remove the Cotton Belt Trail from DART right-of-way in Colleyville.

The proposed License Agreement 220742, has been vetted by attorneys for each municipality and DART, and has been approved by the cities of North Richland Hills, Grapevine, and Hurst.

Financial Impact

The proposed license agreement does not have an associated cost outside of the requirement to maintain the entirety of the DART property within the limits of Colleyville. The Parks Department budgets \$15,000 annually for maintenance within the DART right-of-way to include debris/trash removal and vegetation management. In addition to this, approximately \$7,600 of the annual mowing contract with Whitmore and Sons, Inc. is allocated for mowing in the DART right-of-way. It is also necessary to perform tree trimming throughout the DART right-of-way every three to five years based on new growth. It is required that this work be performed by an entity permitted to work within the railroad right-of-way and requires the presence of flaggers. This work was last completed in September 2013 and is expected to be required again in Fiscal Year 2016. The cost of this work is approximately \$35,000 for which funding has already been included in the annual budget.

Recommendation

Approve

Attachments

1. Municipal Corridor Use License 980909 - September 1998
2. DART April 14, 2004 Municipal Corridor Use License 980909 renewal correspondence
3. DART May 28, 2009 Municipal Corridor Use License 980909 amendment and renewal correspondence
4. Proposed License Agreement 220742 - December 2014
5. Resolution R-14-3826

MUNICIPAL CORRIDOR USE LICENSE

This Agreement, by and between DALLAS AREA RAPID TRANSIT, ("DART"), a regional transportation authority, created, organized and existing pursuant to Chapter 452 of the Texas Transportation Code, as amended, (the "Act"), owner of a parcel of land consisting of the former St. Louis & Southwestern Railway Company railroad corridor between Mile Post 616.60 (Brumlow Avenue) in Southlake and Mile Post 625.60 (at I.H. 820) in North Richland Hills, being all of such corridor owned by DART within the city limits of the Cities of Southlake, Coleyville, Hurst and North Richland Hills (the "DART Property") and THE CITY OF SOUTHLAKE ("Southlake"), THE CITY OF COLLEYVILLE ("Colleyville") and THE CITY OF NORTH RICHLAND HILLS ("North Richland Hills"), each a Texas municipal corporation whose address is respectively: 667 N. Carroll Avenue, Southlake, Texas 76092; 5400 Bransford Road, Colleyville, Texas 76034; and 7301 NE Loop 820, North Richland Hills, Texas 76182-0609 (hereinafter jointly "Licensee"),

WITNESSETH:

In consideration of (1) Ten Dollars (\$10.00) cash in hand paid by Licensee to DART, and (2) the faithful performance by Licensee of all of the covenants and agreements contained in this Agreement to be performed by Licensee, DART HEREBY GRANTS A LICENSE to Licensee for the use of a portion of the DART Property.

1. **DART Property Condition.** Licensee understands that the DART Property is an active railroad right-of-way upon which rail operations are currently being conducted and that no obstruction within 25 feet from the centerline of any track shall be permitted by filling or by construction of any type of bridge, fence, walkway or any other structure or any landscaping.

2. **The Licensed Property.** The specific land to which this License shall apply (the "Licensed Property") is a portion of the DART Property, not exceeding twenty feet (20') in width, extending approximately nine (9) miles between Brumlow Avenue in Southlake and I.H. 820 in North Richland Hills as shown on Exhibit "A" attached hereto and incorporated herein for all pertinent purposes.

3. **Use of the Licensed Property.** The Licensed Property shall be used by Licensee for construction and maintenance of a trail for hike and bike transportation and other similar recreational purposes only. No improvements of any kind may be constructed on the DART Property nearer to the centerline of any track than twenty five (25) feet and no use may be made of the Licensed Property which would in any manner interfere with on-going rail operations being conducted on the DART Property. In addition to the construction of such trail on the Licensed Property, and subject to the twenty five (25) foot setback requirement, Licensee may plant flowers and grass on the DART Property in addition to that vegetation existing at the time this License is executed. The construction of the trail and the planting of flowers and grass are hereafter sometimes called the "Permitted Improvements" Under no circumstances shall the DART Property or any part thereof be used by Licensee for the parking of automobiles, trucks or other motor vehicles. FURTHER, IT IS STIPULATED, AGREED AND UNDERSTOOD BY ALL PARTIES THAT THE GRANT OF THIS LICENSE IS NOT IN ANY WAY TO BE CONSTRUED AS A DEDICATION OF ANY RIGHTS TO THE PUBLIC FOR ANY PURPOSE WHATSOEVER.

4. **Consideration for Use of the Licensed Property.** As consideration for the granting of this License for the use of the Licensed Property, Licensee covenants and agrees to mow and otherwise keep and maintain the entirety of the DART Property situated within Licensee's respective city limits (and the one mile within the city limits of the City of Hurst) free of debris and any material which would result in unsafe and/or unsanitary conditions.

5. **Term.** This license is granted for an initial term of five (5) years beginning on the first day of November, 1999 and terminating at 12:00 mid-night on the last day of June, 2004.

6. Option to Renew. Subject always to DART's future need to use the DART Property, Licensee shall have two (2) successive options to renew this License for five (5) years each under the same terms and conditions as provided herein. Each of said options may be exercised by Licensee giving written notice as provided herein to DART not more than twelve (12), nor less than three (3) months before the expiration of the then existing term, of Licensee's election to exercise said option. Licensee's right to exercise either of the foregoing options is conditioned on Licensee's timely performance of all of the duties and obligations on its part to be performed under this License so that, at the time of the exercise of the option, Licensee shall not be in default hereunder.

7. Nonexclusive License. This License is nonexclusive and is subject to (a) any existing utility, drainage, or communication facility located in, on, under or upon the DART Property, owned by DART, any utility or communication company, public or private; (b) all vested rights presently owned by any utility or communication company, public or private, for the use of the DART Property for facilities presently located within the boundaries of the DART Property; (c) any existing lease, license, trackage-rights, or other interest in the DART Property granted by DART to any individual, corporation or other entity, public or private; and future use as provided in §14.

8. Construction by Licensee. Prior to commencing construction of any improvements upon the Licensed Property, Licensee shall submit to DART for review and approval Licensee's proposed construction plans showing the exact location, type and depth of the construction and any proposed temporary working area. DART's review and approval shall not be unreasonably delayed or withheld, but **no such construction work shall commence until said plans have been approved by DART and the operating railroad(s).** All such construction shall be carried out in a good and workmanlike manner in accordance with the approved plans. If the failure to use reasonable care by the Licensee or its contractor causes damage to the Licensed Property or the DART Property, the Licensee and/or its contractor shall immediately replace or repair the damage at no cost or expense to DART. If Licensee or its contractor fails or refuses to make such replacement, DART shall have the right, but not the obligation, to make or effect any such repair or replacement at the sole cost and expense of Licensee, which cost and expense Licensee agrees to pay to DART upon demand.

9. Governmental Approvals and Utilities. Licensee, at its sole cost and expense, shall be responsible for and shall obtain, any and all licenses, permits, or other approvals from any and all governmental agencies, federal, state or local, required to carry on any activity permitted herein. Licensee shall pay for all utilities used in connection with the Permitted Improvements.

10. Mechanics' Liens Not Permitted. Licensee shall fully pay for all labor and materials used in, on or about the Licensed Property and will not permit or suffer any mechanic's or materialmen's liens of any nature to be affixed to the Licensed Property by reason of any work done or materials furnished to the Licensed Property at Licensee's instance or request.

11. Maintenance of Completed Improvements. After the Permitted Improvements have been constructed, they shall be maintained by Licensee in such a manner as to keep the Licensed Property in a good and safe condition with respect to Licensee's use thereof. In the event Licensee fails to maintain the Licensed Property as required, upon discovery, DART shall notify Licensee of such occurrence in writing. In the event Licensee shall not have remedied the failure within ten (10) days from the date of such notice, DART shall have the right, but not the obligation to remedy such failure at the sole cost and expense of the Licensee. In the event DART exercises its right to remedy Licensee's failure, Licensee agrees to immediately pay to DART all costs incurred by DART upon demand.

12. Applicable Laws. Licensee shall comply with all applicable federal, state and local laws, rules, regulations and orders with respect to the use of the Licensed Property regardless of when they become or became effective, including without limitation, those relating to health, safety, noise, environmental protection, waste disposal and water and air quality.

13. Environmental Protection.

13.01. Licensee shall not use or permit the use of the Licensed Property or adjoining DART Property for any purpose that may be in violation of any laws pertaining to health or the environment, including without limitation the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"), the Resource Conservation and Recovery Act of 1976 ("RCRA"), the Texas Water Code and the Texas Solid Waste Disposal Act.

13.02. Licensee warrants that the Permitted Use of the Licensed Property will not result in the disposal or other release of any hazardous substance or solid waste on or to the Licensed Property, and that it will take all steps necessary to insure that no such hazardous substance or solid waste will ever be discharged onto the Licensed Property or the adjoining DART Property or any other adjoining property, by Licensee or its contractors.

13.03. The terms "hazardous substance" and "release" shall have the meanings specified in CERCLA and the terms "solid waste" and "disposal" (or "disposed") shall have the meanings specified in the RCRA; PROVIDED, HOWEVER, that in the event either CERCLA or RCRA as amended so as to broaden the meaning of any term defined thereby, such broader meaning shall apply subsequent to the effective date of such amendment; and PROVIDED FURTHER, that to the extent that the laws of the State of Texas establish a meaning for "hazardous substance", "release", "solid waste", or "disposal", which is broader than that specified in either CERCLA or RCRA, such broader meaning shall apply.

13.04. In the event Licensee causes any discharge, leak, spill, emission or pollution of any kind upon or from the Licensed Property, Licensee, at Licensee's expense, shall be obligated to clean all property affected thereby, whether owned or controlled by DART or any third party, to the satisfaction of DART (on DART property) and any governmental authority having jurisdiction thereover.

13.05. Licensee shall indemnify and hold DART harmless against all cost of environmental clean-up to the Licensed Property, the DART Property and all other adjacent property, resulting from Licensee's use of the Licensed Property under this License.

14. **Future Use by DART or Operating Railroads.** This license is made expressly subject and subordinate to the right of DART to use the DART Property, including the Licensed Property if necessary, for any purpose determined by DART, (including without limitation fiber optic and pipeline locations) and by the operating railroad for any railroad purpose as approved by DART, including without limitation, excursion train operations.

15. Indemnity.

15.01. To the extent permitted by applicable law, Licensee shall defend, protect, indemnify and hold DART, its directors, officers, employees, agents and assigns forever harmless and indemnified against and from any penalty, damage, charge or expense, including attorney's fees, imposed or incurred for any violation of any law, ordinance, rule or regulation arising out of the use of the DART Property by Licensee, whether occasioned by the neglect of Licensee, its officers, employees, invitees, successors or those holding under Licensee;

15.02. To the extent permitted by applicable law, Licensee shall at all times defend, protect, indemnify and hold DART and any operating railroad harmless against and from any and all loss, cost, damage, charge or expense imposed or incurred, including attorney's fees, arising out of, or from any accident or other occurrence on or about the DART Property causing personal injury, death or property damage, resulting from use of the DART Property by Licensee, its officers, employees, invitees, successors or those holding under Licensee.

15.03. To the extent permitted by applicable law, Licensee shall at all times defend protect, indemnify and hold DART harmless against and from any and all loss, cost, damage or expense, including attorney's fees arising out of or from any and all claims or causes of action resulting from any failure of Licensee, its officers, employees, agents, contractors or assigns, in any respect, to comply with and perform all the requirements and provisions hereof.

16. **Assignment.** This License may not be assigned by Licensee without the prior written consent of DART.

17. **Termination.** This License may be terminated in any of the following ways:

17.01. By the written agreement of both parties;

17.02. By either party upon failure of the other party to perform its obligations set forth herein;

17.03. By DART if necessary for future use of the Licensed Property as set out in § 14;

or,

17.04. By expiration of the Term.

18. **Action Upon Termination of License.** At such time as this License may be terminated or canceled for any reason whatever, Licensee, if requested by DART, shall remove all improvements and appurtenances owned by Licensee and situated in, under, on, or attached to the Licensed Property and shall restore the Licensed Property to substantially the same condition existing at the date of execution of this License, at Licensee's sole expense. In the event Licensee fails or refuses to remove its improvements and restore the Licensed Property as required within thirty (30) days after termination or cancellation of the License, DART shall have the right (but not the obligation) to take possession of the Licensed Property and improvements for DART's use at no cost to DART, or to use such force as may be necessary to remove such improvements at Licensee's sole cost and expense, which cost and expense Licensee agrees to pay to DART upon demand.

19. Miscellaneous

19.01. **Notice.** When notice is permitted or required by this Agreement, it shall be in writing and shall be deemed delivered when delivered in person or when placed, postage prepaid, in the U.S. Mail, Certified, Return Receipt Requested, and addressed to the parties at the following addresses:

DART:

Dallas Area Rapid Transit
P.O. Box 660163
Dallas, Texas 75266-7210
Attention: Railroad Management

LICENSEE:

City of Southlake
667 N. Carroll Avenue
Southlake, Texas 76092
Atten: City Manager

City of Colleyville
5400 Bransford Road
Colleyville, Texas 76034
Atten: Community Development Director

City of North Richland Hills
7301 NE Loop 820
North Richland Hills, Texas 76182-0609
Atten: Parks & Recreation Department

Either party may from time to time designate another or different address for receipt of notice by giving notice of such change of address.

19.02. **Governing Law.** This Agreement shall be construed under and in accordance with the laws of the State of Texas.

19.03. **Entirety and Amendments.** This Agreement embodies the entire agreement between the parties and supersedes all prior agreement and understandings, if any, relating to the Licensed Property and the matters addressed herein, and may be amended or supplemented only by a written instrument executed by the party against whom enforcement is sought.

19.04. **Parties Bound.** This Agreement shall be binding upon and inure to the benefit of the executing parties and their respective heirs, personal representatives, successors and assigns.

19.05. **Number and Gender.** Words of any gender used in this Agreement shall be held and construed to include any other gender; and words in the singular shall include the plural and vice versa.

IN WITNESS WHEREOF, the parties have executed this Agreement this 30th day of September, 1998.

LICENSOR:

DALLAS AREA RAPID TRANSIT

BY: 
ROGER SNOBLE
President/Executive Director

LICENSEE:

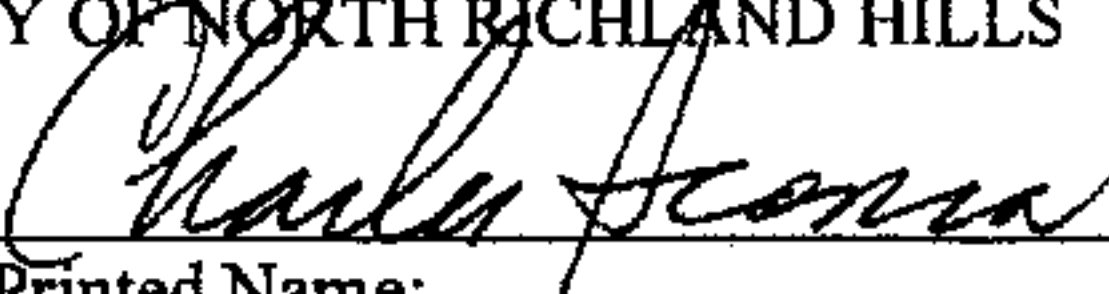
CITY OF SOUTHLAKE

By: 
Printed Name:
Title:

CITY OF COLLEYVILLE

By: 
Printed Name:
Title:

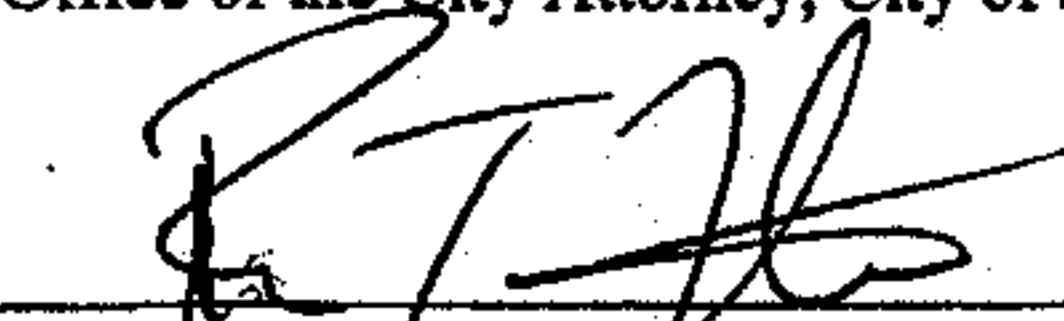
CITY OF NORTH RICHLAND HILLS

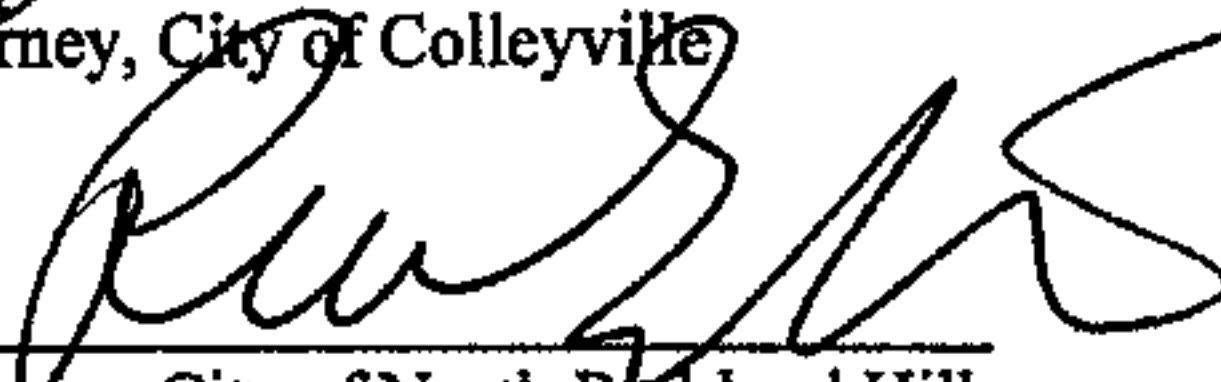
By: 
Printed Name:
Title:

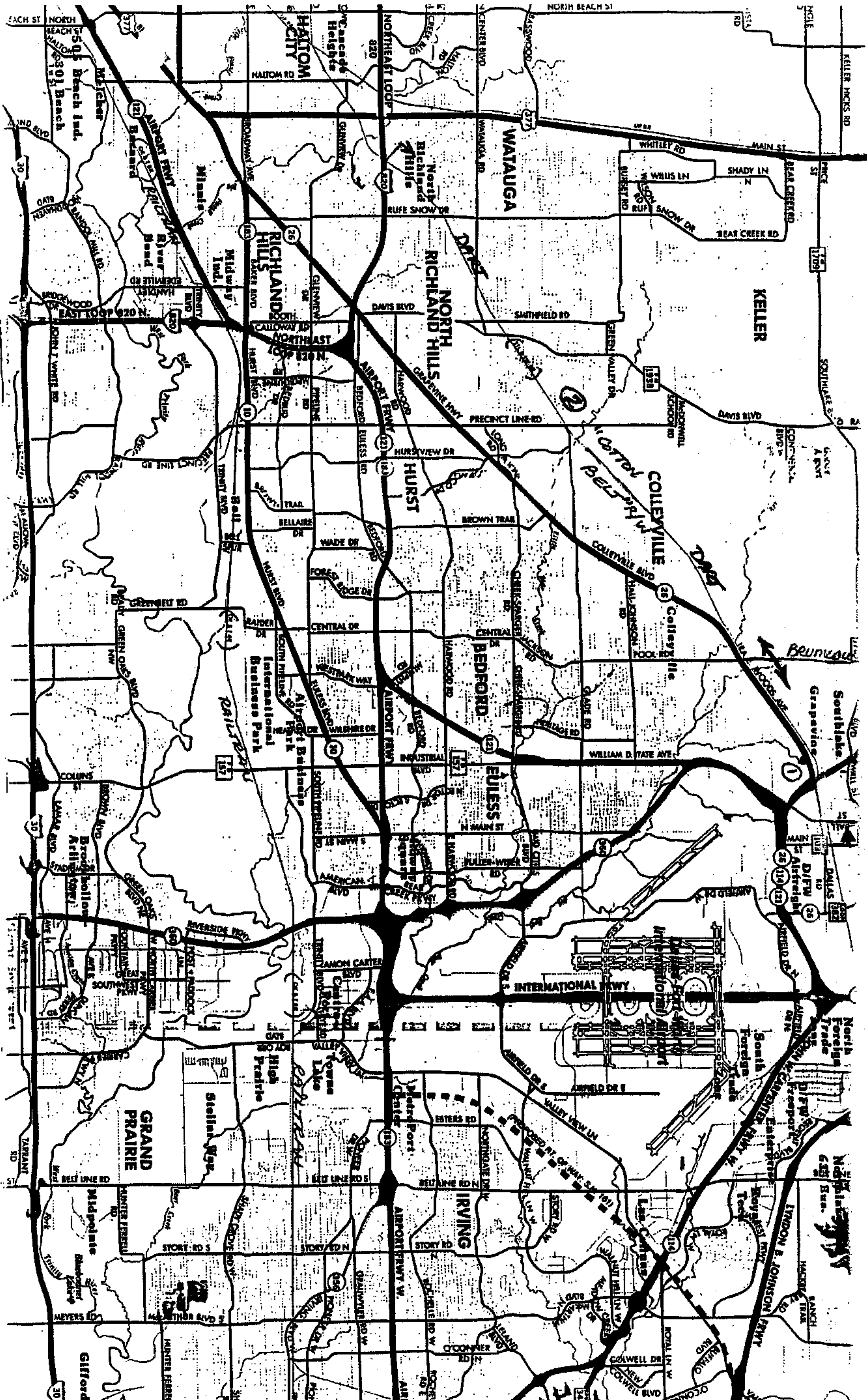
APPROVED/AS TO FORM:


Office of DART General Counsel


Office of the City Attorney, City of Southlake


Office of the City Attorney, City of Colleyville


Office of the City Attorney, City of North Richland Hills



- 1 City of Grapevine proposed hike and bike trail (Main Street to Brumlow Avenue)
- 2 Cities of Southlake, Colleyville & North Richland Hills hike and bike trail (Brumlow Avenue to IH-820)

EXHIBIT A



Dallas Area Rapid Transit
P.O. Box 660163
Dallas, Texas 75266-0163
214/749-3278

April 14, 2004

Ms. Dianne McWethy
Deputy City Manager
City of Colleyville
100 Main Street
Colleyville, Texas 76034

Re: Municipal Corridor Use License Agreement No. 980909 dated September 30, 1998

Dear Ms. McWethy:

We are in receipt of your letter dated March 9, 2004 on behalf of the Cities of Colleyville, North Richland Hills and Grapevine requesting to exercise the first option to renew the referenced agreement for five (5) years. With this advanced written notice, the Cities have satisfied the notice requirement. DART hereby accepts such notice and agrees to extend the term of this hike and bike trail agreement to June 2009.

I remind the Cities that recently DART and Fort Worth & Western Railroad (FWWR) were given warning by the Federal Railroad Administration for compliance with Roadway Worker Protection rules under 49CFR 214. It is my understanding the Cities are working with the FWWR to see that city forces or city contractors are safety certified at all times. Failure to comply with this federal regulation in the future as required in Section 12 could subject this agreement to termination in accordance with Section 17.

Should you have any questions or concerns regarding the terms of the Municipal Corridor Use License Agreement, please contact me at (214) 749-2917 or Ben Claybour at (214) 749-2636.

Sincerely,

A handwritten signature in cursive script, reading "Jan Seidner", is positioned above the typed name.

Jan Seidner
Asst. Vice President-Freight Rail
Commuter Rail/Railroad Management

JMS:

c: Jim Browne, City of North Richland Hills
Douglas M. Evans, City of Grapevine
Monica Sue Walsh
Bill Thornton



Dallas Area Rapid Transit
P.O. Box 660163
Dallas, Texas 75266-0163
214/749-3278

May 28, 2009

Ms. Monica Walsh
Parks and Recreation Director
City of Colleyville
5109 Bransford Road
Colleyville, Texas 76034

Re: Amendment to License No. 980909 for a 20-ft wide trail for hike and bike transportation and other similar recreational purposes within the Cotton Belt Line, extending approximately 9 miles from Brumlow Avenue, Mile Post 617.00 in Southlake, to NE Loop 820, Mile Post 625.60 in North Richland Hills, Tarrant County, Texas

Dear Ms. Walsh:

Attached for the City of Colleyville's records, is one fully executed copy of the above-referenced Amendment to License Agreement No. 980909, which was amended to include the City of Hurst. By copy of this letter, the Cities of North Richland Hills, Grapevine and Hurst have been mailed this same copy of the Amendment. Please reference the License number in any future correspondence regarding this matter.

Please notify me of any construction meetings regarding the Cotton Belt Trail as we go forward. This will allow us all to stay informed and be able to coordinate with each other much easier.

Should you have any questions, you may contact me at (214) 749-2794 or via e-mail at sgray@dart.org.

Yours truly,

A handwritten signature in black ink, appearing to read "Shannon D. Gray". The signature is stylized with a large "S" and a cursive "Gray".

Shannon D. Gray
Right of Way Representative
Commuter Rail & Railroad Management

Enclosures

cc: Ms. Vickie Loftice, Managing Director, Community Services, City of North Richland Hills
Mr. Doug Evans, Director of Parks and Recreation, City of Grapevine
Mr. Allan Weegar, City Manager, City of Hurst

AMENDMENT TO LICENSE NO. 980909

THIS AMENDMENT ("Amendment") made by and between DALLAS AREA RAPID TRANSIT ("DART"), ("Licensor"), a regional transportation authority, created, organized and existing pursuant to Chapter 452, Texas Transportation Code, as amended (the "Act") and the CITY OF COLLEYVILLE, CITY OF NORTH RICHLAND HILLS, CITY OF GRAPEVINE and CITY OF HURST ("Licensees"), each a Texas municipal corporation, acting herein by and through its duly authorized official, whose mailing address is respectively: 5109 Bransford Road, Colleyville, Texas 76034; 7301 NE Loop 820, North Richland Hills, Texas 76180; P. O. Box 95104, Grapevine, Texas 76099 and 1505 Precinct Line Road, Hurst, Texas 76054.

WHEREAS, on the 30th day of September, 1998, Licensor ("DART") entered into Municipal Corridor Use License No. 980909, hereinafter called "License", with Licensee, covering the construction and maintenance of a 20-foot wide trail for hike and bike transportation and other similar recreational purposes only, extending approximately 9 miles from Brumlow Avenue, Mile Post 617.00 in Southlake, to NE Loop 820, Mile Post 625.60 in North Richland Hills, all within Tarrant County, Texas; and

WHEREAS, on the 5th day of June, 2000, The City of Southlake assigned all of it's interest duty and responsibility under the License to the City of Grapevine; and

WHEREAS, the Licensees now wish to amend said License by adding the City of Hurst as an additional Licensee, and the City of Hurst is agreeable to be added as a Licensee, and accepts all the interest, duty and responsibility of the License.

IT IS, THEREFORE, mutually agreed by the parties hereto, as follows:

1. Effective upon final execution of this Amendment, the City of Hurst is added as a Licensee to Municipal Corridor Use License No. 980909.
2. The following language is added to the License as paragraph 19.06:

19.06 No Joint Enterprise. The parties do not intend that this License be construed as finding that the parties have formed a joint enterprise. The purposes for which each party has entered into this License are separate and distinct. It is not the intent of any of the parties that a joint enterprise relationship is being entered into and the parties hereto specifically disclaim such relationship. This License does not constitute a joint enterprise, as there are no common pecuniary interests, no common purpose and no equal right of control among the parties hereto.

3. It is further understood and agreed that, except as amended and changed herein, said License and subsequent amendments and/or supplements, if any, shall remain in full force and effect as to its present terms and conditions.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment this 22
day of May, 2009.

LICENSOR:

DALLAS AREA RAPID TRANSIT

By: Wayne L. Friesner
WAYNE L. FRIESNER
Vice President
Commuter Rail & Railroad Management

LICENSEES:

CITY OF COLLEYVILLE

By: David Kelly, Date: 3-17-2009
Signature
Printed Name: David Kelly
Title: Mayor

CITY OF NORTH RICHLAND HILLS

By: Vickie Loftice, Date: 3/25/09
Signature
Printed Name: Vickie Loftice
Title: Managing Director

CITY OF GRAPEVINE

By: Bruce Rumbelow, Date: 3/27/09
Signature
Printed Name: Bruce Rumbelow
Title: City Manager

CITY OF HURST

By: Allan Weegar, Date: 4-21-09
Signature
Printed Name: Allan Weegar
Title: City Manager

LICENSE AGREEMENT

THIS Agreement ("License"), is made by and between DALLAS AREA RAPID TRANSIT ("Licensor"), a regional transportation authority, created, organized and existing pursuant to Chapter 452, Texas Transportation Code, as amended (the "Act") and the CITY OF GRAPEVINE, CITY OF COLLEYVILLE, CITY OF HURST and CITY OF NORTH RICHLAND HILLS ("Licensees"), each a Texas municipal corporation acting herein by and through its duly authorized official, whose mailing address is respectively: P. O. Box 95104, Grapevine, Texas 76099, 5109 Bransford Road, Colleyville, Texas 76034, 1505 Precinct Line Road, Hurst, Texas 76054 and 7301 NE Loop 820, North Richland Hills, Texas.

Pursuant to an agreement between Licensor and Fort Worth & Western Railroad, (hereinafter the "Railroad"), freight railroad operations exist on Licensor's corridor.

1. **Purpose.** Licensor hereby grants a license (the "License") to Licensees for the purposes of constructing, installing, maintaining and operating a hike and bike trail, commonly known as the "Cotton Belt Hike & Bike Trail" (the "Permitted Improvement"), beginning at approximately Mile Post 612.50, in Grapevine, Tarrant County, Texas and ending at approximately Mile Post 625.60, in North Richland Hills, Tarrant County, Texas, more particularly described as shown in Exhibits "A-1" through "A-4", dated March 20, 2014, attached hereto and incorporated herein for all pertinent purposes, (the "Property").

The Property shall be used by Licensees solely for the purpose of operating and maintaining the Permitted Improvement (the "Permitted Use"). Licensees' right to enter upon and use the Property shall be limited solely to the Permitted Use and the Permitted Improvement.

2. **Term.** This License shall begin on the 1st day of _____, 2014 (the "Term") and continue thereafter until terminated by either party as provided herein.

3. **Consideration.** As consideration for the granting of this License for the use of the Licensed Property, Licensees covenant and agree to mow and maintain the entirety, property line to property line, of the DART Property situated within Licensees' respective city limits, keeping the Property free of overgrown vegetation, obstructing trees, debris and any material which could result in unsafe and/or unsanitary conditions. Paragraph 11 of this License clarifies the maintenance of the Property and the word "maintain" in this License.

4. **Non Exclusive License.** This License is non-exclusive and is subject to (a) any existing utility, drainage or communication facility located in, on, under, or upon the Property owned by Licensor, any Railroad, utility, or communication company, public or private; (b) all vested rights presently owned by any Railroad, utility or communication company, located within the Property; and (c) any existing lease, license or other interest in the Property granted by Licensor to any individual, corporation or other entity, public or private.

5. **Design, Construction, Operation and Maintenance.** Licensor's use of the Property and adjoining property may include the use of electrically powered equipment. Notwithstanding Licensor's inclusion within its system of measures designed to reduce stray current which may cause corrosion, **Licensees are hereby warned that such measures may not prevent electrical current being present in proximity to the Permitted Improvement and that such presence could produce corrosive effects to the Permitted Improvement. Licensees waive any claim and release Licensor with regard to any claim arising from such corrosion.**

5.01. All design, construction, reconstruction, replacement, removal, operation and maintenance of the Permitted Improvement on the Property shall be done in such a manner so as not to interfere in any way with the operations of Licensor or Railroad operations. Cathodic protection or other stray current corrosion control measures of the Permitted Improvement as required shall be made a part of the design and construction of the Permitted Improvement.

5.02. During the design phase and prior to commencing any construction on the Property, a copy of the construction plans showing the exact location, type and depth of the construction, any cathodic protection measures and any working area, shall be submitted for written approval to Licensor and the Railroad. Such approval shall not be unreasonably withheld. No work shall commence until said plans have been approved by Licensor and the Railroad.

5.03. Licensees agree to design, construct and maintain the Permitted Improvement in such a manner so as not to create a hazard to the use of the Property, and further agree to pay any damages which may arise by reason of Licensees' use of the Property under this License.

5.04. Licensees covenant and agree to institute and maintain a reasonable testing program to determine whether or not additional cathodic protection of their Permitted Improvement is necessary and if it is or should become necessary, such protection shall be immediately instituted by Licensees at their sole cost and expense.

5.05. Licensor makes no warranties regarding surface or subsurface installations on the Property. Licensees shall conduct their own surface and subsurface inspections of same and will not rely on the absence or presence of markers.

5.06. Licensees shall provide to Licensor final construction drawings ("as-builts") that are signed and sealed by a Texas Professional Engineer within sixty ("60") days of completion of the Permitted Improvement.

6. Governmental Approvals. Licensees, at their sole cost and expense, shall be responsible for and shall obtain, any and all licenses, permits, or other approvals from any and all governmental agencies, federal, state or local, required to carry on any activity permitted herein.

7. Licensor's Standard Contract and Insurance. No work on the Property shall be commenced by Licensees or any contractor for Licensees until such Licensees or contractor shall have executed Licensor's "Construction Agreement And Contractor's Right Of Entry" covering such work, and has furnished insurance coverage in such amounts and types as shall be satisfactory to Licensor. A company-issued photo identification of Licensees' employees, contractors or agents shall be required to work on the Property. Routine maintenance that is required under this License is excepted from the requirements of this Section and must meet the requirements of Section 11.

8. Duty of Care in Construction. Licensees or their contractor shall use reasonable care during the construction period and thereafter, to avoid damaging any existing buildings, equipment and vegetation on or about the Property and any adjacent property owned by or under the control of Licensor. If Licensees or their contractor causes damage to the Property or such adjacent property, the Licensees and/or their contractor shall immediately make appropriate replacement or repair the damage at no cost or expense to Licensor. If Licensees or their contractor fail or refuse to make any such repair or replacement, Licensor shall have the right, but not the obligation, to make or effect any such repair or replacement at the sole cost and expense of Licensees, which cost and expense Licensees agrees to pay to Licensor upon demand.

9. Environmental Protection.

9.01. Licensees shall not use or permit the use of the Property for any purpose that may be in violation of any local, state or federal laws pertaining to health or the environment, including but not limited to, the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), the Resource Conservation and Recovery Act ("RCRA"), the Clean Water Act ("CWA") and the Clean Air Act ("CAA").

9.02. Licensees warrant that the Permitted Use of the Property will not result in the disposal or other release of any hazardous substance or solid waste on or to the Property, and that it will take all steps necessary to ensure that no such hazardous substance or solid waste is discharged onto the Property by Licensees or their contractors.

9.03. The terms "hazardous substance" and "release" shall have the meanings specified in CERCLA and the terms "solid waste" and "disposal" (or "disposed") shall have the meanings specified in the RCRA; PROVIDED, HOWEVER, that in the event either CERCLA or RCRA is amended so as to broaden the meaning of any term defined thereby, such broader meaning shall apply subsequent to the effective date of such amendment; and PROVIDED FURTHER, that to the extent that the laws of the State of Texas establish a meaning for "hazardous substance", "release", "solid waste", or "disposal", which is broader than that specified in either CERCLA or RCRA, such broader meaning shall apply.

9.04. To the extent allowed by law, **Licensees shall indemnify and hold Licensor and Railroad harmless against all cost of environmental clean up to the Property resulting from Licensees' use of the Property under this License.**

10. **Mechanic's Liens Not Permitted.** Licensees shall fully pay for all labor and materials used in, on, or about the Property and will not permit or suffer any mechanic's or materialmen's liens of any nature to be affixed against the Property by reason of any work done or materials furnished to the Property at Licensees' instance or request.

11. **Maintenance of Completed Improvement.** The Permitted Improvement shall be maintained by the Licensees in such a manner as to keep the Property in a good and safe condition with respect to Licensees' use. Licensees understand that the Permitted Improvement will require various types of continuous maintenance (e.g. mowing, edging, tree trimming, removing litter, removing overgrown vegetation, removing obstructing trees and shrubs, keeping drainage ditches clear of debris, etc.) to ensure that the Property is maintained to a safe and manageable condition. Licensees agree to maintain the Property as per each of Licensees' city ordinances or code. Prior to performing any maintenance on the Property, Licensees shall contact the Railroad (via email and phone) and secure "Form C" working privileges, on each separate occurrence, to perform the required maintenance. Licensees understand that work may be performed only after written approval (via e-mail or letter) has been given by the Railroad and satisfactory evidence of sufficient insurance coverage is provided to Licensor. Each City's "beginning point" and "ending point" of maintenance is defined in the list below.

CITY OF	BEGINNING POINT OF MAINTENANCE	ENDING POINT OF MAINTENANCE	LOCATION OF CONSTRUCTED TRAIL
Grapevine	MP 612.50 Texan Trl.	MP 617.00 Brumlow Ave.	Ball St. to Brumlow Ave. (S. of tracks)
Colleyville	MP 617.00 Brumlow Ave.	MP 619.74 LD Lockett Pk.	J. McCain Rd. to LD Lockett Pk. (N. of tracks)
Hurst	MP 619.74 LD Lockett Pk.	MP 620.67 Precinct Line	LD Lockett Pk. to Precinct Line (N. of tracks, then crosses over to S. side at Precinct Line)
NRH	MP 620.67 Precinct Line	MP 625.60 NE Loop 820	Precinct Line to Browning St. (S. of tracks)

In the event Licensor notifies Licensees of the failure to maintain the Property or otherwise comply with this Agreement, and Licensees shall not have remedied the failure within thirty (30) days from the date of such notice, Licensor shall have the right, but not the obligation, to remedy such failure at the sole cost

and expense of Licensees. In the event Licensor exercises its right to remedy Licensees' failure, Licensees agree to immediately pay to Licensor all costs incurred by Licensor upon demand.

12. Future Use by Licensor.

12.01. This License is made expressly subject and subordinate to the right of Licensor to use the Property for any purpose whatsoever.

12.02. In the event that Licensor shall, at any time subsequent to the date of this License, at its sole discretion, determine that the relocation of the Permitted Improvement shall be necessary or convenient for Licensor's use of the Property, Licensees shall, at their sole cost and expense, relocate said Permitted Improvement so as not to interfere with Licensor's, or Licensor's assigns, use of the Property. In this regard, Licensor may, but is not obligated to, designate other property for the relocation of the Permitted Improvement. Licensor shall give Licensees a minimum of thirty (30) days written notice of any required relocation. Licensees shall promptly commence to make the relocation thereafter and shall diligently complete the relocation within a reasonable period.

13. Relocation Benefits. The parties hereto agree that the construction of the Permitted Improvement on the Property shall be subsequent to the acquisition of the Property by Licensor and that Licensees do hereby waive any and all claim that they may have under the Act, or otherwise, regarding the payment of any and all relocation benefits and that all costs associated with any relocation of such Permitted Improvement shall be borne by Licensees.

14. Duration of License. This License shall terminate and be of no further force and effect: (a) in the event Licensees shall discontinue or abandon the use of the Permitted Improvement; (b) in the event Licensees shall relocate the Permitted Improvement from the Property; (c) upon termination in accordance with paragraph 19 of this License, whichever event first occurs. PROVIDED, HOWEVER, that any indemnifications provided for herein shall survive such termination.

15. Compliance With Laws and Regulations. Licensees agrees to abide by and be governed by all laws, ordinances and regulations of any and all governmental entities having jurisdiction over the Licensees and by railroad regulations, policies and operating procedures established by the Railroad, or other applicable railroad regulating bodies, and Licensees agree, to the extent allowed by law, to indemnify and hold Licensor harmless from any failure to so abide and all actions resulting therefrom.

16. Indemnification. To the extent allowed by law, Licensees shall at all times protect, indemnify, defend and hold Licensor and the Railroad harmless against and from any and all loss, cost, damage or expense, including attorney's fees and including, without limitation, claims of negligence, arising out of this License (including by example and not limitation, Licensees' acts or failure to act hereunder), Licensees' use in any way of the Property, or arising from any accident or other occurrence on or about the Property, resulting in personal injury, death, or property damage, except to the extent fault is judicially determined against Licensor.

17. Termination of License. At such time as this License may be terminated or canceled for any reason whatsoever, Licensees, upon written request by Licensor, shall remove the improvements made by Licensees and appurtenances owned by Licensees, situated in, on, under or attached to the Property and shall restore the Property to the condition existing at the date of execution of this License, at the Licensees' sole expense.

18. Assignment. Licensees shall not assign or transfer their rights under this License in whole or in part, or permit any other person or entity to use the License hereby granted without the prior written consent of Licensor which Licensor is under no obligation to grant.

19. **Methods of Termination.** This License may be terminated in any of the following ways:

19.01. The entire License may be terminated by written agreement of all parties; or

19.02. The entire License may be terminated by written agreement of Licensors; or

19.03. The entire License may be terminated by written agreement of all Licensees; or

19.04. Any Licensee may terminate its interest herein (and related obligations) by written notice to all other parties which notice shall include an executed assignment and assumption agreement, in form and substance approved by Licensors, by a creditworthy substitute Licensee, as determined by Licensors.

20. **Miscellaneous.**

20.01. Notice. When notice is permitted or required by this License, it shall be in writing and shall be deemed delivered when delivered in person or when placed, postage prepaid, in the U.S. Mail, Certified, Return Receipt Requested, and addressed to the parties at the following addresses:

LICENSORS:	Dallas Area Rapid Transit 1401 Pacific Avenue Dallas, Texas 75202-7210 ATTN: Railroad Management	OR	P. O. Box 660163 Dallas, Texas 75266-7210
------------	---	----	--

LICENSEES:	City of Grapevine 200 S. Main Street Grapevine, Texas 76051	OR	P. O. Box 95104 Grapevine, Texas 76099
------------	---	----	---

City of Colleyville
100 Main Street
Colleyville, Texas 76034

City of Hurst
1505 Precinct Line Road
Hurst, Texas 76054

City of North Richland Hills
7301 NE Loop 820
North Richland Hills, Texas 76180

Any party may from time to time designate another and different address for receipt of notice by giving written notice of such change of address.

20.02. Governing Law. This License shall be construed under and in accordance with the laws of the State of Texas.

20.03. Entirety and Amendments. This License embodies the entire agreement between the parties and supersedes all prior agreements and understandings, if any, relating to the Property and the matters addressed herein, and may be amended or supplemented only by a written instrument executed by the party against whom enforcement is sought.

20.04. Parties Bound. This License shall be binding upon and inure to the benefit of the executing parties and their respective heirs, personal representatives, successors and assigns.

20.05. Number and Gender. Words of any gender used in this License shall be held and construed to include any other gender; and words in the singular shall include the plural and vice versa, unless the text clearly requires otherwise.

20.06. No Joint Enterprise. The parties do not intend that this License be construed as finding that the parties have formed a joint enterprise. The purposes for which each party has entered into this License are separate and distinct. It is not the intent of any of the parties that a joint enterprise relationship is being entered into and the parties hereto specifically disclaim such relationship. This License does not constitute a joint enterprise, as there are no common pecuniary interests, no common purpose and no equal right of control among the parties hereto.

20.07. Mowing Schedule. Licensees agree to coordinate with each other and the Railroad to establish a mowing schedule in order to minimize any conflict with the Railroad's operations. Licensees shall provide Licensor and Railroad a copy of the mowing schedule on January 1st of each calendar year.

21. **New Agreement.** It is mutually agreed and understood that this License cancels and supersedes License No. 970201, dated February 12, 1997, and License No. 980909, dated September 30, 1998, or any agreements prior to this License, granted by Licensor or Licensor's predecessor railroads in regard to this License Agreement for Cotton Belt Hike & Bike Trail.

(Signatures on Next Page)

IN WITNESS WHEREOF, the parties have executed this License in duplicate originals, effective on the last date signed.

LICENSOR: DALLAS AREA RAPID TRANSIT

By: _____, Date: _____
Printed Name:
Title:

LICENSEES: CITY OF GRAPEVINE

xpm

By: *Jennifer Hibbs*, Date: 10/23/14
Printed Name: *Jennifer Hibbs*
Title: *Asst. City Mgr*

CITY OF COLLEYVILLE

By: _____, Date: _____
Printed Name:
Title:

CITY OF HURST

By: *W. Allan Weegar*, Date: 12/1/14
Printed Name: *Allan Weegar*
Title: *City Manager*

ATTEST:

Alicia Richardson
Alicia Richardson, City Secretary



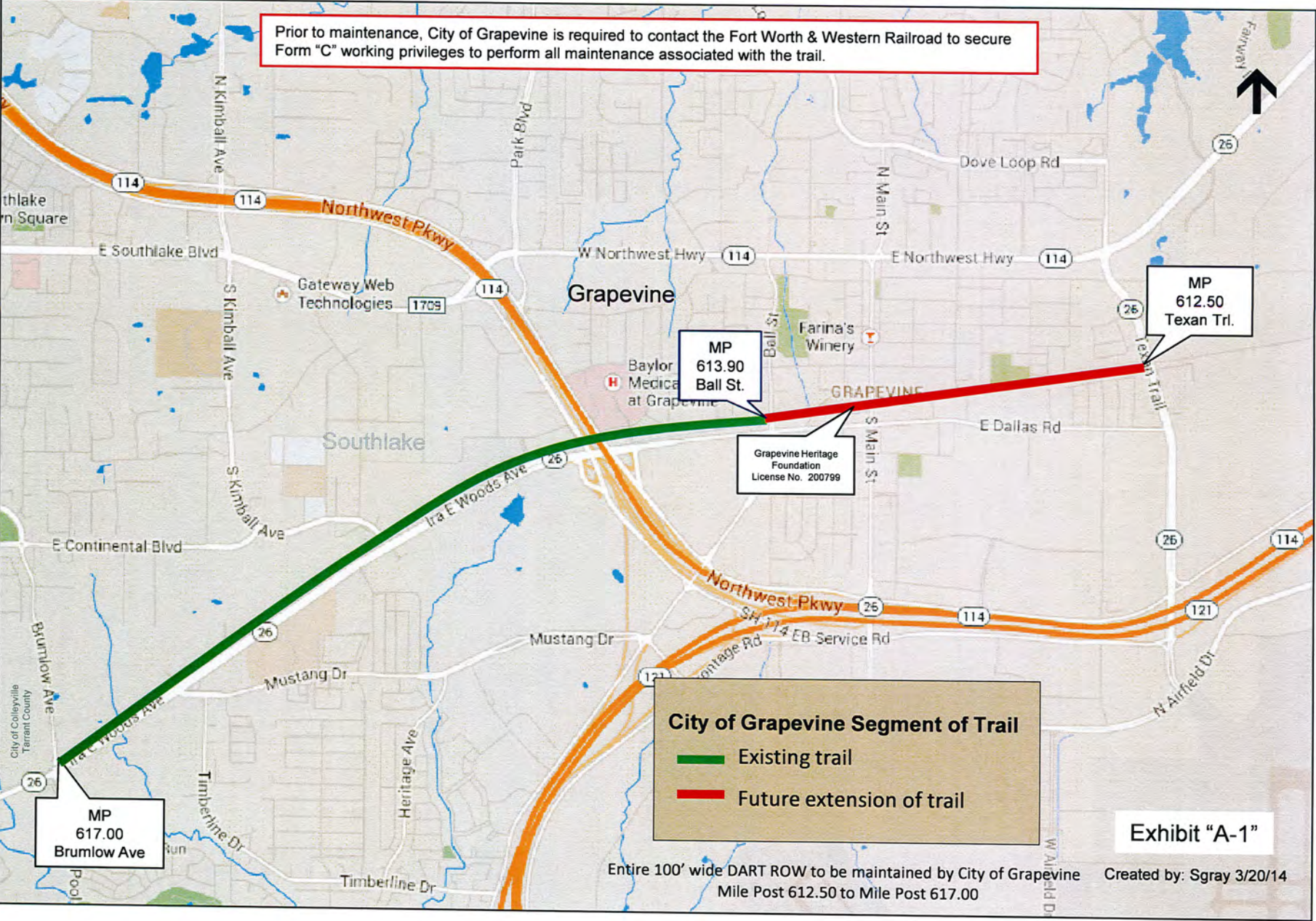
CITY OF NORTH RICHLAND HILLS

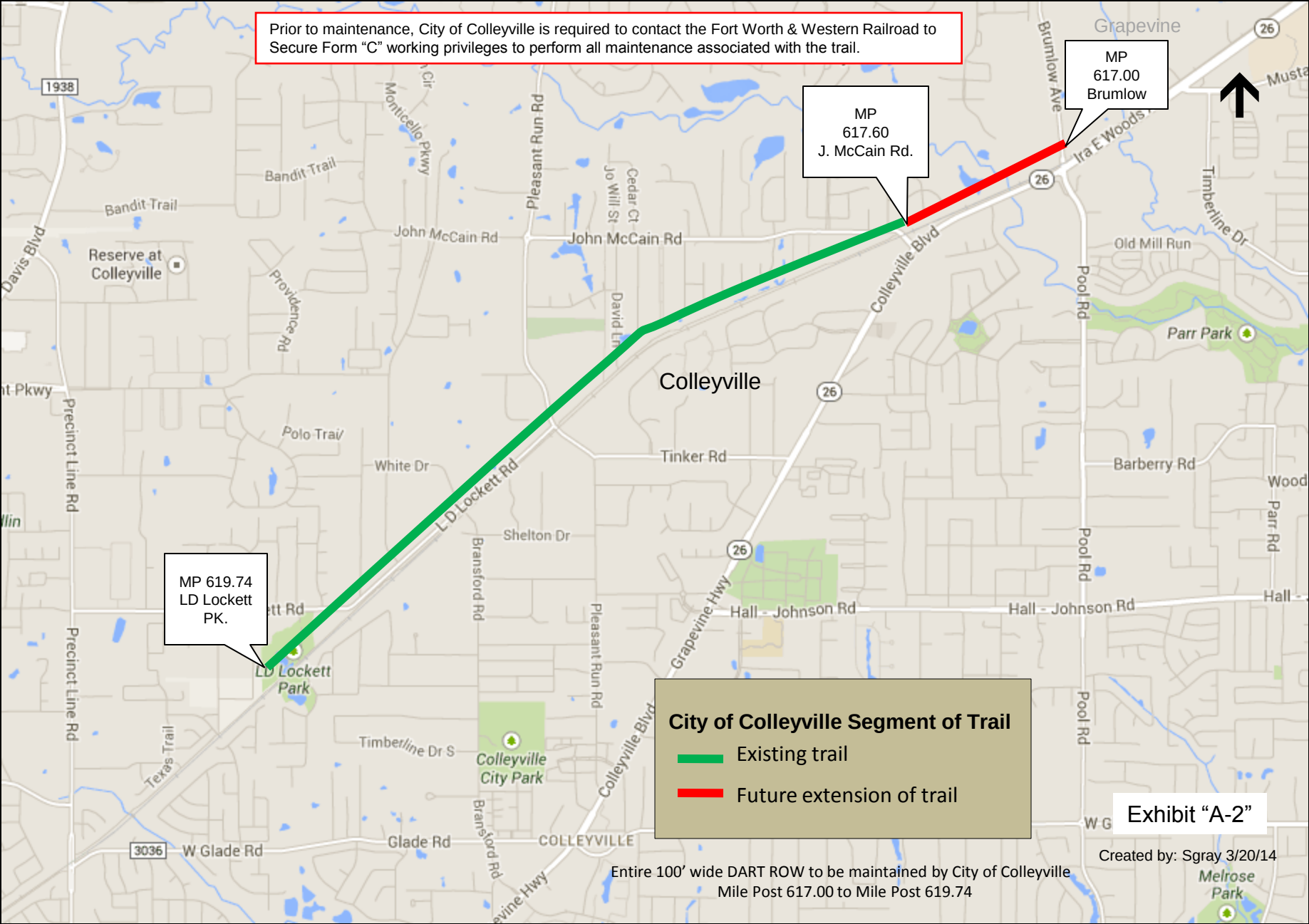
By: *Mark Hindman*, Date: 11-3-14
Printed Name: *Mark Hindman*
Title: *City Manager*

Approved as to form and legality:

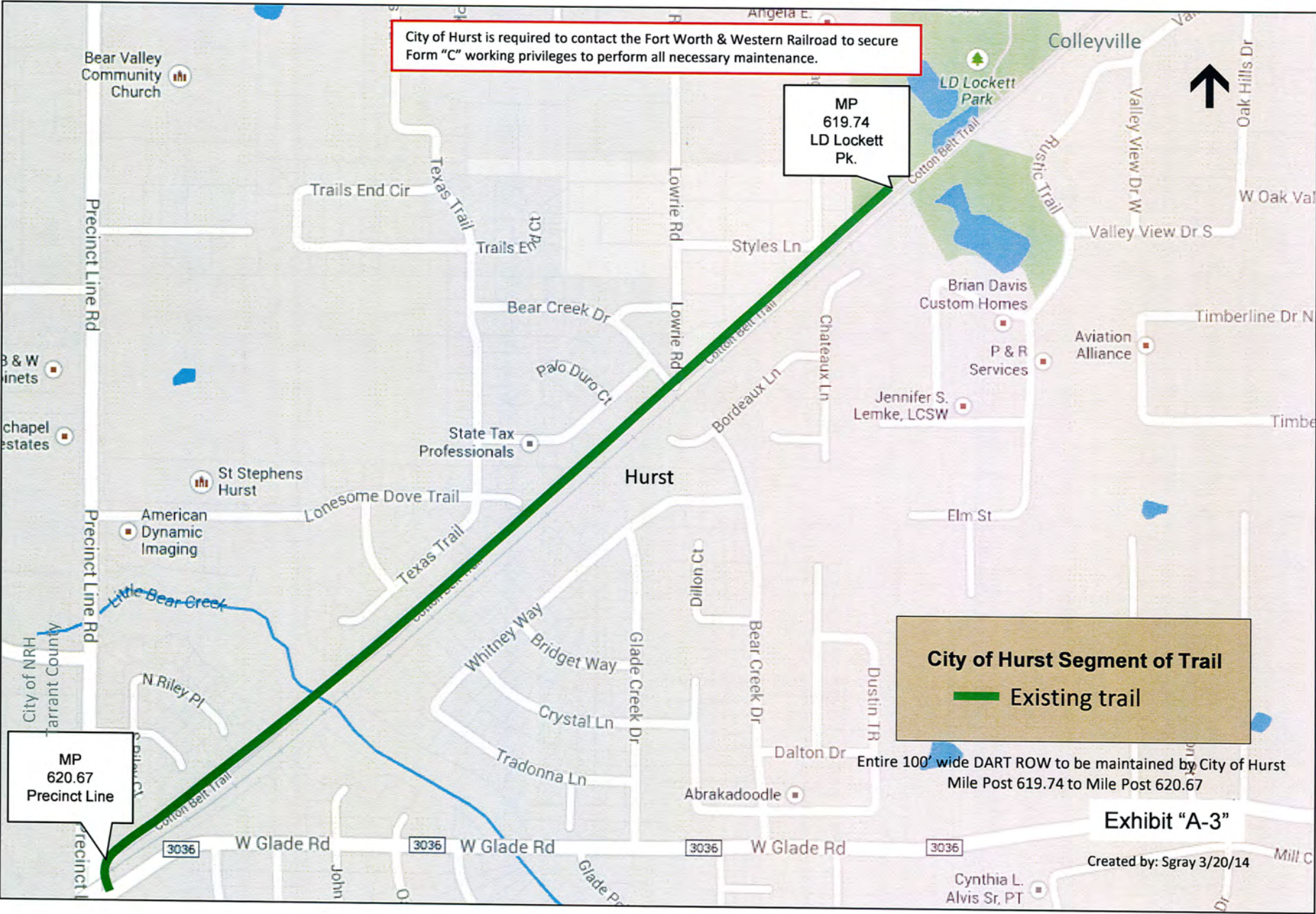
George Staples
George Staples, City Attorney

License Agreement for Cotton Belt Hike & Bike Trail, License Agreement 220742, Mile Post 612.50 thru 625.60

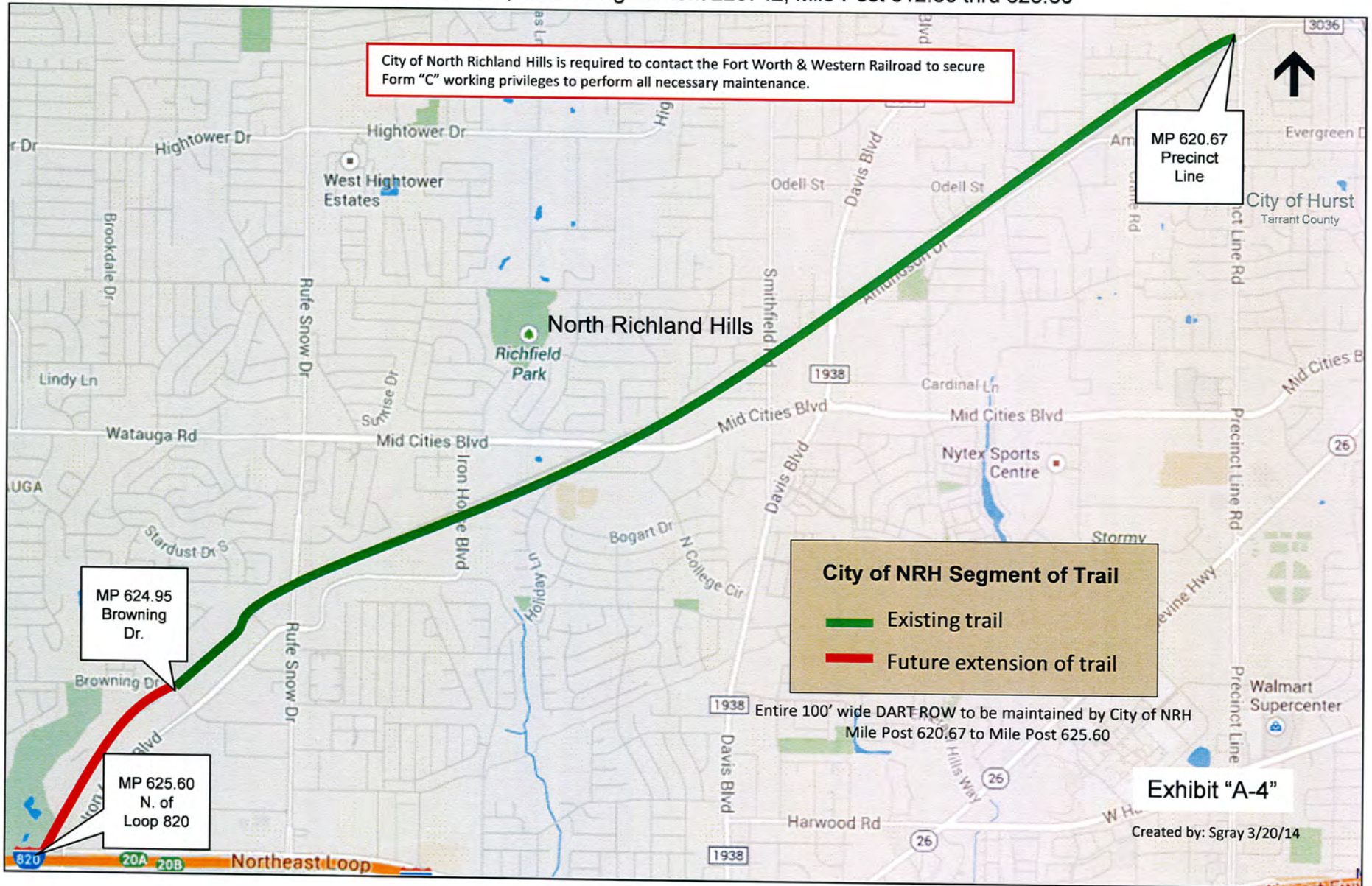




License Agreement for Cotton Belt Hike & Bike Trail, License Agreement 220742, Mile Post 612.50 thru 625.60



License Agreement for Cotton Belt Hike & Bike Trail, License Agreement 220742, Mile Post 612.50 thru 625.60



RESOLUTION R-14-3826

A RESOLUTION APPROVING A LICENSE AGREEMENT WITH DALLAS AREA RAPID TRANSIT (DART) FOR THE PURPOSES OF CONSTRUCTING, INSTALLING, MAINTAINING, AND OPERATING THE COTTON BELT HIKE AND BIKE TRAIL

WHEREAS, on September 30, 1998, the Colleyville City Council entered into Municipal Corridor Use License 980909, an agreement between Dallas Area Rapid Transit (DART), for the construction and maintenance of the Cotton Belt Hike and Bike Trail, within the DART right-of-way; and

WHEREAS, Municipal Corridor License 980909 was renewed by the City of Colleyville and DART on April 14, 2004, and amended and renewed on May 28, 2009; and

WHEREAS, the City of Colleyville wishes to enter into License Agreement No. 220742 with DART, for the continued construction, installation, and maintenance of the Cotton Belt Hike and Bike Trail, within the DART right-of-way; and

WHEREAS, all legal prerequisites for the approval of this Resolution have been met, including but not limited to the Open Meetings Act; and

WHEREAS, the City Council hereby determines that the approval of this Resolution is in the best interests of the health, safety, and welfare of the public.

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

- Sec. 1. THAT all of 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 City Council authorizes the city manager to execute License Agreement No. 220742, attached as Exhibit "A", on behalf of the City of Colleyville.
- Sec. 3. THAT this resolution shall become effective immediately from and after its passage.

AND IT IS SO RESOLVED.

PASSED BY A VOTE OF ___ AYES, ___ NAYS, AND ___ ABSTENTIONS ON THIS
THE 16TH DAY OF DECEMBER 2014.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor

Exhibit "A"

AGREEMENT NO. 220742

LICENSE AGREEMENT

THIS Agreement ("License"), is made by and between DALLAS AREA RAPID TRANSIT ("Licensor"), a regional transportation authority, created, organized and existing pursuant to Chapter 452, Texas Transportation Code, as amended (the "Act") and the CITY OF GRAPEVINE, CITY OF COLLEYVILLE, CITY OF HURST and CITY OF NORTH RICHLAND HILLS ("Licensees"), each a Texas municipal corporation acting herein by and through its duly authorized official, whose mailing address is respectively: P. O. Box 95104, Grapevine, Texas 76099, 5109 Bransford Road, Colleyville, Texas 76034, 1505 Precinct Line Road, Hurst, Texas 76054 and 7301 NE Loop 820, North Richland Hills, Texas.

Pursuant to an agreement between Licensor and Fort Worth & Western Railroad, (hereinafter the "Railroad"), freight railroad operations exist on Licensor's corridor.

1. **Purpose.** Licensor hereby grants a license (the "License") to Licensees for the purposes of constructing, installing, maintaining and operating a hike and bike trail, commonly known as the "Cotton Belt Hike & Bike Trail" (the "Permitted Improvement"), beginning at approximately Mile Post 612.50, in Grapevine, Tarrant County, Texas and ending at approximately Mile Post 625.60, in North Richland Hills, Tarrant County, Texas, more particularly described as shown in Exhibits "A-1" through "A-4", dated March 20, 2014, attached hereto and incorporated herein for all pertinent purposes, (the "Property").

The Property shall be used by Licensees solely for the purpose of operating and maintaining the Permitted Improvement (the "Permitted Use"). Licensees' right to enter upon and use the Property shall be limited solely to the Permitted Use and the Permitted Improvement.

2. **Term.** This License shall begin on the 1st day of _____, 2014 (the "Term") and continue thereafter until terminated by either party as provided herein.

3. **Consideration.** As consideration for the granting of this License for the use of the Licensed Property, Licensees covenant and agree to mow and maintain the entirety, property line to property line, of the DART Property situated within Licensees' respective city limits, keeping the Property free of overgrown vegetation, obstructing trees, debris and any material which could result in unsafe and/or unsanitary conditions. Paragraph 11 of this License clarifies the maintenance of the Property and the word "maintain" in this License.

4. **Non Exclusive License.** This License is non-exclusive and is subject to (a) any existing utility, drainage or communication facility located in, on, under, or upon the Property owned by Licensor, any Railroad, utility, or communication company, public or private; (b) all vested rights presently owned by any Railroad, utility or communication company, located within the Property; and (c) any existing lease, license or other interest in the Property granted by Licensor to any individual, corporation or other entity, public or private.

5. **Design, Construction, Operation and Maintenance.** Licensor's use of the Property and adjoining property may include the use of electrically powered equipment. Notwithstanding Licensor's inclusion within its system of measures designed to reduce stray current which may cause corrosion, **Licensees are hereby warned that such measures may not prevent electrical current being present in proximity to the Permitted Improvement and that such presence could produce corrosive effects to the Permitted Improvement. Licensees waive any claim and release Licensor with regard to any claim arising from such corrosion.**

5.01. All design, construction, reconstruction, replacement, removal, operation and maintenance of the Permitted Improvement on the Property shall be done in such a manner so as not to interfere in any way with the operations of Licensor or Railroad operations. Cathodic protection or other stray current corrosion control measures of the Permitted Improvement as required shall be made a part of the design and construction of the Permitted Improvement.

5.02. During the design phase and prior to commencing any construction on the Property, a copy of the construction plans showing the exact location, type and depth of the construction, any cathodic protection measures and any working area, shall be submitted for written approval to Licensor and the Railroad. Such approval shall not be unreasonably withheld. No work shall commence until said plans have been approved by Licensor and the Railroad.

5.03. Licensees agree to design, construct and maintain the Permitted Improvement in such a manner so as not to create a hazard to the use of the Property, and further agree to pay any damages which may arise by reason of Licensees' use of the Property under this License.

5.04. Licensees covenant and agree to institute and maintain a reasonable testing program to determine whether or not additional cathodic protection of their Permitted Improvement is necessary and if it is or should become necessary, such protection shall be immediately instituted by Licensees at their sole cost and expense.

5.05. Licensor makes no warranties regarding surface or subsurface installations on the Property. Licensees shall conduct their own surface and subsurface inspections of same and will not rely on the absence or presence of markers.

5.06. Licensees shall provide to Licensor final construction drawings ("as-builts") that are signed and sealed by a Texas Professional Engineer within sixty ("60") days of completion of the Permitted Improvement.

6. Governmental Approvals. Licensees, at their sole cost and expense, shall be responsible for and shall obtain, any and all licenses, permits, or other approvals from any and all governmental agencies, federal, state or local, required to carry on any activity permitted herein.

7. Licensor's Standard Contract and Insurance. No work on the Property shall be commenced by Licensees or any contractor for Licensees until such Licensees or contractor shall have executed Licensor's "Construction Agreement And Contractor's Right Of Entry" covering such work, and has furnished insurance coverage in such amounts and types as shall be satisfactory to Licensor. A company-issued photo identification of Licensees' employees, contractors or agents shall be required to work on the Property. Routine maintenance that is required under this License is excepted from the requirements of this Section and must meet the requirements of Section 11.

8. Duty of Care in Construction. Licensees or their contractor shall use reasonable care during the construction period and thereafter, to avoid damaging any existing buildings, equipment and vegetation on or about the Property and any adjacent property owned by or under the control of Licensor. If Licensees or their contractor causes damage to the Property or such adjacent property, the Licensees and/or their contractor shall immediately make appropriate replacement or repair the damage at no cost or expense to Licensor. If Licensees or their contractor fail or refuse to make any such repair or replacement, Licensor shall have the right, but not the obligation, to make or effect any such repair or replacement at the sole cost and expense of Licensees, which cost and expense Licensees agrees to pay to Licensor upon demand.

9. Environmental Protection.

9.01. Licensees shall not use or permit the use of the Property for any purpose that may be in violation of any local, state or federal laws pertaining to health or the environment, including but not limited to, the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), the Resource Conservation and Recovery Act ("RCRA"), the Clean Water Act ("CWA") and the Clean Air Act ("CAA").

9.02. Licensees warrant that the Permitted Use of the Property will not result in the disposal or other release of any hazardous substance or solid waste on or to the Property, and that it will take all steps necessary to ensure that no such hazardous substance or solid waste is discharged onto the Property by Licensees or their contractors.

9.03. The terms "hazardous substance" and "release" shall have the meanings specified in CERCLA and the terms "solid waste" and "disposal" (or "disposed") shall have the meanings specified in the RCRA; PROVIDED, HOWEVER, that in the event either CERCLA or RCRA is amended so as to broaden the meaning of any term defined thereby, such broader meaning shall apply subsequent to the effective date of such amendment; and PROVIDED FURTHER, that to the extent that the laws of the State of Texas establish a meaning for "hazardous substance", "release", "solid waste", or "disposal", which is broader than that specified in either CERCLA or RCRA, such broader meaning shall apply.

9.04. To the extent allowed by law, **Licensees shall indemnify and hold Licensor and Railroad harmless against all cost of environmental clean up to the Property resulting from Licensees' use of the Property under this License.**

10. **Mechanic's Liens Not Permitted.** Licensees shall fully pay for all labor and materials used in, on, or about the Property and will not permit or suffer any mechanic's or materialmen's liens of any nature to be affixed against the Property by reason of any work done or materials furnished to the Property at Licensees' instance or request.

11. **Maintenance of Completed Improvement.** The Permitted Improvement shall be maintained by the Licensees in such a manner as to keep the Property in a good and safe condition with respect to Licensees' use. Licensees understand that the Permitted Improvement will require various types of continuous maintenance (e.g. mowing, edging, tree trimming, removing litter, removing overgrown vegetation, removing obstructing trees and shrubs, keeping drainage ditches clear of debris, etc.) to ensure that the Property is maintained to a safe and manageable condition. Licensees agree to maintain the Property as per each of Licensees' city ordinances or code. Prior to performing any maintenance on the Property, Licensees shall contact the Railroad (via email and phone) and secure "Form C" working privileges, on each separate occurrence, to perform the required maintenance. Licensees understand that work may be performed only after written approval (via e-mail or letter) has been given by the Railroad and satisfactory evidence of sufficient insurance coverage is provided to Licensor. Each City's "beginning point" and "ending point" of maintenance is defined in the list below.

CITY OF	BEGINNING POINT OF MAINTENANCE	ENDING POINT OF MAINTENANCE	LOCATION OF CONSTRUCTED TRAIL
Grapevine	MP 612.50 Texan Trl.	MP 617.00 Brumlow Ave.	Ball St. to Brumlow Ave. (S. of tracks)
Colleyville	MP 617.00 Brumlow Ave.	MP 619.74 LD Lockett Pk.	J. McCain Rd. to LD Lockett Pk. (N. of tracks)
Hurst	MP 619.74 LD Lockett Pk.	MP 620.67 Precinct Line	LD Lockett Pk. to Precinct Line (N. of tracks, then crosses over to S. side at Precinct Line)
NRH	MP 620.67 Precinct Line	MP 625.60 NE Loop 820	Precinct Line to Browning St. (S. of tracks)

In the event Licensor notifies Licensees of the failure to maintain the Property or otherwise comply with this Agreement, and Licensees shall not have remedied the failure within thirty (30) days from the date of such notice, Licensor shall have the right, but not the obligation, to remedy such failure at the sole cost

and expense of Licensees. In the event Licenser exercises its right to remedy Licensees' failure, Licensees agree to immediately pay to Licenser all costs incurred by Licenser upon demand.

12. Future Use by Licenser.

12.01. This License is made expressly subject and subordinate to the right of Licenser to use the Property for any purpose whatsoever.

12.02. In the event that Licenser shall, at any time subsequent to the date of this License, at its sole discretion, determine that the relocation of the Permitted Improvement shall be necessary or convenient for Licenser's use of the Property, Licensees shall, at their sole cost and expense, relocate said Permitted Improvement so as not to interfere with Licenser's, or Licenser's assigns, use of the Property. In this regard, Licenser may, but is not obligated to, designate other property for the relocation of the Permitted Improvement. Licenser shall give Licensees a minimum of thirty (30) days written notice of any required relocation. Licensees shall promptly commence to make the relocation thereafter and shall diligently complete the relocation within a reasonable period.

13. Relocation Benefits. The parties hereto agree that the construction of the Permitted Improvement on the Property shall be subsequent to the acquisition of the Property by Licenser and that Licensees do hereby waive any and all claim that they may have under the Act, or otherwise, regarding the payment of any and all relocation benefits and that all costs associated with any relocation of such Permitted Improvement shall be borne by Licensees.

14. Duration of License. This License shall terminate and be of no further force and effect: (a) in the event Licensees shall discontinue or abandon the use of the Permitted Improvement; (b) in the event Licensees shall relocate the Permitted Improvement from the Property; (c) upon termination in accordance with paragraph 19 of this License, whichever event first occurs. PROVIDED, HOWEVER, that any indemnifications provided for herein shall survive such termination.

15. Compliance With Laws and Regulations. Licensees agrees to abide by and be governed by all laws, ordinances and regulations of any and all governmental entities having jurisdiction over the Licensees and by railroad regulations, policies and operating procedures established by the Railroad, or other applicable railroad regulating bodies, and Licensees agree, to the extent allowed by law, to indemnify and hold Licenser harmless from any failure to so abide and all actions resulting therefrom.

16. Indemnification. To the extent allowed by law, Licensees shall at all times protect, indemnify, defend and hold Licenser and the Railroad harmless against and from any and all loss, cost, damage or expense, including attorney's fees and including, without limitation, claims of negligence, arising out of this License (including by example and not limitation, Licensees' acts or failure to act hereunder), Licensees' use in any way of the Property, or arising from any accident or other occurrence on or about the Property, resulting in personal injury, death, or property damage, except to the extent fault is judicially determined against Licenser.

17. Termination of License. At such time as this License may be terminated or canceled for any reason whatsoever, Licensees, upon written request by Licenser, shall remove the improvements made by Licensees and appurtenances owned by Licensees, situated in, on, under or attached to the Property and shall restore the Property to the condition existing at the date of execution of this License, at the Licensees' sole expense.

18. Assignment. Licensees shall not assign or transfer their rights under this License in whole or in part, or permit any other person or entity to use the License hereby granted without the prior written consent of Licenser which Licenser is under no obligation to grant.

19. **Methods of Termination.** This License may be terminated in any of the following ways:

19.01. The entire License may be terminated by written agreement of all parties; or

19.02. The entire License may be terminated by written agreement of Licensors; or

19.03. The entire License may be terminated by written agreement of all Licensees; or

19.04. Any Licensee may terminate its interest herein (and related obligations) by written notice to all other parties which notice shall include an executed assignment and assumption agreement, in form and substance approved by Licensors, by a creditworthy substitute Licensee, as determined by Licensors.

20. **Miscellaneous.**

20.01. Notice. When notice is permitted or required by this License, it shall be in writing and shall be deemed delivered when delivered in person or when placed, postage prepaid, in the U.S. Mail, Certified, Return Receipt Requested, and addressed to the parties at the following addresses:

LICENSORS:	Dallas Area Rapid Transit 1401 Pacific Avenue Dallas, Texas 75202-7210 ATTN: Railroad Management	OR	P. O. Box 660163 Dallas, Texas 75266-7210
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LICENSEES:	City of Grapevine 200 S. Main Street Grapevine, Texas 76051	OR	P. O. Box 95104 Grapevine, Texas 76099
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City of Colleyville
100 Main Street
Colleyville, Texas 76034

City of Hurst
1505 Precinct Line Road
Hurst, Texas 76054

City of North Richland Hills
7301 NE Loop 820
North Richland Hills, Texas 76180

Any party may from time to time designate another and different address for receipt of notice by giving written notice of such change of address.

20.02. Governing Law. This License shall be construed under and in accordance with the laws of the State of Texas.

20.03. Entirety and Amendments. This License embodies the entire agreement between the parties and supersedes all prior agreements and understandings, if any, relating to the Property and the matters addressed herein, and may be amended or supplemented only by a written instrument executed by the party against whom enforcement is sought.

20.04. Parties Bound. This License shall be binding upon and inure to the benefit of the executing parties and their respective heirs, personal representatives, successors and assigns.

20.05. Number and Gender. Words of any gender used in this License shall be held and construed to include any other gender; and words in the singular shall include the plural and vice versa, unless the text clearly requires otherwise.

20.06. No Joint Enterprise. The parties do not intend that this License be construed as finding that the parties have formed a joint enterprise. The purposes for which each party has entered into this License are separate and distinct. It is not the intent of any of the parties that a joint enterprise relationship is being entered into and the parties hereto specifically disclaim such relationship. This License does not constitute a joint enterprise, as there are no common pecuniary interests, no common purpose and no equal right of control among the parties hereto.

20.07. Mowing Schedule. Licensees agree to coordinate with each other and the Railroad to establish a mowing schedule in order to minimize any conflict with the Railroad's operations. Licensees shall provide Licensor and Railroad a copy of the mowing schedule on January 1st of each calendar year.

21. **New Agreement.** It is mutually agreed and understood that this License cancels and supersedes License No. 970201, dated February 12, 1997, and License No. 980909, dated September 30, 1998, or any agreements prior to this License, granted by Licensor or Licensor's predecessor railroads in regard to this License Agreement for Cotton Belt Hike & Bike Trail.

(Signatures on Next Page)

IN WITNESS WHEREOF, the parties have executed this License in duplicate originals, effective on the last date signed.

LICENSOR: DALLAS AREA RAPID TRANSIT

By: _____, Date: _____
Printed Name:
Title:

LICENSEES: CITY OF GRAPEVINE

xpm

By: *Jennifer Hibbs*, Date: 10/23/14
Printed Name: *Jennifer Hibbs*
Title: *Asst. City Mgr*

CITY OF COLLEYVILLE

By: _____, Date: _____
Printed Name:
Title:

CITY OF HURST

By: *W. Allan Weegar*, Date: 12/1/14
Printed Name: *Allan Weegar*
Title: *City Manager*

ATTEST:

Alicia Richardson
Alicia Richardson, City Secretary



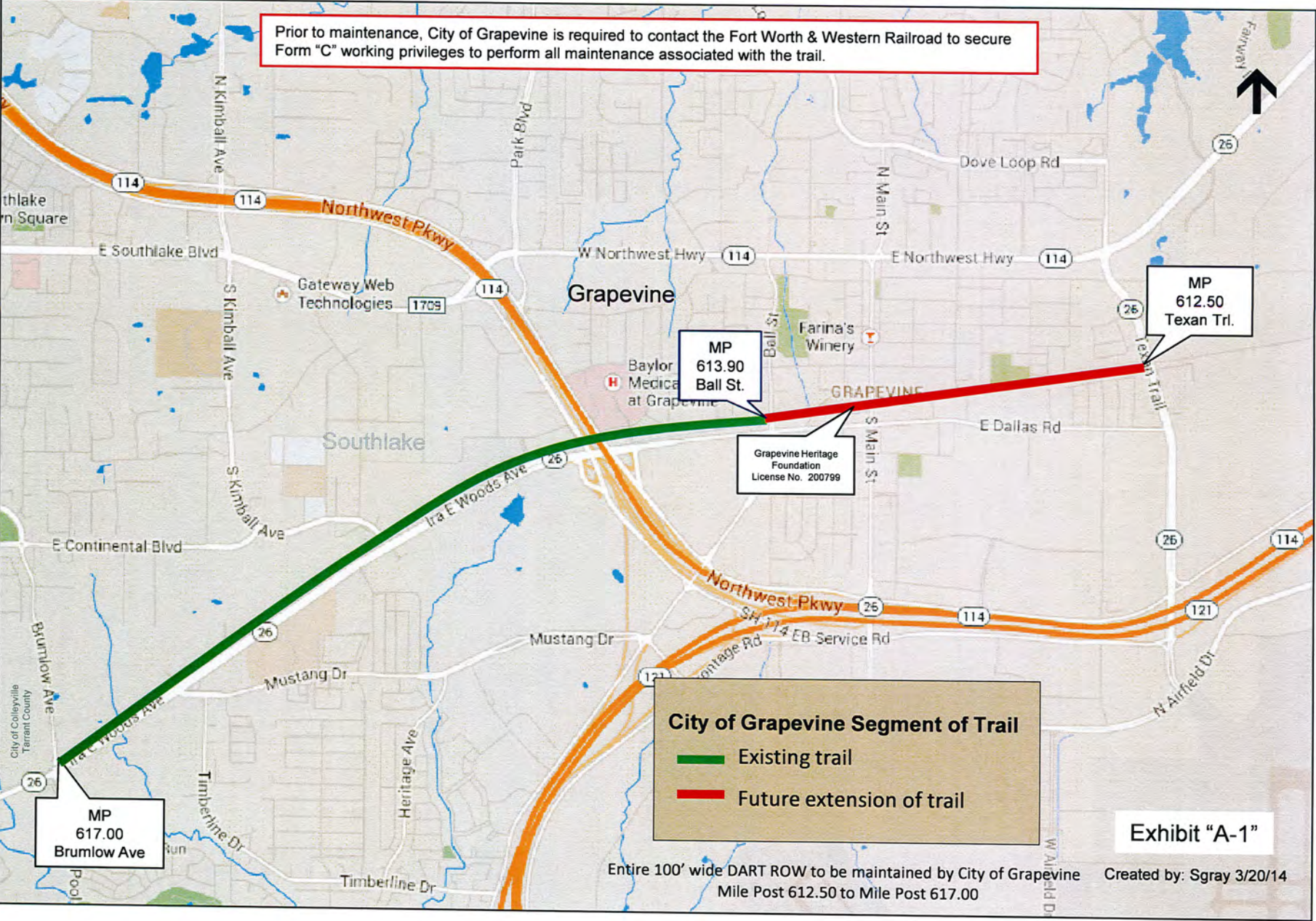
CITY OF NORTH RICHLAND HILLS

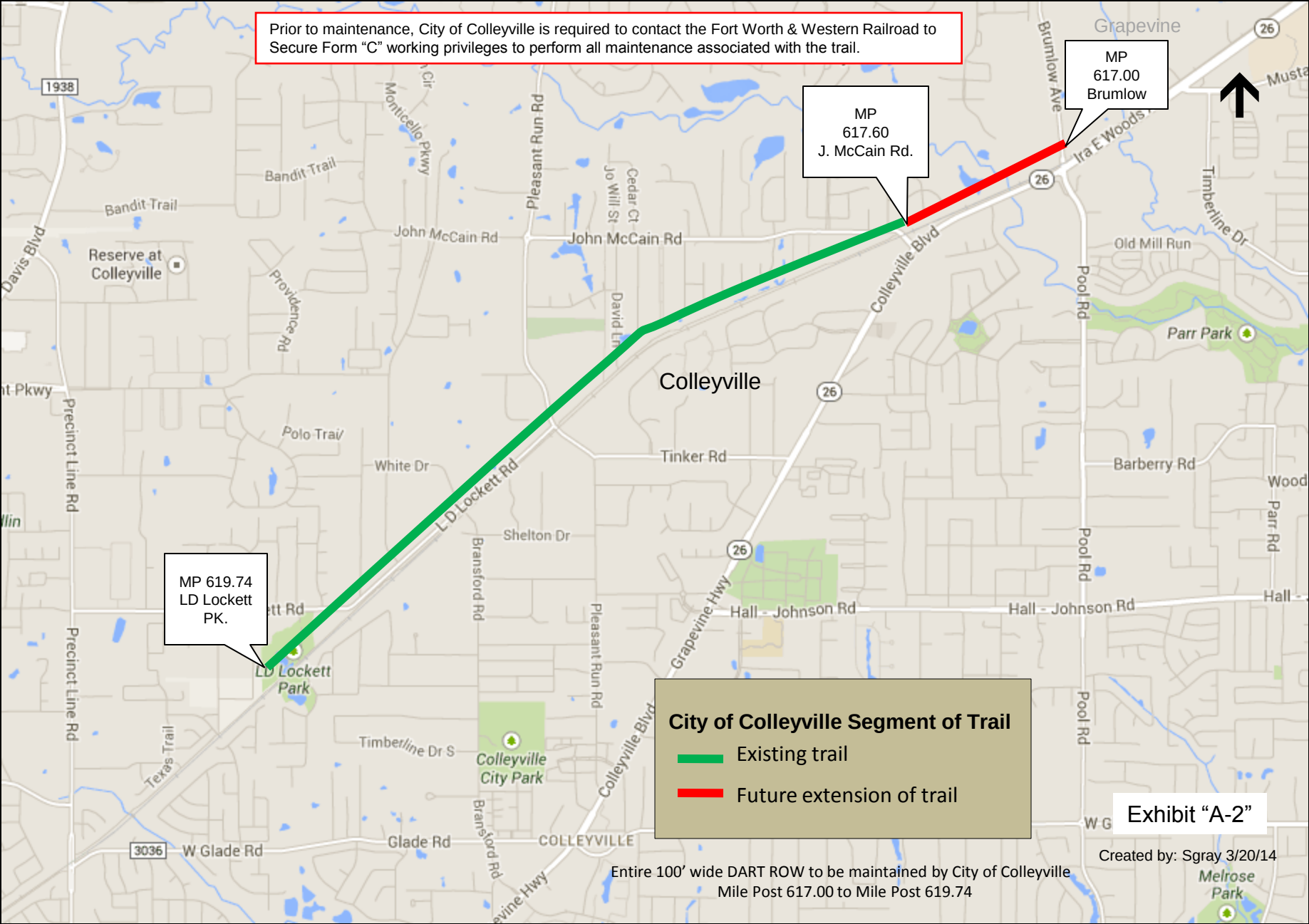
By: *Mark Hindman*, Date: 11-3-14
Printed Name: *Mark Hindman*
Title: *City Manager*

Approved as to form and legality:

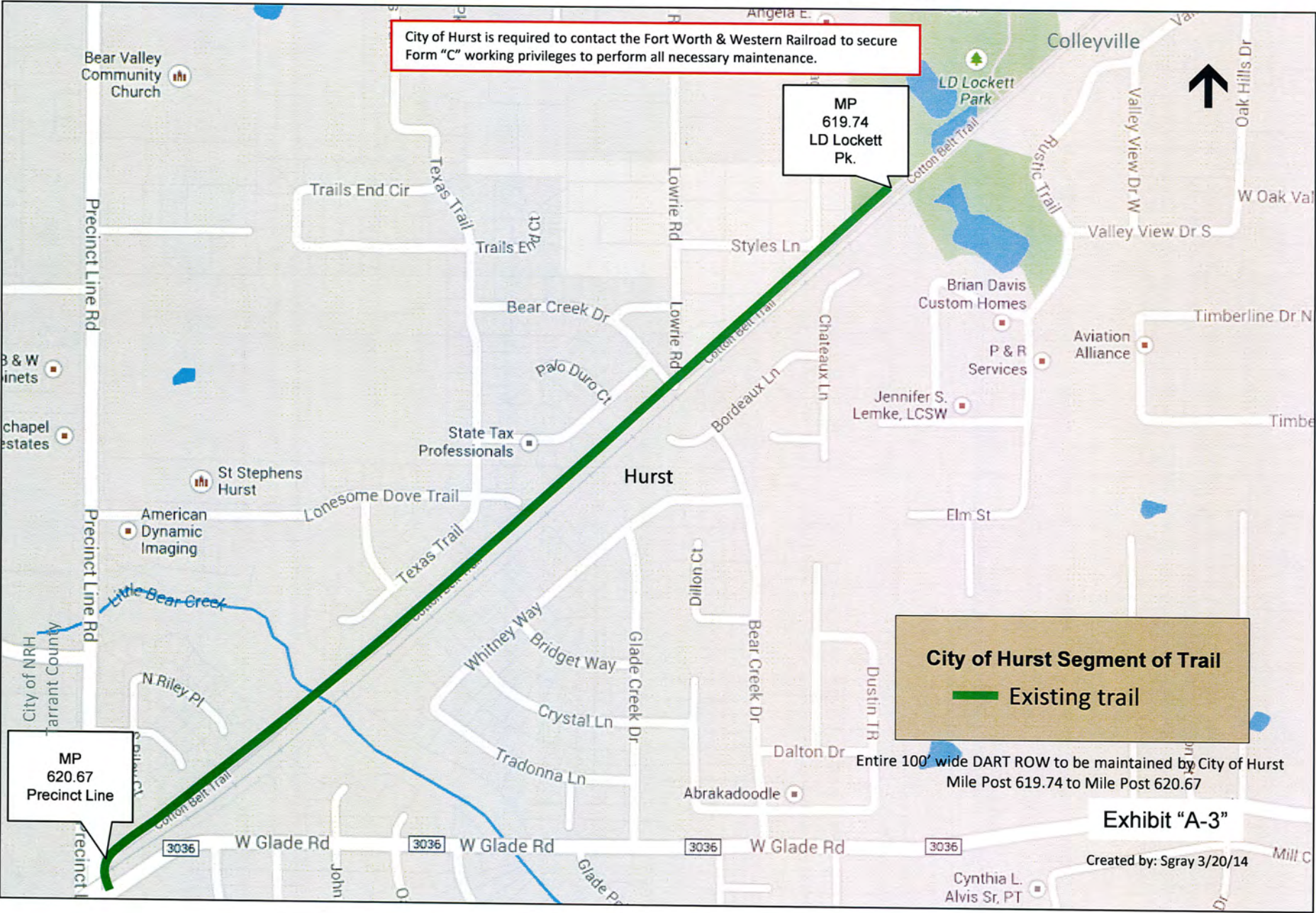
George Staples
George Staples, City Attorney

License Agreement for Cotton Belt Hike & Bike Trail, License Agreement 220742, Mile Post 612.50 thru 625.60





License Agreement for Cotton Belt Hike & Bike Trail, License Agreement 220742, Mile Post 612.50 thru 625.60



City of North Richland Hills is required to contact the Fort Worth & Western Railroad to secure Form "C" working privileges to perform all necessary maintenance.

MP 620.67 Precinct Line

North Richland Hills

Richfield Park

City of Hurst

Mid Cities Blvd

Davis Blvd

Watauga Rd

Mid Cities Blvd

Iron Horse Blvd

Bogart Dr

N College Cir

Harwood Rd

Walmart Supercenter

Exhibit "A-4"

Created by: Sgray 3/20/14

City of NRH Segment of Trail

- Existing trail
- Future extension of trail

MP 624.95 Browning Dr.

MP 625.60 N. of Loop 820

Northeast Loop

820

20A

20B

Entire 100' wide DART ROW to be maintained by City of NRH
Mile Post 620.67 to Mile Post 625.60

Created by: Sgray 3/20/14



City of Colleyville City Council Agenda Briefing

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

Agenda Number 8
Type Report
Department Finance

Agenda Date 12/16/2014

Title

Monthly Financial Report - November 2014

Explanation

General Fund

The percentage of current year taxes collected is behind the percentage collected for November 2013. This is due to a large mortgage company paying their taxes in December rather than November as compared to last year. Per governmental accounting rules, sales tax revenue received in November 2014 is recorded as Fiscal Year 2014 revenue, as the sales occurred in September 2014, and for the month of November, sales tax is up 12.58% (\$39,455) from revenues reported for the same time period last year and is the eighth consecutive month that revenues are up. For Fiscal Year 2014, General Fund sales tax revenue finished up 9.04% (\$277,849) and the FY 2014 annual total sales tax receipts of \$3,351,728 are the highest ever received in a fiscal year. Prior to this fiscal year, the highest total was FY 2013 (\$3,073,879).

The quarterly Mixed Beverage Tax allocation came in at \$35,820 compared to \$21,291 last fiscal year. This increase is mostly attributable to a legislation change requiring customers to pay sales tax of 8.25% on mixed drinks, effective January 1, 2014.

Ten residential building permits were issued in November compared to six that were issued in November 2013. Revenues received for licenses and permits exceed current year projections by over 24% year to date. Colleyville Center revenues are currently ahead of last year's revenues by 21% and are tracking close to budgeted projections for this fiscal year.

The average amount expended by the General Fund departments at the end of November is 14.82% of the total appropriation versus 15.57%, which was projected to be spent.

Utility Fund

Water usage increased 23% as compared to the amount sold through November 2013. For the past three months, rainfall has declined when compared to the same time period for the previous fiscal year. The average amount expended by the Utility Fund departments at the end of November was 13.24% of the total appropriation, versus 13.38%, which was projected to be spent.

Attachments

1. November 2014 Monthly Financial Report

MONTHLY FINANCIAL REPORT - NOVEMBER 2014

GENERAL FUND		RECEIVED	PROJECTED	RECEIPT VS	RECEIVED	PERCENT
REVENUE SOURCE	FY 2015 BUDGET	AS OF 11/30/2014	AS OF 11/30/2014	PROJECTED INCR (DECR)	AS OF 11/30/2013	CHANGE OVER PRIOR YEAR
Current Taxes	\$12,441,254	\$881,070	\$893,574	-1.40%	\$898,532	-1.94%
Delinquent Taxes	70,000	2,569	7,000	-63.30%	16,587	-84.51%
Penalty & Interest	55,000	967	1,650	-41.38%	5,533	-82.52%
TOTAL AD VALOREM TAXES	\$12,566,254	\$884,606	\$902,224	-1.95%	\$920,651	-3.92%
Oncor Electric	\$860,000	\$0	\$0	0.00%	\$0	0.00%
Tri-County Electric	105,000	0	0	0.00%	0	0.00%
Atmos Gas	305,000	0	0	0.00%	0	0.00%
AT&T	78,000	18,154	13,000	39.65%	19,586	-7.31%
Verizon/Others	70,000	31,918	11,667	173.58%	17,412	83.31%
Refuse/Recycling	146,000	14,624	12,167	20.19%	19,416	-24.68%
Cable TV	430,000	114,195	71,667	0.00%	117,264	-2.62%
TOTAL FRANCHISE TAXES	\$1,994,000	\$178,891	\$108,500	64.88%	\$173,679	3.00%
Sales Tax	\$3,200,000	\$0	\$0	0.00%	\$0	0.00%
Mixed Beverage Tax	70,000	35,820	17,500	104.68%	21,291	68.24%
TOTAL SALES TAX	\$3,270,000	\$35,820	\$17,500	104.68%	\$21,291	68.24%
Building	\$558,000	\$118,756	\$93,000	27.69%	\$163,966	-27.57%
Plumbing	50,000	11,149	8,333	33.79%	11,715	-4.83%
Mechanical	30,000	5,203	5,000	4.07%	6,609	-21.27%
Electrical	45,000	9,174	7,500	22.32%	8,200	11.88%
City License	40,000	4,225	6,667	-36.63%	6,920	-38.95%
Building Plan Review Fee	100,000	18,811	16,667	12.87%	44,916	-58.12%
New Business	4,000	658	667	-1.30%	705	-6.67%
Sign Permit	6,000	1,990	1,000	99.00%	1,895	5.01%
Fence Permit	4,000	1,875	667	181.25%	1,700	10.29%
Fire Permits	6,500	1,800	1,083	66.15%	600	200.00%
Irrigation Permit	13,000	3,611	2,167	66.64%	2,241	61.11%
TOTAL LICENSES & PERMITS	\$856,500	\$177,253	\$142,750	24.17%	\$249,467	-28.95%
Fines	\$735,000	\$121,339	\$122,500	-0.95%	\$106,485	13.95%
Alarm Fees	52,788	7,345	8,798	-16.52%	6,995	5.01%
Library Fines	22,500	4,097	3,750	9.27%	2,804	46.15%
TOTAL FINES	\$810,288	\$132,781	\$135,048	-1.68%	\$116,283	14.19%

MONTHLY FINANCIAL REPORT - NOVEMBER 2014

REVENUE SOURCE	FY 2015 BUDGET	RECEIVED AS OF 11/30/2014	PROJECTED AS OF 11/30/2014	RECEIPT VS PROJECTED INCR (DECR)	RECEIVED AS OF 11/30/2013	PERCENT CHANGE OVER PRIOR YEAR
Re-zoning	\$7,500	\$1,515	\$1,250	21.20%	\$2,415	-37.27%
Plat Fee/Site Plan	5,000	1,480	833	77.60%	1,750	-15.43%
Board of Adjustment	1,250	525	208	152.00%	0	100.00%
Sale of Material	100	12	17	-28.00%	473	-97.46%
Weed Mowing	6,500	1,969	1,083	81.76%	465	323.45%
Ambulance	300,000	41,765	50,000	-16.47%	81,626	-48.83%
Recreation Program	160,000	16,879	26,667	-36.70%	25,418	-33.59%
Non-Resident Fee Parks	35,000	16,995	17,500	-2.89%	17,070	-0.44%
Field Use Charge	21,000	12,965	10,500	23.48%	10,590	22.43%
Engineering & Inspection	100,000	38,741	16,667	132.44%	47,339	-18.16%
Colleyville Center Rental	257,250	34,989	35,875	-2.47%	28,913	21.02%
Lot Drainage Insp Fee	13,000	3,375	2,167	55.77%	2,125	58.82%
TOTAL CHARGES FOR SERVICE	\$906,600	\$171,209	\$162,767	5.19%	\$218,183	-21.53%
SRO Officer Reimb	\$94,282	\$0	\$0	0.00%	\$0	0.00%
Keller Court	217,697	0	0	0.00%	0	0.00%
TOTAL INTERGOVERNMENTAL	\$311,979	\$0	\$0	0.00%	\$0	0.00%
Sale of Surplus Property	\$5,000	\$3,798	\$833	355.70%	\$0	100.00%
Interest Income	35,000	0	0	0.00%	0	0.00%
Miscellaneous	55,000	35,335	9,167	285.47%	29,682	19.04%
Use of Available Cash	1,000,000	0	0	0.00%	0	0.00%
Antenna Lease	70,040	7,323	4,762	53.80%	9,037	-18.96%
TOTAL MISCELLANEOUS	\$1,165,040	\$46,455	\$14,762	214.70%	\$38,718	19.98%
Transfers-In	\$1,182,919	\$0	\$0	0.00%	\$0	0.00%
TOTAL TRANSFERS	\$1,182,919	\$0	\$0	0.00%	\$0	0.00%
TOTAL GENERAL FUND REVENUES	\$23,063,580	\$1,627,016	\$1,483,551	9.67%	\$1,738,273	-6.40%

MONTHLY FINANCIAL REPORT - NOVEMBER 2014

	FY 2015 BUDGET	THROUGH 11/30/2014	THROUGH 11/30/2013	TOTAL INCREASE (DECREASE)	PERCENT INCREASE (DECREASE)
% OF CURRENT TAX ROLL COLLECTED	99.5%	9.47%	12.09%	-2.62%	-21.67%
RESIDENTIAL BLDG PERMITS	118	25	21	4	19.05%
COMMERCIAL BLDG PERMITS	6	2	1	1	100.00%
CITATIONS ISSUED	11,500	1,590	1,806	(216)	-11.96%

GENERAL FUND EXPENSES

	FY 2015 BUDGET	EXPENDED THROUGH 11/30/2014	YEAR-TO-DATE PROJECTED EXPENDITURES	% OF BUDGET EXPENDED	BUDGET REMAINING
City Council	\$188,506	\$43,884	\$46,418	23.28%	\$144,622
City Manager	606,286	91,500	101,048	15.09%	514,786
City Secretary	209,919	30,662	34,987	14.61%	179,257
Finance	407,827	72,730	77,971	17.83%	335,097
Legal	130,460	17,991	21,743	13.79%	112,469
Engineering	380,608	69,763	71,435	18.33%	310,845
Economic Development	302,995	32,784	50,499	10.82%	270,211
Building Inspection	281,134	53,352	56,856	18.98%	227,782
Community Development	349,709	30,684	38,285	8.77%	319,025
Fire	4,568,006	831,045	841,334	18.19%	3,736,961
Police	4,408,293	816,879	819,716	18.53%	3,591,414
Parks	1,300,258	148,092	156,710	11.39%	1,152,166
Recreation	357,823	39,014	39,637	10.90%	318,809
Street Maintenance	4,083,178	369,970	380,530	9.06%	3,713,208
Library	724,124	99,651	120,687	13.76%	624,473
Communications	168,267	20,151	28,045	11.98%	148,117
Colleyville Center	358,155	52,373	59,693	14.62%	305,782
Human Resources	274,930	20,074	45,822	7.30%	254,856
Municipal Court	399,733	64,332	66,622	16.09%	335,401
Fleet Services	232,003	32,054	38,667	13.82%	199,949
Facility Services	518,004	52,522	61,334	10.14%	465,482
Information Services	1,126,415	269,728	272,736	23.95%	856,687
Non Departmental	925,160	152,436	154,193	16.48%	772,724
Capital Equipment Reserve	542,000	0	0	0.00%	542,000
Compensation Adjustment	184,425	0	0	0.00%	184,425
TOTAL EXPENSES	\$23,028,218	\$3,411,671	\$3,584,966	14.82%	\$19,616,547

MONTHLY FINANCIAL REPORT - NOVEMBER 2014

UTILITY FUND

REVENUE SOURCE	FY 2015 BUDGET	RECEIVED AS OF 11/30/2014	PROJECTED AS OF 11/30/2014	RECEIPT VS PROJECTED INCR (DECR)	RECEIVED AS OF 11/30/2013	PERCENT CHANGE OVER PRIOR YEAR
Water Sales	\$9,820,661	\$2,272,101	\$1,865,926	21.77%	\$1,788,765	27.02%
Sewer Sales	3,053,229	556,811	508,872	9.42%	580,761	-4.12%
Sewer Installation	7,000	2,700	1,167	131.43%	2,000	35.00%
Water Installation	21,000	5,331	3,500	52.30%	4,680	13.90%
Sewer Tie-on Charges	5,000	0	0	0.00%	-	0.00%
Engineering Charges	5,000	20,039	833	2304.69%	28,293	-29.17%
Penalties	190,112	43,964	31,685	38.75%	48,357	-9.08%
Miscellaneous	13,000	2,461	2,167	13.60%	2,810	-12.41%
TOTAL OPERATING INCOME	\$13,115,002	\$2,903,406	\$2,414,149	20.27%	\$2,455,666	18.23%
Interest Income	\$20,300	\$0	\$0	0.00%	\$0	0.00%
Use of Available Cash	250,000	0	0	0.00%	0	0.00%
TOTAL NON-OPERATING INCOME	\$270,300	\$0	\$0	0.00%	\$0	0.00%
TOTAL INCOME	\$13,385,302	\$2,903,406	\$2,414,149	20.27%	\$2,455,666	18.23%

	THROUGH 11/30/2014	THROUGH 11/30/2013	TOTAL INCREASE (DECREASE)	PERCENT INCREASE (DECREASE)
GALLONS OF WATER SOLD	497,649,400	403,877,100	93,772,300	23.22%
NUMBER OF WATER CUSTOMERS	9,531	9,403	128	1.36%

UTILITY FUND EXPENSES

	FY 2015 BUDGET	EXPENDED THROUGH 11/30/2014	YEAR-TO-DATE PROJECTED EXPENSES	% OF BUDGET EXPENDED	BUDGET REMAINING
Billing	\$381,081	\$37,422	\$38,514	9.82%	\$343,659
Operations	10,546,206	1,582,797	1,587,701	15.01%	8,963,409
Utility Support	1,101,132	172,376	183,522	15.65%	928,756
Non-Departmental	305,133	55,438	58,356	18.17%	249,695
Debt Service	490,100	6,533	6,533	1.33%	483,567
Compensation Adjustment	21,733	0	0	0.00%	21,733
Transfer to General Fund	1,160,255	0	0	0.00%	1,160,255
TOTAL EXPENSES	\$14,005,640	\$1,854,566	\$1,874,625	13.24%	\$12,151,074

RESOLUTION R-14-3827

**A RESOLUTION APPROVING CITY COUNCIL ACTION
UNDER BUSINESS AT THE REGULAR CITY COUNCIL MEETING OF
DECEMBER 16, 2014**

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

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

Sec. 1. THAT the agenda decisions approved by City Council action under Business this date and not otherwise adopted by Ordinance and/or separate Resolution as follows are hereby adopted:

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS
ON THIS THE 16TH DAY OF DECEMBER 2014.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor