



City of Colleyville City Council Agenda

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

Tuesday, January 6, 2015

City Council Chambers

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

CALL TO ORDER

PC-1 Discussion and overview of Code Enforcement

PC-2 Discussion and overview of Economic Development Incentives Guidelines and Criteria

PC-3 Discussion of the January 6, 2015, 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 551.074 - Personnel - Deliberate the appointment, employment, evaluation, and duties of the city manager

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: Darren Lee, Counselor in Bishopric, Church of Jesus Christ
of Latter-day Saints, Colleyville**

PLEDGE OF ALLEGIANCE: City Attorney Matthew Boyle

**2. EXECUTIVE SESSION: CONSIDER AND TAKE ANY ACTION(S)
NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE
SESSION - Resolution R-15-3828**

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 service to a City Board, Commission, or Committee

Proclamation in recognition of Randy Bright, the 2014 Employee of
the Year - Mayor David Kelly

4. CONSENT: READING AND PUBLIC HEARING- Resolution R-15-3829

4a Approval of the minutes of the regular City Council meeting of
December 16, 2014

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

5a 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

5b 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

**6. ORDINANCE(S):
FIRST READING AND PUBLIC HEARING****6a Ordinance O-15-1946**

Approval of the adoption of the City of Colleyville Water Conservation and Drought Contingency Plan, 2015

7. RESOLUTION(S): READING AND PUBLIC HEARING**7a Resolution R-15-3830**

Consideration of a waiver request to amend Trail 36 of the Parks and Trails Master Plan

7b Resolution R-15-3831

Consideration of a waiver request to the sidewalk requirement on Lot 1, Block D, of The Legacy subdivision located in the 800 block of Lavaca Trail, Case GC14-021

7c Resolution R-15-3832

Approval of a combination preliminary/final plat on Lot 1, Block 1, of the Lavaca Trail Addition; Lot 1, Block 1, of the Miller Addition; Lot 1, Block 1, of the Lancaster Hill Addition; Lot A, of the Giacomini Addition; and Tract A and Tract B, of the McEwing Subdivision, located at 711, 715, 805, 809, 813, and 901 Lavaca Trail, Case PC14-025

8. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA**9. REPORTS**

Architectural Review Commission Meeting Minutes - May 5, 2014

10. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR JANUARY 6, 2015 - READING AND PUBLIC HEARING - RESOLUTION R-15-3833

11. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards Friday, January 2, 2015 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 01/06/2015

Type Pre Council

Department Police

Title

Discussion and overview of Code Enforcement

Explanation

The mission of the Code Enforcement Unit is to create and maintain a safe and healthy community environment through the reasonable enforcement of City of Colleyville codes and ordinances.

The goal of Code Enforcement is to eliminate public nuisances within the neighborhoods and commercial areas by responding to nuisance complaints promptly and in a professional manner. The Code Enforcement Officer is expected to be courteous with citizens and knowledgeable of nuisance ordinances, sign codes, and zoning ordinances. The Code Enforcement Officer strives to obtain voluntary compliance of nuisances through community education and by appealing to civic responsibility. In most circumstances, the first course of action to a violation is to give written notice to the property owner or person in control of the subject property. A citation is typically only issued if there is no responsible action taken to correct the violation by the property owner.

Currently, the Code Enforcement Unit is comprised of one certified Code Enforcement Officer II. The Code Enforcement Officer reports directly to the Police Department's Services Lieutenant. The Services Lieutenant also supervises the Criminal Investigations Division, Property Unit, School Resource Officers, School Crossing Guards, Warrant Officer, and Personnel and Training. To maintain certification, the Code Enforcement Officer is required to obtain eight continuing education units (CEU) per year. This requirement is generally accomplished through an annual one week training course.

Most code enforcement activity is generated proactively. In fact, 77 percent of the activity generated in 2014 has been self-initiated by staff. This is an increase of nine percent over 2013. The Code Enforcement Officer, when not working a specific complaint, monitors the major thoroughfares and other areas where common violations occur. The most common violations are related to the sign ordinance, particularly illegal temporary signs. Other common violations are high grass and weeds, trash and debris, and stagnant or unsecured pools. The Code Enforcement Officer averages approximately 134 open cases per month. This is a significant workload for one officer. However, with the current resurgence in development within the City of Colleyville, Code Enforcement has seen a 10 percent reduction in new cases as compared to last year. A large part of the reduction is due to vacant lots that had

been cited for high grass and weeds in the past, are now under development. Also, commercial redevelopment has corrected or removed some older structures that were problems.

A specific focus of the Code Enforcement Unit over the last few years has been to create lasting solutions to chronic problem properties. Staff has become more adept at problem solving and the success is evident through the abating of some of these chronic problem properties. Part of the problem solving process has been to incorporate code enforcement discussions into the Police Department's monthly Compstat meeting. The discussions within this larger group of employees can lead to creative solutions and at the very least, makes everyone aware of the issue. While chronic problem properties are not plentiful in Colleyville, the few we do have create a significant issue for the surrounding neighborhood and the Code Enforcement Officer. To address these properties in a more efficient manner, a work group is being established that will bring all of the internal partners together to create an action plan. This group will review any chronic problem properties to determine which enforcement actions are warranted and will quickly bring the property into compliance. This process brings into focus another goal of the Code Enforcement Unit, which is to enhance the working relationship with internal partners. The primary internal partner of Code Enforcement is the Police Department. This partnership goes further than strictly supervision. For example, Patrol Officers serve as additional eyes and ears in identifying code violations and in some limited incidents, may take enforcement action. Other internal partners include Randy Bright, the Environmental Compliance Officer, who is assigned to Public Works, Les Folse, Building Inspector in Community Development, Robert McKeown, the Fire Marshal, and Animal Control.

Moving forward, the Code Enforcement Unit will evaluate the current technology utilized and monitor industry trends to determine if new technologies would be beneficial. It will also be important to realize that as Colleyville continues to age as a community, code enforcement issues will likely rise as well. The changing community and the aging demographics of the residents could further strain resources. A possible solution to the anticipated future workload, is to develop a volunteer group, similar to the Police Department's Citizens on Patrol. Staff has begun reviewing established Code Enforcement volunteer programs in other cities to determine if such a program would work well here.

The Code Enforcement Unit recognizes that it plays a significant role in maintaining the exceptional and unique quality of life found in Colleyville. Staff will continue to look for ways to improve the level of service and model the Colleyville Way.

Attachments

1. Overview of Code Enforcement Presentation

Mission Statement

The Mission of the Code Enforcement Unit is to create and maintain a safe and healthy community environment through the reasonable enforcement of City of Colleyville codes and ordinances.

Complaint Process

The screenshot shows a web browser window displaying the official website of the City of Colleyville, Texas. The browser's address bar shows the URL: <http://user.govoutreach.com/colleyville/support.php>. The website features a large banner image of a golf course with the text "CITY OF COLLEYVILLE" in the top right corner. Below the banner is a navigation menu with links: HOME, CITIZENS, BUSINESS, VISITORS, GOVERNMENT, DEPARTMENTS, and ABOUT US. On the left side, there is a search bar and a sidebar with two featured items: "Active Adult" and "Orange Barrel Road Report". The main content area displays a "Citizens Request" form. The form includes a login section for returning visitors, a section for new requests, and a detailed description of the request. The form is titled "Citizens Request" and has a sub-header "For return visitors, sign in here". The login section includes fields for "User name" and "Password", and a "Remember me" checkbox. Below the login section, there is a link for "Password assistance?". The main request section is titled "Or tell us how we may assist you by entering your request below". It includes a note about the size limitation of attachments (2MB per attachment with a maximum size of 10MB per request). The form has a "Request type" dropdown menu set to "Problem". Below this, there is a "Select a Topic" dropdown menu set to "Please select". There is a "Photo or file attachment" section with a "Browse..." button and a "attach" link. A text area for "Please describe your problem or question in detail" is also present. The bottom of the page shows a footer with the text "You may have seen your picture tell us how you can be contacted".

- Citizen complaints are received from our website, phone, and email
- A follow up site visit is conducted and if a violation is found, verbal and written notification is made
- A site re-inspection is conducted in 10 days

Common Violations

Junked Vehicles



High Grass / Weeds



Erosion Control



Stagnant Pools



Substandard Fencing



Trash, Garbage, and Debris



Sign Ordinances



Dangerous Buildings



Code Enforcement Activity by Violation
January 1, 2014 through December 31, 2014

- (1102) Signs
- (286) Nuisance Violations
- (158) High Grass / Weeds
- (109) Trees
- (65) Trash, Debris, Garbage
- (31) Pool
- (30) Residential Watering
- (30) Junk Vehicles
- (11) Zoning Violations
- (10) Building Abatements
- (9) Commercial Watering
- (2) Illegal Dumping

Before and After



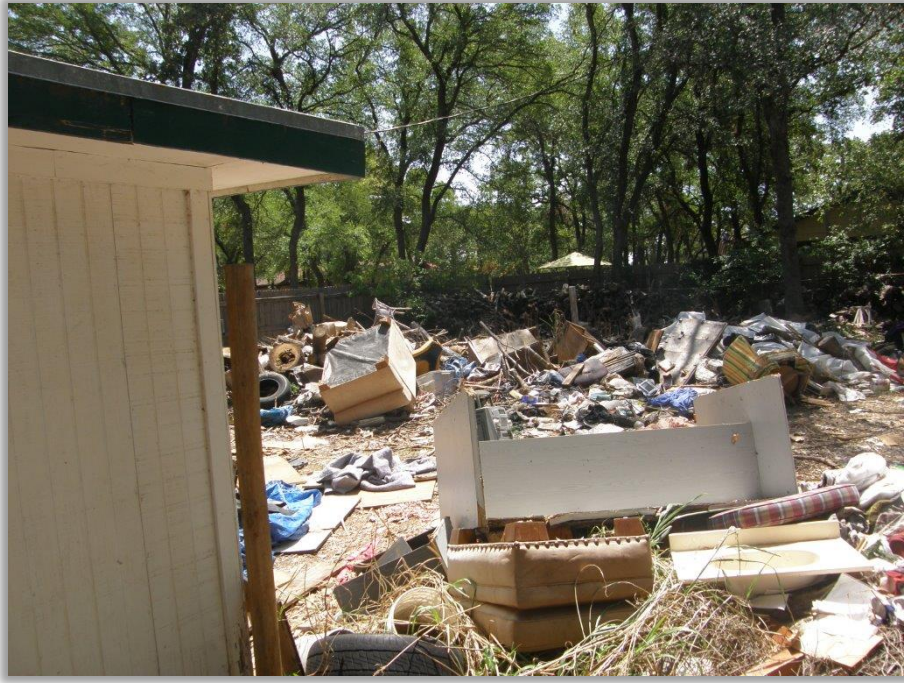
Before and After



Before and After



Before and After



Before and After



Collaborative Partnerships

- Police Department
- Public Works
- Fire Department
- Community Development
- Building Inspectors
- Animal Control
- Parks Department
- Health Department
- Neighborhood Associations



Process Improvements

- Increased Oversight
 - Weekly activity meetings
 - Monitoring case management through Unit's software
- Outreach and Education
 - Updated informational brochures
 - Website updated with informational links
- Activity Dashboard

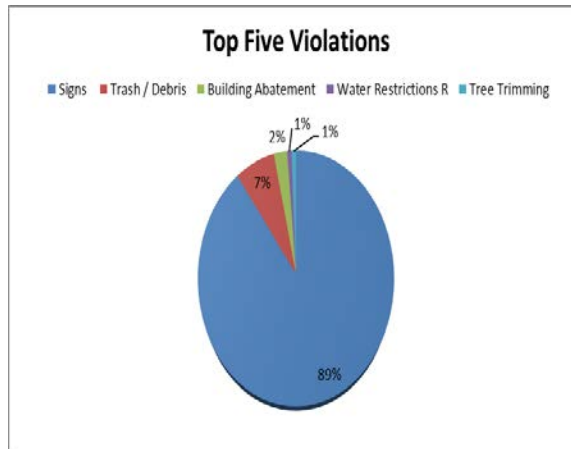
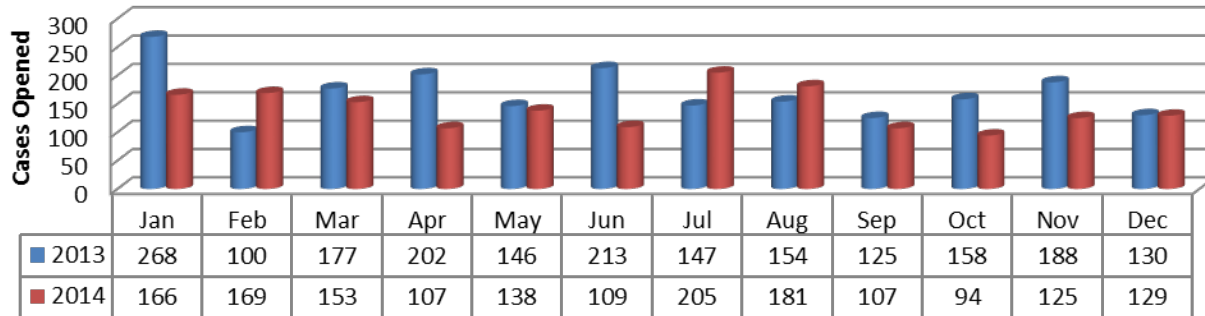
COLLEYVILLE CODE ENFORCEMENT ACTIVITY – DECEMBER 2014

In December 2014, Code Enforcement opened 129 new cases, and successfully resolved 133 cases.

Other achievements included:

- Initiated 126 proactive cases
- Responded to 100% of all complaints in 1 day or less
- Inspected 100% of all complaints within 48 hours
- 119 signs removed
- On average, gained compliance within 10 days from the date of initial complaint
- Completed 10 on-site visits with property owners to educate them on code enforcement violations and resources available to bring properties into compliance
- Conducted 16 on site inspections and 145 re-inspections. Issued 14 notices of violations.
- Zero citations issued due to voluntary compliance

Twelve Month Code Enforcement Case History



- **Signs** **119**
- **Trash/Debris** **9**
- **Building Abatement** **3**
- **Tree Trimming** **1**
- **Water Restrictions R** **1**

Future Projects

- Chronic Problem Properties
 - Utilize task force approach
 - High priority with quick resolution
- Volunteer Program
 - Similar to police and fire citizen programs



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
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Agenda Number PC-2

Agenda Date 01/06/2015

Type Pre Council

Department Economic Development

Title

Discussion and overview of Economic Development Incentives Guidelines and Criteria

Explanation

The State of Texas requires any municipality, which desires to consider applications for economic development incentives, to approve associated Guidelines and Criteria every two years. The time has come for the Colleyville City Council to update the Guidelines and Criteria approved on December 4, 2012.

At this time, staff does not recommend removing or revising any portion of the existing Incentives Guidelines and Criteria, other than to add a new Matching Grant category to assist businesses along SH26/Colleyville Boulevard with the cost of constructing joint access easements:

3. Joint access easements between adjoining businesses of any type located along Colleyville Boulevard (i.e. toward paving costs associated with construction of new access easements).

An easement is the right to use the real property of another property owner for a specific purpose. In these cases, it will be for shared access between two adjoining businesses or commercial property owners with business tenants.

Engineering staff is in the process of identifying and analyzing prospective locations for new joint access easements between existing businesses along SH26/Colleyville Boulevard, and will have examples to share with City Council at a later date. Thus far, 10 prospective sites have been identified where owners may be eligible to apply for such assistance. The cost for the joint access easements can range from a few thousand dollars to tens of thousands of dollars depending on the site conditions.

The idea for a new Matching Grant category originated out of Phase I of the SH26 reconstruction project, and staff believes such an addition may provide timely assistance to businesses along the path of Phase II and III. As within the existing Matching Grant Program, the maximum amount of each request is \$30,000 for a \$60,000 investment. Grants would be paid out of the City's Strategic Initiatives Fund, and would need approval solely by City Council. The available cash balance of the Strategic Initiatives Fund as of December 31, 2014 is \$295,954.83. Additionally, the Tax Increment Financing Fund is a potential source of funding for the joint access easements matching grants.

Staff is seeking direction from City Council on this proposed change. If this addition is approved by City Council, a resolution will be brought forward at a future date for City Council consideration.

A draft of the proposed Guidelines and Criteria, which includes the new matching grant category for joint access easements, is attached.

Attachments

1. Economic Development Incentives Draft Guidelines and Criteria Presentation
2. Draft Guidelines & Criteria - 2015 Update

ECONOMIC DEVELOPMENT INCENTIVES DRAFT GUIDELINES & CRITERIA

PRE COUNCIL MEETING

January 6, 2015

Incentive *Guidelines & Criteria*

- ✓ **Last *Guidelines & Criteria* were approved December 4, 2012 by Resolution R-12-3565.**
- ✓ **State Law stipulates municipalities must consider and approve a set of *Guidelines & Criteria* every two years, if they desire the opportunity to consider incentive applications.**
- ✓ **Colleyville's existing *Guidelines & Criteria* have facilitated redevelopment, reinvestment, and expansion, without generating an abnormal or unmanageable number of applications or requests.**

Incentive Guidelines & Criteria - 2015 Update

- ✓ **One addition suggested by Public Works Department staff to assist businesses along Colleyville Boulevard/SH26, is facilitating new joint access easements through the Matching Grant Program**
- ✓ **Maximum City participation amount of joint access grant is \$30,000**
- ✓ **City Council approval required**

Incentive Guidelines & Criteria – Proposed addition

Matching Grants

- 3. Joint access easements between adjoining businesses of any type located along Colleyville Boulevard (i.e. toward paving costs associated with construction of new access easements).**

(Previous #3 would become #4.)

Exhibit “A”

DRAFT CITY OF COLLEYVILLE, TEXAS

ECONOMIC DEVELOPMENT INCENTIVES

GUIDELINES AND CRITERIA

Section 1. General Purpose and Objectives

General Purpose

The policy herein is intended as a guide for use in developing economic development incentive packages under the provisions of state law. Notwithstanding the policy herein established, the City Council of the City of Colleyville retains the right to act within the provisions of such act without the necessity of amending the general policy and/or purpose adopted within this set of *Guidelines and Criteria*.

Objectives

The City of Colleyville, Texas, has made a long-term commitment to economic development. The City seeks to foster a more diversified tax base so that it may deliver sustainable government. Insofar as these objectives are generally served by the enhancement and expansion of the local economy, the City of Colleyville will, on a case-by-case basis, give consideration to providing tax abatements and other forms of economic development incentives as stimulation for economic growth in Colleyville. It is the policy of the City of Colleyville that said consideration will be provided in accordance with the criteria outlined in this document. Nothing herein shall imply or suggest that the City of Colleyville is under any obligation to provide any type of incentive to any applicant.

The City of Colleyville’s Economic Development Department is charged with retaining existing businesses, attracting new businesses and marketing Colleyville—with the goal of expanding the City’s commercial tax base. In keeping with this overall mission, the City has implemented a three point strategy in order to accomplish these important tasks:

- To identify and assist retail developers, corporate offices, and medical/physician specialist/laboratory-related facilities to invest and

build new, high quality, sales and property tax-generating projects in Colleyville;

- To assist landowners in the sale, development, and redevelopment of potential retail, office, and hotel sites to their highest and best use; and
- To recruit new, and retain existing, Colleyville retailers, restaurants, corporate offices, and medical/physician specialist/laboratory-related facilities and other sales tax and property tax generating businesses compatible with Colleyville's available land, land use plan, and demographics.

To achieve this goal, the City wishes to enhance its economic development efforts by developing an incentive policy to promote retention and expansion of existing retailers, restaurants, corporate offices, and medical/physician specialist/laboratory-related facilities, and to attract similar new businesses to Colleyville.

Within the context of these goals, the City of Colleyville will give consideration to providing reasonable incentives as a stimulus for new development and redevelopment on a case-by-case basis. Nothing herein implies or suggests that the City of Colleyville is under any obligation to provide any incentive to an applicant. The City recognizes that only certain businesses are worthy of incentives.

Section 2. Criteria

Any request for a tax abatement or any other type of economic development incentive shall be reviewed by the City Council. Their decision shall be based upon an evaluation of the following criteria, which each applicant will address in narrative form within or on pages attached to the City's Application for Economic Development Incentives:

Employment Impact

- Total number of full time equivalent jobs brought to Colleyville;
- Types of jobs created;
- Total annual payroll.

Fiscal Impact

- Total real and personal property value to be added to the tax roll;
- Anticipated direct sales tax to be generated at one (1) percent of taxable sales;
- Other revenues generated for the City: franchise payments, occupancy taxes, utility revenues, etc.;

- Amount of City infrastructure construction or participation required;
- Projected total annual operating budget of the facility.

Community Impact

- The expected effect the project will have on the local housing market;
- The expected environmental impact, if any, created by the project;
- The compatibility of the project with the City's Comprehensive Plan;
- The impact on neighboring businesses and/or property owners;
- The project's location (i.e. is it proposed to be located in a targeted area or an area designated for redevelopment?);
- The project's impact on the cost or provision of Colleyville municipal services;
- The project's type of business enterprise (i.e. is it among the types of businesses targeted for retention within or attraction to Colleyville?).

Competitive Impact

- The effect the project would have on existing businesses in Colleyville;
- A list of the types of products or services to be sold by the applicant which are currently sold by existing Colleyville merchants;
- A list of specific businesses seen as direct competitors to the applicant.

Please note that the City of Colleyville seeks first to retain existing businesses and therefore will consider whether an applicant will compete or potentially displace existing Colleyville businesses.

Section 3. Types of Incentives

It is the policy of the City of Colleyville to customize the provisions of economic development incentives on a case-by-case basis. This individualized design of a total incentive package is intended to allow maximum flexibility in addressing the unique concerns of each applicant while enabling the City of Colleyville to better respond to the changing needs of the community. Colleyville's goal is to adequately package incentives, with clear parameters, that are tailored to match business needs—as well as to the types of businesses Colleyville prefers. Likewise, Colleyville recognizes how incentives that encourage business growth and development are often unique to the needs of each individual business. The City is therefore open to discuss any particular incentive(s) that may be necessary for a business to ensure its success in Colleyville.

Consideration will be given to providing any type of economic development incentives not prohibited by state or federal law including, but not limited to:

tax abatements, in-lieu-of Freeport exemptions, state tax grants, and other grants in general, as well as participation in infrastructure and waiver of fees.

These economic development incentives are in addition to an ongoing tax increment financing program offered by the various taxing entities, which is not a part of this incentive program. The provision of incentives will be subject to the procedural and other requirements outlined in this document as well as those mandated by state or federal law, and by other actions of the City of Colleyville. All incentive agreements will be performance-based.

Nothing within these guidelines shall imply or suggest that the City of Colleyville is under any obligation to provide any incentive to any applicant.

Section 4. Value of Incentives

Following an assessment of the response provided to the criteria contained in Section 2, the City Council shall determine whether it is in the best interests of the City of Colleyville that economic development incentives be granted to the applicant. The review process will examine the “value added” terms of the project. Additional consideration, beyond the criteria, will include such items as the degree to which the project/applicant furthers the goals and objectives of the community or meets or compliments a special need identified by the City Council. Moreover, the City will consider whether the proposed business type is included on the targeted list identified within the three point strategy included in Section 1. Preference is given to medical/physician specialist/laboratory-related facilities and corporate office uses.

Tax Abatements:

A Tax Abatement may be offered in two categories:

1. Real Property (not located in the TIF District); and/or
2. Business and Personal Property

Real property abatements may be offered to applicants which will pursue the construction of new or expanded facilities in which to house the applicable project. The abatement may apply only to the value of improvements made.

Business Personal property abatements may be offered to applicants which will pursue the purchase or long-term lease of existing facilities. The abatement will apply to the value of new personal property brought into the taxing jurisdiction.

State law permits municipalities to grant a maximum property tax abatement of 100 percent each year for up to ten (10) years. Once a determination has been made that a tax abatement may be offered, the City will determine the value and term of the abatement according to the following schedule:

Minimum Property	Abatement Duration	Percentage of Abatement Investment Considered by Council
\$2 million*	1 st year	Up to 100%
	2 nd year	Up to 90%
	3 rd year	Up to 80%
\$5 million	1 st year	Up to 80%
	2 nd year	Up to 70%
	3 rd year	Up to 60%
\$10 million+	1 st year	Up to 60%
	2 nd year	Up to 50%
	3 rd year	Up to 40%

*Only medical/physician specialist/laboratory-related facilities are eligible for consideration.

Each application for consideration of a tax abatement, whether for Real Property or Business and Personal Property, shall include a \$1,000 tax abatement application fee. The fee shall cover the cost of staff time spent analyzing and evaluating the application's merits.

Grants

The City of Colleyville may agree to extend a grant based on the amount of revenues to be generated by the economic development project to the City of Colleyville for such categories as sales tax, occupancy taxes, utility fees, or similarly related revenues. Chapter 380 of the Texas Local Government Code also permits loans and grants of City funds and use of City staff and City facilities at minimal or no charge. Any such use must be construed as serving a "public purpose". Likewise, any type of loan, grant or waiver requires a contract between the City and the applicant.

Retail Sales Tax Grants

By contract, the City may provide an incentive consisting of an annual grant through a tax rebate, based on a percentage of the sales and use tax received by the City from the sale of taxable items by the applicant. The City is authorized by Section 380.001, Texas Local Government Code, to make such grants.

Sales and use tax means the City's one (1) percent sales and use tax on the sale of taxable items by the applicant at the applicant's business location in the City. The applicant by contract will be required to provide a sales tax certificate setting forth the applicant's collection of sales and use tax for the sale of taxable items consummated at the applicant's business location in the City for the previous ending twelve (12) calendar month period, with such supporting documentation as may be required by the City.

The grant would be conditioned on the applicant's continued ownership / occupancy of the project site.

The sales tax grants would be paid in annual installments within ninety (90) days of the end of each twelve (12) calendar month period following the issuance of the certificate of occupancy for the facility, or other commencement date if no certificate of occupancy is required. The grant would not include any of the City sales and use tax receipt from the imposition and collection of sales and use tax for taxable items consummated at any location, business establishment or by any other entity in the City, other than from the applicant's sale of taxable items at the applicant's business location in the city.

Any sales tax grant payable would be limited to the extent that the City has received sales tax from taxable sales by the applicant. The City would not be required to provide any grant for any twelve (12) calendar month period during the term of the agreement for which the City has not received sales tax revenue from taxable sales by the applicant for such twelve (12) calendar month period.

The City's obligation to pay the sales tax grants in the agreement would additionally be conditioned upon the applicant requesting and providing sales tax documentation from the Office of the Comptroller of the State of Texas.

The City may also condition the incentive upon the creation of employment, construction of improvements, certain development, continued operations for a stated period, or other public consideration. Any incentive agreement shall be written in a legally enforceable contract. The contract shall require the

applicant to construct certain improvements or expansions and contain at a minimum the following terms:

1. Generation of a certain level of sales tax;
2. An annual written certification that applicant is in compliance with the agreement;
3. Authority to terminate or modify the agreement if applicant fails to comply with agreement;
4. Minimum term of occupancy or continued operations within the City;
5. Authority/permission for the City to schedule an annual inspection of the business or facility;
6. Annual review of the business entity's financials;
7. Agreement that the applicant will not contest any Tarrant Appraisal District appraisal increases throughout the term of the contract;
8. Claw-back or recapture of any and all rebated grants should the applicant default on any portion of the contract (see Section 5. Recapture).

In the event the applicant files an amended sales and use tax return or report with the State of Texas, or if additional sales and use tax is due and owing, as determined by the State of Texas, affecting sales tax receipts for a previous twelve (12) calendar month period, the sales tax grant payment for the next twelve (12) month calendar period immediately following such State of Texas approved amendment could be adjusted accordingly; provided that the City has received sales tax receipts attributed to such adjustment. As a condition precedent to payment of such adjustment, the applicant should provide the City with a copy of any such amended sales and use tax report or return, and the approval thereof by the State of Texas.

In the event the State of Texas determines that the City erroneously received sales tax receipts, or that the amount of sales and use tax paid to the City exceeds the correct amount of sales and use tax for a previous twelve (12) calendar month period for which the applicant has received a sales tax grant, the applicant will be required within thirty (30) days after receipt of notification thereof, from the City, specifying the amount by which such sales tax grant exceeds the amount to which the applicant was entitled pursuant to such State of Texas determination, repay such amount to the City.

TIF Grants

By contract (as authorized by Chapter 312 of the Texas Local Government Code), the City may provide an incentive consisting of a Tax Increment Financing (TIF) Grant. The Economic Development TIF Grant Program has the purpose of benefiting the City, its residents, and property owners.

The objectives of the Economic Development TIF Grant Program are to promote within the TIF:

- 1) development and diversification of the economy;
- 2) elimination of unemployment and underemployment; and
- 3) development and expansion of commerce.

These objectives will be achieved by making grants and loans from the Tax Increment Fund of the TIF in an aggregate amount not to exceed the amount of tax increment produced by the City and paid into the TIF fund for activities that benefit the TIF and stimulate business and commercial activity within the TIF.

The City is authorized by Texas Local Government Code §380.001 to provide economic development grants to promote local economic development and to stimulate business and commercial activity in the City. The City Council shall make the final determination of all grant award amounts and awardees. The City Council shall also authorize by resolution, any development agreement entered into by the TIF board.

Nothing contained herein shall obligate the TIF Board or the City Council to provide grant awards, as this Economic Development TIF Grant Program does not constitute an entitlement.

Infrastructure Participation and Waiver of Fees

The City of Colleyville may agree to partial or complete cost participation for the extension, construction, or reconstruction of infrastructure necessary for the development of an economic development applicant's project. In addition, the City Council may approve the waiver of fees for, but not limited to, building permit applicants, utility taps, and similar fees.

Matching Grants

In accordance with the City Council's strategic initiatives plan, the City of Colleyville will also consider providing matching grants of up to \$30,000 for any and only one of the following types of investments through a public/private, cost-sharing program:

1. Façade improvements—Existing building façade improvements that meet the following criteria:
 - Proposed improvements must exceed City's minimum rating criteria for commercial building designs;

- Proposed improvements must be reviewed and approved by an Architectural Review Commission.
2. Signage removal and replacement—Assistance with pole sign removal and/or replacement as landscaped monument signs or landmark signs (if applicant meets the City's square footage requirement); signage plan must meet the following criteria:
 - Proposed signage removal and replacement must meet all the current requirements of the City's Land Development Code and be reviewed and approved by an Architectural Review Commission.
 3. Joint access easements between adjoining businesses of any type located along Colleyville Boulevard (i.e. toward paving costs associated with construction of new access easements).
 4. Tenant improvements for destination restaurants and retailers—Restaurants or retailers interested in applying for a matching grant for tenant improvements must not be presently located in Colleyville or any immediately adjacent city, if new, and not replicated in any adjacent city if existing; moreover, applicants must show that they will attract residents of other, neighboring communities (in addition to Colleyville residents).

Matching grants for this purpose are designed to help stimulate redevelopment and development (i.e. tenant finish out) of spaces to accommodate these types of restaurants and retailers, providing a way to attract diners, shoppers, and expenditures from other parts of our region, from even outside the region and to reduce existing leakage within the region. Those associated expenditures become additional revenues to Colleyville's businesses, wages to the employees, and tax receipts to the City.

By definition, a destination restaurant or retailer is a dining or shopping establishment that is unique to the City's primary trade area, as delineated by the Colleyville Merchandising Plan.

As it relates to the idea of "destination" restaurants and retailers, Wikipedia defines a destination restaurant as "one that has a strong enough appeal to draw customers from beyond its community."

Prentice-Hall's On-line Glossary notes that a destination retailer is "A retailer to whom consumers will make a special shopping trip." And BusinessDirectory.com adds that it is a "Popular retailer (catalog, store,

or website) from whom customers, attracted by its ambience, price, and/or variety, will make a special effort to buy.”

To qualify for matching grant consideration under Matching Grant Program category 4, applicants must illustrate their proposed restaurant or retail establishment:

- 1) Will be unique to Colleyville’s primary retail market;
- 2) Is investing a minimum of twice the amount of sought for interior tenant improvements (qualifying as real property improvements that will remain with the building in a worst case scenario), and exclusive of any equipment or fixtures (i.e. personal property which could be removed and sold on the secondary market, again in a worst case scenario).

All applications for Matching Grants associated with a new or relocating business venture occupying an existing building must also submit a written business plan for review and comment by the City’s SCORE business counseling office.

When considering applications for Matching Grants, highest priority will be given to:

1. Applicants whose property is located on or adjacent to Colleyville Boulevard (SH26). Not all projects submitted for City Council consideration have the same merit; therefore there is no guarantee that a grant will be awarded to each applicant.
2. Applicants that generate or which has signed, contingent leases with a tenant or tenants that generate sales tax revenues.

Please note, City Council will not consider applications for the same address of a previous grant recipient unless the time period of the first grant has expired, all of the original criteria have been met, and the property ownership has changed.

As identified by the Architectural Review Commission, projects having the greatest aesthetic impact in the City should likewise be given priority. In evaluating applications, they have recommended that Colleyville focus on and seek the following:

1. Projects that will encourage other restoration or redevelopment in the local proximity.
2. Projects where an immediate renovation will stop serious deterioration of the building's facade.

3. Projects that improve the architectural integrity of the building façade.
4. Projects that demonstrate collaboration with adjacent properties and will help to attract people to Colleyville.
5. Projects that will result in new or increased property values or the generation of either sales or occupancy tax revenues for the City.
6. Projects which are strategically located.
7. Projects that may have a positive impact on existing, adjacent properties.

In addition, proposed projects will be reviewed and based on the merits of individual applications. Individuals contemplating an application to the City's Matching Grant Program should note that general building maintenance is not eligible under this program. All applicants will be considered on a case-by-case basis.

Matching Grant incentives approved for the first ~~two~~three categories will consist of cash payments payable upon successful completion and inspection of all facility improvements or redevelopment, as outlined in an incentive agreement to be entered into between the City and the owner of the facility or facilities to receive the grant. If the City chooses to utilize the Matching Grant program for one of the first ~~two~~three categories of improvements, the City may elect to make a grant in an amount up to 50% of the cost of improvement, not to exceed \$30,000 per improvement, with a minimum business investment of \$15,000.

Matching Grant incentives approved for the ~~third~~fourth category will be paid out, likewise as outlined in an incentive agreement to be entered into between the City and the owner of the facility or facilities to receive the grant, in two equal payments within the first two years of operation (i.e. one half after improvements have been inspected and the business opens its doors and the other one half after completion of one year of operation).

Forgivable Loans

The City of Colleyville will consider providing destination restaurants or retailers (again, ones that have "a strong enough appeal to draw customers from beyond" our community or "to whom consumers will make a special shopping trip") with forgivable loans of up to an amount negotiated by the City Council, in which the restaurant or retailer is forgiven a portion of its loan for each year it is open and operates. Any loan approved under this program shall be forgiven 20% each year for up to 5 years. Thus for example, if City Council approves a forgivable loan amount of \$100,000, it is to be forgiven in annual increments of 20% or \$20,000, beginning one year after the issuance of a certificate of occupancy. The entire loan amount may be recaptured by

the City, should the restaurant or retailer suspend operations at any time within 5 years following the issuance of a certificate of occupancy.

Non-Cash Incentives

The City of Colleyville will also consider providing non-cash incentives (primarily procedural in nature) for stimulation of development and redevelopment. Such incentives include:

1. Signage and intersection improvements already funded within the CIP;
2. Fast-track planning, plans review, and permitting; as staff work level allows;
3. Dedicated inspections;
4. Corporate relocation assistance for employees and their families;
5. Employee recruitment and training, as funded through State of Texas grant programs and Tarrant County College;
6. Possible access to community bank lending through the City's CDARS program;
7. Recreational opportunities;
8. Business promotion and assistance;
9. Assistance with demolition of existing structures for redevelopment and new investment.

Public Improvement Districts

The City of Colleyville is also willing to consider the creation of Public Improvement Districts (PIDs). Public Improvement Districts may be created by a municipality at the request or with the consent of property owners. PIDs allow for the levy of voluntary assessments and the issuance of tax exempt bonds. Funds collected through PIDs and any associated bonds may be used for capital improvement projects and maintenance within the geographic area.

Section 5. Recapture

All incentive agreements shall include a provision allowing City staff access to the applicant's business and/or facilities for an annual inspection, so the City may monitor and enforce accountability. In the event a business receiving incentives from the City of Colleyville fails to perform under the agreement executed between the City and the business, the incentive obligation on the part of the City will be void. Any incentive paid to the business up to the point of failure shall be returned to the City of Colleyville in full. All incentive agreements will be negotiated and executed to include claw-back provisions.

Section 6. Procedural Guidelines

Any person, organization or corporation desiring that the City of Colleyville consider providing economic development incentives to encourage location or expansion of operations within the City limits of Colleyville shall be required to comply with the following procedural guidelines. Nothing within these guidelines shall imply or suggest that Colleyville is under any obligation to provide incentives of any amount or value to any applicant.

Preliminary Application Steps

1. Applicant shall complete an "Application for Economic Development Incentive" as provided by the City.
2. Applicant shall address all criteria questions outlined in Section 2. above directly on the application form and in letter format, if additional explanation and information are necessary.
3. Applicant shall prepare a plat showing the precise location of the property, all roadways within 200 feet of the site, and all existing land uses and zoning within 200 feet of the site. If the property is described by metes and bounds, then the applicant shall also provide a complete legal description.
4. Applicant shall present the application to the Director of Economic Development and obtain his/her signature that the package is complete before formal submission to the City.

Applicant shall complete all forms and information detailed in items 1 through 3 above and submit them to the Director of Economic Development, City of Colleyville, 100 Main Street, Colleyville, Texas 76034.

Application Review Steps

1. All information in the application package detailed above will be reviewed for completeness and accuracy. Additional information may be requested as needed.
2. The application will be distributed to the appropriate City departments for internal review and comments. Additional information may be requested as needed.
3. Copies of the complete application package and staff comments will be provided to the City Council.
4. In light of the proprietary nature of this data, all information included within the application shall remain confidential unless and until formal action is taken to establish an incentive agreement.

Consideration of the Application

The City Council will consider the application at a regular or called meeting(s). State law stipulates that incentives need to be endorsed by a local governing body. Therefore, additional information may be requested as needed.

The City Council of Colleyville may consider a resolution calling a public hearing to consider establishment of a tax reinvestment or redevelopment zone or other zone designation as deemed appropriate.

The Colleyville City Council shall hold a public hearing and determine whether the project is “feasible and practical” and whether it “would be of benefit to the land to be included in the zone and to the municipality.”

The City Council of Colleyville may consider adoption of an ordinance or resolution, as deemed appropriate, designating the area described in the legal description of the proposed project.

The City Council may consider adoption of a resolution approving the terms and conditions of a contract between the City and the applicant governing the provision of the economic development incentives.

If the City Council chooses to grant a tax abatement, the City must designate an area as a reinvestment zone. Any City designating a reinvestment zone must make two findings:

1. Proposed improvements are feasible and practical and would benefit the zone; and
2. The zone meets one of the eligible criteria for reinvestment zones. The City's criterion include:
 - 1) whether the proposed project within the zone is likely to contribute to the retention or expansion of primary employment, or
 - 2) to attract investment within the zone.



City of Colleyville City Council Agenda Briefing

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

Agenda Number PC-3

Agenda Date 01/06/2015

Type Pre Council

Department City Secretary

Title

Discussion of the January 6, 2015, 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 01/06/2015

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 551.074 - Personnel - Deliberate the appointment, employment, evaluation, and duties of the city manager

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-15-3828

**A RESOLUTION APPROVING COUNCIL ACTION
REGARDING EXECUTIVE SESSION ITEMS AT THE REGULAR
CITY COUNCIL MEETING OF
JANUARY 6, 2015**

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 6TH DAY OF JANUARY 2015.

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 01/06/2015

Type Announcements, Proclamations, and Presentations

Department City Secretary

Title

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

Proclamation in recognition of Randy Bright, the 2014 Employee of the Year - Mayor David Kelly

Attachments

1. Recognition of service to a City Board, Commission, or Committee
2. Proclamation in recognition of Randy Bright, 2014 Employee of the Year

IN RECOGNITION OF SERVICE TO A CITY BOARD, COMMISSION, OR COMMITTEE

Alan Greer

Architectural Review Commission
February 2011 – December 2014

Irma Villalobos

Colleyville Center Advisory Board
December 2012 – December 2014

Manjiri Joshi

Colleyville Events Steering Committee
December 2012 – December 2014

Patti Tanaka

Colleyville Events Steering Committee
December 2010 – December 2014

Kathryn Howlett

Colleyville Sidewalks Committee
December 2012 – December 2014

Ida Munson

Colleyville Sidewalks Committee
December 2012 – December 2014

Suzanne Hughes

Parks and Recreation Advisory Board
July 2009 – December 2014

Carel Tornes

Parks and Recreation Advisory Board
December 2012 – December 2014

Chuck McGuire

Traffic Safety Advisory Committee
December 2012 – December 2014

Vernon Noronha

Traffic Safety Advisory Committee
December 2013 – December 2014

Proclamation

CITY OF

Colleyville,
Texas

WHEREAS: Randy Bright, Environmental Compliance Officer, was nominated and selected by his peers as the City of Colleyville 2014 Employee of the Year; and

WHEREAS, the Employee of the Year Award honors an employee who embodies all of the City of Colleyville values of integrity, service, and innovation; and

WHEREAS, Randy positively impacts everyone with whom he comes into contact, and literally every Colleyville resident through his mosquito program management, where he instituted door-to-door notifications for residences in close proximity to spraying activities and conducted individual and group meetings to share information with citizens; and

WHEREAS, Randy consistently pursues innovative solutions and took the initiative to research and develop a plan to use ATVs and backpacks to spray for mosquitos in a very targeted manner, which would minimize any negative impacts; and

WHEREAS, Randy demonstrates quiet courage every day and a commitment to protect Colleyville residents by entering mosquito-infested areas where one or more mosquitoes tested positive for the West Nile Virus, to identify and treat the problem at its source; and

WHEREAS, Randy has loyally served the community through his dedication to the City of Colleyville.

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

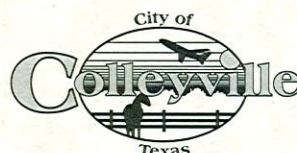
RANDY BRIGHT

for his demonstration of, and commitment to, the City of Colleyville values of integrity, service, and innovation.

IN WITNESS WHEREOF, I do hereby set my hand and seal of the City of Colleyville, Texas, affixed this 6th day of January 2015.




Mayor



RESOLUTION R-15-3829

**A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER
CONSENT ITEMS AT THE REGULAR CITY COUNCIL MEETING OF
JANUARY 6, 2015**

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 16, 2014

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _____ AYES, _____ NAYS, AND _____
ABSTENTIONS ON THIS THE 6TH JANUARY 2015.

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 16, 2014

City Council Chambers

Mayor David Kelly called the Pre Council meeting of the Colleyville City Council to order on December 16, 2014, at 4:49 p.m.

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

Absent: Councilmember Carol Wollin

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, Public Works Director Bob Lowry, City Engineer Jeremy Hutt, Project Engineer Adam Marsh, Finance Manager Karen Hines, Community Development Director Ron Ruthven, Strategic Services Manager Adrienne Lothery, Assistant City Attorney Matt Butler, and City Secretary Amy Shelley

PC-1 Presentation and discussion of the 2014 Water and Wastewater Master Plan

City Engineer Jeremy Hutt presented this item, and introduced Jeff Sober, Lance Clement, and Jeff Snowden with Garver, LLC, who briefed the City Council.

Mayor Pro Tem Taylor questioned Mr. Sober regarding standardizations with the sampling of manholes assessed. Mr. Sober replied there was not consistency throughout Colleyville with the type of manhole installed; therefore, they are all fairly different; however, 33 percent of the manholes assessed were consistent in the way in which they were installed.

Mayor Pro Tem Taylor questioned Mr. Sober regarding the criteria used for choosing those manholes. Mr. Sober replied it was based on an eight inch pipeline system; however, it did include some manholes with a six inch capacity, but only if they impacted the eight inch pipeline.

Mayor Pro Tem Taylor questioned Mr. Sober regarding if any were related to fencing or security issues. Mr. Sober replied as it relates to TCEQ, the evaluation was meeting the minimum security and safety standards.

Councilmember Mogged questioned Mr. Sober regarding if a lack of flow can become an issue. Mr. Sober replied yes, and some of those were identified.

Mayor Pro Tem Taylor questioned Mr. Sober regarding the difference between Priority 1 and Priority 2 projects relative to manholes. Mr. Sober replied Priority 1 equals a poor condition rating, and Priority 2 equals a fair condition rating, and they are outlined in the proposed master plan.

Mayor Kelly questioned Mr. Clement regarding if model adjustments were made to take into consideration the newer subdivisions, such as Remington Park. Mr. Clement explained how those newer subdivisions are contributing to the aging of the sewer system.

Councilmember Mogged questioned Mr. Clement regarding if the slope issue is from the initial installation or a soil shift. Mr. Clement replied it could be a combination of those factors, as well as improper installation or pipe shifting.

Councilmember Mogged questioned Mr. Clement regarding what might help to minimize those issues, so that it is not an issue for the future. Mr. Clement replied it begins with the modeling phase of the project, design, and using the correct materials for construction. Engineer Hutt added survey grade documents are required to verify the installation is done correctly.

Mayor Kelly questioned Mr. Clement regarding if future developments were considered with the assessment. Mr. Clement replied yes.

Mayor Pro Tem Taylor questioned Mr. Clement regarding if there is a 50 percent increase in capacity with a four to six inch pipe. Mr. Clement replied it is not a straight percentage increase, it is relative to diameter and pipe slope.

Mayor Kelly questioned Mr. Clement regarding if there is an opportunity to work with the three existing service units in the southern portion of town, rather than an elevated storage tank. Mr. Clement replied yes, and further explained needs for the area.

Mayor Kelly questioned Mr. Clement regarding if the modeling on the future usage is a Citywide average or based on location. Mr. Clement replied they used the existing build-meter data and then applied the future land use plans for development. He added it is residential specific, and based on the existing usage.

Mayor Pro Tem Taylor questioned Mr. Clement regarding the difference between the high and low plane areas. Mr. Clement explained the differences and added that the elevated storage tank at McDonwell School Road, in the high plane, has a higher level of water than the elevated storage tank at Hall-Johnson Road, in the low plane, due to maintaining the level of capacity Citywide.

Councilmember Short questioned Mr. Sober regarding if the City-identified projects were considered in this modeling. Mr. Sober replied yes.

Councilmember Mogged questioned Mr. Sober regarding if the CIP takes into consideration the ongoing aging of the infrastructure. Mr. Sober replied yes, and depending on the material and the installation the expected end of life is noted in the modeling and the master plan.

Councilmember Mogged questioned Mr. Sober regarding the total asset structure cost. Mr. Sober stated these are replacement costs.

Mayor Kelly questioned Mr. Snowden regarding if this structure is in addition to the 2,000 gallons given on the residential impacts. Mr. Snowden replied he has consolidated all of the impacts with these changes.

Mayor Pro Tem Taylor questioned Mr. Snowden regarding the number of meters in the City. Mr. Snowden stated the 4,227 number on the slide is incorrect, it should be 9,414 live meters in the City.

Councilmember Putnam questioned staff regarding if this does not take into consideration the raw water increase. City Manager Jennifer Fadden replied correct.

Councilmember Putnam stated in the end, citizens will see about a 15 percent increase. Mayor Kelly concurred. Mr. Snowden replied these rates are reflective of the ordinance, which include the pass through for purchases from TRA.

Councilmember Mogged questioned Mr. Snowden regarding the CIP funding. Mr. Snowden replied the retail rates will need to be adjusted in 2019 to keep up with growth and expenses.

Mayor Pro Tem Taylor questioned staff regarding if the end balance reflects the transfers to the General Fund. City Manager Jennifer Fadden replied yes.

Mayor Pro Tem Taylor questioned Mr. Snowden regarding if the funding of the entire CIP is in addition to the already projected increases. Mr. Snowden stated these changes do not include anything other than what this model reflects, such as TRA increases.

Councilmember Putnam would like to see a matrix with all of the projected increases. Councilmember Mogged concurred.

Mayor Kelly stated additional revenues may need to be shown, since the City does not absorb the TRA increases.

Mayor Pro Tem Taylor questioned Mr. Snowden regarding the funding of the entire CIP. Mr. Snowden stated the model is reflective of about 45-50 percent of the CIP being funded, through 2019, with the remainder to be funded by other means.

Councilmember Putnam questioned Mr. Snowden regarding if the \$11.2 million of the previous CIP program is being absorbed by the \$55 million. Mr. Snowden replied yes.

Councilmember Mogged questioned Mr. Sober regarding the future of the CIP program. Mr. Sober replied the CIP program will never go away; it will be revisited every five years.

City Manager Jennifer Fadden stated some assets have a longer life-span than 50 years. Mr. Sober concurred.

Mayor Kelly stated some thought needs to be given on these numbers to be able to incorporate them into the City's needs, just like streets. He stated this will give us a program to follow.

Councilmember Putnam stated he would like to see the raw data from the comps from other cities, such as a bill design example.

Councilmember Putnam stated he would like to have a discussion in context of the raw water increases to better understand how those will impact capital decisions.

City Manager Jennifer Fadden asked City Council if they would like more information. Mayor Pro Tem Taylor stated he would just like to know how it will hit the pocketbook. Councilmember Putnam stated he would like to know the City's identified triggers.

Councilmember Mogged stated he would like to have a sensitivity analysis done to see what it means to do these over time.

Mayor Kelly asked Mr. Sober if there is a listing of all projects with all of the variables. Mr. Sober replied yes.

City Manager Jennifer Fadden stated staff will aim to bring this back at the next Pre Council meeting so the rate structure can be done in advance of the budget process.

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

There was no presentation or briefing given by staff for this item.

Mayor Kelly stated the school zone could be removed during the reconstruction of SH26.

Councilmember Mogged stated the removal during the reconstruction seems to be the best timing.

Mayor Pro Tem Taylor stated being in favor of taking out the school zone now, versus waiting until the construction of SH26. Councilmembers Putnam and Hart concurred.

PC-3 Discussion of setting a date for a City Council infrastructure worksession

City Council set Thursday, February 19, 2015, for the worksession.

PC-4 Presentation of the Quarterly Investment Report for quarter ending September 30, 2014

There was no discussion on this item.

PC-5 Discussion of the December 16, 2014, City Council regular agenda items

There was no discussion on this item.

Mayor Kelly adjourned the Pre Council meeting at 6:42 p.m.

The regular meeting of the Colleyville City Council was called to order by Mayor Kelly at 7:34 p.m.

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

Absent: Councilmember Carol Wollin

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, Colleyville Center Manager Leslie Hill, Public Works Director Bob Lowry, City Engineer Jeremy Hutt, Finance Manager Karen Hines, Community Development Director Ron Ruthven, Strategic Services Manager Adrienne Lothery, Assistant City Attorney Matt Butler, 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 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

Mayor Kelly explained the Executive Session had been called in accordance with the Texas Government Code, Chapter 551, Subchapter D, Section 551.071, Legal, Section 551.072, Real Estate, and Section 551.087, Economic Development. He further explained there would be no decisions made or action taken during this time. The meeting was recessed at 6:42 p.m. and reconvened at 6:43 p.m.

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

This resolution was not needed.

3. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS
Announcements of civic and charitable events
Presentation of calendar events and updates
Announcements of awards and recognition

Mayor Kelly announced the Colleyville Police Department is accepting applications for the 2015 Citizen Police Academy which runs February 5 – April 23, 2015. He explained classes meet on Thursdays from 6:30-9:30 p.m., and for more information contact Dorothy Tyler at 817-503-1241. Mayor Pro Tem Taylor concurred and encouraged everyone to participate, and he expressed his appreciation to public safety for their service to Colleyville.

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

Mayor Kelly and Economic Development Director Marty Wieder recognized Chef Didier Viriot, Owner and Executive Chef; Jean-Loup Schyns, Owner; and Nanou Viriot, Owner, of Citrus Bistro, as the featured business of the month. Chef Viriot expressed his appreciation for the recognition.

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

Mayor Kelly presented the Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting to Assistant City Manager and Chief Financial Officer Terry Leake, and Finance Manager Karen Hines.

Recognition of employees' years of service

Mayor Kelly presented certificates to employees in recognition of their years of service to the City. The following employees were present to receive their certificates: Christine Kuderer, Lauren LeCren, Trey Lee, Chad Beasley, Erica Gill, Amy Shelley, Roy Fergason, Jeremy H. Lewis, Eddie Moran, and Dorothy Posey.

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

Mayor Kelly read Resolution R-14-3815 in its entirety.

Mayor Kelly opened the public hearing at 7:54 p.m.

There was no one present wishing to speak and Mayor Kelly closed the public hearing at 7:54 p.m.

Councilmember Mogged moved to approve Resolution R-14-3815. Councilmember Putnam seconded the motion.

The motion to approve carried by the following vote:

Aye: 6 – Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Chuck Mogged, Chris Putnam, Jody Short, and Tom Hart

Absent: 1 – Councilmember Carol Wollin

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

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 7:55 p.m.

Terry Muno, 3512 Meadowlark Lane, presented this item and briefed the City Council.

There were no others present wishing to speak and Mayor Kelly closed the public hearing at 7:56 p.m.

Mayor Kelly moved to approve Ordinance O-14-1940. Councilmember Hart seconded the motion.

The motion to approve carried by the following vote:

Aye: 6 – Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Chuck Mogged, Chris Putnam, Jody Short, and Tom Hart

Absent: 1 – Councilmember Carol Wollin

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.

There was no presentation or update provided by staff.

Allen Frank, Black Forest Ventures, applicant, presented this item and briefed the City Council.

Mayor Kelly opened the public hearing at 7:57 p.m.

There were no others present wishing to speak and Mayor Kelly closed the public hearing at 7:57 p.m.

Councilmember Hart moved to approve Ordinance O-14-1941. Mayor Pro Tem Taylor seconded the motion.

The motion to approve carried by the following vote:

Aye: 6 – Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Chuck Mogged, Chris Putnam, Jody Short, and Tom Hart

Absent: 1 – Councilmember Carol Wollin

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 8:01 p.m.

Matthew Cragun, applicant, presented this item and briefed the City Council.

Jeff Lowery, 5250 SH121, Colleyville, spoke in opposition to this request with concerns for the size of the proposed building, parking, and the overall hotel use.

Thomas Whelan, 2501 North Harwood, Dallas, attorney for Compadres LLC., spoke in opposition to this request with concerns for the overall hotel use, fencing, and parking.

Alex Georgiadis, 5250 SH121, Colleyville, spoke in opposition to this request with concerns for the proposed size of the structure.

Bruce Williams, 5250 SH121, Colleyville, spoke in opposition to this request with concerns for the traffic.

Rodger De Sarno, 302 Del Mar Court, Colleyville, spoke in opposition to this request with concerns for the proposed height of the structure.

Julia Barth, 4810 Shadywood Lane, Colleyville, spoke in support of this request.

Louis Miller, 7802 Tillman Hill Court, Colleyville, stated neither being in support of or in opposition of this request, but that Colleyville does need to maximize the uses in the commercial areas.

Aaron Siddique, 1502 Royal Lane, Colleyville, spoke in support of this request.

Carolyn Ann Walgren, 1925 Waterford Drive, Grapevine, spoke in opposition to this request with concerns for safety, crime to businesses and residents, possible security threats, parking, and increased traffic.

Nelson Thibodeaux, 5612 Coventry Court, Colleyville, spoke in opposition to this request with concerns for the quality of this hotel at this location, with this site plan. He stated Colleyville does need a hotel, just not this one.

Julie Glenn, 2901 Highgrove Court, Colleyville, spoke in opposition to this request with concerns for the hotel use, safety, and traffic.

The following persons did not wish to speak, but did wish to register their support: Sharon Siddique, 1502 Royal Lane, Colleyville; and Mo Siddique, 1502 Royal Lane, Colleyville.

The following persons did not wish to speak, but did wish to register their opposition: Annette Walters, 6215 Theresa Lane, Colleyville; Janet Borgman, 1800 Rolling Ridge Drive, Grapevine; and Mark Walgren, 1925 Waterford Drive, Grapevine.

Mr. Cragun requested City Council table this request to the next meeting to allow the applicant time to address the parking concerns.

There were no others present wishing to speak and Mayor Kelly closed the public hearing at 8:46 p.m.

Mayor Kelly questioned staff regarding if the hotel use is allowed by right, with the current zoning. Director Ruthven replied yes.

Mayor Kelly questioned staff regarding if fencing is required between the school and hotel property. Director Ruthven replied no.

Mayor Kelly questioned staff regarding if fencing is required between the restaurant and hotel property. Director Ruthven replied no.

Mayor Kelly stated this property was zoned in this district prior to the schools existence. Director Ruthven concurred.

Mayor Kelly explained the various uses that would be allowed with the current zoning district, as outlined by the Land Development Code.

Mayor Kelly asked City Councilmembers if they would accept the continuation of this item as requested by the applicant to the January 6, 2015 meeting. Councilmember Mogged stated he would be in favor of such.

Councilmember Mogged moved to continue Ordinance O-14-1942 to the January 6, 2015 meeting with a public hearing. Councilmember Hart seconded the motion.

Mayor Pro Tem Taylor questioned Mr. Cragun, for clarification, the product in which the hotel is branded. Mr. Cragun stated it is a Hilton product.

Mayor Pro Tem Taylor asked Mr. Cragun if breakfast would be served in the hotel. Mr. Cragun replied yes, but that he was not 100 percent sure.

Mayor Pro Tem Taylor stated he has seen parking to be an issue with hotels, especially with busses and recreational vehicles.

Mayor Pro Tem Taylor questioned Mr. Cragun regarding if the fifth story is necessary. Mr. Cragun replied yes.

Councilmember Mogged suggested underground parking. Mr. Cragun replied they are not opposed to looking into alternative parking arrangements.

Councilmember Putnam questioned Mr. Cragun regarding the solutions to solve the parking issues. Mr. Cragun replied they are trying to work with local establishments for shared parking agreements.

Mayor Pro Tem Taylor stated if the fifth floor was eliminated, the parking issues would be resolved. Mr. Cragun concurred.

Councilmember Short stated there are some substantial obstacles to overcome.

Councilmember Hart asked Mr. Cragun if he understands there is a super majority vote required. Mr. Cragun replied yes.

The motion to continue to the January 6, 2015 meeting carried by the following vote:

Aye: 5 – Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Chuck Mogged, Jody Short, and Tom Hart

Nay: 1 – Councilmember Chris Putnam

Absent: 1 – Councilmember Carol Wollin

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

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 9:00 p.m.

Pat Atkins, 5064 N. McArthur, Irving, applicant, presented this item and briefed the City Council.

Bradford Foster, 5205 Bugle Lane, spoke in opposition to this request with concerns for density, and the plans for the construction of Roberts Road.

Richard Bangs, 3509 Fox Meadows Drive, spoke in opposition to this request with concerns for density, traffic, and the condition of Roberts Road.

Paul Heilman, 3509 Fox Glen Drive, spoke in opposition to this request with concerns for increased traffic, increased density, and the condition of Roberts Road.

Marietta Klein, 200 Freemont, spoke in support of this request.

The following person did not wish to speak, but did wish to register opposition to this request: Keenan Roach, 3504 Fox Meadows Drive.

The following person did not wish to speak, but did wish to register support to this request: Dennis Wiles, 200 Freemont Court.

There were no others present wishing to speak and Mayor Kelly closed the public hearing at 9:16 p.m.

Mayor Kelly questioned staff regarding the plans for Roberts Road. Director Ruthven replied the roadway impact fees are assessed when the building permit fees are assessed. He stated a perimeter street fee is required for Roberts Road by the developer.

Mayor Kelly questioned staff regarding the opposition map. Director Ruthven replied the opposition stands at 14 percent.

Mayor Kelly questioned staff regarding roadway ownership. Director Ruthven stated Roberts Road is not a right-of-way, it is a public easement which allows public access. City Manager Jennifer Fadden stated the City has prescriptive rights.

Mayor Kelly questioned Mr. Atkins regarding the open space requirements. Mr. Atkins replied there have been variations to this development; however, the justification is that the open space is sufficient to the yield of the property, almost 17 percent of the overall property. He stated it is adjacent to a school with substantial open space. He stated two lots could be eliminated to meet the open space requirements, and that he would be willing to do so, if City Council deems it necessary.

Mayor Kelly asked Mr. Atkins if the economics of the development was built upon the 1.8 percent open space. Mr. Atkins stated they believed being adjacent to a school with substantial open space was their justification of the percentage of open space. He stated they were aware of the 20 percent required for open space.

Mayor Kelly asked Mr. Atkins if this site plan considers the right-of-way for Roberts Road. Mr. Atkins replied the site plan varies throughout to give some variation to the brick wall running along Roberts Road. He stated they will meet the right-of-way requirements for Roberts Road.

Mayor Kelly stated the plat may reflect the actuals versus the conceptual site plan. Mr. Atkins stated he understood.

Councilmember Short questioned Mr. Atkins regarding how the open space along Roberts Road will work. Mr. Atkins replied the wall will follow the open space corridor along Roberts Road, and the open space in front of the wall will be landscaped and open.

Councilmember Hart questioned Mr. Atkins regarding if they would prefer to continue this to the next meeting to have better drawings. Mr. Atkins replied yes, a continuance. He stated he would make the modifications to have the correct right-of-way, and the 20 percent open space.

Councilmember Mogged stated it has been quite some time since a development of this density has been submitted.

Councilmember Putnam stated the density is a problem, and he encouraged the applicant to provide a development with significantly less density.

Mayor Pro Tem Taylor questioned staff regarding Roberts Road. Director Ruthven replied Roberts Road is currently unimproved, and roadway impact fees are due at the time of the issuance of the building permits. He stated the developer could enter into a City Developer Agreement for the completion of all of Roberts Road, the road cost would then be shared by the City and the developer. He stated the developer is only responsible for the completion of 37.5 feet of right-of-way, and 27 feet of the pavement width.

Mayor Pro Tem Taylor stated being in favor of doing the road now, rather than putting it in escrow.

Councilmember Short moved to continue Ordinance O-14-1943 to the January 6, 2015 meeting with a public hearing. Mayor Kelly seconded the motion.

Mayor Pro Tem Taylor asked Councilmember Putnam to define significantly. Councilmember Putnam stated the density should be the average of at least 4.6 or below.

The motion to continue to the January 6, 2015 meeting carried by the following vote:

Aye: 6 – Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Chuck Mogged, Chris Putnam, Jody Short, and Tom Hart

Absent: 1 – Councilmember Carol Wollin

Mayor Kelly recessed the meeting at 9:42 p.m.

Mayor Kelly reconvened the meeting at 9:54 p.m.

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 explained the applicant has submitted a letter to withdraw this item.

Mayor Kelly opened the public hearing at 9:55 p.m.

There was no one present wishing to speak and Mayor Kelly closed the public hearing at 9:55 p.m.

Mayor Kelly moved to approve the applicant's request to withdraw this item. Mayor Pro Tem Taylor seconded the motion.

The motion to approve carried by the following vote:

Aye: 6 – Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Chuck Mogged, Chris Putnam, Jody Short, and Tom Hart

Absent: 1 – Councilmember Carol Wollin

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.

There was no staff presentation or brief given for this item.

Mayor Kelly opened the public hearing at 9:57 p.m.

There was no one present wishing to speak and Mayor Kelly closed the public hearing at 9:57 p.m.

Mayor Kelly moved to approve Ordinance O-14-1945. Councilmember Short seconded the motion.

The motion to approve carried by the following vote:

Aye: 6 – Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Chuck Mogged, Chris Putnam, Jody Short, and Tom Hart

Absent: 1 – Councilmember Carol Wollin

6. RESOLUTION(S): READING AND PUBLIC HEARING

6a Resolution R-14-3816

Consideration of appointments to the Colleyville Center Advisory Committee

Mayor Kelly read Resolution R-14-3816 in its entirety.

Mayor Kelly opened the public hearing at 9:58 p.m.

There was no one present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 9:58 p.m.

Councilmember Hart moved to approve Resolution R-14-3816 with the following appointments: Louis Miller (At-Large); Paul Vigiletti (At-Large); and Amy Redfearn (At-Large); Julie George (Colleyville Garden Club); Tom Westerman (Colleyville Lions Club); Lisa Branscum (National Charity League). Councilmember Mogged seconded the motion.

The motion to approve carried by the following vote:

Aye: 6 – Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Chuck Mogged, Chris Putnam, Jody Short, and Tom Hart

Absent: 1 – Councilmember Carol Wollin

6b Resolution R-14-3817

Consideration of appointments to the Architectural Review Commission

Mayor Kelly read Resolution R-14-3817 in its entirety.

Mayor Kelly opened the public hearing at 10:00 p.m.

There was no one present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 10:00 p.m.

Councilmember Short moved to approve Resolution R-14-3817 with the following appointments: Christina Keilson-Talley, Jim Makens, and Curtis Young. Councilmember Hart seconded the motion.

The motion to approve carried by the following vote:

Aye: 6 – Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Chuck Mogged, Chris Putnam, Jody Short, and Tom Hart

Absent: 1 – Councilmember Carol Wollin

Mayor Kelly explained the open position would be readvertised.

6c Resolution R-14-3818

Consideration of appointments to the Colleyville Events Steering Committee

Mayor Kelly read Resolution R-14-3818 in its entirety.

Mayor Kelly opened the public hearing at 10:01 p.m.

There was no one present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 10:01 p.m.

Councilmember Putnam moved to approve Resolution R-14-3818 with the following appointments: Walt Mills, Amy Redfearn, and Catherine Torrez and advised staff to readvertise for the remaining opening. Mayor Kelly seconded the motion.

The motion to approve carried by the following vote:

Aye: 6 – Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Chuck Mogged, Chris Putnam, Jody Short, and Tom Hart

Absent: 1 – Councilmember Carol Wollin

Mayor Kelly stated he would like for the Colleyville Events Steering Committee to reconsider holding the Haunted Trails Event instead of a new fall event.

6d Resolution R-14-3819

Consideration of appointments to the Colleyville Sidewalks Committee

Mayor Kelly read Resolution R-14-3819 in its entirety.

Mayor Kelly opened the public hearing at 10:03 p.m.

There was no one present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 10:03 p.m.

Mayor Kelly moved to approve Resolution R-14-3819 with the following appointments: Dee Kamerman and Joy Lee and advised staff to readvertise for the remaining openings. Councilmember Short seconded the motion.

The motion to approve carried by the following vote:

Aye: 6 – Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Chuck Mogged, Chris Putnam, Jody Short, and Tom Hart

Absent: 1 – Councilmember Carol Wollin

Mayor Kelly stated he would like staff to evaluate the necessity for the need of this committee, especially since there have been changes made to the sidewalk policy.

6e Resolution R-14-3820

Consideration of appointments to the Parks and Recreation Advisory Board

Mayor Kelly read Resolution R-14-3820 in its entirety.

Mayor Kelly opened the public hearing at 10:05 p.m.

There was no one present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 10:05 p.m.

Councilmember Mogged moved to approve Resolution R-14-3820 with the following appointments: Nancy Coplen, Place 1; Charlie Bethards, Place 3; Ken Llewellyn, Place 5; and Michelle McGarry, Place 7. Councilmember Hart seconded the motion.

The motion to approve carried by the following vote:

Aye: 6 – Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Chuck Mogged, Chris Putnam, Jody Short, and Tom Hart

Absent: 1 – Councilmember Carol Wollin

6f Resolution R-14-3821

Consideration of appointments to the Traffic Safety Advisory Committee

Mayor Kelly read Resolution R-14-3821 in its entirety.

Mayor Kelly opened the public hearing at 10:06 p.m.

There was no one present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 10:06 p.m.

Mayor Pro Tem Taylor moved to approve Resolution R-14-3821 with the following appointment: Catherine Torrez and advised staff to readvertise for the remaining openings. Mayor Kelly seconded the motion.

The motion to approve carried by the following vote:

Aye: 6 – Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Chuck Mogged, Chris Putnam, Jody Short, and Tom Hart

Absent: 1 – Councilmember Carol Wollin

6g Resolution R-14-3822

Consideration of appointments to the Tax Increment Finance District Board

Mayor Kelly read Resolution R-14-3822 in its entirety.

Mayor Kelly opened the public hearing at 10:08 p.m.

There was no one present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 10:08 p.m.

Mayor Kelly moved to approve Resolution R-14-3822 with the following appointments: Tom Hart, David Kelly, Jody Short, Mike Taylor, and Carol Wollin. Mark McClendon (Tarrant County College), Scott Rule (Tarrant County Hospital District), Carolyn Sims (Tarrant County), John Eubanks (Grapevine-Colleyville Independent School District). Mayor Pro Tem Taylor seconded the motion.

The motion to approve carried by the following vote:

Aye: 6 – Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Chuck Mogged, Chris Putnam, Jody Short, and Tom Hart

Absent: 1 – Councilmember Carol Wollin

6h Resolution R-14-3823

Consideration of an appointment to the Park Land Dedication Committee

Mayor Kelly read Resolution R-14-3823 in its entirety.

Mayor Kelly opened the public hearing at 10:09 p.m.

There was no one present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 10:09 p.m.

Mayor Kelly moved to approve Resolution R-14-3823 with David Wheelwright as the Planning and Zoning Commission representative. Councilmember Short seconded the motion.

The motion to approve carried by the following vote:

Aye: 6 – Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Chuck Mogged, Chris Putnam, Jody Short, and Tom Hart

Absent: 1 – Councilmember Carol Wollin

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

Mayor Kelly read Resolution R-14-3824 in its entirety.

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

Mayor Kelly opened the public hearing at 10:13 p.m.

Tom Aikens, 4500 Dartmoor, spoke in opposition to this item with concerns for the four lane construction and medians.

Nelson Thibodeaux, 5612 Coventry Court, spoke in opposition to this item with concerns for the four lane construction and medians. He stated Colleyville needs six lanes without medians.

David Medlin, 605 Montreux Avenue, spoke in opposition to this item with concerns for the four lane construction. He stated being in favor of six lanes without medians.

Louis Miller, 7802 Tillman Hill Court, spoke in support of four lanes with medians and better turn lanes.

Bobby Lindamood, 4913 Jim Mitchell Trail West, stated being neutral on this request; however, stated being in support of the construction of six lanes without medians.

The following persons did not wish to speak, but did wish to register their opposition: Steve Sexton, 7001 Whippoorwill Court; Craig Calvery, 7002 Whippoorwill Court; Tim Weymouth, 6904 Whippoorwill Court; Bruce Levinson, 7000 Whippoorwill Court; and Annette Walters, 6215 Theresa Lane.

There were no others present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 10:33 p.m.

Councilmember Putnam moved to approve Resolution R-14-3824 with the following amendments: (1) the fifth whereas recital to read, "the City urges the Texas Department of Transportation to complete the reconstruction of State Highway 26/Colleyville Boulevard to a full six-lane build out per the original project justification and plan"; and (2) replace the last sentence in Section 2 to reflect the following, "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 as specified in the original project justification, and to ensure the long-term traffic capacity needs of State Highway 26/Colleyville Boulevard without the need for future re-development." Mayor Pro Tem Taylor seconded the motion.

The motion to approve carried by the following vote:

Aye: 5 – Mayor Pro Tem Mike Taylor, and Councilmembers Chuck Mogged, Chris Putnam, Jody Short, and Tom Hart

Nay: 1 – Mayor David Kelly

Absent: 1 – Councilmember Carol Wollin

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

Mayor Kelly read Resolution R-14-3825 in its entirety.

Mayor Kelly opened the public hearing at 10:41 p.m.

David Medlin, 605 Montreux Avenue, spoke in opposition to this request with concerns for the future maintenance of the roadway.

Louis Miller, 7802 Tillman Hill Court, filled out a speaker card to speak; however, chose not to speak.

The following persons did not wish to speak, but did wish to register their opposition: Steve Sexton, 7001 Whippoorwill Court; Annette Walters, 6215 Theresa Lane; and Bruce Levinson, 7000 Whippoorwill Court.

There were no others present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 10:43 p.m.

Mayor Pro-Tem Taylor stated that he had asked that the Mayor to divide the question.

Mayor Pro-Tem Taylor stated that the City had been given the bad choice of the TxDOT Pass-Through Finance program for the section between John McCain Road and Hall-Johnson Road, or the worse choice of the new Turn-Back Program for John McCain Road to Brown Trail, so we have to play the deck of cards we have been dealt.

Mayor Pro Tem Taylor stated he could not support the proposed Turn-Back Program for several reasons.

Mayor Pro Tem Taylor pointed out that interest rates are at multi-generational lows and that Colleyville has an AAA credit rating which receives the lowest cost for debt issuance.

Mayor Pro Tem Taylor pointed out that we do not fully understand the unknown cost of the TxDOT Turn-Back program.

Mayor Pro Tem Taylor said that his dad always told him that money does not grow on trees and nothing is ever free. Colleyville currently has no known asset to compare to ownership of SH26 and therefore, no way to know the full financial and liability risk of owning this portion of the highway.

Mayor Pro Tem Taylor addressed the claim that the four lane mid-block design was just a "beautification project." Colleyville citizens will not tolerate the Jacksboro highway look, even though great strides have been made to upgrade that image of the highway.

Mayor Pro Tem Taylor stated there is the need for the intended benefit of ultimately collapsing the TIF district and letting those tax revenues flow into the General Fund to offset the other infrastructure expenses.

Mayor Pro Tem Taylor pointed out that Colleyville's ownership will not change median requirements and attempting to remove them in the future triggers design liability and inflation adjusted project cost. He further stated that the potential lack of political will to reject unsafe curb cuts will increase outside lane friction from excessive curb cuts thus slowing the lane speed.

Mayor Pro Tem Taylor stated that since TxDOT has agreed to a 12 year reimbursement once the highway is finished, verses their normal 30-40 year plan, the worst case estimate for the Pass-Through cost of \$7,000,000 on a per home/business property (estimated 8,900 properties), over the 14 year bond issue and we walk away from all the previously mentioned concerns, for all time.

Mayor Pro Tem Taylor also pointed to the biggest benefit going to the property owners. They will finally be done with the looming question of when the state will reconstruct the road. It will be over, their property values should increase and their properties will not be disturbed if-and-when the additional inside median lanes are added.

Mayor Pro Tem Taylor reminded the City Council that they had approved a landscaping standard in 2013 that requires low maintenance, drought tolerant landscaping on all City owned properties and roadways.

Mayor Pro Tem Taylor reminded City Council that there's an initiative election in May 2015 because some citizens feel that our 24 foot 2-lane Glade Road handling 13-17,000 per day is sufficient. That is 80 percent of the 21,000 SH26 traffic counts today. Either Glade Road is under designed for the traffic it carries or SH26 with twice the lane capacity of Glade Road will work. You cannot have it both ways.

Mayor Pro Tem Taylor thanked the City Council for listening and said he would like to hear the thoughts of the other members.

Councilmember Mogged stated the financials are just a piece of it; however, we want TxDOT to construct the six lanes, but there may be options if they cannot. He stated this option gives us the ability to govern our own roadway.

Mayor Kelly stated if TxDOT is to fund the entire cost of the roadway, then Colleyville does not have to contribute any funding.

Councilmember Putnam stated being agnostic as to the financing mechanism, as long as six lanes are constructed now. He added by being agnostic, he means the value is stronger now with the Turn Back Program model. He stated being in favor of the Turn Back option, from day one, if the roadway is constructed at six lanes.

Mayor Pro Tem Taylor questioned staff regarding the latest word relative to roadway construction. City Manager Jennifer Fadden replied the current word from the Council of Governments is consistent with what Michael Morris stated on October 28, that if the City Council will take a position supporting the Turn Back Program, COG would work very hard to find the funding for lanes five and six, when it is needed.

Mayor Kelly stated the previous resolution is to abandon the four lanes chosen to be constructed, which was approved a year and a half ago.

Councilmember Putnam stated he requested City Council to vote on a resolution to encourage TxDOT to build out to six lanes, today, at their cost.

Mayor Pro Tem Taylor stated not being in support of future generations having the responsibility of the cost for the maintenance of the roadway. He added that he felt the Turn-Back program "kicks the can down the road" and he did not feel that was in the best long-term interest of the future Colleyville taxpayers.

Mayor Kelly stated funding is currently in place from Hall-Johnson Road to Brown Trail for a four lane design. He stated the unfunded portions are Sections II and III, which can be completed together, if funding can be found, with a four lane design.

Mayor Kelly asked City Council if they are going to consider mechanisms to fund the unfunded portion of roadway, with a four lane design, or are they going to abandon the four lane design. He stated the redesign of the plans would be at a cost to the City.

Councilmember Putnam stated he supports the abandonment of the four lane design.

Mayor Pro Tem Taylor stated he believed that simply urging TxDOT to do it is not demanding them to do it. He stated he wants to remain on TxDOT's list for the call for projects.

Mayor Kelly stated he needed clarification if the previous resolution is a change in philosophy or an urge for funding to move to the full six lanes. Mayor Pro Tem Taylor stated it will depend on the meaning of the word urge. He point out that the City can request the additional two inside median lanes in the annual RTC call for projects.

Mayor Pro Tem Taylor stated the first resolution means all of the roadway is to be built, but the second resolution means how it is going to be funded.

Mayor Kelly asked Mayor Pro Tem Taylor if this means today, or when additional funds become available. Mayor Pro Tem Taylor replied he thinks we need to remain on the list by urging TxDOT to move forward.

Mayor Kelly stated the plans are in place to let the project now; however, questioned whether we are now abandoning those plans. Mayor Pro Tem Taylor replied he is not abandoning them.

Councilmember Putnam asked Mayor Kelly if those plans were actually being contemplated in a way that they were designed for that future expansion. Mayor Pro Tem Taylor and Mayor Kelly stated there are no construction documents in place.

Councilmember Putnam stated this is the time to get it right, not ten years from now.

Councilmember Mogged asked Mayor Kelly if there is going to be that much of a delay in moving from a four lane construction to a five or six lane construction. Mayor Kelly explained if the philosophy is changing from four to six lanes, the plans will need to be modified.

Councilmember Short stated we are asking them to construct six lanes; however, if they come back and say no, then we will move forward with the current plans.

Councilmember Putnam stated another vote would have to be taken, if we are moving back to the four lanes. Mayor Kelly stated there is no clarification about that. Councilmember Putnam stated it cannot be assumed that those of us who support a six lane project, will support a four lane project, if TxDOT does not move forward with the six lane construction.

Councilmember Mogged stated these resolutions are not the end of the story, there will clearly need to be another vote. Councilmember Putnam stated he would not support the Turn Back Program with four lanes.

Mayor Kelly stated the Turn Back Program was an option to be used to fund the unfunded Sections II and III.

Mayor Kelly asked City Council if they would be willing to move forward if TxDOT states there is no funding in place to construct the six lanes. Councilmember Hart stated he thought the previous resolution was urging the state to construct the six lanes; however, it did not close the option of constructing four lanes. Councilmember Short concurred, if they find the money, we would be happy to have six lanes. Councilmember Putnam stated if their funding options have changed, this is an opportunity for them to reconsider the construction, and how it is funded. He stated they can still say "no" to our request.

Mayor Kelly questioned if NCTCOG does not have the money, whether City Council is clear to move forward with the four lane construction. Councilmember Putnam disagreed. Mayor Pro Tem Taylor stated it seems more of us are in favor of moving forward, but we are "urging" them to fund it all.

Councilmember Mogged questioned staff regarding if they are clear as to what to negotiate with COG. City Manager Jennifer Fadden replied she believed so.

Councilmember Putnam asked City Council if COG cannot fund all of the construction, can we have another discussion about this. Mayor Kelly stated there were many discussions and City Council moved forward with the four lane construction. Councilmember Putnam stated he understands there is something different under discussion today.

Councilmember Mogged moved to approve Resolution R-14-3825. Councilmember Short seconded the motion.

Mayor Kelly stated, for clarification, that if COG cannot fund six lanes, then the four lane construction project stands.

Councilmember Short stated he did not want COG to believe that we urge them to construct six lanes, but if they do not want to, then we will take the four lane construction project instead. Councilmember Putnam stated it would be like we urge them, but not really.

Mayor Kelly stated TxDOT stated the necessity for six lanes is not there today, but four lanes could be constructed, with a median, so that the six lanes could be finished, in the future.

Councilmember Putnam stated this is not a transportation project; therefore, it can be made into a transportation project, or do nothing.

The motion to approve carried by the following vote:

Aye: 4 - Councilmembers Chuck Mogged, Chris Putnam, Jody Short, and Tom Hart

Nay: 2 – Mayor David Kelly and Mayor Pro Tem Taylor

Absent: 1 – Councilmember Carol Wollin

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

Mayor Kelly read Resolution R-14-3826 in its entirety.

Mayor Kelly opened the public hearing at 11:42 p.m.

There was no one present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 11:42 p.m.

Mayor Pro Tem Taylor moved to approve Resolution R-14-3826. Councilmember Hart seconded the motion.

The motion to approve carried by the following vote:

Aye: 6 – Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Chuck Mogged, Chris Putnam, Jody Short, and Tom Hart

Absent: 1 – Councilmember Carol Wollin

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

There was no discussion of this item.

8. REPORTS

Monthly Financial Report - November 2014

There was no discussion of this item.

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

This resolution was not needed.

10. ADJOURNMENT

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

The motion to approve carried by the following vote:

Aye: 6 – Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Chuck Mogged, Chris Putnam, Jody Short, and Tom Hart

Absent: 1 – Councilmember Carol Wollin

Mayor Kelly adjourned the City Council meeting at 11:43 p.m.

APPROVED BY A VOTE OF ___ AYES, ___ NAYS, AND ___ ABSTENTIONS ON THIS THE 6TH DAY OF JANUARY 2015.

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 5a

Agenda Date 01/06/2015

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

Update

At the December 16, 2014 meeting, the City Council voted to continue this item to the January 6, 2015 meeting.

At the December 16, 2014, City Council meeting, there were seven speakers who spoke in opposition; two speakers who spoke in support; and two speakers who spoke neither in opposition nor support of this request. There were three people who did not wish to speak, but wished to register their opposition; and two people who did not wish to speak, but wished to register their support of this request. Staff also received 29 letters of opposition during this meeting. An additional letter has been received from the owner of La Hacienda Ranch restaurant since the December 16, 2014 meeting and added to the letters and speaker cards of opposition requesting that the item be continued to the January 20, 2015 meeting. All speaker cards and letters are attached to the briefing.

The City Council directed the applicant to submit a revised parking plan that addressed the parking deficiency, and subsequent waiver request, on the current plans. In addressing the City Council's request, the applicant submitted a revised Statement of Planning Objectives, site plan, landscape plan, and building elevations, which are attached to the briefing. The following is a summary of the changes contained in the revised plans:

Total Rooms - The total rooms in the proposed hotel has been reduced from 96 rooms to 91 rooms.

Building Height - The total height of the building has been reduced from 77 feet to 66 feet. However, the building remains at five stories.

Parking - The total parking provided has been reduced from 97 spaces to 93 spaces. All compact car parking has been removed with parking stall dimensions shown on the revised site plan meeting the minimum requirements of the Land

Development Code. Given the reduction in rooms from 96 to 91, a total of 93 spaces is required based on the requirements of the Land Development Code described below. Therefore, the proposed parking meets the minimum requirements of the Land Development Code.

Landscaping - According to the revised landscape plan, the total area to be landscaped has increased from 17 percent to 21 percent, largely due to increased landscaping around the main structure which results in an additional 3,203 feet of unpaved area. Therefore, the site is now in compliance with the minimum landscaping requirement of 20 percent. However, the waiver request related to the percentage of landscaped area within the street yard remains. This is attached to Ordinance O-14-1942 as Exhibit F and referred to in Sec. 2. b. of the ordinance. Also included on the revised landscape plan (Exhibit F) is the fence plan, which is referred to in Sec. 2. g. of the ordinance.

Building Elevations - The applicant has provided new building elevations and a 3D rendering that account for the reduction in building height.

Proposed Ordinance O-14-1942 has been updated where necessary to account for the changes noted above.

Based on the opposition letters 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. There has been no change in this requirement since the December 2, 2014 meeting.

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 20 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 and shall be generally consistent with Exhibit "F".
- 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 66 feet in height as shown in Exhibit "E".
- e. A minimum of 93 parking spaces shall be provided on the subject property.
- 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 and shall be generally consistent with Exhibit "F".
- 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.

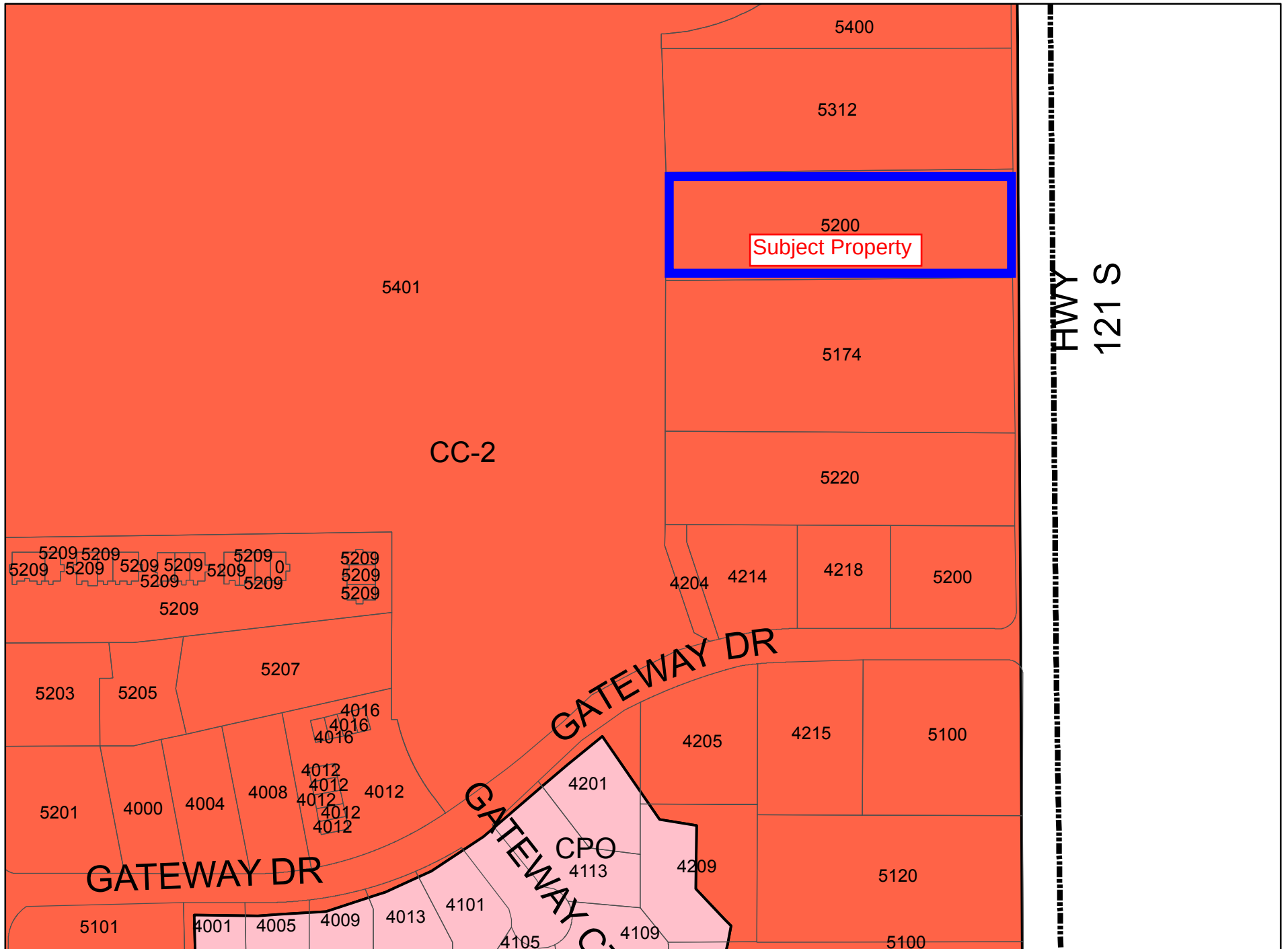
- d. Guest rooms shall not be used in any form or manner as a permanent residence.
- e. The use of exterior corridors on any exterior façade of the building shall be prohibited. Exterior access to guest rooms shall only be permitted for rooms facing a courtyard that is enclosed on four sides by the hotel 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

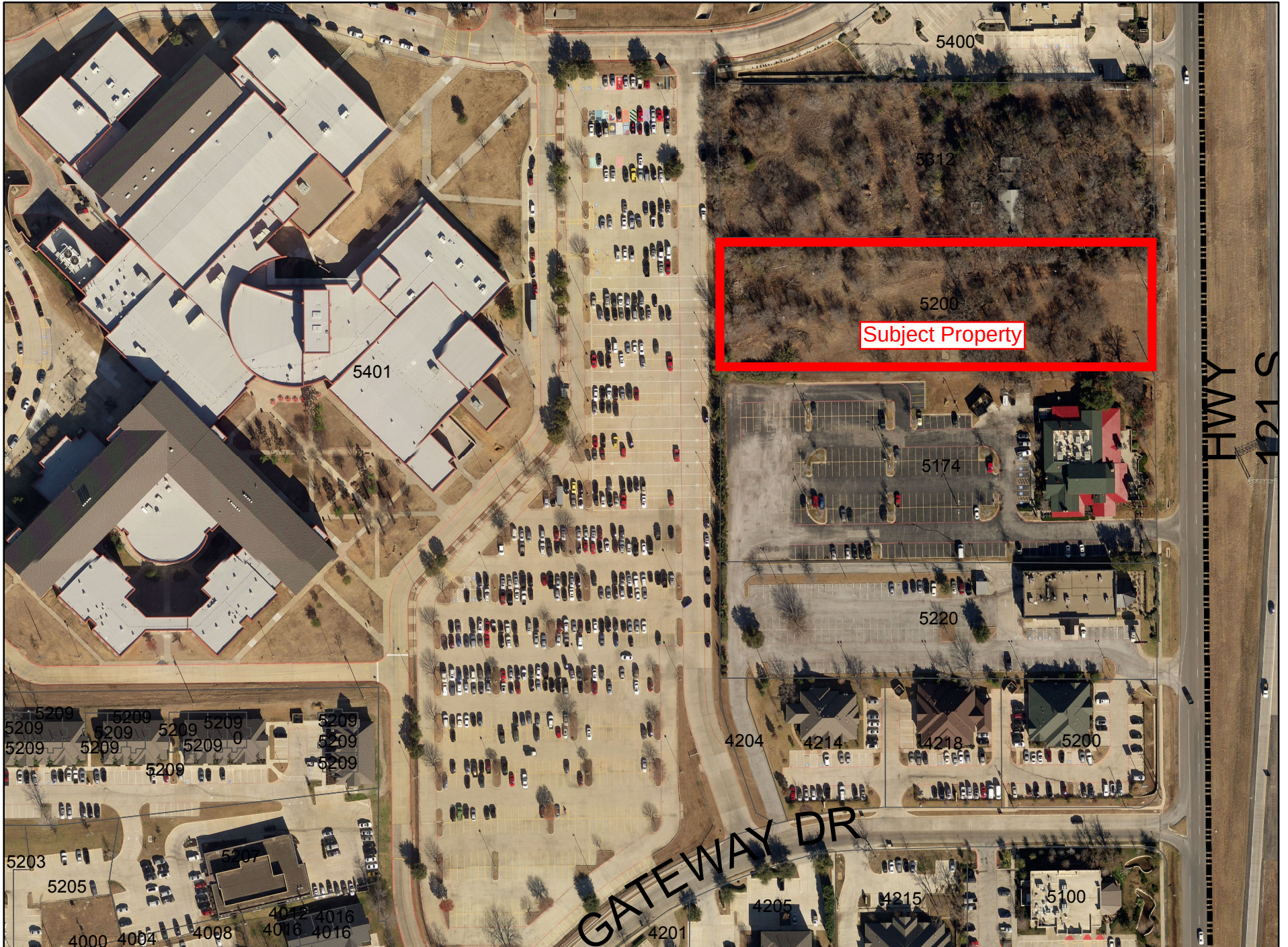
- 1. Location and Zoning Map
- 2. Aerial
- 3. Future Land Use Map
- 4. Buffer Map
- 5. Notification List
- 6. Opposition Map
- 7. Letters and Speaker Cards of Opposition
- 8. Letters and Speaker Cards of Support
- 9. Revised Statement of Planning Objectives 1/6/2015
- 10. Revised Site Plan - 1/6/2015
- 11. Revised Landscape Plan - 1/6/2015
- 12. Revised Building Elevations - 1/6/2015
- 13. Icon Lodging Company Information
- 14. Select City Hotel Off-Street Parking Requirements - 12/10/2014
- 15. Parking Information Provided by the Applicant
- 16. Revised Site Plan
- 17. Revised Landscape Plan
- 18. 3D Hotel Renderings
- 19. Examples of Proposed Wrought Iron Fence
- 20. Statement of Planning Objectives
- 21. Original Site Plan
- 22. Building Elevations
- 23. Original Landscape Plan
- 24. Pole Sign Detail

- 25. First Floor Plan
- 26. Upper Floor Plans
- 27. Ordinance O-98-1088
- 28. Ordinance O-14-1942

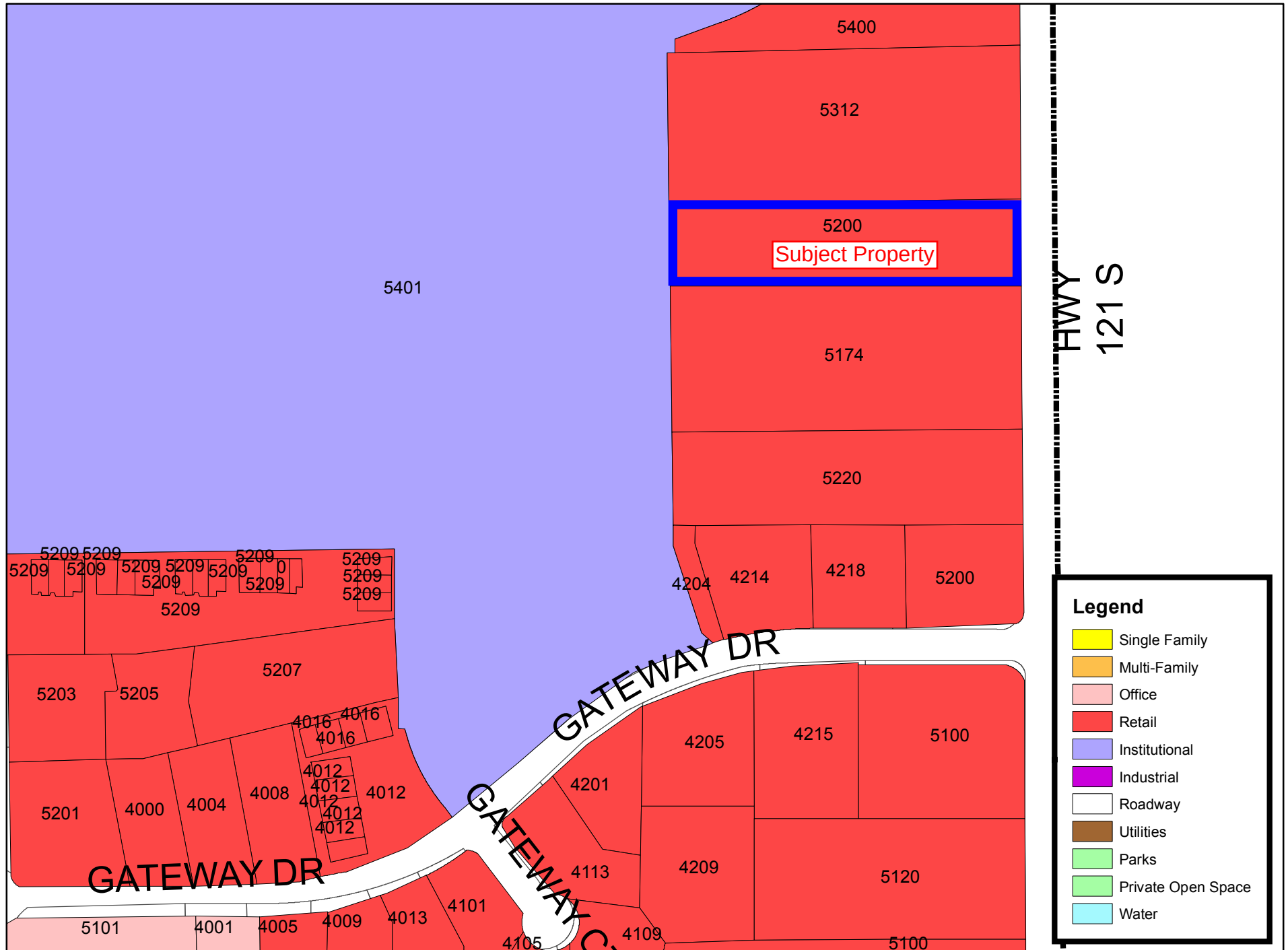
Location and Zoning Map



Aerial



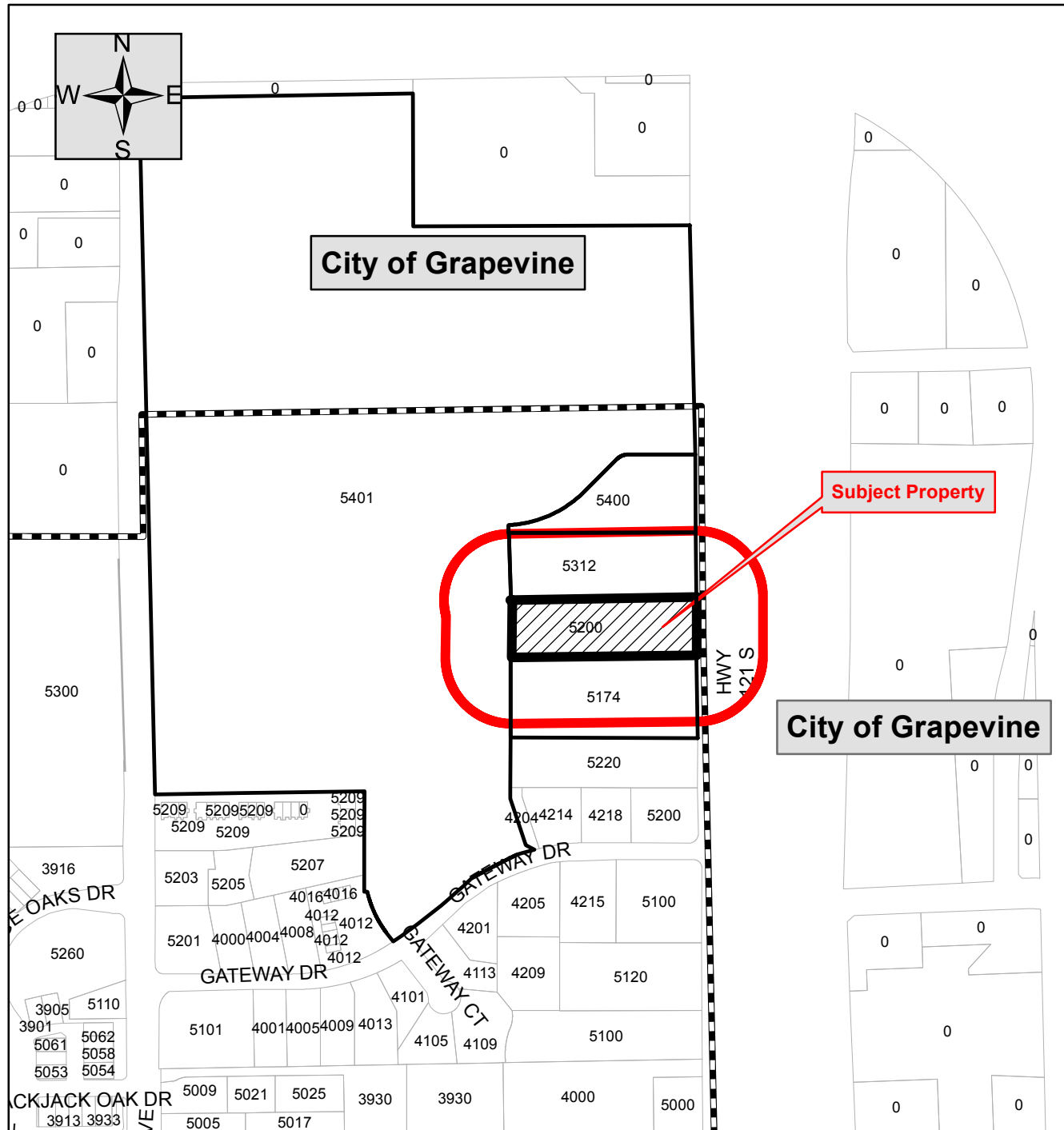
Future Land Use Map



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

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



Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Colleyville Hotel

From: Mariano Martinez
Sent: Friday, January 2, 2015 10:12 AM
To: Christine Loven; Taci Wrisley; David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart; Amy Shelley; Jennifer Fadden
Cc: Alexis Gmail
Subject: Colleyville Hotel

Mayor Kelly and Members of the City Council:

My name is Mariano Martinez, and I own the La Hacienda Ranch restaurant. As you are all aware, we have some serious concerns regarding the scope, size and inadequate, non-viable parking involved with the hotel project being considered next door to our restaurant. We are not anti-growth and want to try to make this something we can live with. Therefore, I would be willing to drop our protest and opposition provided the following conditions are met. Thank you for your consideration.

A. GENERAL STATEMENTS

1. We do not object, and in fact wholeheartedly support, the rights of any potential business to be developed on the subject property as may be allowed in the current City zoning ordinance.
2. By its own choice, the developer accepted being subject to special conditions imposed by the City with it seeking a Planned Unit Development.
3. The City Comprehensive Master Plan does not appear to provide for a five (5) story (seventy-seven [77'] foot) building as being considered.

B. GENERAL QUESTIONS

1. What is the contractual relation between Icon Lodging with Hampton Inn – Hilton Corp.?
 - a. Is the franchise contract completed or contingent on certain actions
 - b. What is a general summary of the franchise requirements for continuance
 - c. What is the length of franchise agreement and renewal provisions
 - d. What is the various causes for termination by either party of the franchise agreement
2. What is the re-branding plans by Patel if the Hampton Inn (Hilton Corp.) franchise lost?
3. Suggest the Council should request Messrs. Patel attend the next meeting to discuss specifics of the proposed hotel appreciating Paul Cragun (Cumulus Design) is only the developer's consulting civil engineer. Attendance will avoid later potential claims by the Patel's or subsequent future owner / operators that the consultant misspoke. The role of Mr. Cragun may explain why Mayor Pro Tem Taylor commented at the Dec. 16 meeting his not seeming to be as knowledgeable as one would expect.

C. HOTEL OPERATOR LICENSE

1. Require as a condition of zoning approval that the proposed possibility of a License be required and such be included as an exhibit to the Ordinance. Conditions of the License are of public interest and by inclusion within the zoning ordinance gives broader enforcement capabilities of the City and accountability for the general public.
2. Granting of the License
 - a. Initial License be approved by the Council with authority granted to the City Manager to renew annually for not more than a conclusive five (5) year period.
 - b. On the anniversary of each fifth (5th) year, the License be considered for an additional renewal contingent on Council approval with consideration of any new standards being imposed.
 - c. Not less than ninety (90) days prior to the renewal / extension of the License by the Council or Manager, the City notifies all property owners within two-hundred (200') feet of the property to receive any comments regarding operation of the hotel. The City will take under advisement any property owner / general public comments received as part of a public hearing for possible conditions being imposed against the property for renewal / extension of the License.

Letters and Speaker Cards of Opposition

d. Issuance of the building permit be conditioned upon prior Council approval of the signed License.

e. Council approve the staff proposed hotel license as part of the current zoning request - and with this to list the Hilton Corp (Hampton Inn) as the approved hotel. An affirmative Council action on these two points avoids adjoining property owners, residents and the City being potentially disappointed in future years if a lower quality hotel is able to shoe-horn itself onto the property. After all, there is no guarantee the Patel's would not sell its ownership to another entity or be forced for economic reasons to switch hotel brands.

VARIANCES

1. Parking

a. To address the parking shortage, either the developer to construct underground parking or amend the Ordinance to require as a condition of renewal of the annual Hotel Operator License that the hotel owner / operator evidence an irrevocable off-site parking agreement be in full force and effect for the succeeding year. The parking agreement has to be in perpetuity. Failure to provide agreement negates any issuance of the License.

b. Designate on the site plan location for large vehicle (passenger van, SUV, etc.) parking stalls for youth sports teams, etc. with applicable parking stall standards.

c. Dedication of an emergency fire lane access easement across western portion of proposed site will result in the loss of approximately four (4) parking spaces increasing the parking variance request.

d. Tree mitigation - consistent with staff recommendation, developer be required to pay 100% of tree mitigation fees.

JOINT-USE ACCESS EASEMENT

1. Amend the existing easement to clarify that the 121 Compadres Ltd. easement north of its property line be restricted to only City emergency response vehicles to the proposed hotel and / or other properties developed further north.

2. Owner / Operator install (with maintenance provided by the City) an Opticom operated security gate across the easement. Any replacement be the sole cost of the owner / operator and License extension subject to such.

3. Require the continuation of the easement across the western portion of the proposed site (from south end to north end) for only emergency access to future properties to the north.

PROPERTY FENCE

The hotel to pay for the construction of an eight (8') foot tall, (8") inch thick sound deadening screening wall (composed of hollow center block with the south side to be textured and painted however 121 Compadres, Ltd. sees fit.) 2. 121 Compadres Ltd. have full rights and benefits (without cost or liability) to the southern facing side of the wall to paint, decorate, locate signage, etc.

3. Painting and maintenance of the wall being the responsibility of the developer with such repairs being required to be corrected within fifteen (15) days written notice by the City with failure to do so subject to zoning violation for each day of such occurrence.

4. Wall to be constructed across the entire length of the property.

SITE PLAN

1. Identify on the site plan location of off-street loading as required by City regulations.

2. Locate the proposed building 57 (57') feet to the north of 121 Compadres, Ltd. property line thus increasing the side-yard area between the proposed hotel and 121 Compadres Ltd. property. Current restaurant site plan was configured, in part, based on reasonably anticipated commercial side-yard setbacks being maintained and enforced by the City for any future property development to the north.

3. City use its economic development sales tax proceeds fund acquisition of previous initiative with future property and or hotel taxes used to refund economic development sales tax fund.

4. Security Access gate that can only be accessed by emergency services via a Knox Box.

5. More mature trees of large caliper to be planted 6. Any parking lot lights at the hotel need to be pointed directly downwards and not up or to the side

Sincerely,

Mariano Martinez

Letters and Speaker Cards of Opposition

From: [Amy Shelley](#)
To: [Ron Ruthven](#); [Chris Fuller](#)
Cc: [Terry Leake](#)
Subject: Colleyville Hotel
Date: Tuesday, December 30, 2014 1:45:31 PM

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

From: Mariano Martinez [REDACTED]
Sent: Tuesday, December 30, 2014 12:56 PM
To: Amy Shelley; Jennifer Fadden
Cc: Alexis Gmail
Subject: Colleyville Hotel

Good afternoon,

My name is Mariano Martinez, and I own the La Hacienda Ranch restaurant next to the proposed Hampton Inn hotel. It has come to my attention that not all of the Council Members will be present at the Council Meeting on January 6th in which a decision will be made regarding the hotel project. Due to the gravity of this project and the impact it could have on not only my long standing 17 year old restaurant, but also the surrounding properties and the City of Colleyville as a whole, I think it would be best for all the Council Members to be in attendance when this matter goes to a vote. Therefore I would greatly appreciate it if we could be granted a continuance for the hotel vote to the Council Meeting on January 20th. Thank you for your consideration.

Sincerely,

Mariano Martinez

Letters and Speaker Cards of Opposition

Zoning Case No. ZC14-024; *City Council Meeting: Tuesday, December 16, 2014 @ 7:30*

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

II. THE COUNCIL SHOULD THE COUNCIL SHOULD DENY APPLICANT'S REQUESTS *or* DELAY ACTING ON APPLICANT'S REQUESTS TO CONSIDER APPROPRIATE "safeguards or conditions" TO MITIGATE THE "probable [adverse] effects" OF THE PROPOSED ZONING CHANGE AND REQUESTED WAIVERS ON THE ADJACENT PROPERTY OWNED BY COMPADRES.

A. Compadres requests that the Council deny Applicant's request or condition its approval of the waivers of the height restrictions on the establishment of a 57 foot minimum side setback and other mitigation measures.

1. The Development Code conditions the Council's power to increase the height limitations to accommodate the proposed hotel.
 - a) The Council *may* grant a variance for 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.*" These two conditions cannot be

Letters and Speaker Cards of Opposition

Zoning Case No. ZC14-024; *City Council Meeting: Tuesday, December 16, 2014 @ 7:30*

met without additional safeguards to mitigate the probable effects of the requested variance on Compadres' property.

- b) The proposed principal structure—which would appear to be the tallest commercial building in all of Colleyville by more than 25 feet and would stand more than twice the maximum height measured in feet of any building permitted under existing zoning in the district—does not conform to the surrounding area. The unprecedented height, massive volume, and increased density all dwarf other uses and structures permitted in the district and actually in existence in the surrounding area.
- 2. One way to mitigate the adverse effect of such an oversized primary structure is to increase the size of the site and the width of the side setback.
 - a) The Development Code would require an increase in the minimum side yard of at least 1 foot for each 1 foot in height that the proposed hotel building exceeds the height regulation of the CC-2 District if the proposed structure were a school or other public building. CLDC Ch. 3, §3.28.D.1.
 - b) Given the unprecedented increase in the height, Compadres requests, at a minimum, that the Council require a full 1 to 1 side setback ratio so that the primary hotel structure is located at least 77 feet from the common boundary.
 - c) This increased setback, which is consistent with existing requirements elsewhere in the Development Code, would mitigate some of the adverse effects on Compadres' property. The extra distance would:
 - (1) Increase the light and air and reduce the looming effect of a 77-foot tall building located so close to the common boundary line;

Letters and Speaker Cards of Opposition

Zoning Case No. ZC14-024; *City Council Meeting: Tuesday, December 16, 2014 @ 7:30*

- (2) Make the size of the primary hotel structure more compatible with the size of the site and the intensity of use of the surrounding properties.
- B. The Council should deny Applicant's request or condition granting the requested waivers on the construction of any eight foot masonry screening wall, similar to the proposed eight foot wall along the western boundary of the proposed hotel site, with sound deadening properties acceptable to Compadres along the northern boundary of Compadres' property. The wall should be constructed of not less than 8 inch thick, sound suppressing, hollow masonry block.
1. In doing so, Compadres is asking for no more consideration than is being given to the school district, even though the need for such a screening wall is much greater between the hotel site and Compadres' property.
 2. The 77 foot tall hotel building is much closer to Compadres than the hotel is to any school facility.
 3. The school parking lot, together with the hotel's proposed parking lot, already would provide an expansive buffer between the school building and the proposed hotel building.
 4. The need for a screening wall, and appropriate landscaping, between the proposed hotel and Compadres' property—by any objective measure—is far greater than the need for such a wall along the hotel site's southern boundary. The location of the screening wall is depicted on **Appendix 1**.
- C. Compadres requests that the Council deny Applicant's request or condition its approval the waivers on the reconfiguration of the site to provide adequate parking.
1. At the very least, a gate, accessible only to emergency personnel, should block ingress and egress between the parking lot on the proposed hotel site and Compadres' parking lot.

Letters and Speaker Cards of Opposition

Zoning Case No. ZC14-024; *City Council Meeting: Tuesday, December 16, 2014 @ 7:30*

2. The site is too small to provide the minimum number of full size parking spaces and to meet minimum open space requirements.
 - a) The proposed parking waivers would reduce the parking on the hotel site below the minimum number and size of parking spaces required in surrounding cities for hotel sites. A schedule of the minimum parking requirements is attached as Appendix 2.
 - b) To create two fire lanes, the proposed configuration of the hotel site ends the rear cross access easement at the boundary between the hotel site and Compadres' property, and relocates a proposed access drive from the hotel site to the northeast corner of the hotel site and southeast corner of the lot to the north of the hotel property.
 - c) But there is no existing right-of-way, easement, or other right to continue this "driveway to nowhere" onto the lot to the north.
 - d) Applicant knows, and the Council should be aware, that an infirm, elderly woman owns the property to the north of the proposed hotel site. The contemplated access drive across the front of her property would require a taking of the most valuable part of her property along the William D. Tate frontage. Her infirmities prevent her from speaking up for herself now, but she, or a future owner, will be unlikely to cede the front of her lot for an access drive without compensation.
 - e) Compadres proposes that the Council consider condemning a 30 foot wide strip of her property along the northern boundary line of the hotel site for fire lanes (a public purpose). Using this land for a fire lane serving both the proposed hotel site and the property to the north would allow Applicant to relocate the hotel structure an additional

Letters and Speaker Cards of Opposition

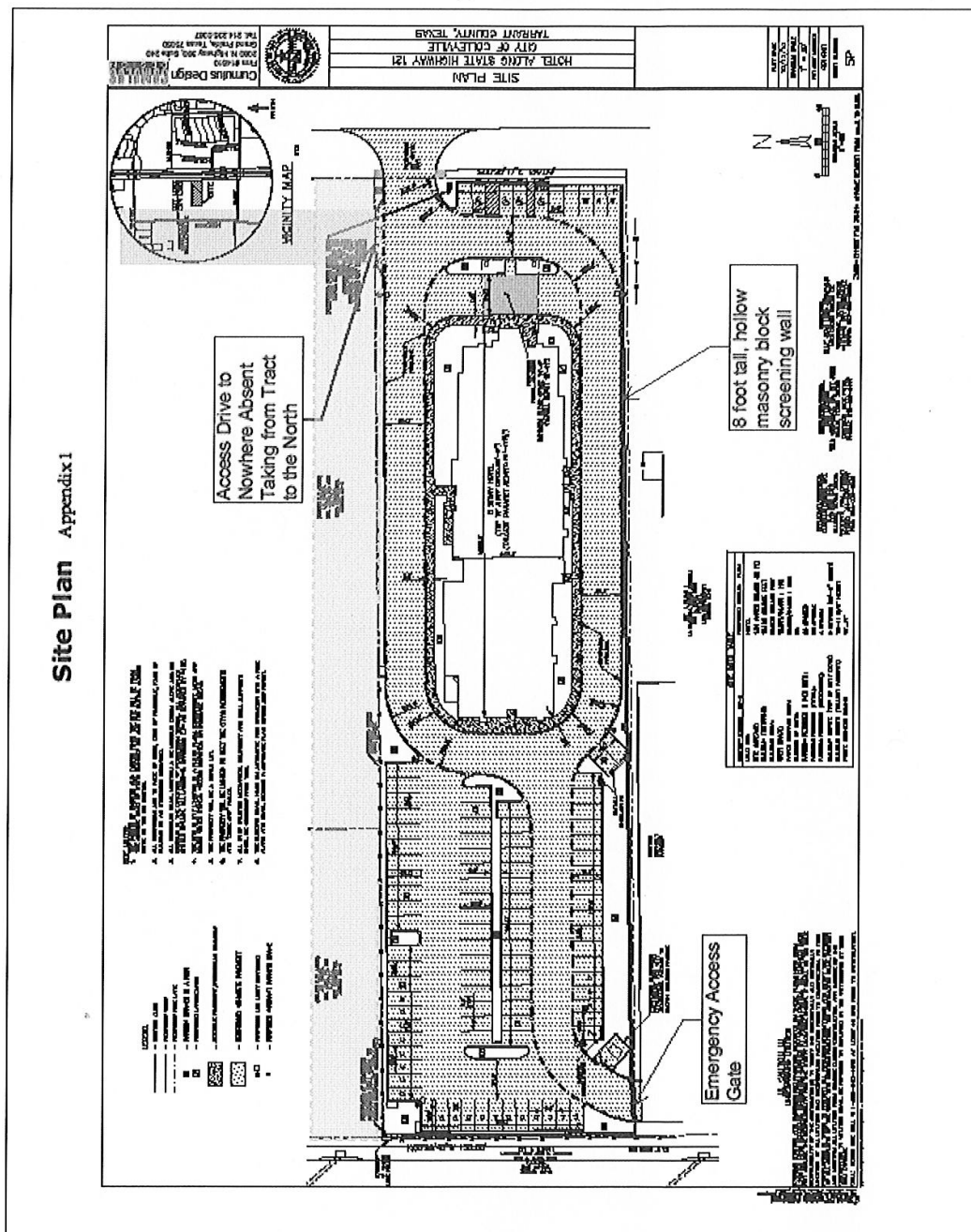
Zoning Case No. ZC14-024; *City Council Meeting: Tuesday, December 16, 2014 @ 7:30*

30 feet to the North and free space on the proposed site for additional parking and open space.

- f) It appears that the proposed configuration, in all probability, will require a taking at some point in time in the future, and it would better serve the entire community for the City to consider exercising that prerogative before Applicant builds the hotel on a cramped site and the City is forced to diminish the value of the property to the north by situating an access drive in the most valuable portion of the lot fronting William D. Tate.

Letters and Speaker Cards of Opposition

Zoning Case No. ZC14-024; City Council Meeting: Tuesday, December 16, 2014 @ 7:30



Letters and Speaker Cards of Opposition

Zoning Case No. ZC14-024; *City Council Meeting: Tuesday, December 16, 2014 @ 7:30*

Appendix 2

CITY	RATIO	SPACE SIZE	References
Addison	One space/hotel room plus one parking space per every 300 square feet of conference/banquet facilities.	??	https://www.municode.com/library/tx/addison/codes/code_of_ordinances?searchRequest=%7B%22searchText%22:%22Parking%20Requirements%22,%22pageNum%22:1,%22resultsPerPage%22:25,%22booleanSearch%22:false,%22stemming%22:true,%22fuzzy%22:false,%22synonym%22:false,%22contentType%22:%5B%22CODS%22%5D,%22products%22:%5B%5D%7D&nodeId=PTIICOR_APX/ZO_ARTXIX.ABELIDE_SVPA
Dallas	PUD Parking Space Requirement for Overnight Lodging located more than 1329 feet from Dart Rail Station 1.25 spaces per room PLUS 5 spaces per 1000 feet of meeting space		
Frisco	One (1) parking space for each sleeping room or suite plus one (1) space for each two hundred (200) square feet of commercial floor area contained therein.	Each standard off-street parking space shall be a minimum of nine (9) feet in width and twenty (20) feet in depth, exclusive of driveways and maneuvering aisles, and shall be of usable shape and condition (See Figure 9.01.01.12: Parking Space Standards (Page 324)).	(page 153) http://www.friscotexas.gov/departments/planning/development/planning/Documents/ZO-2011-AsAmended.pdf#page=17
Grapevine	Motels or Hotels with conference facilities with less than 25,000 sq. ft. of conference area 1.5 spaces per guest room, PLUS requirements for eating and drinking establishment	Each parking space shall have adequate drives and room for ingress and egress to each parking space with a minimum size of eight (8) feet by twenty-two (22) feet for each parallel parking space and nine (9) feet by eighteen (18) feet for each angular head-in parking space , and shall be designed in accordance with minimum City standards	

Letters and Speaker Cards of Opposition

Zoning Case No. ZC14-024; *City Council Meeting: Tuesday, December 16, 2014 @ 7:30*

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Proposed Hampton Inn
Attachments: CV Hotel Oppose Ltr.docx

From: Carolyn Ann Walgren
Sent: Monday, December 15, 2014 1:41 PM
To: Marty Wieder; David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart; jmcadden@colleyville.com; Amy Shelley; Christine Loven; jimgotcher@verizon.net; jeff.byerly@tx.rr.com; dwheelwright@me.com; phelps-david@swbell.net; carneltornes@gmail.com; dondavis@yourcorvette.com; knox.ldk@gmail.com
Cc: Carolyn Ann Walgren
Subject: Proposed Hampton Inn

Mayor Kelly, et al.,

I hope that you will take the opportunity before tomorrow's meeting to read the attached letter, outlining my concerns in Case ZC14-24: Zoning Change and Proposed Hampton Inn. Thank you for your time and consideration.

Sincerely,
Carolyn Ann Walgren
817-300-4435 phone

Letters and Speaker Cards of Opposition

December 15, 2014

Dear Mayor, Mayor Pro-Tem, City Council Members, Ms. McFadden, Ms. Shelley, Ms. Loven, and Mr. Wieder:

I write to you in strong opposition of Case ZC14-024 Consideration of a zoning change from the CC-2 Shopping Center zoning district to the PUDC-Planned Unit Development-Commercial zoning district. As a CHHS parent and PTSA board member, HMS parent and PTA President, and resident of nearby neighborhood, my concerns about and subsequent opposition to the above-referenced case and proposed Hampton Inn hotel are focused upon 7 factors as described below:

1. Crime and threat to safety and security of CHHS (especially) and HMS students;
2. Additional crime to neighboring businesses and residents;
3. Increased traffic;
4. Effect on CHHS activities;
5. Impact to the look and feel of that area;
6. Potential for additional hotels in that area; and
7. Risk of another business failure.

Crime and threat to safety and security of CHHS (especially) and HMS students

The property at 5200 SH121 and proposed hotel would abut the property of Colleyville Heritage High School; specifically, the parking lots of the hotel and school would adjoin, only to be separated by a fence. It is my understanding that the property owner has offered to construct an 8' masonry wall to divide the 2 lots. However, a multi-story building would tower over the 8' wall and hotel employees and guests would be able to easily view CHHS property and students. CHHS's parking lots are not gated or professionally manned and anyone can access student parking and outdoor areas. When I read that shared parking between the hotel and CHHS was questioned in the Planning and Zoning Commission meeting, I realized any options of preserving the safety and security of CHHS students would become almost void, "Commissioner Tornes questioned staff regarding whether the hotel could obtain a shared parking agreement with the school. Ron Ruthven replied it is a possibility" *Planning & Zoning Commission Minutes, November 10,*

Letters and Speaker Cards of Opposition

2014; Planning & Zoning Commission Agenda Packet 2014-12-08.

While the school's exterior doors are locked and the front entrance is monitored by employees, this campus is difficult to completely monitor and secure. A hotel in its' "backyard" brings many unknown, out-of-town guests which pose an immediate threat to our students—especially females and many students who walk to and from both CHHS and HMS.

Additional crime to neighboring businesses and residents

Along that southbound stretch of SH121 between Hall-Johnson Rd. and Glade Rd., car break-ins and thefts have been frequently reported over the past few years. Bringing almost 100 hotel rooms to that immediate area could potentially impact crime two ways: increased crime by hotel guests and secondly increased crime to hotel guests—both of which would negatively impact Colleyville's economy, police department, reputation and image.

Increased traffic

With 96 parking spaces and estimated 70% of guests traveling to and from the proposed hotel in a car, this hotel would unquestionably add cars to an already congested area. Vision Commercial Realty reports traffic counts as follows: intersection of Glade (28,310 CPD) & SH121 (83,560 CPD). On any day of the work week (Mon-Fri) if you've ever traveled southbound SH121 access road between the Hall-Johnson exit and Glade Road, especially between the hours of approximately 2:00 pm and 6:00 pm, you have most likely encountered heavily congested traffic. Fridays are especially bad. Traffic backs up before the Hall-Johnson exit on the southbound access road of SH121 beginning with the shift-change at Game Stop's corporate headquarters between 2:30 and 3:00 pm. A hotel guest traveling from the airport or most other major freeways would be exiting Hall-Johnson to get to the hotel and would encounter and add to this heavy congestion. Even more problematic is the congestion on southbound SH121 access road when CHHS dismisses at 3:50 pm. This stretch from the high school entrance to Glade Road is honestly a nightmare. What becomes dangerous and almost impossible is where the traffic on the access road merges with the traffic exiting Glade Rd from southbound SH121—the access road traffic doesn't always yield to the offramp, and on days like Fridays where traffic is especially voluminous, the access road traffic rarely has

Letters and Speaker Cards of Opposition

a chance to move forward or get left to access the wrap-around to SH121 northbound access road and on-ramp. I absolutely cannot imagine more traffic in this stated area and rather wish that Colleyville would do something to relieve the existing congestion and problems.

Affect on CHHS activities

Beginning in the summer and continuing through football and marching contest seasons, the CHHS marching band practices in the back parking lot which backs up to the property in question. This practice starts at approximately 6:15 am. Would this be a welcoming sound to hotel guests? Absolutely not. Is there another place for CHHS band to practice that wouldn't impact the hotel guests? No. Would the guests enjoy the bright stadium lights of both the football and baseball fields at night? Would the hotel guests enjoy the blaring of music and slamming of doors from teenagers' cars all hours of the day and night from the CHHS parking lots? In the field behind the baseball stadium, facing SH121 and next to JR's, various football and lacrosse teams practice. Cars line up along SH121 and throughout the drive entering CHHS. This area would be further congested and those activities possibly impacted if the hotel's access or guest traffic was hindered.

Impact to the look and feel of that area

That area between Hall-Johnson and Glade Road, both along those streets at the intersections of the SH121 access road, as well as on Glade and Hall-Johnson just west of SH121, consists of many smaller or locally-owned businesses. The only multi-story building in that immediate area is the high school. It has a "hometown" and friendly look and feel to it. Many businesses know their customers faces and even by name. As a resident, it's a frequent occurrence to see a friend or acquaintance when shopping, eating out, or even at one of the professional offices. This look and feel creates a sense of community, of belonging, of safety and security. The hotel's requests for building and variance waivers in structure height, number and size of parking spaces, open space and front yard landscaping, and tree preservation and mitigation do nothing but negatively compromise this beautiful and welcoming area.

Potential for additional hotels in that area

Businesses compete for market share and dollars, right? So where one business is successful, a close location for a similar and competing

Letters and Speaker Cards of Opposition

brand will be in demand. We don't want this specific area to become attractive to hotel owners. What if a smaller chain wanted to build on the former Home Depot Landscaping property?

Risk of another business failure

In the southbound SH121 access road area between Hall-Johnson and Glade Rd, there are several vacant buildings and shopping centers—none of which are newly built spaces that just haven't been leased. The vacancies were created by failure of the occupant to thrive—Home Depot Landscaping, old JR's Grill/Gator's location—or relocate like Mac's. Like the Home Depot Landscaping building and lot, a hotel occupies a lot of land and the building is a unique structure; one not easily renovated to house another type of business. If the Hampton Inn isn't successful, the options of the owner would be to sell it to another chain (one that could be a budget brand or individually-owned brand without corporate requirements, funding and support), or vacate completely. Either of these situations could create a very unsightly property for Colleyville, and the most visible part of Colleyville seen from SH121. Is that the image you want to portray of Colleyville? Those of us who live in that area, have children at the schools and travel those roads frequently do NOT want an eyesore in that location.

I urge you to reconsider bringing this case before a vote at tomorrow's City Council meeting; or if it is presented at the meeting, that City Council members vote against this zoning change and proposed hotel. While I support economic development in this community and realize the positive impact a hotel can have on a city's economy and tax base, this location is not acceptable. Because of the potential impact of this case, I am also encouraging and assisting efforts to spread the word of the proposed hotel and vote tomorrow to CHHS parents and both Colleyville and Grapevine area residents. Thank you for your consideration.

Sincerely,

Carolyn Ann Walgren

Letters and Speaker Cards of Opposition

Amy Shelley

Subject:

FW: Proposed 5-story hotel at 5200 SH121

From: Jessica Rajian

Sent: Monday, December 15, 2014 5:49 PM

To: David Kelly

Subject: Proposed 5-story hotel at 5200 SH121

Mayor Kelly,

I strongly urge the city of Colleyville to vote against the zoning request at 5200 SH121. I can certainly understand the desire to have a hotel closer than Grapevine, Southlake or other mid-cities, but I am really struggling with the location. As proposed, this hotel will be adjacent to a high school and in very close proximity to elementary and middle schools. Is the need for a hotel greater than the consideration of having safe school zones? In its location, I expect the hotel would be used far more for those 'passing thru' than for those staying in Colleyville to shop and dine. So, do we even need a hotel? Or at a minimum, couldn't we find a better location? As a proud Colleyville citizen and parent, I am hopeful that the City Council will listen to the citizens of Colleyville and deny the request.

Respectfully,

Jessica Rajian

5405 Juniper Court

817-358-0633

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Potential Hampton In in Colleyville

From: Cindy Broder

Sent: Monday, December 15, 2014 12:38 PM

To: David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart

Subject: Potential Hampton In in Colleyville

I am writing to express that we are OPOSED to a potential Hampton Inn being built in the back yard of CHHS, the future school of our children.

Thank you,

Cindy & Tom Broder

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Proposed Hampton Inn

Sent: Monday, December 15, 2014 1:00 PM
To: David Kelly
Subject: Proposed Hampton Inn

Dear Mayor Kelly,

As a resident of our wonderful city of Colleyville, I just recently heard of the proposed Hampton hotel site near CHHS, which is up for discussion and vote at tomorrow's session. My husband and I and many of our neighbors in Montclair Parc are adamantly opposed to the building of this hotel due to the negative impact on CHHS, our students and our community.

We are very disappointed that this potential business is up for a full vote tomorrow as so many of us were caught off guard by this.

We ask that all of our Colleyville city council members vote to oppose the building of a hotel in the backyard of CHHS.

Thank you,

Cindy Ghalibaf
5700 Miramar Lane
Colleyville

Sent from my iPad

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Hampton Inn vote

From: Susan Lott

Sent: Monday, December 15, 2014 2:09 PM

To: David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart

Subject: Hampton Inn vote

Dear Colleyville Council Members,

I recently learned that the Colleyville Council will vote Dec. 16 on whether to approve the building of a Hampton Inn next to La Hacienda Ranch.

I hope you will reject this idea since it would place a hotel in the "backyard" of our homes and schools. Many car break-ins have happened in the parking lots around the former location of Mac's restaurant. A hotel will invite more of this criminal activity. In addition, how would this business help maintain our property values?

We're on the same team, and we should do all possible to maintain the property values and way of life in Colleyville and Grapevine. Please reject this proposal. The hotel should not be built on an already congested access road adjacent to our homes and schools.

Thank you,

Susan and Dan Lott
Grapevine residents

Letters and Speaker Cards of Opposition

Amy Shelley

Subject:

FW: Hotel Proposal on 121

From: Tim Kenney

Sent: Monday, December 15, 2014 2:28 PM

To: David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart

Cc: Tim Kenney

Subject: Hotel Proposal on 121

Mr. Mayor and City Council Members,

My name is Tim Kenney. I reside at 2902 Highgrove Ct., Colleyville, Texas. I am sending you this note to make known my complete opposition to a 5 story hotel, or any hotel that is proposed to reside directly behind Colleyville Heritage High School. I have two children that will attend the high school, and I am more than a little uncomfortable with a hotel that close to the school. Furthermore, the congestion and crime is bad enough in that area. Adding another 100+ cars to the area will only make this worse. I urge the council to reconsider any proposal for a hotel in the immediate area to the high school.

Regards,

Tim Kenney

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Proposed Hampton Inn

From: Julie Glenn
Sent: Monday, December 15, 2014 2:48 PM
To: David Kelly
Subject: Proposed Hampton Inn

Dear Mayor Kelly,

My name is Julie Glenn. I live in the Ashmore neighborhood in Colleyville.

I am asking you to consider voting against the hotel tomorrow night. I know the site has been vacant for a long time but a five story hotel that backs up to Colleyville Heritage High School is not a good idea in my opinion. The access road along 121 is very busy in the afternoon with the students leaving school. A hotel would only increase traffic congestion, collisions and crime. A hotel should not be built next to a high school.

The hotel is asking for too many waivers; 5 stories (I love that Colleyville doesn't have a lot of tall buildings) , cutting down trees, not enough parking, etc.

If you do vote, please consider voting NO to the hotel.

Thank you for your time,
Julie Glenn

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Colleyville Proposed Hotel

From: Staci Meyer
Sent: Monday, December 15, 2014 3:14 PM
To: David Kelly
Cc: Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Tom Hart; Meyer's Pool Care; Pam Yoakum
Subject: Colleyville Proposed Hotel

Hi David,

I wanted to send you a quick e-mail regarding the proposed hotel off 121. We live right behind Heritage Elementary school, and own Meyer's Pool Care, LLC off 26 in Colleyville. I also work as the Marketing Director for the Blaser Yoakum Team at Keller Williams Realty. I attended both Heritage Middle and Colleyville Heritage High School. My kids will attend all 3 of the Heritage schools. We are very plugged into this community and oppose the building of the hotel.

I understand the increase of taxes the city, however, I don't think the benefits outweigh the negatives of adding a hotel this close to our schools.

From a Real Estate point of view, I am concerned how this hotel will affect the confidence in these schools. I know that GCISD rankings have fallen in recent years, and opinions have already decreased some from what they once were. This hotel adds to that concern. One of the main reasons property values are so great in this area is because of the reputation of the schools. I am concerned the affect a hotel would have on people's perception of the district.

As a parent, I am concerned about safety of having a hotel this close to the schools; especially during evening activities when kids might be walking to their vehicles alone. I think it's an invitation for increased crime. And quite possibly an invitation for increased mischief among students.

I realize this location is one of the only locations Colleyville has near a major highway, but I feel like it is a poor choice for a hotel simply because of the proximity to the schools. I hope you will take these things into consideration while voting on the proposal tomorrow evening.

Sincerely,

Rodney and Staci Meyer

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: FW: Link to the December 16, 2014 City Council agenda packet and interview questions for board, commission, and committee applicants

From: Chavvon Smith
Sent: Monday, December 15, 2014 2:44 PM
To: Chuck Mogged
Subject: Re: FW: Link to the December 16, 2014 City Council agenda packet and interview questions for board, commission, and committee applicants

Chuck.

I've done some research on this and I can't think of one substantial reason to have Hampton Inn in the area. The negatives far outweigh the positives. The only positive I can even think of is the tax revenue and Colleyville isn't exactly hurting for tax dollars.

In 5-10 years it becomes another eye sore owned by Motel Six. Let the hotels around main street and near the airport and bass pro support Colleyville visitors.

Regards,

Chavvon Smith
CottonPaperie Letterpress
9011 John W Carpenter Fwy
Suite 100
Dallas, Texas 75247
P. 214.206.9526

On Mon, Dec 15, 2014 at 11:02 AM, Chavvon Smith wrote:
I appreciate the email Chuck.

Regards,

Chavvon Smith
CottonPaperie Letterpress
9011 John W Carpenter Fwy
Suite 100
Dallas, Texas 75247
P. 214.206.9526<tel:214.206.9526>

On Sun, Dec 14, 2014 at 11:22 PM, Chuck Mogged
<CMogged@colleyville.com<mailto:CMogged@colleyville.com>> wrote:

The Hotel Case we spoke about for Highway 121 is Item 5c - Second reading for the ordinance.

You can also see the first reading information on the archived webcast at this link on the Colleyville website: <http://www.colleyville.com/webcasts.html>

Regards,
Chuck Mogged

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Hampton Hotel

From: L Vincent
Sent: Monday, December 15, 2014 10:09 PM
To: Chuck Mogged
Subject: Hampton Hotel

As a resident of Colleyville, I am urging a vote against the proposal by Hampton Hotel. What benefit will a 77 foot hotel contribute for the landscape of the area it is proposed. It will be an eyesore in basically a bedroom type community and overshadow all existing structures. Please protect this community and vote against the requested waivers by Hampton and uphold the current ordinances.

Sincerely,
Linda Vincent

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Proposed hotel between La Hacienda and CHHS

From: Valerie Kunert

Sent: Tuesday, December 16, 2014 9:07 AM

To: Marty Wieder; David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart; Jennifer Fadden; Amy Shelley; Christine Loven

Subject: Proposed hotel between La Hacienda and CHHS

As a Grapevine resident and GCISD parent I am strongly against this idea and hope you take all considerations - both pro and con - before taking a vote.

Bringing in revenue is always a plus to any community but at what cost. Doesn't it worry anyone why so many code exemptions have been requested? Traffic congestion to the already congested roads? Has anyone driven the roads on a daily basis before, during and after school as well as morning and evening rush hours? What about the privacy and safety of our high school students? Potential rise in thefts in surrounding parking lots by travelers? Yes we hope to raise our children with good values and to make good decisions. It takes just one temptation or thought to lead to act. Hampton Inn is an reputable hotel but who knows what the property will be operating as in 20 years, when the high school will still be operating successfully? It is a known fact hotel properties change owners quickly, we've seen it in our area. there are so many other pieces of land to put a hotel; if that land is available why not build a middle school?

PLEASE open your ears to listen to the parents at this evening's meeting. We are with the council to do what's best for the city but NOT at our children's expense.

With gratitude... *Valerie*

Mrs. Valerie Kunert
214.762.7683

~ ~ ~ ~ ~

Life is short, take every opportunity to enjoy it.

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Hotel in Hw121

Importance: High

From: German Rodriguez

Sent: Tuesday, December 16, 2014 9:08 AM

To: Marty Wieder; David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart; Jennifer Fadden; Amy Shelley; Christine Loven

Subject: Hotel in Hw121

Importance: High

Gents,

My family resides in Colleyville, Fox Meadows addition. Our community has been following with concern the possibility of having a Hotel built in 121 adjacent to school. In social media as well as in the different gatherings we have there's a wide concern about having a budget hotel close to a school. I'm sure most of you have already received voices on that regard.

Wanted to add an economic perspective and a question.

A hotel is certainly not adding value to the area: it won't be in the city center or in any nice walking area to attract anybody and a few miles there's plenty of offering north of the airport: so there's no need to have one and no benefit. All the consequences of having it by a school are clear to all, and none is positive.

Yes the city will get a few more taxes, but the impact on the school district and therefore the value of all our houses is negative (so yes you'll see an upside in sales tax revenue but the property will be negatively impacted)

My question is, in 25 years when the investor has made his money and is walking away, what is preventing them from selling it to a Motel 6 or even a really low budget housing investor? I hope you'll know that these buildings are never remodeled to a 4Seasons but rather squeezed in revenue until the building stands.

As many of my neighbors we'd like to be there tonight, a few will show up but some of us are working outside the city.

Thanks for your consideration . Respectfully.

German Rodriguez

General Manager - Independent Line

Weir Seaboard

P.O. Box 450989

Houston, Texas 77245-5340

USA

Cell (817) 709-8941

Main: (713) 644-3535

Fax (713) 644-3737

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Hampton Inn proposal

From: Yony Kim

Sent: Tuesday, December 16, 2014 1:02 PM

To: Marty Wieder; David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart; Jennifer Fadden; Amy Shelley; Christine Loven

Subject: Hampton Inn proposal

Dear City Council,

My name is Yony Kim and I reside on Mapleridge Drive in Grapevine, which is just off of Hall Johnson Road. My children attend schools in GCISD and zone to OCT, CMS and CHHS. I am writing to you today to ask that any proposals regarding the construction of a hotel abutting our high school be categorically DENIED. The welfare of our children should be considered first and foremost and I believe that building a hotel, which would bring in itinerant, short-term guests with no real ties to our area, is a possible and probable cause for great concern for their safety and well-being. Though I am not a Colleyville resident, my husband, Hyung Kim, is a Colleyville business owner and we have a vested interest in what affects our children's future high school. Please hear my voice in this matter and log it as a response to these proceedings.

Thank you for your time and effort,
Yony Kim

Letters and Speaker Cards of Opposition

Amy Shelley

Subject:

FW: Please, NO on a hotel next to LaHacienda

From: Julie Touchstone

Sent: Tuesday, December 16, 2014 10:22 AM

To: David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart

Subject: Please, NO on a hotel next to LaHacienda

We have lived in Colleyville for over 14 years, and La Hacienda is one of our favorite restaurants. The waivers requested by this hotel are way out of bounds, and do not fit the style of Colleyville. That hotel does not belong in that space. Parking can be an issue already. The concept as described certainly does not fit the ideal of being a Tree City, and does not contribute to beautification of the area.

On the other issue being voted on tonight, I strongly encourage a no vote on plant filled medians. The area is in a long term drought, so there is the added expense of irrigation. I see dead plants in the medians in Southlake and other areas all the time, or traffic snarls as crews work on the irrigation systems or replacing plants. I am not sufficiently informed at the moment on the whole idea of not expanding Colleyville Blvd. and having a continuous or at least partially continuous left turn lane, other than a gut feeling that it is rather short-sighted.

Thank you for your consideration.

Julie Touchstone

Help us find the cause and cure of childhood brain tumors and save a child's life! www.curethekids.org
DFW Area Ride for Kids®

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: I OPPOSE the Proposed Hotel

From: The Enright

Sent: Tuesday, December 16, 2014 10:46 AM

To: Marty Wieder; David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart; Jennifer Fadden; Amy Shelley; Christine Loven

Subject: I OPPOSE the Proposed Hotel

I write in strong opposition to Case ZC14-024 Consideration of a zoning change from the CC-2 Shopping Center zoning district to the PUDC-Planned Unit Development Commercial zoning district.

I am a parent of a sophomore at CHHS, and will have another child there next year.

As a concerned parent, I want to express my strong opposition to the proposed hotel near the high school.

I have driven that frontage road countless times, at all hours of the day. It is a dangerous stretch of road, with so much traffic driving at high speeds, coupled with new drivers trying to pull out of CHHS into the frontage road.

In fact, we witnessed a serious accident there one day, as a student attempted to pull out against oncoming traffic.

I believe a hotel at that location would be a detriment to the community. I feel it poses not only a traffic threat but raises other security concerns and criminal risk related to placing a hotel near a high school. I do not want the potential customers and transients who may pull off the highway to stay so close to where my children are attending school and participating in sports on the fields near that location.

I am not a resident of Colleyville, but I do pay my taxes to GCISD. And I would hope that the opinion of concerned parents will be given serious consideration. Additionally, I believe the Colleyville City Council has an obligation to hear the voices of the Grapevine residents who will actually be impacted far more than most Colleyville residents.

I am full support of the addition of a hotel for Colleyville as a source of tax revenue. However, not at THIS location—not at the expense of our children.

Thank you for your time and attention to my email.

Warmest Regards,
Heather and Chris Enright
817-692-0114

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Zoning Opposition letter

From: Paige Kirkman
Sent: Tuesday, December 16, 2014 9:47 AM
To: David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart
Subject: Zoning Opposition letter

Dear Council Members,

I apologize for the unsolicited email. First, I realize and greatly appreciate your service to our community and the sacrifices you make to be a City Council member. Thank you.

I'm writing in opposition to the Hampton Inn proposed on 121 next to Colleyville Heritage High School. You will be considering zoning case ZC14-024 at your upcoming meeting tonight.

As a Grapevine resident with 3 kids in GCISD, I'm concerned about a hotel located immediately next to our high school and in a location that already suffers from traffic congestion. Please consider the following impacts this hotel would cause if approved:

1. Additional traffic to an already congested area. (your staff have estimated approximately 700 trips per day will be generated by this hotel)
2. Added risk to students. CHHS is less than 300' away from the proposed hotel site. Heritage Middle School is less than 1,200' and Heritage Elementary is less than 1,500'. These are all within walking distance to the hotel visitor. Nice hotels can have dangerous folks staying in them. This added risk of having a hotel so close to several schools is a huge concern.
3. Please don't allow reduced standards. The applicant has requested additional height, reduced landscaping, setback variances, reduced parking spaces and even reduced parking space sizes. Please don't reduce the standards that help our community look so good. If the site requires several variances to make the plan work, maybe this isn't the right site.
4. What's it worth? I understand that the hotel tax will bring new revenue to the City; however, please consider the overall cost to our community.

Thank you again for your attention and service. God Bless.

Paige Kirkman

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: proposal for hotel off 121

From: Irene Beard

Sent: Tuesday, December 16, 2014 9:29 AM

To: David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart

Subject: proposal for hotel off 121

Dear City of Colleyville City Council Members,

My name is Irene Beard, and I am a resident of Grapevine, TX. I am also a homeowner and a parent of two children who currently attend CHHS and HMS. I have recently heard about the proposal for a Hampton Inn to be built adjacent to CHHS. I am writing to let you know that I absolutely oppose this plan to put a hotel right next door to our high school! Having a hotel right next door to my kids' schools will compromise the safety of our schools, not to mention increasing traffic and congestion in that area. I also think it would be quite an eyesore. Please reconsider and vote no on this proposal. I know I speak for many GCISD parents who share the same opinion as me and DO NOT WANT a hotel there. Thank you for your consideration.

Regards,
Irene Beard

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Potential Hampton In in Colleyville

From: Cindy Broder
Sent: Tuesday, December 16, 2014 9:10 AM
To: David Kelly
Subject: Re: Potential Hampton In in Colleyville

Thank you for your email Mayor Kelly.

While citizens certainly agree that a hotel would be a good revenue base for the City of Colleyville, it is not good for the students of CHHS. As you and the City Council are well aware, this could become a huge security issue for the high school in monitoring the parking lot and provides no privacy for the students (most of which are minors) who are practicing band, drill team and athletics in the parking lot and fields in the back of the school. Having a daughter who will be part of the drill team in the future and a son who will be part of CHHS athletics is a huge concern for me as a parent. A business with less traffic and one that would not require ALL of the waivers that the hotel is asking the City to waive would be a much better fit for the community and CHHS.

I urge you and the City Council not to make a quick decision and really think about all the zoning waivers and the impact they have on the community as a whole. Realistically with the large number of waivers, they should be urged to look at additional sites in the City. Being a resident in this community since 1988 it is sad to see so much of our native landscaping and trees have been plowed down; when I personally drove by this site this weekend the very first thing I noticed is the amount of trees which will disappear from our landscape and the second is seeing the high school in the back ground.

Thank you for your consideration in this matter.

Cindy Broder

From: David Kelly <dkelly@colleyville.com>
To: Cindy Broder
Sent: Tuesday, December 16, 2014 8:49 AM
Subject: RE: Potential Hampton In in Colleyville

Ms. Broder,

Thank you for your email concerning this agenda item.
It will be made a part of the public record.
David Kelly

From: Cindy Broder
Sent: Monday, December 15, 2014 12:38 PM
To: David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart
Subject: Potential Hampton In in Colleyville

I am writing to express that we are OPOSED to a potential Hampton Inn being built in the back yard of CHHS, the future school of our children.

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Protecting Our Children

From: Ellen Weaver

Sent: Tuesday, December 16, 2014 9:58 AM

To: David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart

Cc: Ellen Weaver

Subject: Protecting Our Children

December 16, 2014

Colleyville City Council Members:

I am a South Grapevine resident with two students in Grapevine-Colleyville Independent School District. I recently heard about the possibility that a hotel will be built on property adjacent to Colleyville-Heritage High School between La Hacienda Ranch and J.R's Grill. I am adamantly against a hotel being built in such close proximity to one of our schools, and I am confident that stopping this type of development is critical to the protection of our children.

I could go into detail about the many reasons why this is a bad idea; but instead, I'm going to keep it short and to the point. My concerns are based upon the likelihood of three kinds of traffic that would put our students at risk: drug and alcohol trafficking, human trafficking and vehicle traffic. The bottom line is that hotels bring an increased opportunity for people to target our children, and we, as advocates for the children in our community, have a duty to protect them.

Please consider urging the hotel chain to consider development in neighboring cities like Euless or Grapevine where there is ample land and the availability of more appropriate locations for this type of development.

Sincerely,

Ellen Weaver
GCISD Parent

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Talk in the garden club about the proposed hotel

From: Natalie Genco

Sent: Tuesday, December 16, 2014 10:29 AM

To: Marty Wieder; David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart; Jennifer Fadden; Amy Shelley; Christine Loven

Subject: Talk in the garden club about the proposed hotel

This is the thoughts of some of our garden club members regarding the proposed hotel.

Thought you may want their opinion.

I too don't think bending our rules for this hotel is a good idea.

Natalie

Worse... A Hampton Inn! The things Colleyville has missed the boat on for gaining revenue and what they say yes to is beyond me!

The City of Colleyville is contemplating a vote to force through a 77 foot tall (at its highest point) Hampton Inn to be located next to the La Hacienda Ranch Restaurant. The vote will require a supermajority at the City Council meeting this Tuesday Dec. 16th at 7:30pm.

With gratitude and kindest regards,
Veraellen

On Dec 16, 2014, at 9:24 AM, Tracey Scopelite wrote:

I am not sure what the protocol is here, but I thought you would all want to know about this and hopefully agree it is a really bad idea.

Tracey

Category: General

Author: Carolyn Ann Walgren

Topic: Potential hotel between La Hacienda and CHHS ?!?!?

Message:

Hi Everyone! I live in Saybrooke, GV resident for 20 years, HMS PTA President, on the CHHS PTSA Board, and very active in GCISD. I'm so happy to see all these posts and opposition against this hotel! I first read about this on Thursday, and promptly sent emails to GCISD's superintendent, CLO and CHHS principal, as well as CHHS PTSA president and active GV and CV community members. They weren't aware of this proposed hotel, although assumed GCISD was notified by mail of the zoning change (they get MANY of these notices--anytime someone wants to put a shed in a backyard that borders a school, etc.). GCISD hasn't declared a formal position about the proposed hotel, but Dr. Ryan did call CV City Manager Jennifer Fadden to talk about it. He also said concerns are valid and he didn't oppose my oppositional efforts. I posted info on my personal FB page and Twitter and also the HMS PTA Facebook page. I sent emails to the CV mayor, city council, city secretary, city manager, etc. The email addresses are: mwieder@colleyville.com, dkelly@colleyville.com, mtaylor@colleyville.com, cwollin@colleyville.com, cmogged@colleyville.com, cputnam@colleyville.com, jshort@colleyville.com, thart@colleyville.com, jfadden@colleyville.com, ashelley@colleyville.com, cloven@colleyville.com

Letters and Speaker Cards of Opposition

If you want to see a copy of the letter I wrote, I'll be happy to share so you can edit points to match your views and don't have to start from scratch. Be aware as you're writing them that anything too long will be rejected by their email host. I ended up putting my letter in a Word doc and sending it as an attachment. I am definitely going to the meeting tonight and read that we have to complete a "speakers card" in order to address the council during the meeting. The card can also be completed if you can't or don't want to speak but want to record your opposition to an agenda item. Paste this into your browser to pull up the speakers card:

www.colleyville.com/images/content/files/citysecretary/Speaker_Card_for_printing

PLEASE contact Colleyville friends to get them to speak out against this--I just think they will have more impact than those of us in Grapevine. I will be happy to be the "leader" of this effort to oppose the hotel, so email me or call me if you have any questions. Email is or you can post messages here. Please only contact me if you want to oppose this project.

Thank you all!

Carolyn Ann Walgren

[Click here to view](#)

Letters and Speaker Cards of Opposition

December 16, 2014

Dear Mayor, Mayor Pro-Tem, City Council Members, Ms. Fadden, Ms. Shelley, Ms. Loven, and Mr. Wieder:

I write to you in strong opposition of Case ZC14-024 Consideration of a zoning change from the CC-2 Shopping Center zoning district to the PUDC-Planned Unit Development-Commercial zoning district. As a CHHS parent and PTSA board member, HMS parent and PTA President, and resident of nearby neighborhood, my concerns about and subsequent opposition to the above-referenced case and proposed Hampton Inn hotel are focused upon 7 factors as described below:

1. Crime and threat to safety and security of CHHS (especially) and HMS students;
2. Additional crime to neighboring businesses and residents;
3. Increased traffic;
4. Effect on CHHS activities;
5. Impact to the look and feel of that area;
6. Potential for additional hotels in that area; and
7. Risk of another business failure.

Crime and threat to safety and security of CHHS (especially) and HMS students

The property at 5200 SH121 and proposed hotel would abut the property of Colleyville Heritage High School; specifically, the parking lots of the hotel and school would adjoin, only to be separated by a fence. It is my understanding that the property owner has offered to construct an 8' masonry wall to divide the 2 lots. However, a multi-story building would tower over the 8' wall and hotel employees and guests would be able to easily view CHHS property and students. CHHS's parking lots are not gated or professionally manned and anyone can access student parking and outdoor areas. When I read that shared parking between the hotel and CHHS was questioned in the Planning and Zoning Commission meeting, I realized any options of preserving the safety and security of CHHS students would become almost void, "Commissioner Tornes questioned staff regarding whether the hotel could obtain a shared parking agreement with the school. Ron Ruthven replied it is a possibility" *Planning & Zoning Commission Minutes, November 10, 2014; Planning & Zoning Commission Agenda Packet 2014-12-08*.

While the school's exterior doors are locked and the front entrance is monitored

Letters and Speaker Cards of Opposition

by employees, this campus is difficult to completely monitor and secure. A hotel in its' "backyard" brings many unknown, out-of-town guests which pose an immediate threat to our students—especially females and many students who walk to and from both CHHS and HMS.

Additional crime to neighboring businesses and residents

Along that southbound stretch of SH121 between Hall-Johnson Rd. and Glade Rd., car break-ins and thefts have been frequently reported over the past few years. Bringing almost 100 hotel rooms to that immediate area could potentially impact crime two ways: increased crime by hotel guests and secondly increased crime to hotel guests—both of which would negatively impact Colleyville's economy, police department, reputation and image.

Increased traffic

With 96 parking spaces and estimated 70% of guests traveling to and from the proposed hotel in a car, this hotel would unquestionably add cars to an already congested area. Vision Commercial Realty reports traffic counts as follows: intersection of Glade (28,310 CPD) & SH121 (83,560 CPD). On any day of the work week (Mon-Fri) if you've ever traveled southbound SH121 access road between the Hall-Johnson exit and Glade Road, especially between the hours of approximately 2:00 pm and 6:00 pm, you have most likely encountered heavily congested traffic. Fridays are especially bad. Traffic backs up before the Hall-Johnson exit on the southbound access road of SH121 beginning with the shift-change at Game Stop's corporate headquarters between 2:30 and 3:00 pm. A hotel guest traveling from the airport or most other major freeways would be exiting Hall-Johnson to get to the hotel and would encounter and add to this heavy congestion. Even more problematic is the congestion on southbound SH121 access road when CHHS dismisses at 3:50 pm. This stretch from the high school entrance to Glade Road is honestly a nightmare. What becomes dangerous and almost impossible is where the traffic on the access road merges with the traffic exiting Glade Rd from southbound SH121—the access road traffic doesn't always yield to the offramp, and on days like Fridays where traffic is especially voluminous, the access road traffic rarely has a chance to move forward or get left to access the wrap-around to SH121 northbound access road and on-ramp. I absolutely cannot imagine more traffic in this stated area and rather wish that Colleyville would do something to relieve the existing congestion and problems.

Affect on CHHS activities

Beginning in the summer and continuing through football and marching contest

Letters and Speaker Cards of Opposition

seasons, the CHHS marching band practices in the back parking lot which backs up to the property in question. This practice starts at approximately 6:15 am. Would this be a welcoming sound to hotel guests? Absolutely not. Is there another place for CHHS band to practice that wouldn't impact the hotel guests? No. Would the guests enjoy the bright stadium lights of both the football and baseball fields at night? Would the hotel guests enjoy the blaring of music and slamming of doors from teenagers' cars all hours of the day and night from the CHHS parking lots? In the field behind the baseball stadium, facing SH121 and next to JR's, various football and lacrosse teams practice. Cars line up along SH121 and throughout the drive entering CHHS. This area would be further congested and those activities possibly impacted if the hotel's access or guest traffic was hindered.

Impact to the look and feel of that area

That area between Hall-Johnson and Glade Road, both along those streets at the intersections of the SH121 access road, as well as on Glade and Hall-Johnson just west of SH121, consists of many smaller or locally-owned businesses. The only multi-story building in that immediate area is the high school. It has a "hometown" and friendly look and feel to it. Many businesses know their customers faces and even by name. As a resident, it's a frequent occurrence to see a friend or acquaintance when shopping, eating out, or even at one of the professional offices. This look and feel creates a sense of community, of belonging, of safety and security. The hotel's requests for building and variance waivers in structure height, number and size of parking spaces, open space and front yard landscaping, and tree preservation and mitigation do nothing but negatively compromise this beautiful and welcoming area.

Potential for additional hotels in that area

Businesses compete for market share and dollars, right? So where one business is successful, a close location for a similar and competing brand will be in demand. We don't want this specific area to become attractive to hotel owners. What if a smaller chain wanted to build on the former Home Depot Landscaping property?

Risk of another business failure

In the southbound SH121 access road area between Hall-Johnson and Glade Rd, there are several vacant buildings and shopping centers—none of which are newly built spaces that just haven't been leased. The vacancies were created by failure of the occupant to thrive—Home Depot Landscaping, old JR's Grill/Gator's location—or relocate like Mac's. Like the Home Depot

Letters and Speaker Cards of Opposition

Landscaping building and lot, a hotel occupies a lot of land and the building is a unique structure; one not easily renovated to house another type of business. If the Hampton Inn isn't successful, the options of the owner would be to sell it to another chain (one that could be a budget brand or individually-owned brand without corporate requirements, funding and support), or vacate completely. Either of these situations could create a very unsightly property for Colleyville, and the most visible part of Colleyville seen from SH121. Is that the image you want to portray of Colleyville? Those of us who live in that area, have children at the schools and travel those roads frequently do NOT want an eyesore in that location.

I urge you to reconsider bringing this case before a vote at tomorrow's City Council meeting; or if it is presented at the meeting, that City Council members vote against this zoning change and proposed hotel. While I support economic development in this community and realize the positive impact a hotel can have on a city's economy and tax base, this location is not acceptable. Because of the potential impact of this case, I am also encouraging and assisting efforts to spread the word of the proposed hotel and vote tomorrow to CHHS parents and both Colleyville and Grapevine area residents. Thank you for your consideration.

Sincerely,
Margaret Schmittou

Margaret and Shannon Schmittou
4109 Beacon Hill Ct
Grapevine, TX 76051
972.355.1116

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Hampton Inn Proposal

From: Hyung Kim

Sent: Tuesday, December 16, 2014 6:07 PM

To: Marty Wieder; David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart; Jennifer Fadden; Amy Shelley; Christine Loven

Subject: Hampton Inn Proposal

Dear Colleyville City Council,

My name is Dr. Hyung S. Kim and while I reside in Grapevine, I am a Colleyville business owner. My children attend schools in GCISD that are currently zoned to OCT, CMS and CHHS. I understand that a proposal has been made and waivers requested for the construction of a Hampton Inn on 121, abutting CHHS. While I agree that a hotel in our city would be a welcomed addition, the question of situating one right alongside our local high school is, in a word, ridiculous. Surely, there is a better lot elsewhere in our city on which to build this establishment. With travelers coming in and out of a hotel, with no real ties to our community, I believe that this is a potential hazard for our schoolchildren and it is incumbent upon the City Council to deny this proposal forthwith. Please log this email as a matter of public record.

Respectfully,
Hyung S. Kim, DMD

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Opposition to Hotel

From: Sarah Oliver

Sent: Tuesday, December 16, 2014 5:54 PM

To: Marty Wieder; David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart; Jennifer Fadden; Amy Shelley; Christine Loven

Subject: Opposition to Hotel

We would like to express our absolute opposition to a hotel on the 121 access road between Hall Johnson and Glade Road. As Grapevine residents for 13 years and parents of children at HES and HMS, we do not support a hotel in this area. The proposed hotel poses safety and security concerns for the children who walk to and from the 3 schools and park in the lot adjacent to the land, as well as the surrounding businesses and residences. A hotel in the backyard of all 3 schools is an invitation for child predators; sex offenders will be able to stay at the hotel without any warning to local residents or school district employees. The hotel does not provide a "child safety zone" of 500 feet from a school or location where children gather, as is commonly imposed in many Texas city ordinances.

Restaurants and businesses nearby will undoubtedly lose the support of local residents who frequent those areas when they become overcrowded and unfamiliar. As a longtime resident, it is welcoming to walk into La Hacienda Ranch and other establishments nearby and see friends and neighbors. We will lose that very quickly.

We hope that you will consider the greater impact of our safety, security, property values, and quality of life when considering the hotel. This area of Grapevine and Colleyville will quickly lose the feeling of being a "small town" in a big city that has drawn us to live in this area.

Sarah and Frank Oliver
4003 Meadow Dr
Grapevine, TX 76051

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Schools against hotel

From: Angela Losack
Sent: Tuesday, December 16, 2014 4:41 PM
To: Marty Wieder
Subject: Schools against hotel

The proposed hotel on the 121 Access Rd. is a very bad idea. It is too close to our heritage schools and will cause additional congestion for our children as new drivers. There is no control of individuals staying in that hotel- A registered sex offender that should not be with in yards of the school area could be staying in the hotel. It is irresponsible for the city of Colleyville to put any hotel that close to our school residence and residential areas!

I hope you will consider this and not vote in the new hotel /motel .
Angie Losack
817-773-8632

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Opposed to ANY Hotel by ANY school

From: Michael Eaves

Sent: Tuesday, December 16, 2014 4:02 PM

To: Marty Wieder; David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart; Jennifer Fadden; Amy Shelley; Christine Loven

Subject: Opposed to ANY Hotel by ANY school

Is a background check for any person who stays at the hotel going to be mandated?

What type of security is going to be paid for by the city to ensure student safety?

NO NO NO.

Michael Eaves

Grapevine resident

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Tonights Council Vote

From: Kemal Carr

Sent: Tuesday, December 16, 2014 4:01 PM

To: Chris Putnam; David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Jody Short; Tom Hart

Cc: Lyn Berutti

Subject: Tonights Council Vote

DEar, Mayor, & Council,
Before you vote tonight on the "The Approval of a 5 Story Hotel Potentially Causing Irreparable Damage to Colleyville"

I cannot attend the meeting tonight, so let me share some of our thoughts from Woodland Hills.

We're very much in favor of increasing Colleyville's business tax base, and would like a top-rate, 1st class hotel in our city, however the requested variances, unnecessary, and unwarranted. Colleyville should work for a better solution. Hampton is the low end of lodging spectrum, and will not attract the type of clientele and adjacent business to improve our quality of living here. We BELIEVE Colleyville CAN DO BETTER.

Once THE DEVELOPMENT SOUTH OF Glade in Euless is complete, that frontage road location will become more valuable, and attractive, but not if a 5 story Hampton inn is there. It will permanently hurt all values along 121. and in our neighborhoods, including all of yours as well.

Please take our longer term outlook into consideration. and vote "no" on the request variances.

Thank you.

Regards,

Colleyville Resident Since '99 Kemal Carr
817-684-7545

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 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

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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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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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- 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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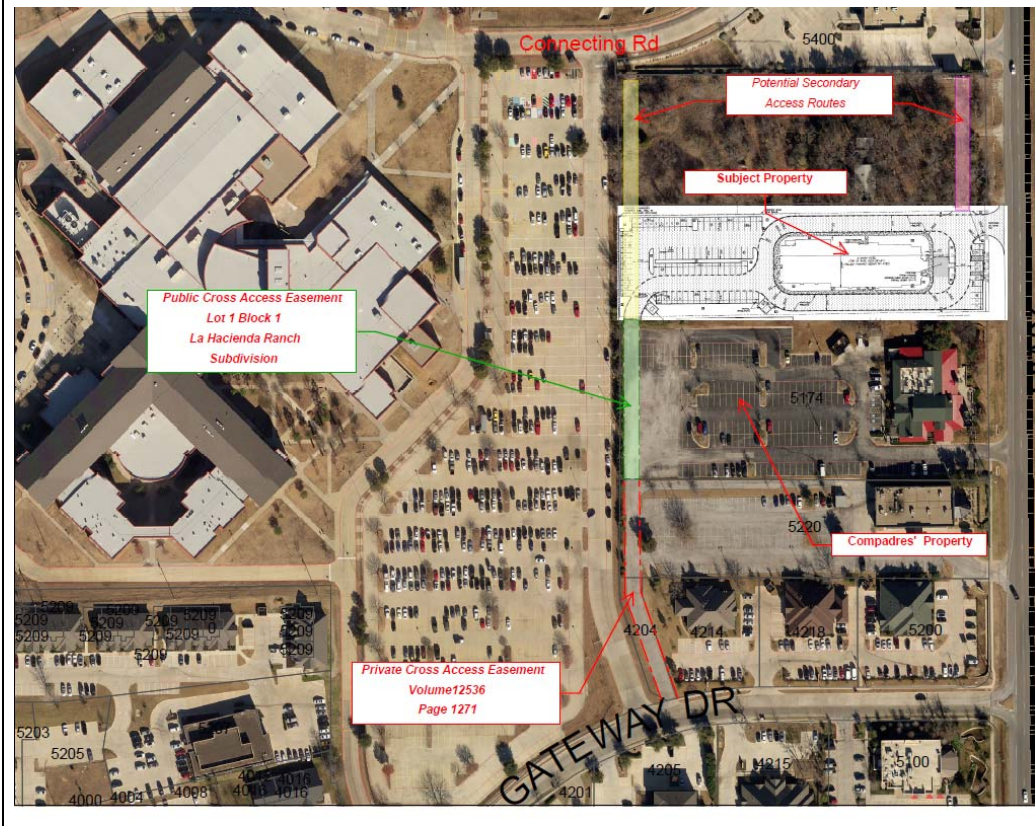
meeting space.

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: Arial 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

La. 1/16/14

1

SPEAKER CARD

Date: 12-16-14

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: 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: Jeff Lowery

This information is a Public Record

Letters and Speaker Cards of Opposition

La Hacienda

SPEAKER CARD

2

Date: 12-16-14

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: THOMAS M. WHELAN (for LA HACIENDA RANCH)

Address: 2501 N. HARWOOD City: DALLAS

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Signed: [Signature]

This information is a Public Record

Letters and Speaker Cards of Opposition

Ly/Minide

SPEAKER CARD

3

Date: 12/16/14

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: Alexis Georgiadis

Address: 5250 Hwy 121

City: Colleyville

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Signed: _____

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Letters and Speaker Cards of Opposition

La Jolla

SPEAKER CARD

4

Date: 12/16/14

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: Bruce Williams

Address: 5250 Hwy 121

City: Colleyville

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Signed: 

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Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: 12-16-14

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: ROGER DE SARNO

Address: 302 DEL MAR COURT 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: Roger De Sarno

This information is a Public Record

Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: 12-16-14

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: CAROLYN ANN WALGREN

Address: 1925 WATERFORD DR City: GRAPEVINE

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Signed: Carolyn Ann Walgren
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Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: 12-10-2014

Agenda Item Number: 5C

For example: **5a (this can be found on the far left side of the agenda copy)**

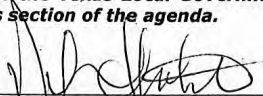
_____ I will speak **In Support** of this item. ✓ I will speak **In Opposition** to this item.

_____ I do not wish to speak, but please record my: _____ **support** _____ **opposition**

Name: Nelson Thibodeaux

Address: Sp12 Coventry CT City: Coleman, TX 76034

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: 

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Letters and Speaker Cards of Opposition



CITY OF COLLEYVILLE CITY COUNCIL MEETING

WELCOME

If you wish to address the City Council, please follow the suggestions below:

1. Please read and provide the required information in order that the Mayor may recognize you promptly for the appropriate agenda item number.
2. Please state your full name and address when you begin your remarks in order that the official minutes record your appearance before the City Council.

THANK YOU FOR YOUR COOPERATION.

SPEAKER CARD

Date: _____

Agenda Item Number: 9

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: Julie Glenn

Address: 2901 Highgrove Ct City: CV

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: _____

Julie Glenn

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Letters and Speaker Cards of Opposition



CITY OF COLLEYVILLE CITY COUNCIL MEETING

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SPEAKER CARD

Date: 12/16/14

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: Mark Walgren

Address: 1925 Waterford Dr City: Grapevine

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Signed: [Signature]
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Letters and Speaker Cards of Opposition



CITY OF COLLEYVILLE CITY COUNCIL MEETING

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SPEAKER CARD

Date: 12/16/2014

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: Janet Borgman

Address: 1800 Rolling Ridge Dr

City: Grapevine

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Signed: Janet Borgman

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Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: 12/16/14

Agenda Item Number: 5C

For example: **5a (this can be found on the far left side of the agenda copy)**

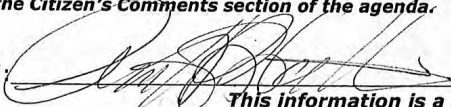
_____ I will speak **In Support** of this item. _____ I will speak **In Opposition** to this item.

X I do not wish to speak, but please record my: _____ support X **opposition**

Name: Annette Walters

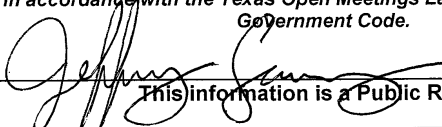
Address: 1215 Theresa Ln City: Colleyville

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: 

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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: 2014.12.10

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: BONIE WILLIAMS

Address: 5250 Hwy 21

City: Colleyville

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Signed: _____

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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)**

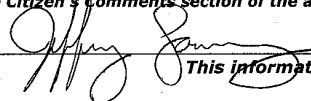
_____ I will speak **In Support** of this item. ☒ I will speak **In Opposition** to this item.

_____ I do not wish to speak, but please record my: _____ **support** _____ **opposition**

Name: JEFF Lowery

Address: 5250 Hwy 121 City: Colleyville

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Signed: 

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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
Barranca

_____ 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: 

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Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: COM. 11.02

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: THOMAS M. WHELAN (for 121 COMPANIES, LTP)

Address: 2501 AL. HARMWOOD, SUITE 1800 City: DALLAS

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Signed: Thomas M. Whelan

(This information is a Public Record)

Letter and Speaker Cards of Support

Amy Shelley

Subject: FW: New hotel! Great for Colleyville.

From: Ward Hayworth

Sent: Monday, December 15, 2014 4:05 PM

To: David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart; Marty Wieder

Subject: New hotel! Great for Colleyville.

Dear Colleyville Leadership:

I am writing to express my excitement over the new proposed Hampton Inn. I absolutely think it is the best possible use of the property on 121.

As a frequent business traveler, I am very familiar with the Hampton Inn brand, and it is well suited for Colleyville.

This addition will bring patrons to our restaurants and shops, and will help build an awareness of Colleyville's many attributes to the traveling business public.

This is a fabulous opportunity for the City of Colleyville. I am Colleyville property owner and I believe this will add value to my property, and all Colleyville property.

Sincerely,

Ward Hayworth
(817) 917-5043 cell

Letter and Speaker Cards of Support

SPEAKER CARD

Date: 12/16/14

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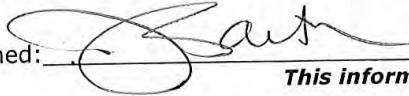
☒ I will speak **In Support** of this item. ☐ I will speak **In Opposition** to this item.

☐ I do not wish to speak, but please record my: ☐ **support** ☐ **opposition**

Name: Julia Barth

Address: 4810 Shadywood Ln City: Colleyville TX

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Signed: 

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Letter and Speaker Cards of Support

SPEAKER CARD

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Name: Louis Miller 5c

Address: 7802 Tillman Hill Ct City: Colleyville,

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Signed: [Signature]

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Letter and Speaker Cards of Support

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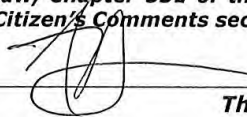
☐ I do not wish to speak, but please record my: ☐ **support** ☐ **opposition**

Name: Aaron Siddique

Address: 1500 Bayl Lane

City: Colleyville

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Signed: 

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Letter and Speaker Cards of Support



CITY OF COLLEYVILLE CITY COUNCIL MEETING

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☒ I do not wish to speak, but please record my: ☒ **support** _____ **opposition**

Name: Sharon Siddique

Address: 1502 Royal Lane City: Colleyville TX 76034

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Signed: Sharon Siddique

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Letter and Speaker Cards of Support



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☒ I do not wish to speak, but please record my: ☒ **support** _____ **opposition**

Name: MO SIDDIGUE

Address: 1502 Royal Lane

City: Colleyville

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Signed: _____

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Revised Statement of Planning Objectives - 1/6/2015



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 91 guest rooms and 93 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.

Revised Statement of Planning Objectives - 1/6/2015



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 66' 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 91 guestrooms. The site layout includes 93 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 fire lane 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, fire lane, building, and access requirements, we are unable to preserve any of the existing trees.

Revised Statement of Planning Objectives - 1/6/2015



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 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.

Another request Icon Lodging would like to make is for a reduction of the required landscape mixture. Although total site landscaping is 21% of the total land on site, which meets the City's requirements of 20%, 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 10% 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

Revised Statement of Planning Objectives - 1/6/2015



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: 91

Estimated Sales per Square Foot: N/A

Average Estimated Room Charge: \$135.00

Average Occupancy Rate: 68%

Estimated Occupancy Tax for First Year: \$179,172

Total Estimated Occupancy Taxes for First 5 Years: \$895,860

Additional Estimated Economic Impact per Year by Guests on City of Colleyville Retail, Food and Beverages, and Gas: Approximately \$150,000

Additional Estimated Economic Impact for 5 Years by Guests on City of Colleyville Retail, Food and Beverage, and Gas: Approximately \$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: \$13,520,860

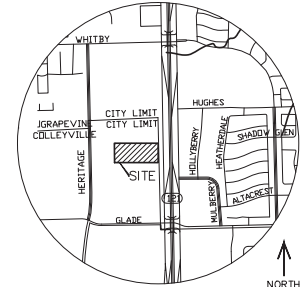
Revised Site Plan - 1/6/2015

LEGEND

- EXISTING CURB
- - - PROPOSED CURB
- - - PROPOSED FIRE LANE
- ⑥ — PARKING SPACES IN A ROW
- LS — PROPOSED LANDSCAPING
- [Pattern] — SIDEWALK PAVEMENT/PEDESTRIAN WALKWAY
- [Pattern] — 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.

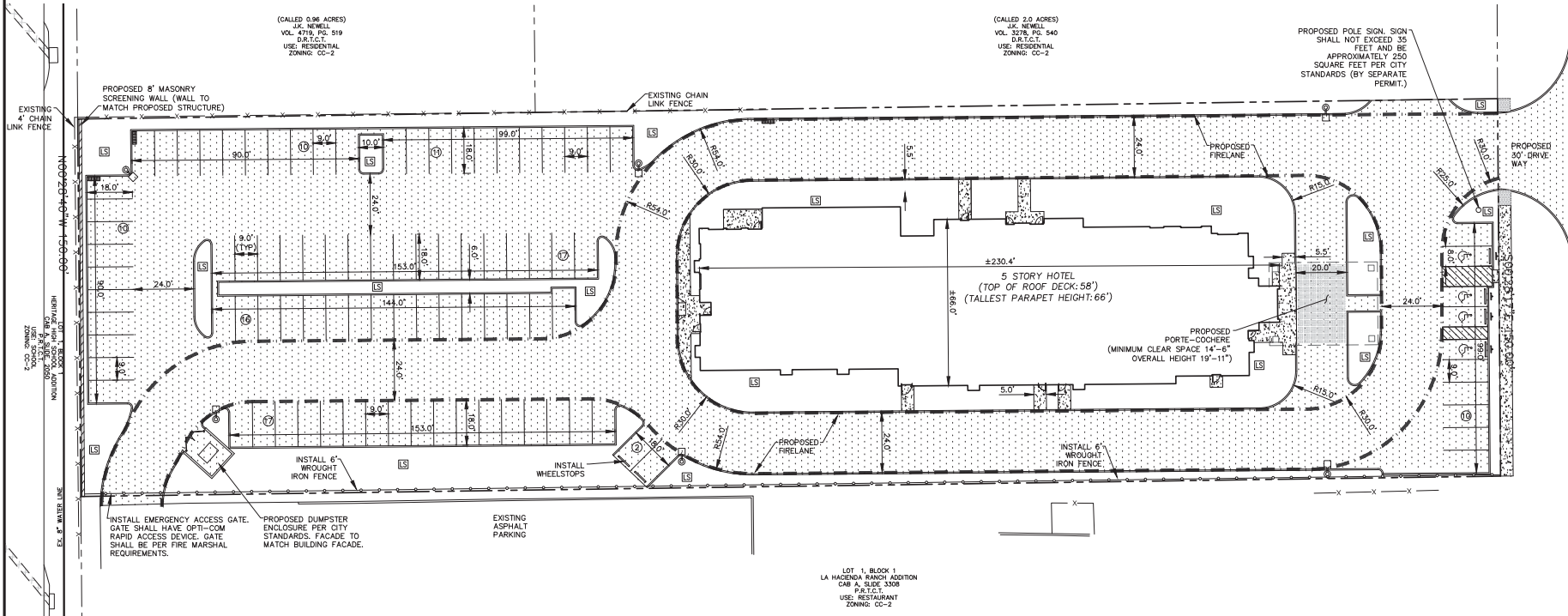


VICINITY MAP
NTS

Cumulus Design
Firm #14810
2080 N. Highway 380, Suite 240
Grand Prairie, Texas 75050
Tel. 214.235.0367

THIS DOCUMENT IS
RELEASED FOR
THE PURPOSE OF
REVIEW UNDER THE
AUTHORITY OF PAUL
CRAGIN, P.E.
NO. 112767 ON
12/23/14.

SITE PLAN
HOTEL ALONG STATE HIGHWAY 121
CITY OF COLLEEVILLE
TARRANT COUNTY, TEXAS

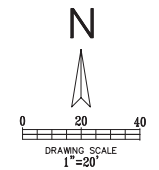


SITE DATA TABLE	
EXISTING ZONING: CC-2	PROPOSED ZONING: PUDC
LAND USE:	HOTEL
SITE ACREAGE:	1.94 ACRES (84,651 SQ FT)
BUILDING FOOTPRINT:	13,800 SQUARE FEET
BUILDING AREA:	67,500 SQUARE FEET
OPEN SPACE:	18,104/84,651 : 21%
PAVED SURFACE AREA:	52,747/84,651 : 62%
NUMBER OF UNITS:	91
PARKING REQUIRED (1 PER UNIT):	91 SPACES
PARKING REQUIRED (1 PER 300 SQ. FT OF OFFICE):	2 SPACES
PARKING PROVIDED (TOTAL):	93 SPACES
PARKING PROVIDED (ACCESSIBLE):	4 SPACES
BUILDING HEIGHT: (TOP OF ROOF DECK)	5 STORIES (58' HEIGHT)
MAXIMUM BUILDING HEIGHT: (TALLEST PARAPET)	66' HEIGHT
PORTE COCHERE HEIGHT:	19'-11"

APPLICANT/ENGINEER:
CUMULUS DESIGN, INC.
P.O. BOX 2119
IRVING, TEXAS 75039
CONTACT: PAUL CRAGIN
PHONE: 214-235-0367
FAX: 214-235-0366

DEVELOPER/OWNER:
ICON LOGGING
1212 CORPORATE DR., STE #350
IRVING, TEXAS 75039
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



III. CAUTION !!! UNDERGROUND UTILITIES

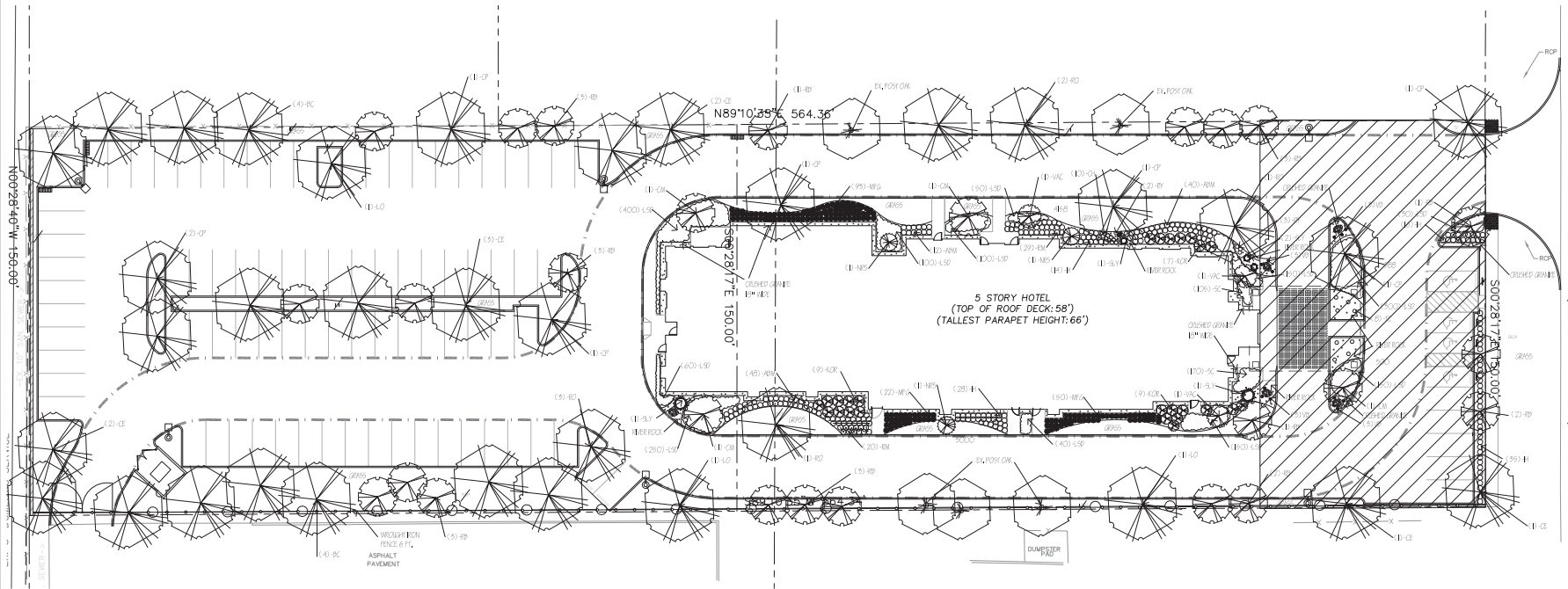
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CALL: TEXAS ONE CALL @ 1-800-245-4545 AT LEAST 48 HRS PRIOR TO CONSTRUCTION.

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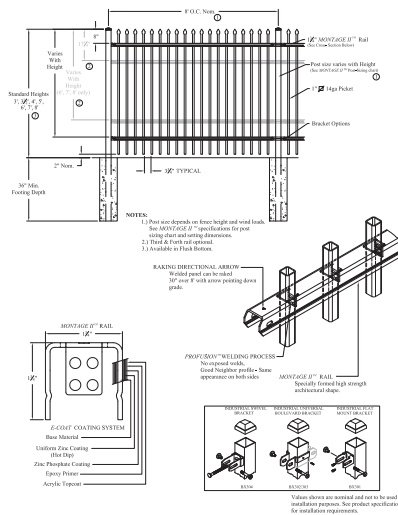
PLOT DATE	12/23/14
DRAWING SCALE	1" = 20'
PROJECT NUMBER	CD14101
SHEET NUMBER	SP

ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM CC-2 TO PUDC.

Revised Landscape Plan - 1/6/2015



01 LANDSCAPE PLAN
SCALE: 1" = 20'-0"



02 FENCE PLAN
SCALE: NA

COLLEYVILLE LANDSCAPE ORDNANCE 84,654 SF.	
REQUIRED	PROVIDED
STREET TREES - (1) 8" TREE FOR EVERY 40 L.F. @ 10' L.F. = 4 TREES	4 TREES
SHEDS - (1) 5 GAL. SHED 10' HIGHER FOR EVERY 9 L.F. @ 90 L.F. = 50 SHEDS	57 SHEDS
PLANT MATERIAL WARDING	AUTOMATIC IRRIGATION SYSTEM
LANDSCAPE RET. AREA - AT LEAST 20% OF THE LOT = 16,920 SF.	17,080 SF. OF RET. + 5,085 SF. OF CREEPS = 22,165 SF. OR 25%
AT LEAST 90% OF THE LANDSCAPE IN RE FRONT YARD = 8,465 SF.	10,960 SF. OR 9%
LANDSCAPE CREEP - FOR EACH 2 SF. OF LANDSCAPE AREA IN RE ROW = 1 SF. OF CREEP	2,608 SF. OF ROW = 1,305 SF.
LANDSCAPE CREEP - FOR EACH 1 SF. OF SEASONAL COLOR = 2 SF. OF CREEP	125 SF. OF SEASONAL COLOR = 250 SF.
LANDSCAPE CREEP - FOR EACH (5) GAL. SHED 10' HIGHER = 15 SF. OF CREEP	122 (5) GAL. SHEDS = 1,830 SF.
PRIVACY TREES - 10% OF LANDSCAPE AREA PER 10' SPACES = 755 SF.	6,102 SF.
PLANTING TREES	SEE SHEET FOR INFORMATION



KEY	QUANTITY	TREES	SIZE
BC	6	YANONIA BUCKLEBERRY	7" CAL. MIN. 4' SPREAD, MIN. 30 FT.
CE	8	MAIA CRASSICOLA	7" CAL. MIN. 4' SPREAD, MIN. 30 FT.
CP	8	POSTICHA CHIMENSE	7" CAL. MIN. 4' SPREAD, MIN. 30 FT.
CM	6	LAGERSTRÖMIA INDICA	7" CAL. MIN. 4' SPREAD, MIN. 30 FT., MAX. 3
LD	8	QUERUS VIRGINIANA	7" CAL. MIN. 4' SPREAD, MIN. 30 FT., MAX. 3
RE	22	QUERUS VIRGINIANA	7" CAL. MIN. 4' SPREAD, MIN. 30 FT., MAX. 3
RO	7	QUERUS VIRGINIANA	7" CAL. MIN. 4' SPREAD, MIN. 30 FT., MAX. 3
VAC	8	YITEN AGNUS CASTUS	30 GAL. MIN. 8' HT., 4' SPREAD
KEY	QUANTITY	SHRUBS	SIZE
CH	33	ILEX CORNUTA	3 GAL. MIN. 13' HT., 30" D.C.
IR	33	ARTEMISIA	3 GAL. MIN. 24' HT., 30" D.C.
NMS	3	YITEN AGNUS CASTUS	30 GAL. MIN. 8' HT., 4' SPREAD
RY	5	YITEN AGNUS CASTUS	30 GAL. MIN. 8' HT., 4' SPREAD
SCY	5	YITEN AGNUS CASTUS	30 GAL. MIN. 8' HT., 4' SPREAD
RM	40	YITEN AGNUS CASTUS	30 GAL. MIN. 8' HT., 4' SPREAD
KOR	25	YITEN AGNUS CASTUS	30 GAL. MIN. 8' HT., 4' SPREAD
KEY	QUANTITY	GROUND COVER	SIZE
LSD	LSD	YITEN AGNUS CASTUS	4" POT. FULL PLANT 30" D.C.
KEY	QUANTITY	BLOOMING COLOR	SIZE
SC	275	SELECTION BY CHAIR	4" POT. FULL PLANT 30" D.C.
YC	8	SELECTION BY CHAIR	30" D.C.
VB	22	SELECTION BY CHAIR	30" D.C.
KEY	QUANTITY	ORNAMENTAL GRASSES	SIZE
MFG	127	SELECTION BY CHAIR	30" D.C.
ARM	130	SELECTION BY CHAIR	30" D.C.

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 LA FOY, 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
1000 W. WILSON AVE.
SUITE 100
DALLAS, TEXAS 75203
(214) 343-1111

PLOT DATE
12/23/2014
DRAWING SCALE
1" = 20'
PROJECT NUMBER
CD14101
SHEET NUMBER
L1.02

Revised Building Elevations - 1/6/2015



Revised Building Elevations - 1/6/2015



Revised Building Elevations - 1/6/2015



Revised Building Elevations - 1/6/2015



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**

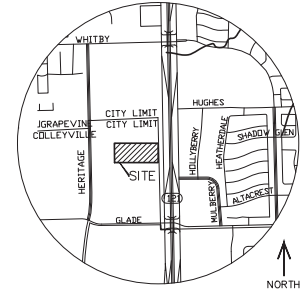
Revised Site Plan

LEGEND

- EXISTING CURB
- - - PROPOSED CURB
- - - PROPOSED FIRE LANE
- ⑥ — PARKING SPACES IN A ROW
- LS — 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.

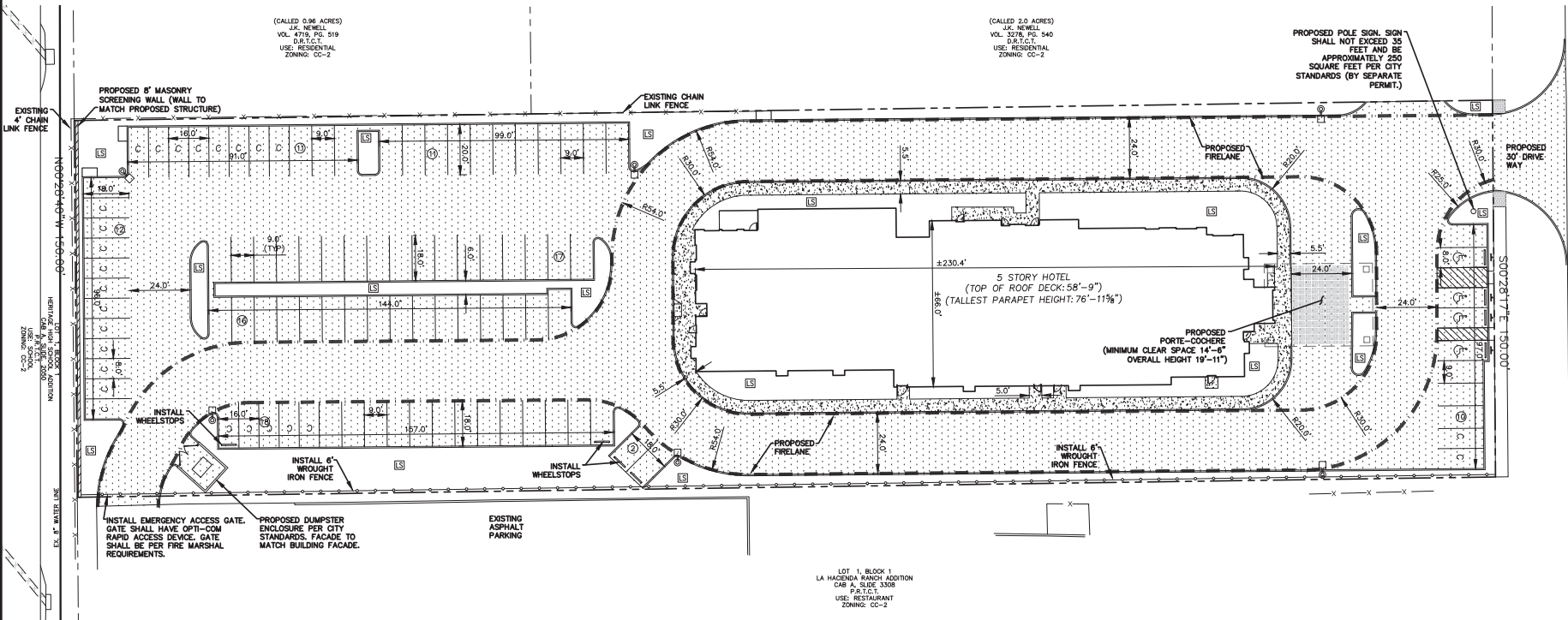


VICINITY MAP

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 HABENIA 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:
ICON LOGGING
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

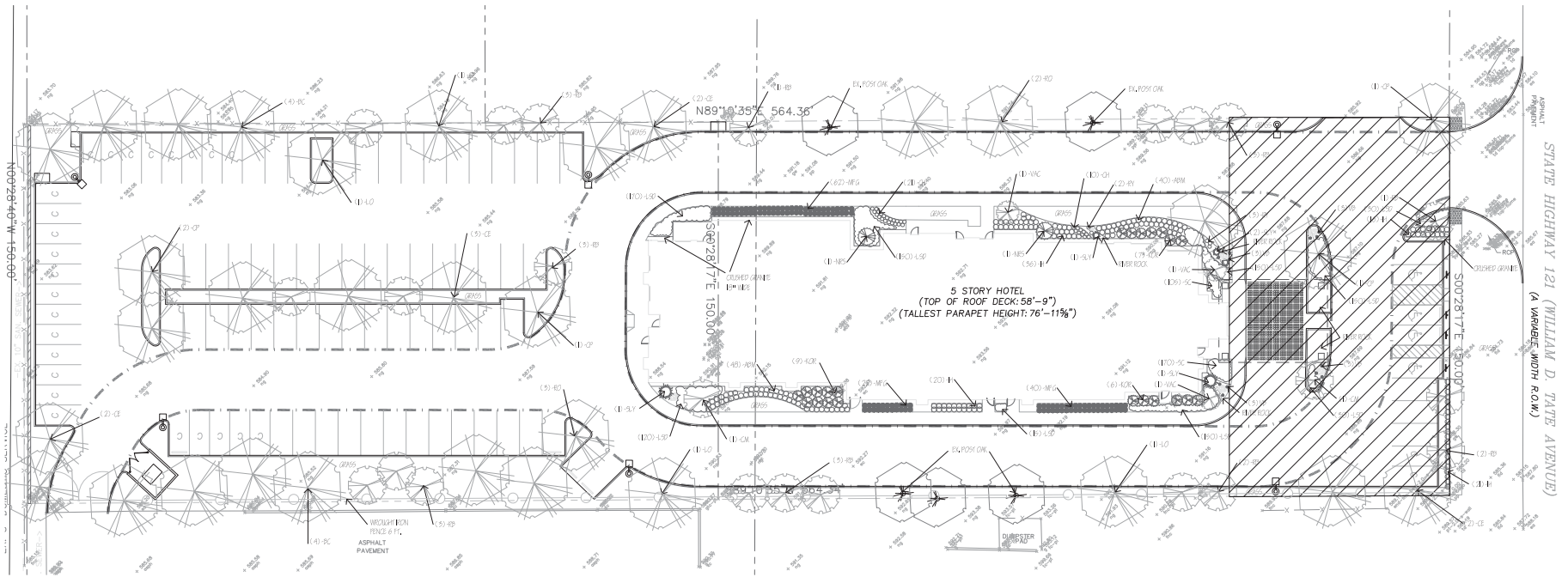
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CALL: TEXAS ONE CALL @ 1-800-245-4545 AT LEAST 48 HRS PRIOR TO CONSTRUCTION.

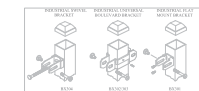
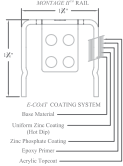
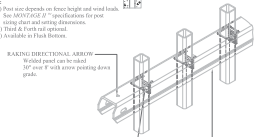
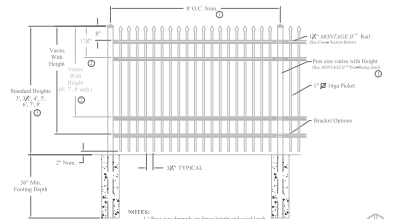
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PLOT DATE
12/09/14
DRAWING SCALE
1\" = 20'
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CD14101
SHEET NUMBER
SP

Revised Landscape Plan



01 LANDSCAPE PLAN
SCALE: 1" = 20'-0"



02 FENCE PLAN
SCALE: NA

COLLEVILLE LANDSCAPE ORDINANCE 06.694 SF.	
REQUIREMENT	PROPOSED
STREET TREES - (1) 2" DBH TREE FOR EVERY 40 L.F. @ 10' L.F. = 4 TREES	4 TREES
9' DBLPS - (1) 3' GAL, 9' DBLPS @ 10' L.F. FOR EVERY 5 L.F. @ 10' L.F. = 30 DBLPS	57 DBLPS
PLANT MATERIAL HANDLING	AROMATIC PESTICIDE SYSTEM
LANDSCAPE SHADE AREA - AT LEAST 20% OF THE LOT = 16,294 SF.	14,514 SF, OR 18% + 5,589 SF, OF CREDS = 17,754 SF, OR 20%
AT LEAST 50% OF THE LANDSCAPE IN THE FRONT YARD = 8,866 SF.	1,556 SF, OR 9%
LANDSCAPE CREDIT - FOR EACH 2 SF. OF LANDSCAPE AREA IN THE ROW = 1 SF. OF CREDIT	2,609 SF. OF ROW = 1,304 SF.
LANDSCAPE CREDIT - FOR EACH 10 SF. OF SEASONAL COLOR = 2 SF. OF CREDIT	126 SF. OF SEASONAL COLOR = 250 SF.
LANDSCAPE CREDIT - FOR EACH (5) GAL, 9' DBLPS @ 10' L.F. = 1 SF. OF CREDIT	122 (5) GAL, 9' DBLPS = 1,830 SF.
PARKING LOTS - 100 SF OF LANDSCAPE AREA PER 100 PARKING SPACES AT 97 SPACES = 795 SF.	6,112 SF.
EXISTING TREES	SEE SHEET FOR INFORMATION

REV	CAPACITY	THESES	SIZE
IC	8	TACEDARISDORIS BACEDORIS	1/2" MIN. SPREAD MIN. 27" H.
CE	6	ULMUS, CORALIA CEADUM	1/2" MIN. SPREAD MIN. 27"
OE	9	PROSOPIS, ONONIS ONONIS, PROSOPIS	1/2" MIN. SPREAD MIN. 27"
CD	16	CLICUS, MALVACEAE ONONIS, PROSOPIS	1/2" MIN. SPREAD MIN. 27"
OM	2	LAGERSTRÖMIA ONONIS, PROSOPIS	1/2" MIN. SPREAD MIN. 27"
IB	25	ONONIS, PROSOPIS ONONIS, PROSOPIS	1/2" MIN. SPREAD MIN. 27"
OK	5	ONONIS, PROSOPIS ONONIS, PROSOPIS	1/2" MIN. SPREAD MIN. 27"
UNC	3	ONONIS, PROSOPIS ONONIS, PROSOPIS	1/2" MIN. SPREAD MIN. 27"
REV	CAPACITY	THESES	SIZE
GA	10	ELM, CORALIA, PROSOPIS ONONIS, PROSOPIS	1/2" MIN. SPREAD MIN. 27"
MS	2	ONONIS, PROSOPIS ONONIS, PROSOPIS	1/2" MIN. SPREAD MIN. 27"
RY	5	ONONIS, PROSOPIS ONONIS, PROSOPIS	1/2" MIN. SPREAD MIN. 27"
SV	25	ONONIS, PROSOPIS ONONIS, PROSOPIS	1/2" MIN. SPREAD MIN. 27"
REV	CAPACITY	GROUND COVER	SIZE
UD	160	ONONIS, PROSOPIS ONONIS, PROSOPIS	1/2" MIN. SPREAD MIN. 27"
REV	CAPACITY	BLOOMING COVER	SIZE
IC	25	ONONIS, PROSOPIS ONONIS, PROSOPIS	1/2" MIN. SPREAD MIN. 27"
IB	12	ONONIS, PROSOPIS ONONIS, PROSOPIS	1/2" MIN. SPREAD MIN. 27"
REV	CAPACITY	ONONIS, PROSOPIS	SIZE
MG	10	ONONIS, PROSOPIS ONONIS, PROSOPIS	1/2" MIN. SPREAD MIN. 27"
AM	18	ONONIS, PROSOPIS ONONIS, PROSOPIS	1/2" MIN. SPREAD MIN. 27"

Cumulus Design
Firm #14810
2080 N. Highway 360, Suite 240
Grand Prairie, Texas 75050
Tel. 214.235.0367

THIS DOCUMENT IS
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CAMILLE LaFOY, 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, B402
ALLEN, TEXAS 75003
972-344-8899 972-265-8028 FAX

PLOT DATE
12/08/2014
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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



112 NW 24th, Suite 116
Fort Worth, TX 76164
phone. 817.680.5921
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ICON LODGING

1212 Corporate Dr., Ste 350
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FRONT

3D Hotel Renderings



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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
LEFT

3D Hotel Renderings



112 NW 24th, Suite 116
Fort Worth, TX 76164
phone. 817.680.5921
www.jrkdesign.us

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1212 Corporate Dr., Ste 350
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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

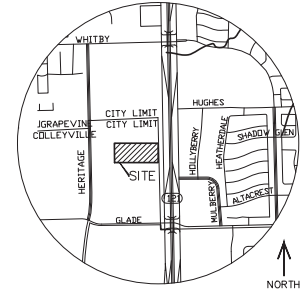
Original Site Plan

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.



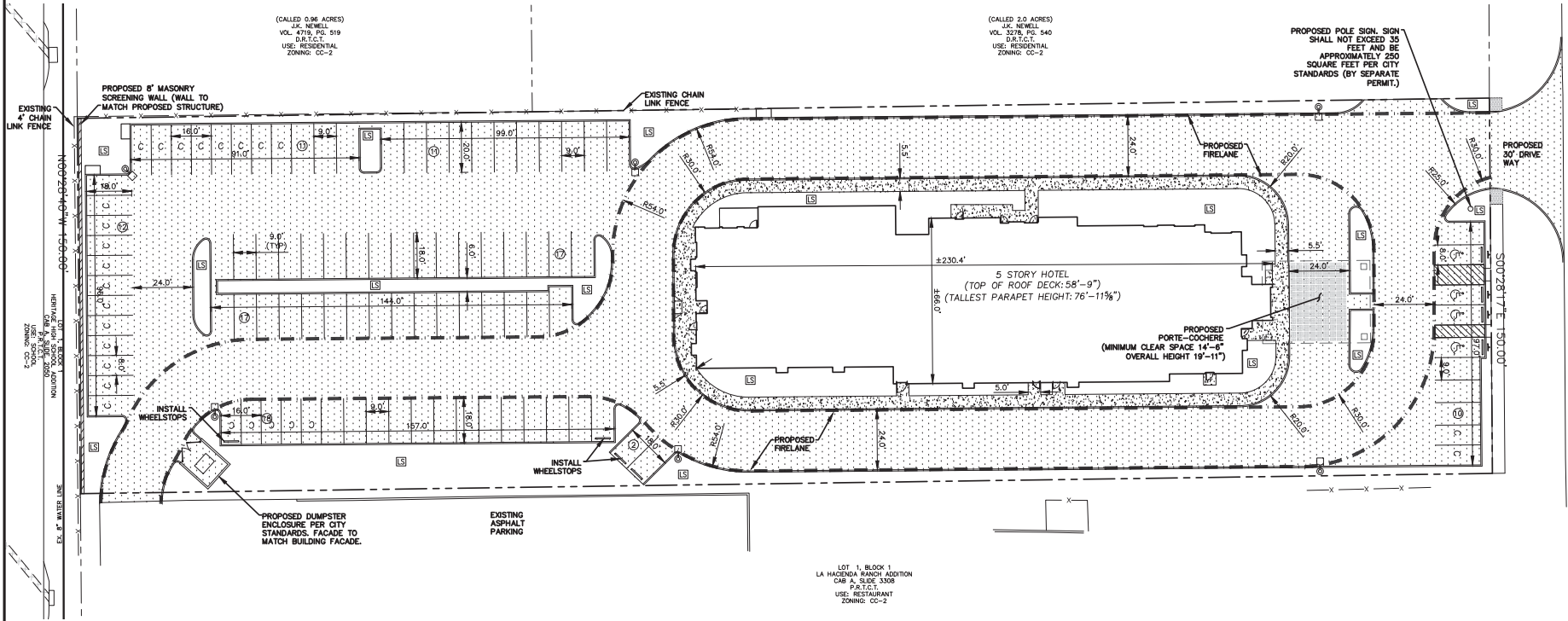
VICINITY MAP

NORTH

Cumulus Design
Firm #14810
2080 N. Highway 380, Suite 240
Grand Prairie, Texas 75050
Tel. 214.235.0367



SITE PLAN
HOTEL ALONG STATE HIGHWAY 121
CITY OF COLLEEVILLE
TARRANT COUNTY, TEXAS



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.

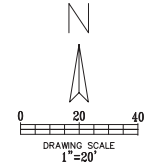
SITE DATA TABLE	
EXISTING ZONING: CC-2	PROPOSED ZONING: PUDC
LAND USE:	HOTEL
SITE ACREAGE:	1.94 ACRES (84,651 SQ FT)
BUILDING FOOTPRINT:	13,100 SQUARE FEET
BUILDING AREA:	65,500 SQUARE FEET
OPEN SPACE:	15,601/84,651 : 19%
PAVED SURFACE AREA:	55,950/84,651 : 66%
NUMBER OF UNITS:	96
PARKING REQUIRED (1 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

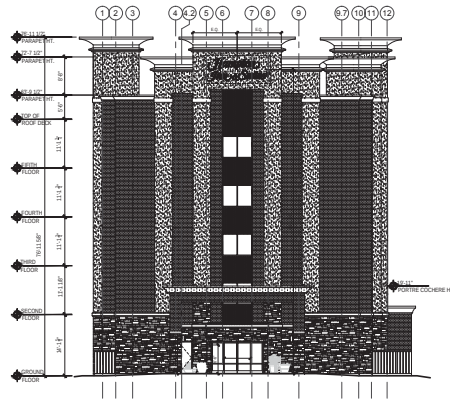
SURVEYOR:
BLUE STAR LAND SURVEYING
1013 CEDAR BREAK CT.
CLEBURNE, TEXAS 76033
CONTACT: ROY RODRIGUEZ
PHONE: 817-659-9206

ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM CC-2 TO PUDC.

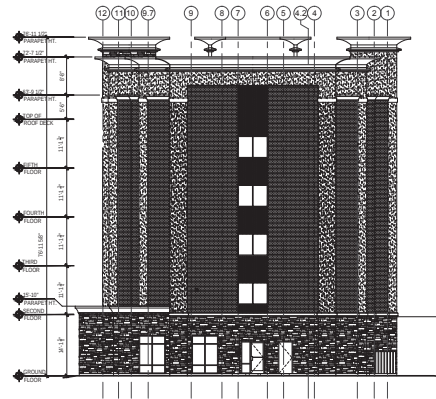


PLOT DATE	10/17/14
DRAWING SCALE	1" = 20'
PROJECT NUMBER	CD14101
SHEET NUMBER	SP

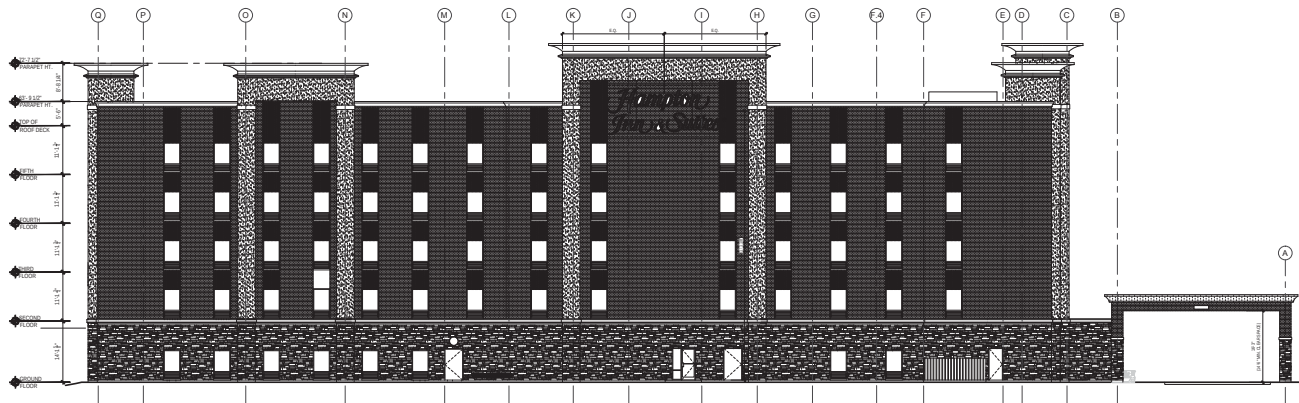
Building Elevations



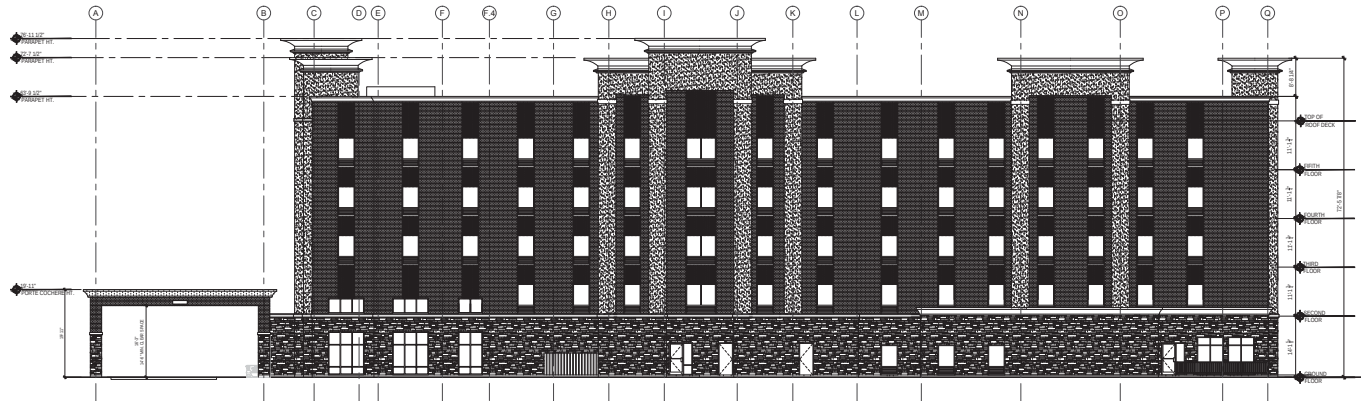
1 WEST ELEVATION
A3.00 SCALE 3/32" = 1'-0"



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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phone: 817.483.0132
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ICON LODGING

Architect:

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Project Manager:

John Ruckie

john.ruckie@jrkd.com



Revisions

Hampton
Inn & Suites
3200 State
Highway 121
Colleyville, TX 76034

PRELIM SET

10.03.2014

TX-14065

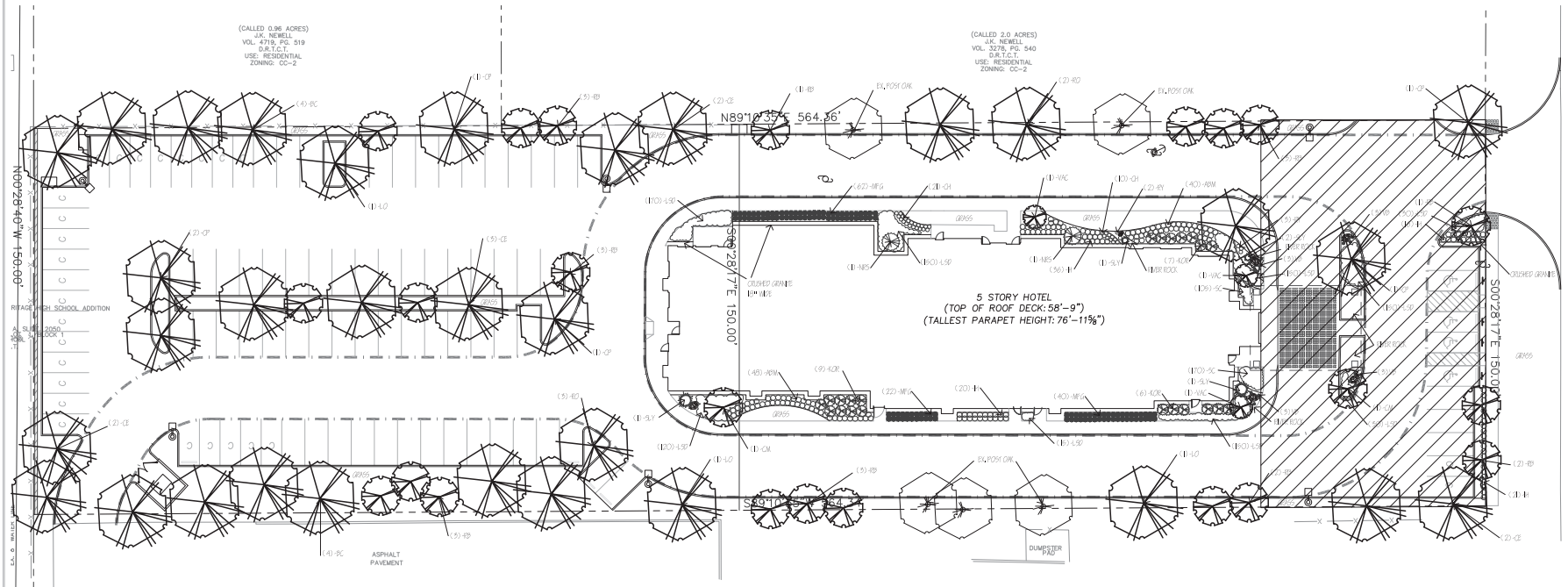
Sheet Description

Exterior
Elevations

A3.00

PRELIMINARY
SET OF
DRAWINGS

Original Landscape Plan



01 LANDSCAPE PLAN
SCALE: 1" = 20'-0"



COLLENTLE LANDSCAPE ORDINANCE 04/04/14	
REQUIRED	PROHIBIT
SHEET REES - 10" DBE FOR EVERY 40 L.F. OF ROW L.F. = 4 TREES	4 TREES
SHRUBS - (1" Ø GA, 9 SHRUBS PER 10 L.F. FOR EVERY 9 L.F. OF ROW L.F. = 90 SHRUBS	57 SHRUBS
PLANT MATERIAL HANDLING	AUTOMATIC IRRIGATION SYSTEM
LANDSCAPE SHEET AREA - AT LEAST 20% OF ROW L.F. = 16,875 SF.	16,575 SF, OR 17% + 5,588 SF, OF CROPS = 17,744 SF, OR 20%
AT LEAST 50% OF THE LANDSCAPE IN THE FRONT YARD = 8,438 SF.	1,556 SF, OR 9%
LANDSCAPE CROPS - FOR EACH 2 SF. OF LANDSCAPE AREA IN THE ROW = 1 SF. OF CROPS	2,605 SF. OF ROW = 1,302 SF.
LANDSCAPE CROPS - FOR EACH 1 SF. OF SEASONAL COLOR = 2 SF. OF CROPS	125 SF. OF SEASONAL COLOR = 250 SF.
LANDSCAPE CROPS - FOR EACH (5" GA), SHRUB, PER 10 L.F. = 10 SF. OF CROPS	122 (5") GA, SHRUBS = 1,220 SF.
PERMISSIBLES - 140 SF. OF LANDSCAPE AREA PER 10 PERMISSIBLES AT 97 SPACES = 789 SF.	6,712 SF.
EXISTING TREES	SEE SHEET 10 FOR MEASUREMENT

[illegible]

Cumulus Design
Firm #14810
2080 N. Highway 360, Suite 240
Grand Prairie, Texas 75050
Tel. 214.235.0367

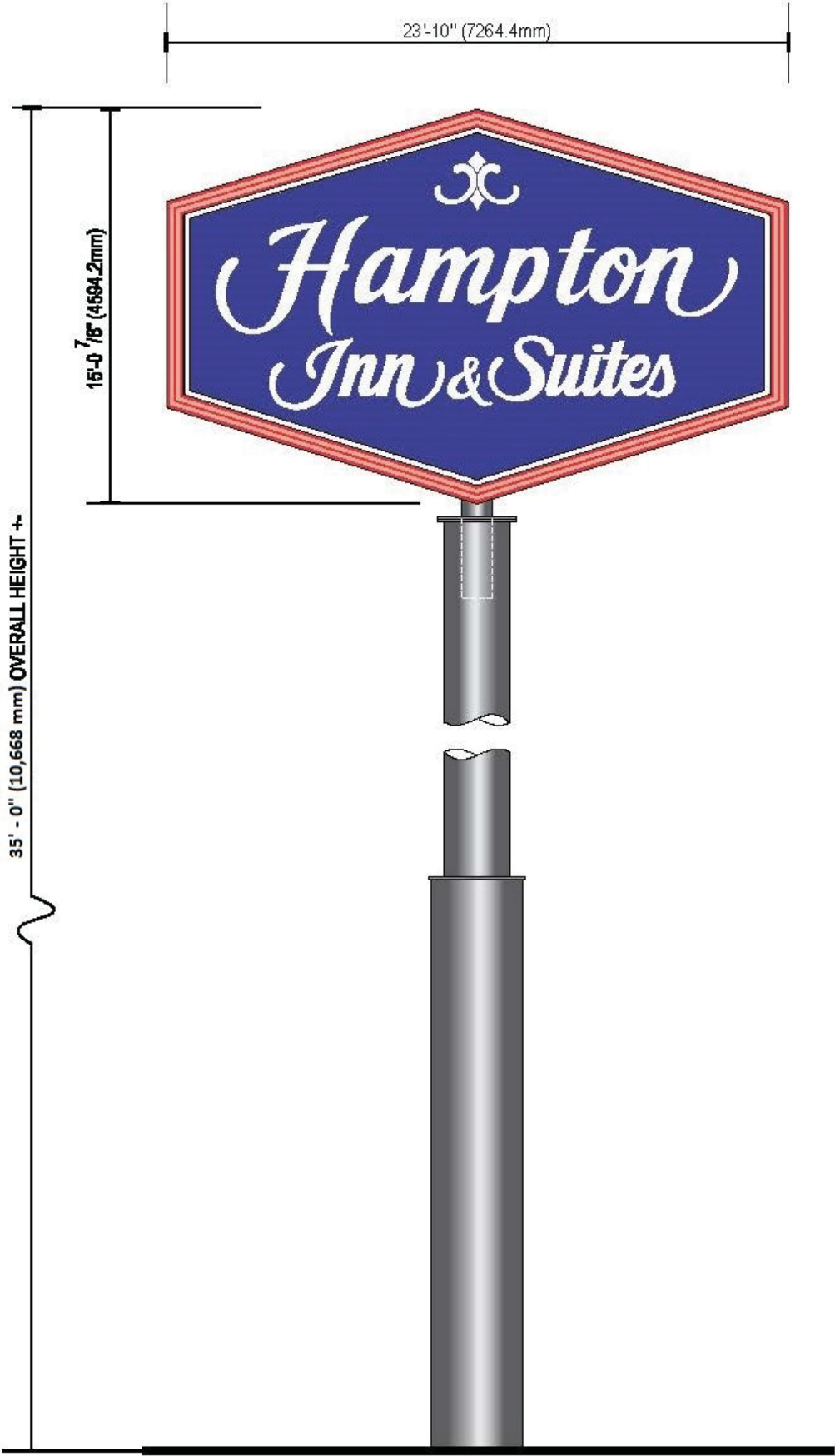
THIS DOCUMENT IS
RELEASED FOR
THE PURPOSE OF
REVIEW UNDER THE
AUTHORITY OF
CAMILLE LaFOY, L.A.
NO. 000000 ON
09/00/2014.

LANDSCAPE PLAN
SHEEL ALONG STATE HIGHWAY 121
CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS

JCL
J. CAMILLE LA FOY
LANDSCAPE ARCHITECTURE CONSULTING
1010 NORTH GREENVILLE AVENUE, 8N2
ALLEN, TEXAS 75002
PH: (972) 999-0774 FAX: (972) 999-0775

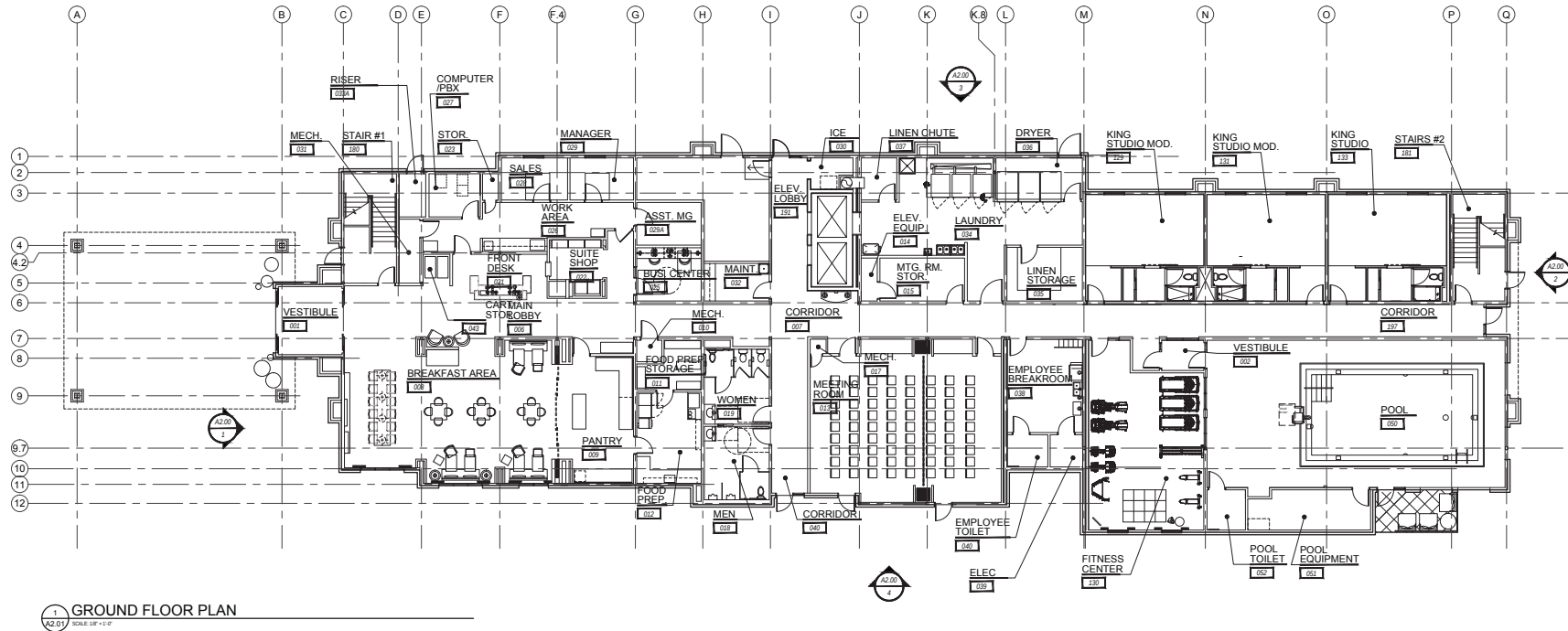
PLOT DATE
10/17/14
DRAWING SCALE
1" = 20'
PROJECT NUMBER
CD14101
SHEET NUMBER
L1.02

Pole Sign Detail



D/F HIS-385 HI-RISE PYLON SIGN

First Floor Plan



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Sheet Description

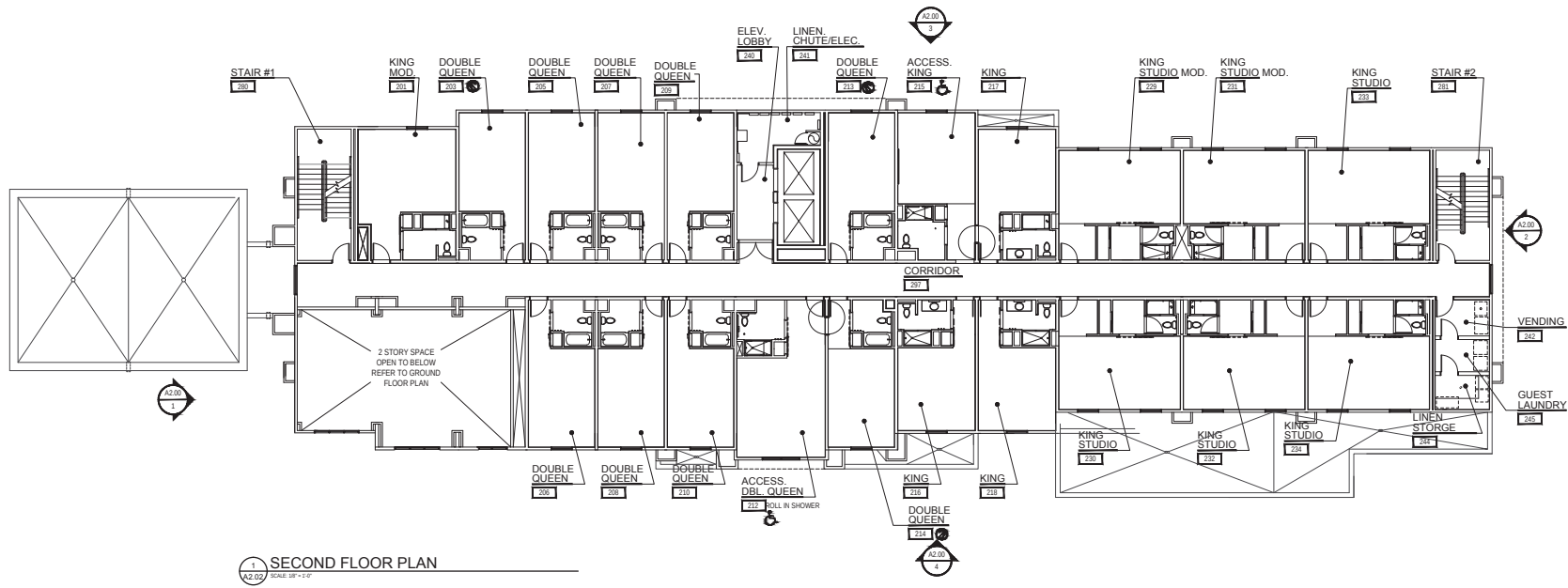
First Floor Plan

Sheet Number

A2.01

PRELIMINARY
SET OF
DRAWINGS

Upper Floor Plans



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10.03.2014

TX-14065

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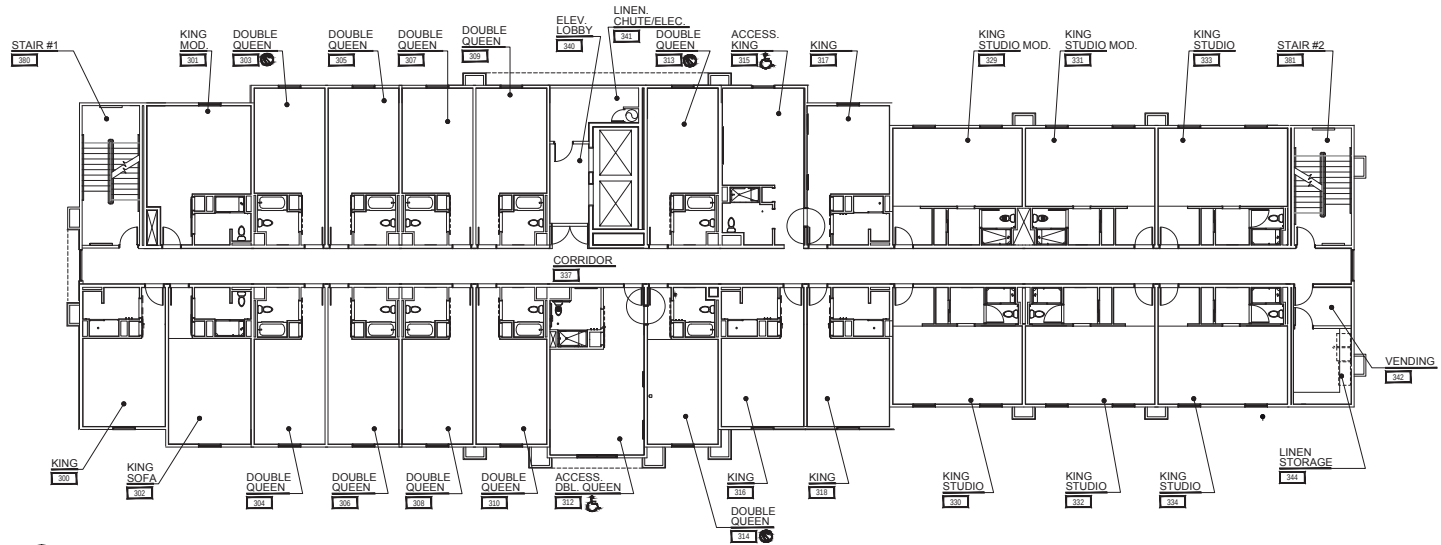
Second Floor
Plan

Sheet Number

A2.02

PRELIMINARY
SET OF
DRAWINGS

Upper Floor Plans



1 THIRD FLOOR PLAN
SCALE: 1/8" = 1'-0"



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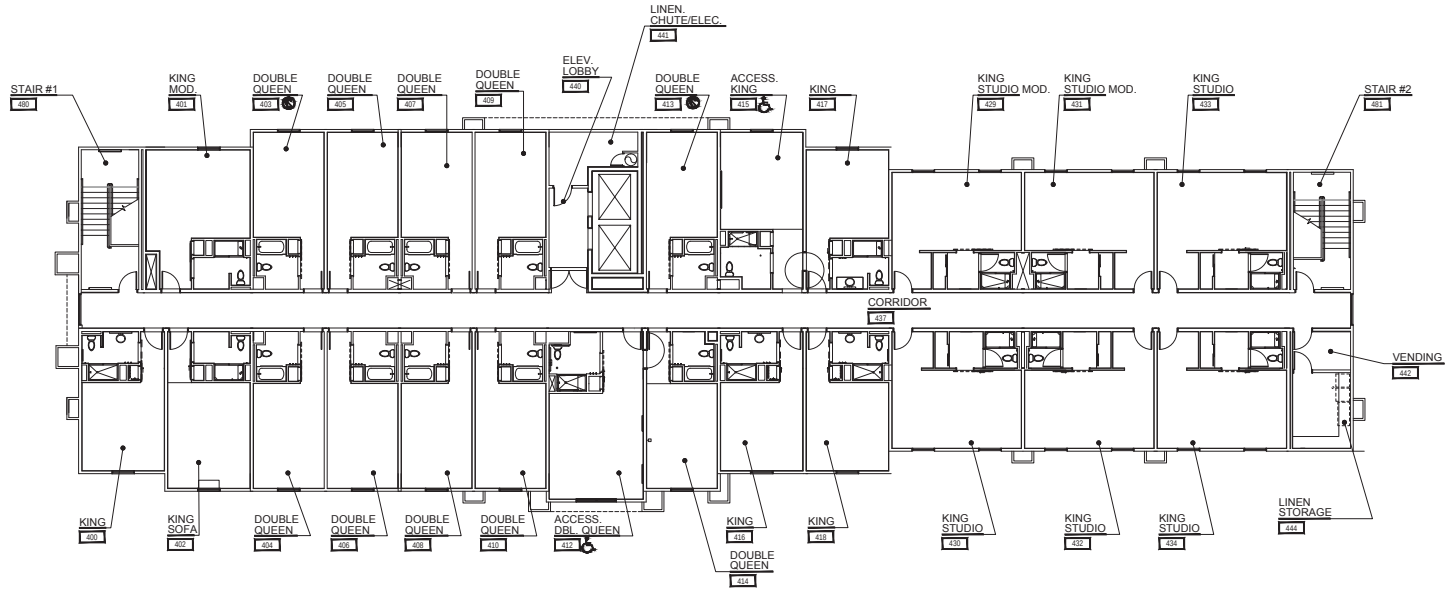
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PRELIM SET
10.03.2014
TX-14065

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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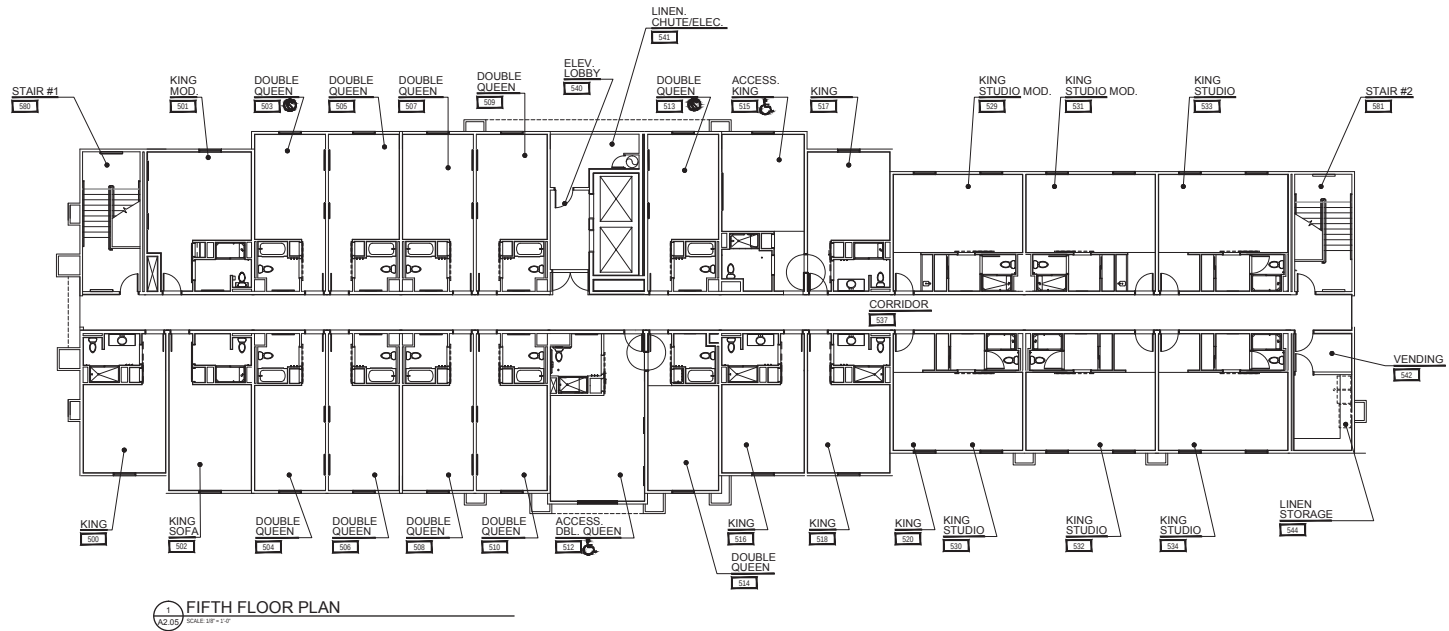
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Highway 121
Colleyville, TX 76034

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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Project Manager:

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Revisions

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Highway 121
Colleyville, TX 76034

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."

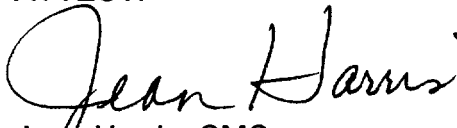
Sec. 2. The City secretary is hereby authorized and directed to cause publication of the descriptive caption and clause hereof as an alternative method of publication provided by law.

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", "E", and "F".
- 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 20 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 as shall be generally consistent with Exhibit "F". 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 66 feet in height as shown in Exhibit "E".
- e. A minimum of 93 parking spaces shall be provided on the subject property.
- 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, and shall be generally consistent as shown on Exhibit "F".
- 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.

A third public hearing being conducted on the 6th day of January, 2015.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the _____ day of _____ 2015.

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

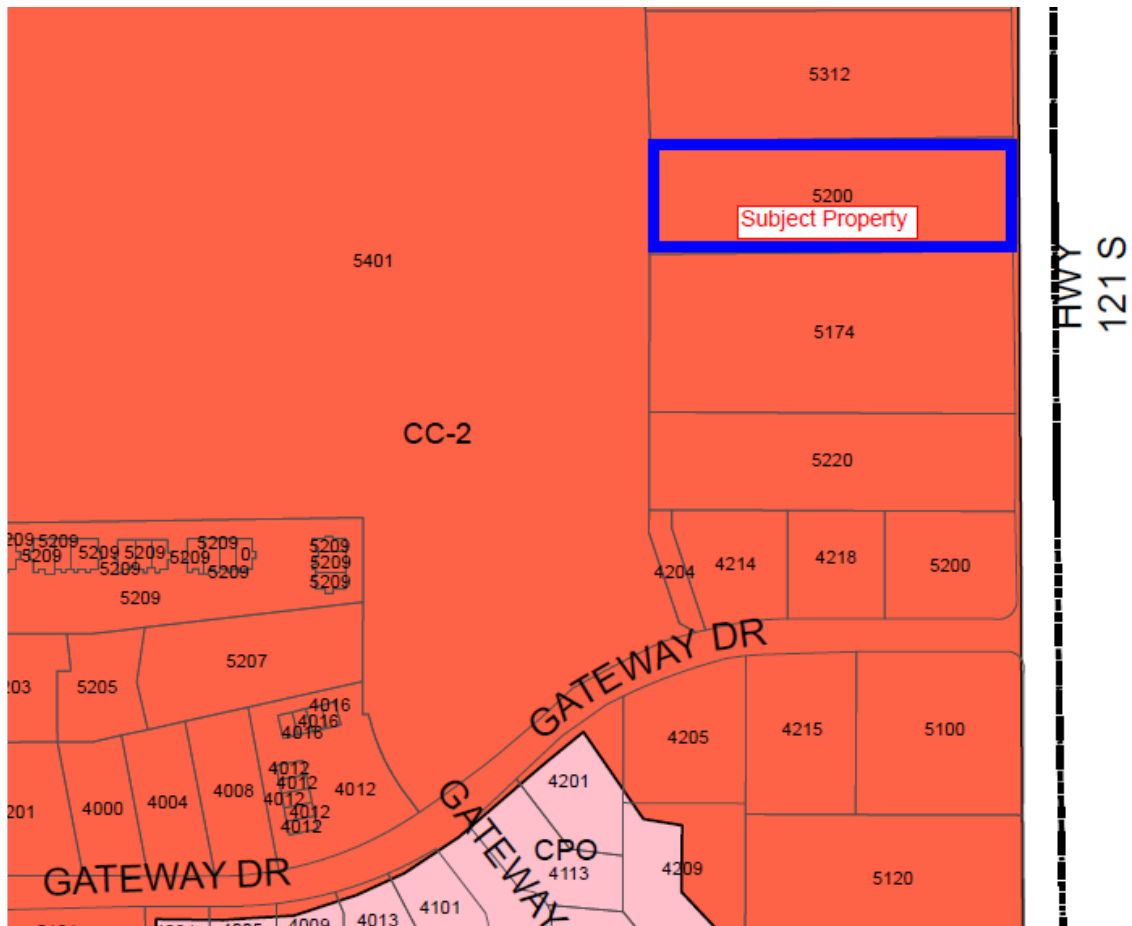


Exhibit B –Legal Description

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 91 guest rooms and 93 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



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 66' 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 91 guestrooms. The site layout includes 93 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 fire lane 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, fire lane, building, and access requirements, we are unable to preserve any of the existing trees.

Exhibit C - Statement of Planning Objectives



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 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.

Another request Icon Lodging would like to make is for a reduction of the required landscape mixture. Although total site landscaping is 21% of the total land on site, which meets the City's requirements of 20%, 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 10% 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

Exhibit C - 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: 91

Estimated Sales per Square Foot: N/A

Average Estimated Room Charge: \$135.00

Average Occupancy Rate: 68%

Estimated Occupancy Tax for First Year: \$179,172

Total Estimated Occupancy Taxes for First 5 Years: \$895,860

Additional Estimated Economic Impact per Year by Guests on City of Colleyville Retail, Food and Beverages, and Gas: Approximately \$150,000

Additional Estimated Economic Impact for 5 Years by Guests on City of Colleyville Retail, Food and Beverage, and Gas: Approximately \$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: \$13,520,860

Exhibit D - Site Plan

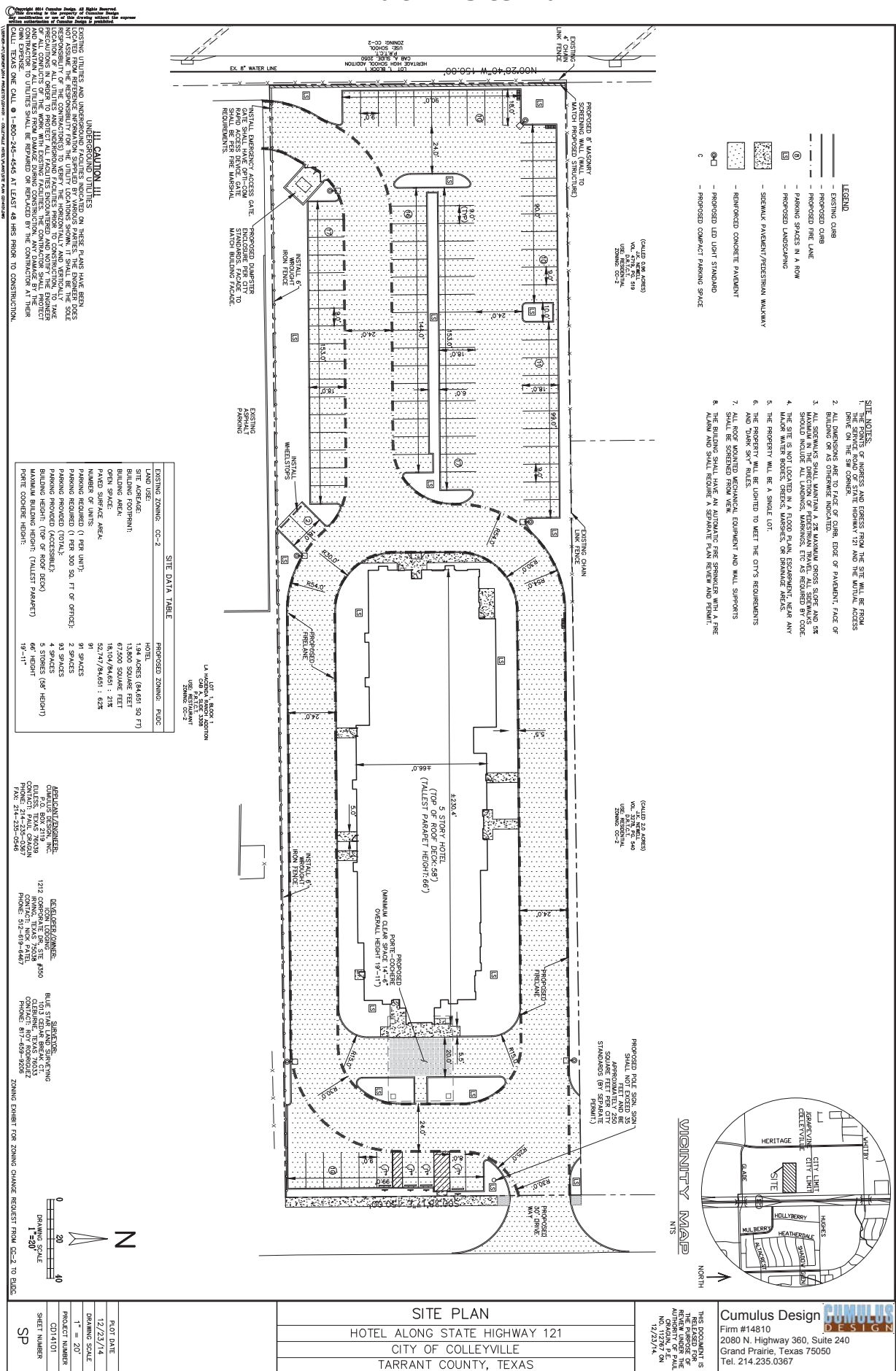


Exhibit E – Building Elevations



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Any modification or use of this drawing without the express
written authorization of Curulus Design is prohibited.



02
FENCE PLAN
SCALE: NA

12/23/2014
DRAWING SCAL
1" = 20'
PROJECT NUMB
CD14101
SHEET NUMBER
L1.02

THIS DOCUMENT IS
RELEASED FOR
THE PURPOSE OF
REVIEW UNDER THE
AUTHORITY OF
CAMILLE LAFAY, L.A.
NO. 000000 ON
09/00/2014.

Cumulus Design .LogoC
Firm #14810
2080 N. Highway 360, Suite 240
Grand Prairie, Texas 75050
Tel. 214.235.0367

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City of Colleyville City Council Agenda Briefing

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

Agenda Number 5b

Agenda Date 01/06/2015

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

Update

At the December 16, 2014 meeting, the City Council voted to continue this item to the January 6, 2015 meeting.

At the December 16, 2014, City Council meeting, there were three speakers who spoke in opposition, and one person who spoke in support of this request. There was one person who wished to register opposition, and one person who wished to register support of this request. Staff also received two letters of opposition to this request. All speaker cards and letters are attached to the briefing.

Per the attached letter, the applicant requests that the City Council continue this item to the January 20, 2015 meeting in order to allow for additional time to address City Council comments at the December 16, 2014 meeting, which include recommendations for lower density, more open space, and details on improvements for Roberts Road.

The remainder of the briefing remains unchanged since the December 16, 2014 City Council meeting.

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 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. 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.

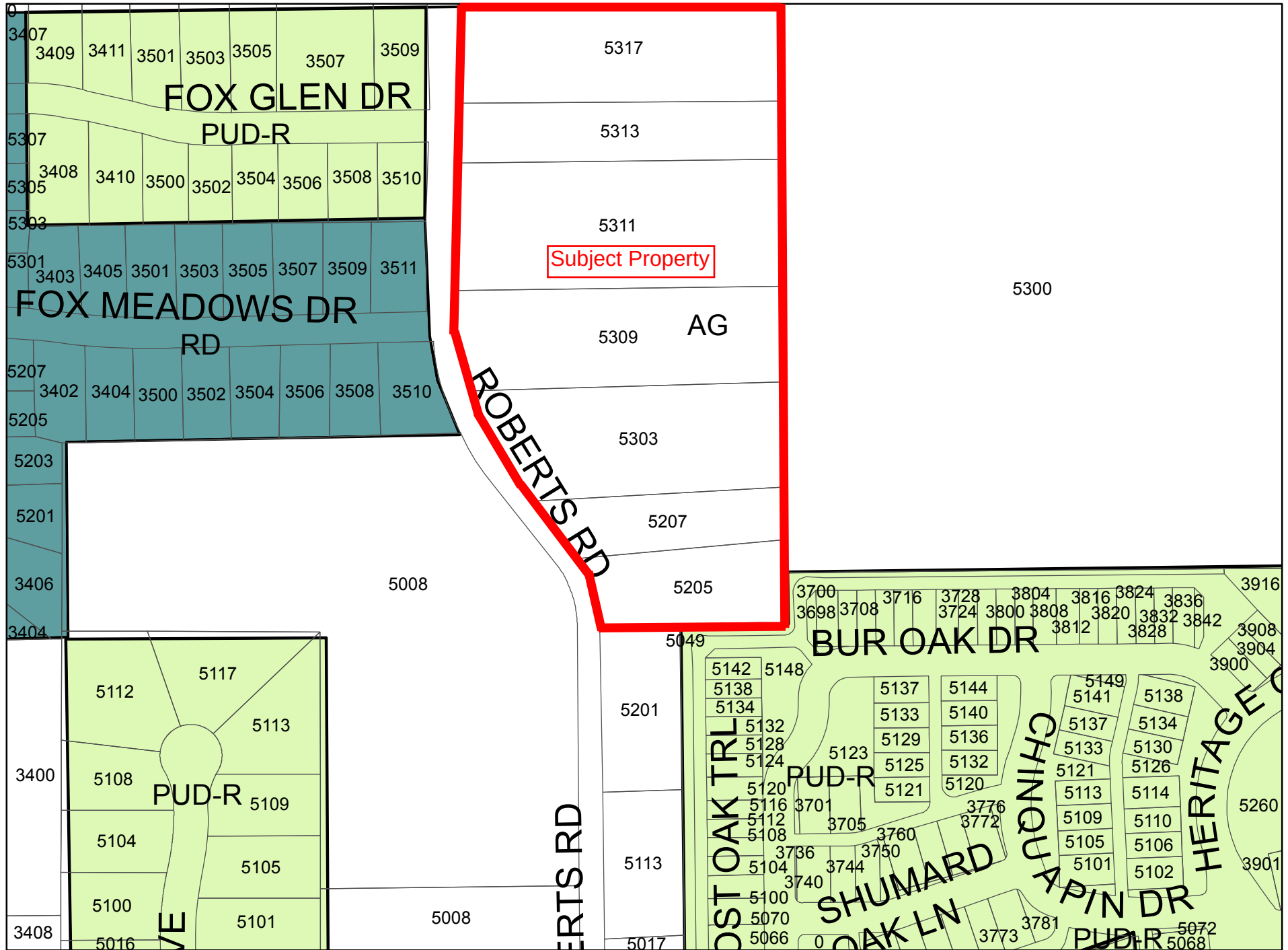
Recommendation

Denial

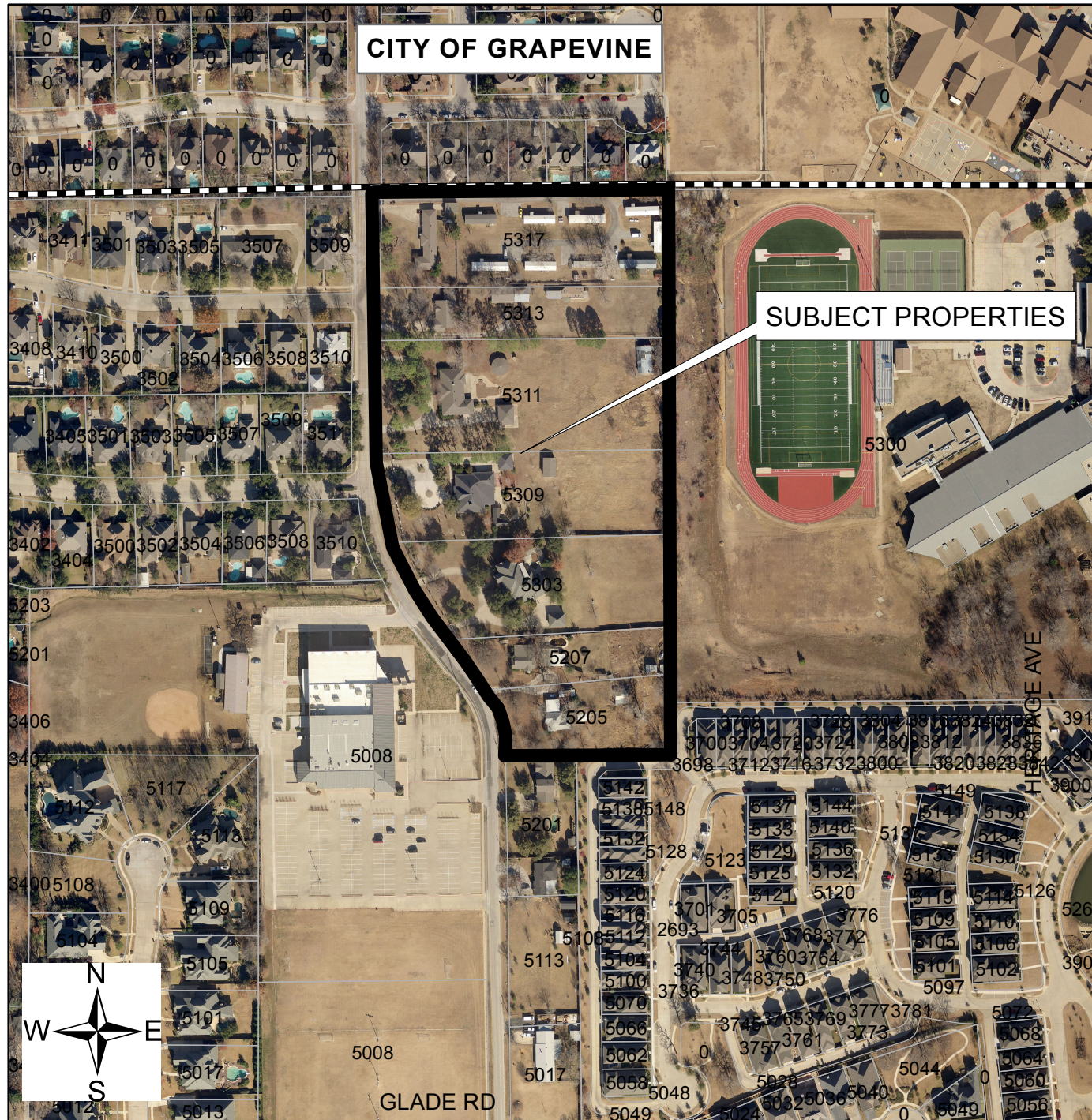
Attachments

1. Location and Zoning Map
2. Aerial
3. Future Land Use Map
4. Buffer Map
5. Notification List
6. Opposition Map
7. Letters and Speaker Cards of Support
8. Letters and Speaker Cards of Opposition
9. Applicant's Request for Continuance
10. Revised Statement of Planning Objectives
11. Revised Conceptual Development Plan
12. Landscape Plan
13. Revised Presentation from Applicant
14. Revised Preliminary Drainage Analysis
15. Small Lot Development Comparison Chart - 1996 to 2013
16. Applicant's Appeal
17. Statement of Planning Objectives
18. Conceptual Development Plan
19. Trail Plan
20. Presentation from Applicant
21. Preliminary Drainage Analysis
22. Ordinance O-14-1943

Location and Zoning Map



Aerial



Case ZC14-019

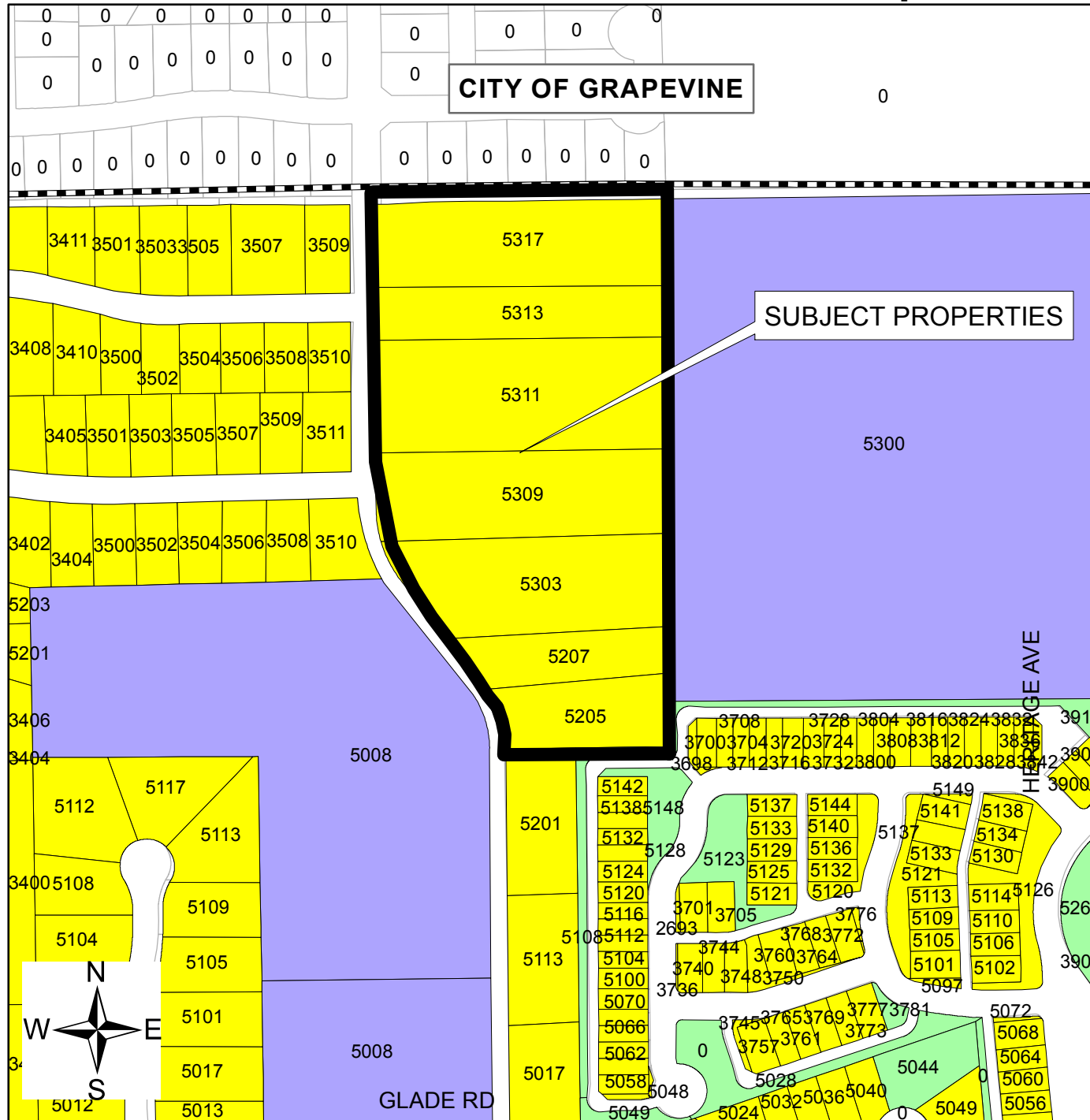
5205, 5207, 5303,
5309, 5311, 5313,
& 5317 Roberts Road

Legend

-  Subject properties
-  City Limit
-  Parcels



Future Land Use Map



Case ZC14-019

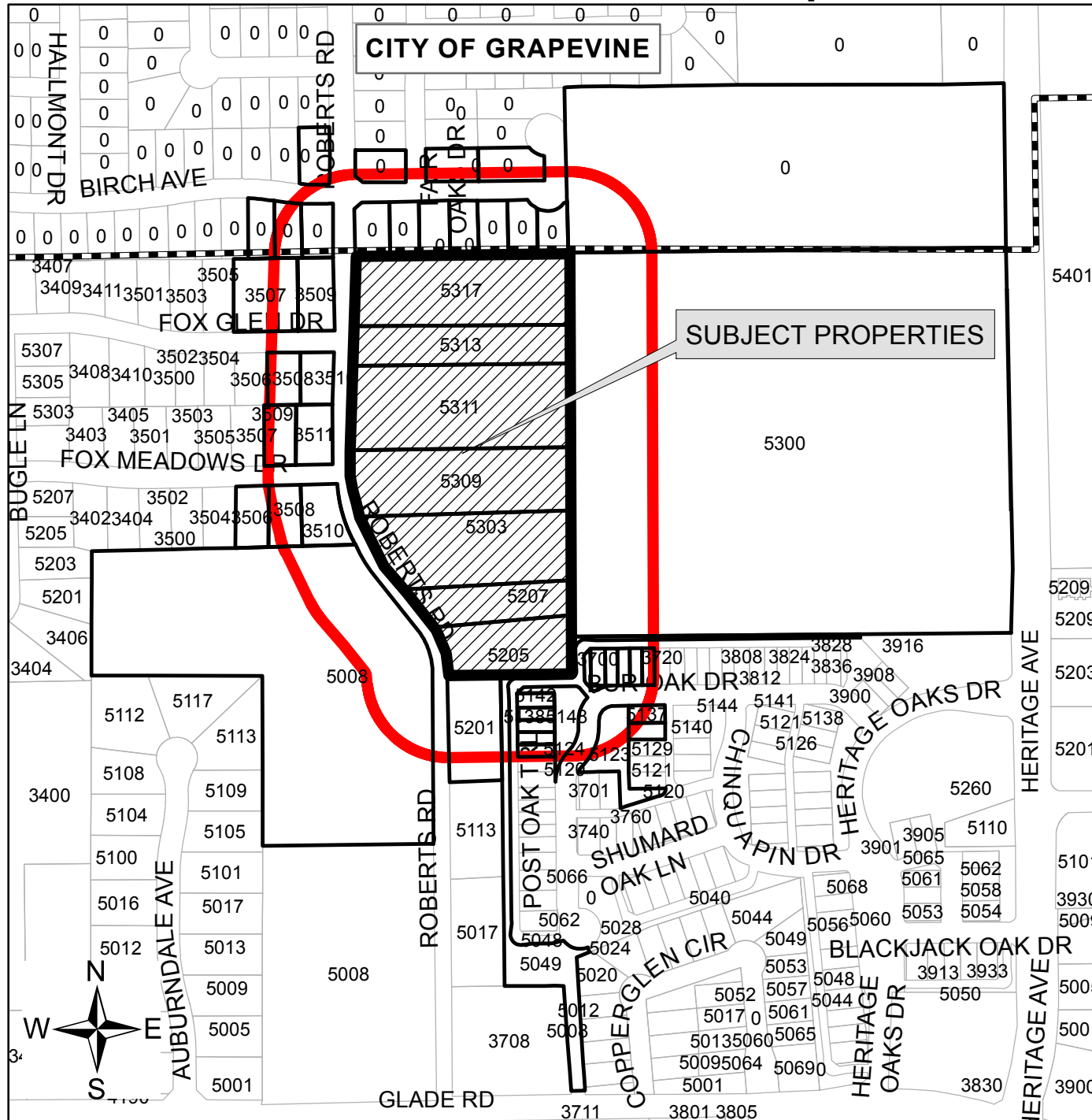
5205, 5207, 5303,
5309, 5311, 5313,
& 5317 Roberts Road

Legend

-  Subject properties
-  City Limit
-  Parcels
-  Single Family
-  Multi-Family
-  Office
-  Retail
-  Institutional
-  Industrial
-  Roadway
-  Utilities
-  Parks
-  Private Open Space
-  Water



Buffer Map



Case ZC14-019

5205, 5207, 5303,
5309, 5311, 5313,
& 5317 Roberts Road

Legend

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

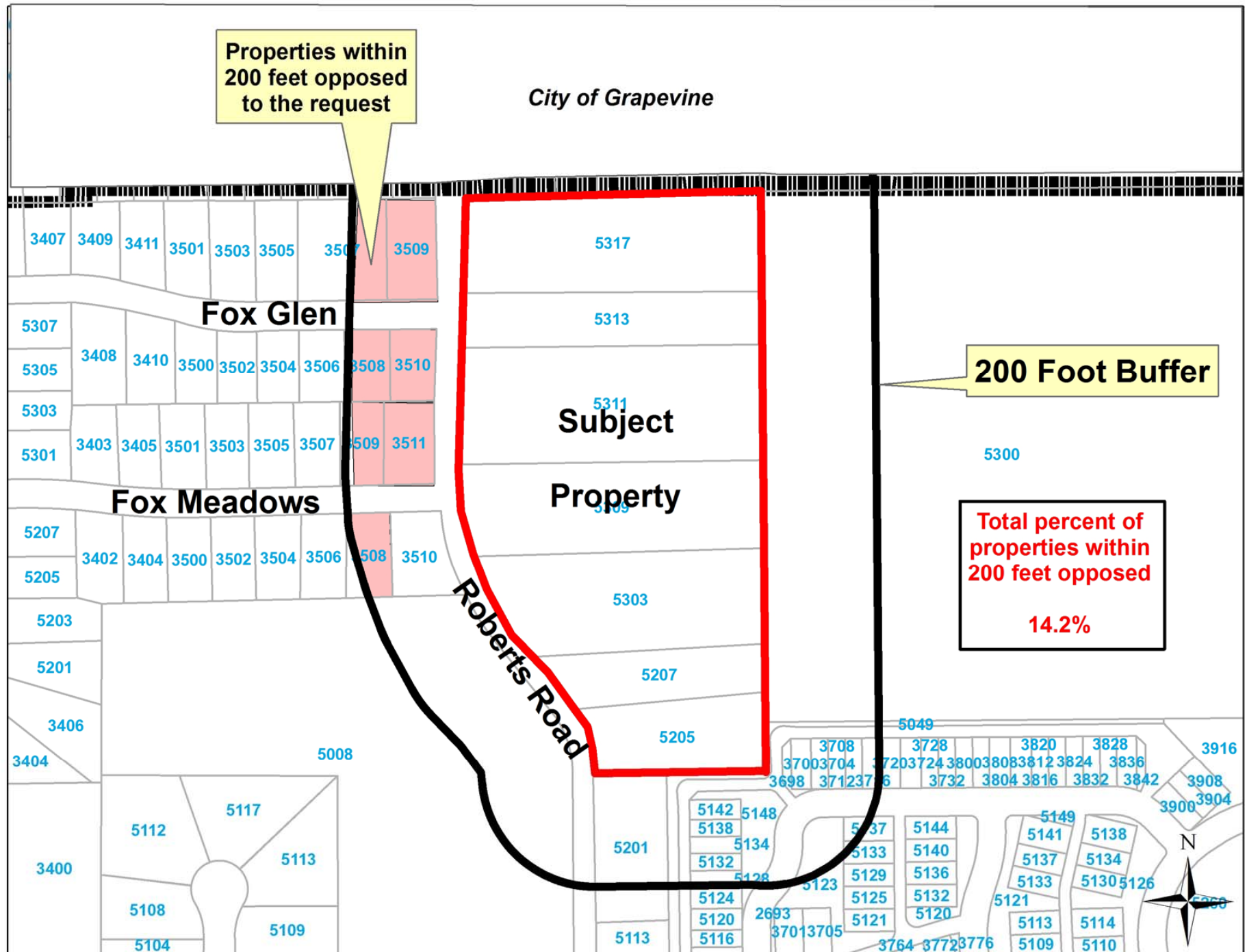


Notification List

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

Opposition Map



Letters and Speaker Cards of Support

SPEAKER CARD

Date: 12-16

Agenda Item Number: 5d

For example: **5a (this can be found on the far left side of the agenda copy)**

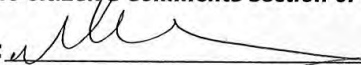
_____ I will speak **In Support** of this item. _____ I will speak **In Opposition** to this item.

☒ I do not wish to speak, but please record my: ☒ **support** _____ **opposition**

Name: Dennis Wiles

Address: 200 Fremont Ave 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: 12/16

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: PAT ATKINS / T.C.C. / Applicant

Address: 5064 N. MARTINEZ City: Irving 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: [Signature]

This information is a Public Record

Letters and Speaker Cards of Support

SPEAKER CARD

Date: 12/16

Agenda Item Number: BD 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: Maretha Klein

Address: 200 Fremont

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

Appointed

Agenda Item Number: 5d

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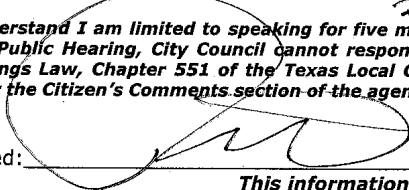
☒ I will speak **In Support** of this item. 5f I will speak **In Opposition** to this item.

☐ I do not wish to speak, but please record my: ☐ **support** ☐ **opposition**

Name: PAT ATKINS TCC1 / Land Development

Address: 30604 N. MARTIN 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)

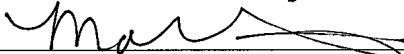
7 I will speak **In Support** of this item. _____ I will speak **In Opposition** to this item.

_____ 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.

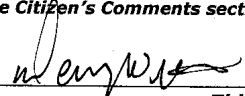
 I do not wish to speak, but please record my: **support** **opposition**

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: 02-2-14

Agenda Item Number: 0-14-1913 (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 BELKUP-KING

Address: 5313 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: Barbara Belkup

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

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: Fred King

This information is a Public Record

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Pending Zoning Requests

From: Dave Frazier

Sent: Monday, December 15, 2014 9:09 AM

To: David Kelly; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; Tom Hart

Subject: Pending Zoning Requests

Mayor and City Council Members:

I am a resident of the Fox Meadows neighborhood along Roberts Road in Colleyville. I would like to go on record as being STRONGLY opposed to the two pending zoning requests (ZC14-019 and ZC141-025) for property along Roberts Road. My understanding is that if approved, these properties could be developed with up to 72 homes on very small lots. I am opposed for the following reasons:

1. Roberts Road was built as a one lane road and can hardly handle the current traffic load. It is often very difficult to turn out on to Glade Road to the south and Hall Johnson Road to the north due to the cars waiting to turn and the traffic on these two major arteries. This is particularly the case during morning and evening rush hours and on Sundays when the Covenant Church lets out. The road cannot handle the traffic that 72 additional homes would add.
2. The proposed zoning changes deviate greatly from Colleyville's own land use guidelines and normally accepted zoning variances. One of the main reasons many of us moved to Colleyville was for the lower density housing on larger lots than is found in many other suburbs in the DFW area. I believe the addition of more neighborhoods like those proposed along Roberts Road would diminish our property values and negatively impact the quality of life in Colleyville. We do not want to become a sea of rooftops in high density subdivisions like what is found in many other areas of Tarrant County.

I appreciate you considering all of these issues and hope that you will vote to deny the proposed zoning changes and affirm the unanimous decision of the Colleyville Planning and Zoning Commission.

Thank you.

David Frazier

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Proposed Roberts Road
Attachments: We oppose.docx

From: Shanna
Sent: Tuesday, December 16, 2014 5:15 PM
To: Taci Wrisley; Jennifer Fadden; David Kelly; Mike Taylor
Subject: Proposed Roberts Road

Please accept this as our opposition to the planned development that was presented to the City Council Dec 2nd

Thank you.

Letters and Speaker Cards of Opposition

December 16, 2014

Colleyville City Council,

We, Shanna & Paul Heilman, the residents of 3509 Fox Glen Dr., Colleyville, TX 76034, wish to express our opposition to the planned development of Case ZC14-019 (5205, 5207, 5303, 5309, 5311, 5313 & 5317 Roberts Road) .

We feel that the proposed development of 56 lots is too many to maintain the quality of life established in the neighborhood. Roberts Road is already narrow, busy and in poor condition. The possibility of adding 120 + additional vehicles traveling this road daily is too many. It is difficult and unsafe to access Glade Road east and Hall-Johnson west during busy travel times in our city. Roberts Road is the only direct way out of neighborhood for many of the residents. We would like to invite Council members to experience this dangerous and frustrating traffic condition for a few days before allowing a development to considerably increase traffic and make the condition worse and more dangerous.

It was stated in previous Council meetings regarding this project that the development would be a boost to our decreasing numbers in the school district. This statement is not accurate for Heritage Middle School. HMS is already crowded and has an enrollment of over 925 students compared to around 725 students attending the other district middle schools. HMS's enrollment is going to swell even larger when the other new developments in their proximity are completed. The district is going to have to address this crowding. Is it responsible to add to this issue until the district comes up with a plan to solve the situation? Adding more students to HMS/CHHS in their current configurations will not be advantageous to our students who attend them right, in fact overcrowding will hurting their education.

Sincerely,

Shanna Heilman

Paul Heilman

3509 Fox Glen Dr.

Colleyville, TX 76034

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

Requests present an extreme deviation from Colleyville's Land Use Guidelines 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 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,

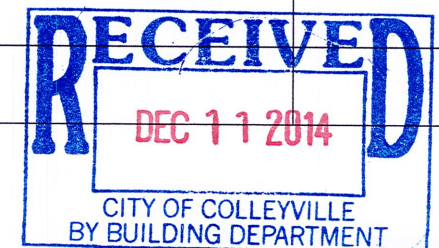
Gary Evans
5201 Bugle Lane (Fox Meadows)
Colleyville, TX 76034
[REDACTED]

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. 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. Andrade Jr	<i>Raymond R. Andrade 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: 16 Dec 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. _____ I will speak **In Opposition** to this item.

X I do not wish to speak, but please record my: _____ support X opposition

Name: Keenan Roach

Address: 3504 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: Keenan Roach

This information is a Public Record

Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: 12/15/14

Agenda Item Number: SD & SE

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: Bradford Foster

Address: 5205 Bugle Lane / City: Colleyville 76034
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: _____

This information is a Public Record

Letters and Speech Card of Opposition

Date: 12/16/14

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 Bangs

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. Bangs

This information is a Public Record

Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: 12-16-14

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. X I will speak **In Opposition** to this item.

_____ I do not wish to speak, but please record my: _____ **support** _____ **opposition**

Name: PAUL Heilman

Address: 3509 Fox Glen 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: 

This information is a Public Record

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.

Applicant's Request for Continuance



December 23, 2014

REF: The Enclave Heritage Meadows, 11.16 Acres, Colleyville, TX

Zoning change from AG-Agriculture zoning district to PUDR-Planned Unit Development zoning district

To: Ron Ruthven, Director Community Development; Honorable Mayor; City Council Members

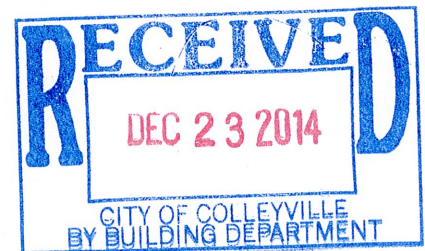
City of Colleyville, 100 Main Street, Colleyville, Texas 76034

We are hereby respectfully requesting a continuance of the city council public hearing of January 6, 2015 meeting to January 20, 2015 for final action. Due to the holiday interruptions we are in need of additional time to make all modification, as directed by city council on December 16, 2014 meeting.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Pat Atkins', is written over a large, empty oval space.

Pat Atkins, Director of Land Development and Acquisition



Revised Statement of Planning Objectives



December 8, 2014

Statement of Planning Objectives

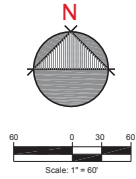
The Enclave at Heritage Meadows

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.

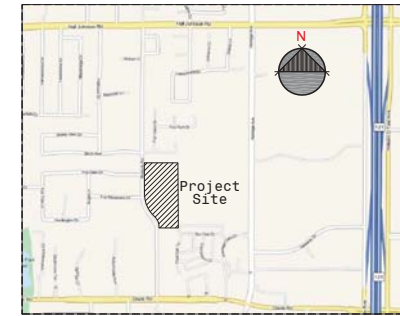
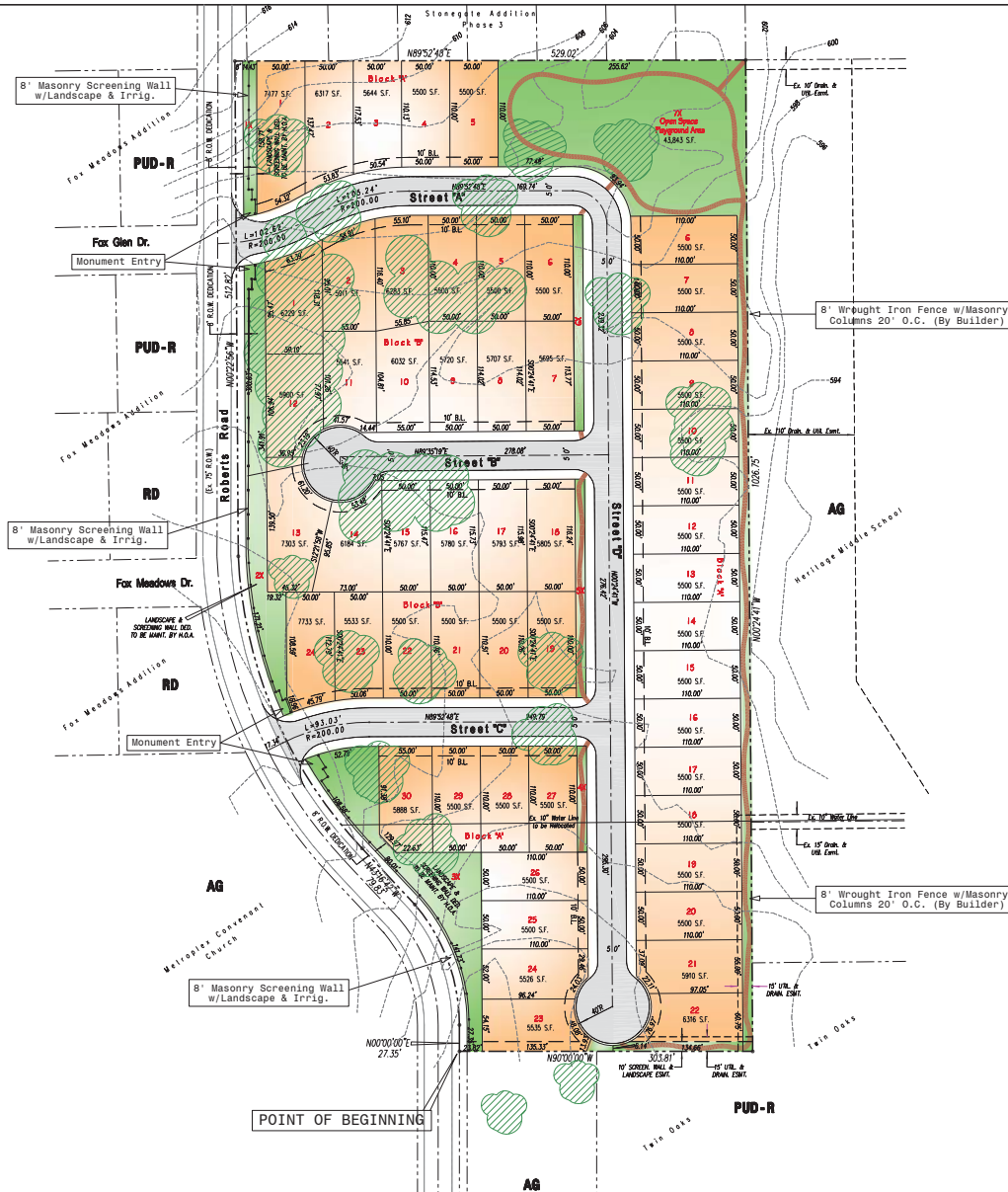
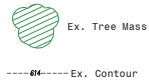
Development Standards

- 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 described 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 described 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 described 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 land 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°42'24" West;

THENCE North 47°42'42" 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 528.02 feet to a point for corner;

THENCE South 72°44'44" East a distance of 1638.70 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

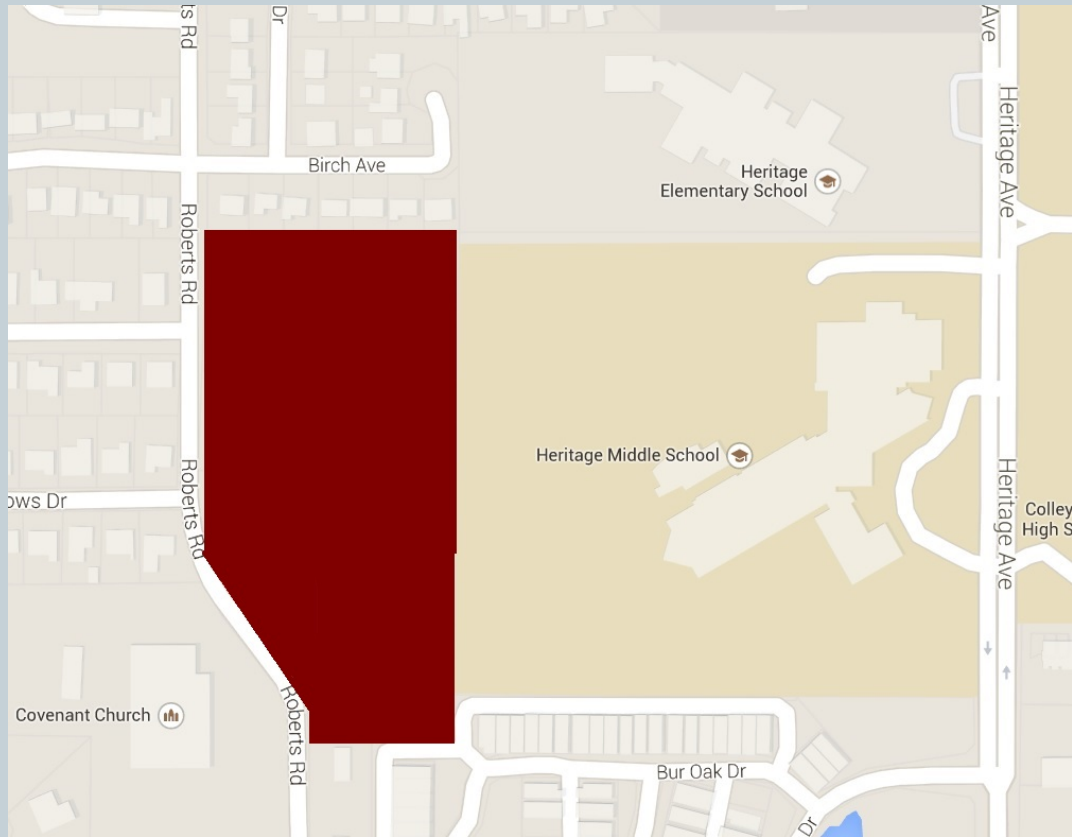
December, 2014

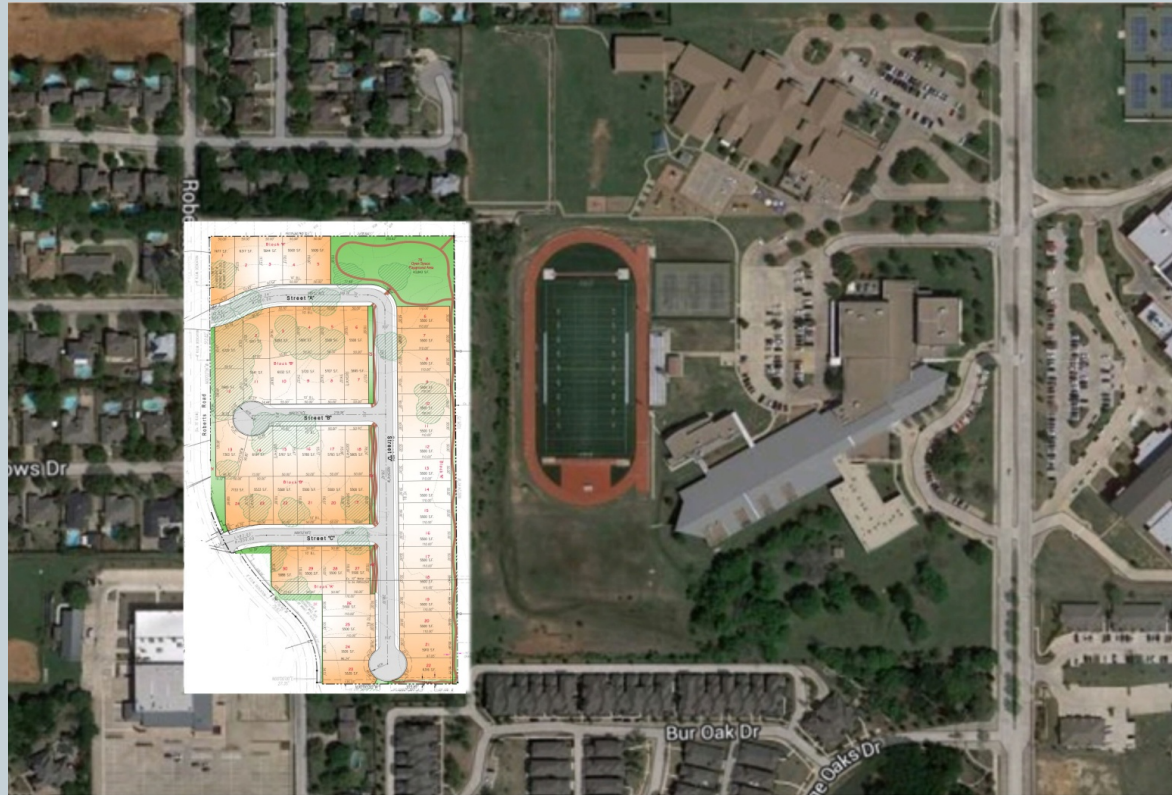
CONTENTS



- 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





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.

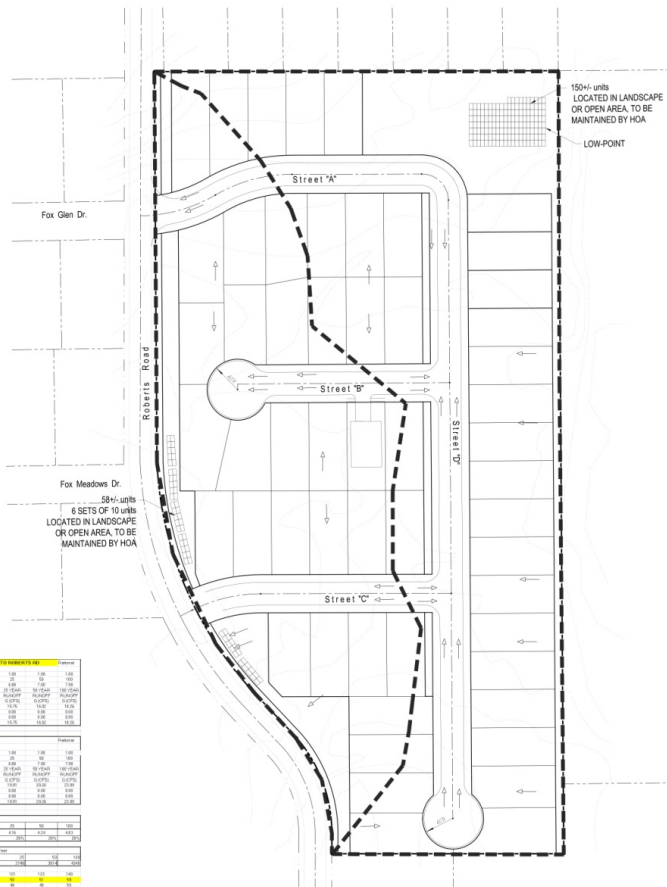
III. PROPERTY DESCRIPTION



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

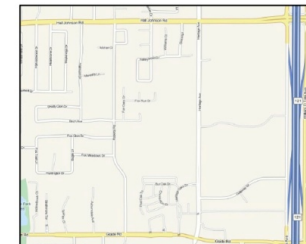


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Comparison of Pre and Post Development Peak Discharge									
Catchment	Pre Development Peak Discharge (cfs)	Post Development Peak Discharge (cfs)							
		2	5	10	20	50	100	200	500
County	1,037	1,088	1,135	1,178	1,220	1,261	1,302	1,343	1,384
		10%	20%	30%	40%	50%	60%	70%	80%

Preliminary Determination of Detention Peak Volume									
Catchment	Pre Development Peak Volume (cfs)	Detention Peak							
		2	5	10	20	50	100	200	500
County	1,037	1,037	1,037	1,037	1,037	1,037	1,037	1,037	1,037
		10%	20%	30%	40%	50%	60%	70%	80%

Catchment	Pre Development Peak Volume (cfs)	Detention Peak							
		2	5	10	20	50	100	200	500
Lower Trench 50'-120'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 50'-120'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 120'-150'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 120'-150'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 150'-180'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 150'-180'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 180'-210'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 180'-210'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 210'-240'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 210'-240'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 240'-270'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 240'-270'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 270'-300'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 270'-300'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 300'-330'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 300'-330'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 330'-360'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 330'-360'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 360'-390'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 360'-390'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 390'-420'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 390'-420'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 420'-450'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 420'-450'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 450'-480'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 450'-480'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 480'-510'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 480'-510'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 510'-540'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 510'-540'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 540'-570'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 540'-570'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 570'-600'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 570'-600'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 600'-630'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 600'-630'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 630'-660'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 630'-660'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 660'-690'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 660'-690'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 690'-720'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 690'-720'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 720'-750'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 720'-750'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 750'-780'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 750'-780'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 780'-810'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 780'-810'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 810'-840'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 810'-840'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 840'-870'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 840'-870'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 870'-900'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 870'-900'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 900'-930'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 900'-930'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 930'-960'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 930'-960'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 960'-990'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 960'-990'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
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Upper Trench 990'-1020'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 1020'-1050'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 1020'-1050'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 1050'-1080'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 1050'-1080'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 1080'-1110'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 1080'-1110'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 1110'-1140'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 1110'-1140'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 1140'-1170'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 1140'-1170'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 1170'-1200'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 1170'-1200'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 1200'-1230'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 1200'-1230'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 1230'-1260'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 1230'-1260'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 1260'-1290'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 1260'-1290'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 1290'-1320'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 1290'-1320'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 1320'-1350'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 1320'-1350'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 1350'-1380'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 1350'-1380'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 1380'-1410'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 1380'-1410'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 1410'-1440'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 1410'-1440'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
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Upper Trench 1440'-1470'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 1470'-1500'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 1470'-1500'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 1500'-1530'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 1500'-1530'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 1530'-1560'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 1530'-1560'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 1560'-1590'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 1560'-1590'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 1590'-1620'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 1590'-1620'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 1620'-1650'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 1620'-1650'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Lower Trench 1650'-1680'	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88	45.88
Upper Trench 1650'-1680'	45.88	45.88	45						



V i c i n i t y M a p
n . t . s .

Legend

-  Ex. Contour
 Flow Direction
 Drainage Area
 Drainage Divide

[illegible][illegible][illegible]

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

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

December 8, 2014

Scale: 1" = 60'

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

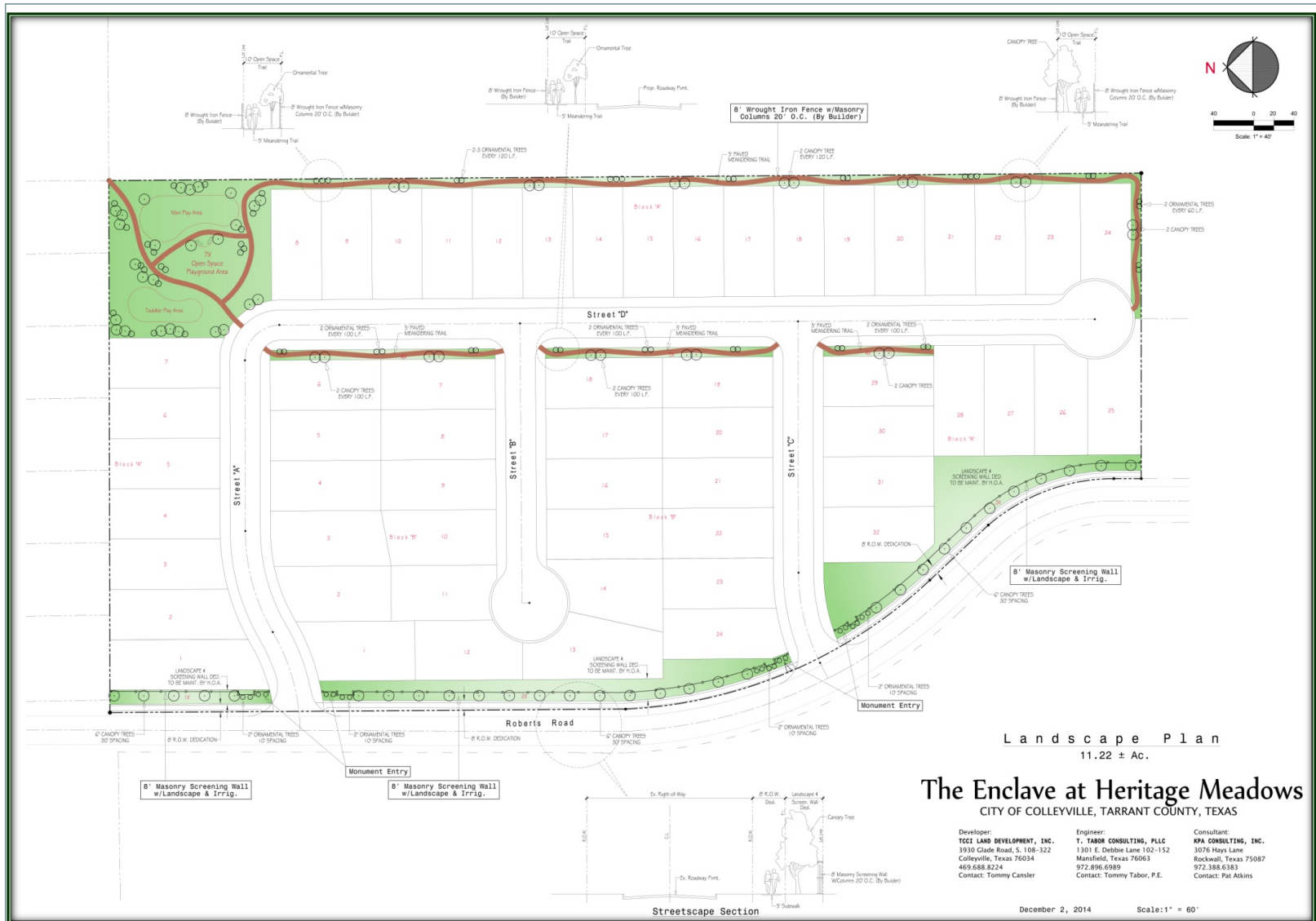
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3076 Hays Lane
Rockwall, Texas 75087
972.388.6183
Contact: Pat Atkins

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

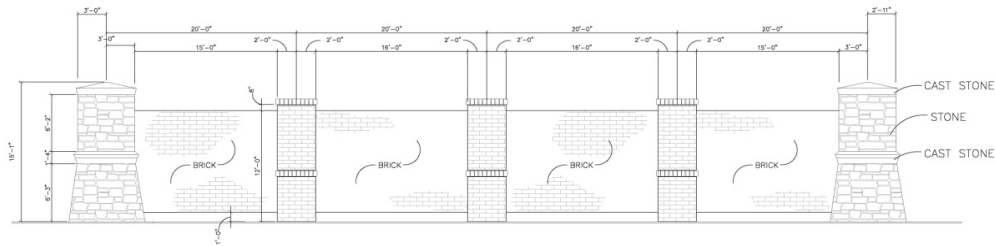


Revised Presentation from Applicant

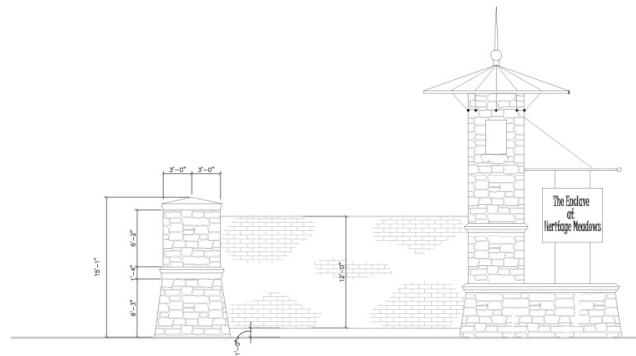


Revised Presentation from Applicant

VI. PROPERTY DEVELOPMENT STANDARDS



TYPICAL LANDSCAPE SCREENING WALL



TYPICAL ENTRY MONUMENT

The Enclave at Heritage Meadows CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

Developer:	Engineer:	Consultant:
TCI LAND DEVELOPMENT, INC.	T. TABOR CONSULTING, PLLC	KPA CONSULTING, INC.
3930 Glade Road, S. 1108-322	1301 E. Debbie Lane 102-152	3076 Hays Lane
Colleyville, Texas 76034	Mansfield, Texas 76063	Rockwall, Texas 75087
469.688.8224	972.896.6989	972.388.6183
Contact: Tommy Cansler	Contact: Tommy Tabor, P.E.	Contact: Pat Atkins

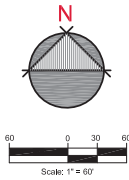
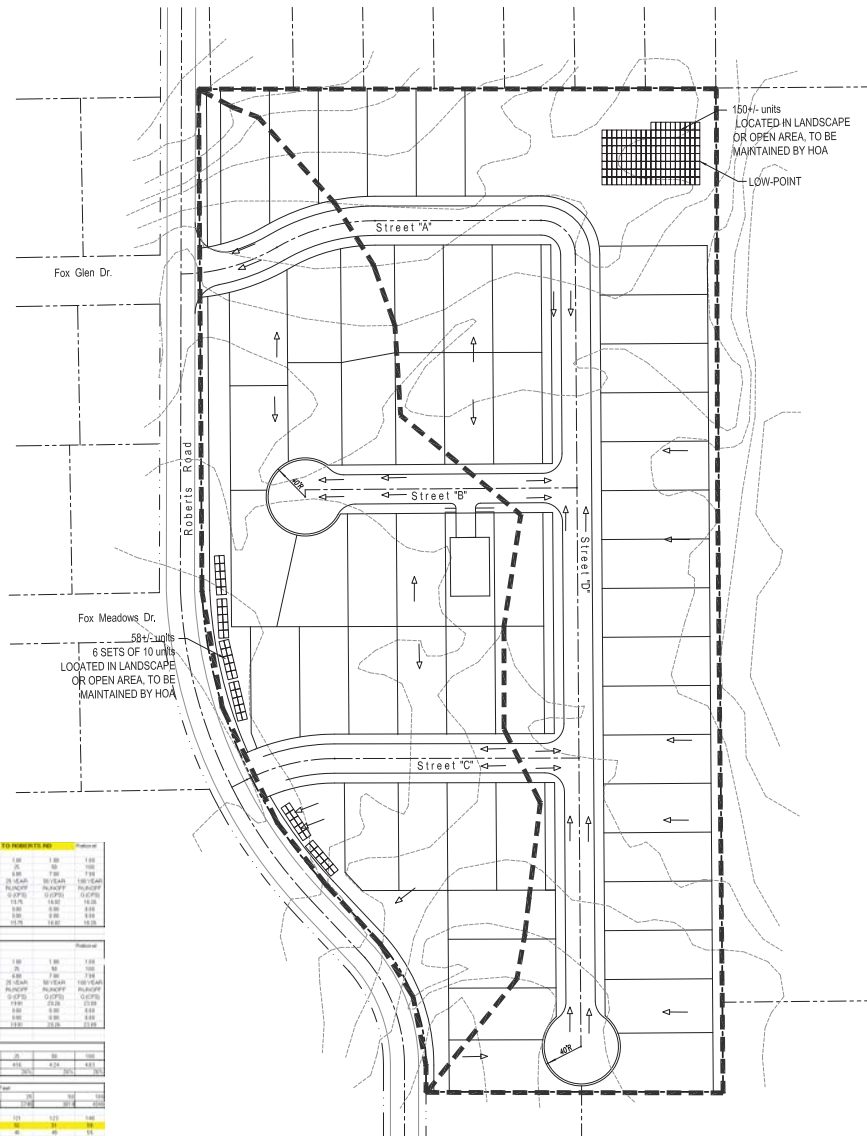
October 28, 2014

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

Determine total dry deposition Peak Storm Water Discharge Rates		Collegetown Enclosure										10/26/2004	Station
IMPERMEABLE SURFACE CONCENTRATION		15 Minutes											
PRE DEVELOPMENT EAST		1.0	C=	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0		
POST DEVELOPMENT EAST		1.0	YEAR	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0		
10/26/04		1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0		
AREA		AREA	AREA	AREA	AREA	AREA	AREA	AREA	AREA	AREA	AREA		
10/26/04		1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0		
TOTAL		1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0		

Determine Initial Post Development Peak Storm Water Discharge Rates Gullypipe Extension										Reference
MINIMUM TIME OF CONCENTRATION		15 Minutes		FULLY DEVELOPED						
PRE-DEVELOPMENT		0.57								
POST-DEVELOPMENT		0.5888888								
		Ch	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
		Ch	1	1	1	1	1	1	1	
		Factor	5.3	6.96	5.02	4.88	7.80	7.80	7.80	
			2.6548	1.6148	0.7148	0.7148	0.7148	0.7148	0.7148	
AREA	AREA	AREA	COEFF	C	Q	Q	Q	Q	Q	
sq ft	ACRES	'		0.0768	0.0768	0.0768	0.0768	0.0768	0.0768	
TO GULLY		6.0	3.0	12.00	15.00	21.45	26.84	27.68	31.25	
TOTAL	50,000.00	1.40		13.00	15.00	21.45	26.84	27.68	31.25	

Comparison of Pre and Post Development Peak Discharge								
	VE-0	2	5	10	20	50	100	
	Increase (cfs)	5.59	6.21	6.46	6.82	7.50	10.70	12.28
Rate	Percent Increase (%)	0%	0%	0%	0%	0%	0%	0%

[illegible]

54 Lots

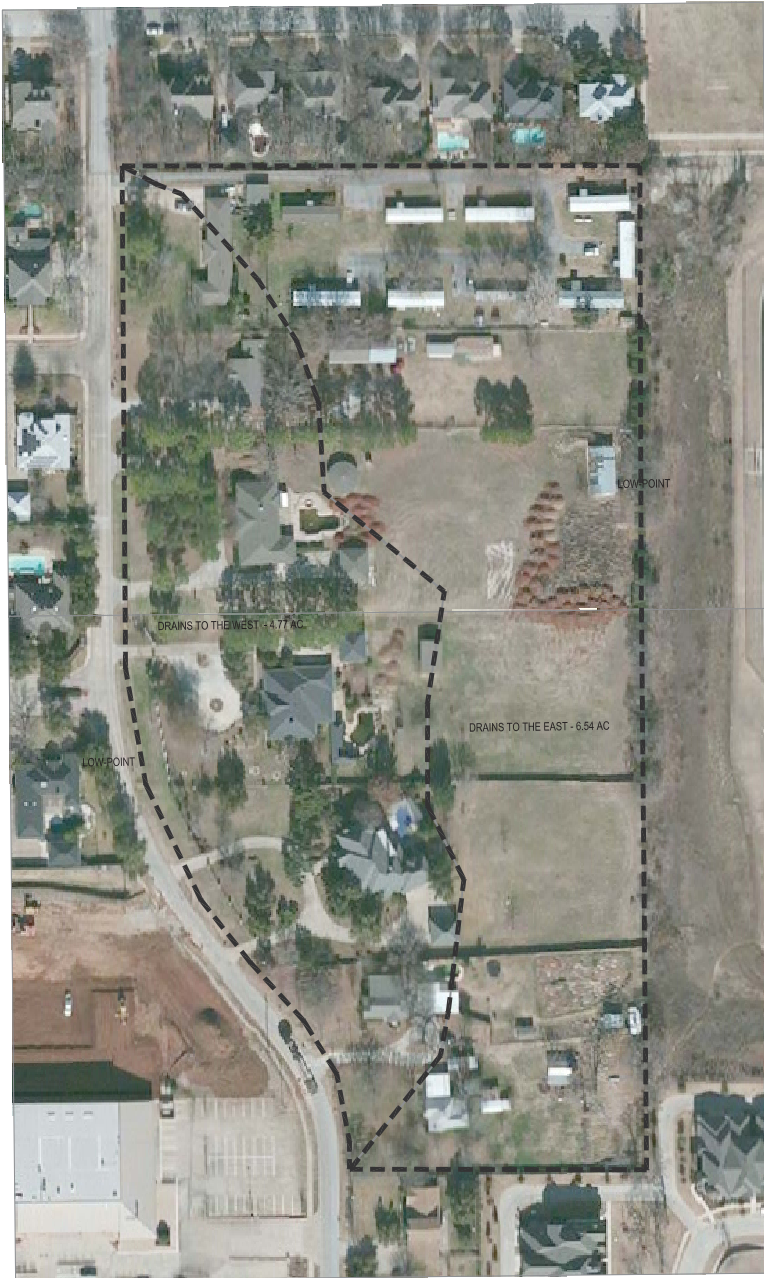
Preliminary Drainage Plan

 $11.22 \pm \text{Ac.}$

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
959,688,8224	972,896,6989	972,388,6383
Contact: Tommy Cansler	Contact: Tommy Tabor, P.E.	Contact: Pat Atkins

Revised Preliminary Drainage Analysis



54 Lots

Preliminary Drainage 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
972,896,6989
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'

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, faint, oval-shaped watermark or background mark.

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'

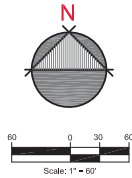
Side B.L. 5' /5' Adj to street.

Max Building Ht 2 Y, Stories (35 ft)

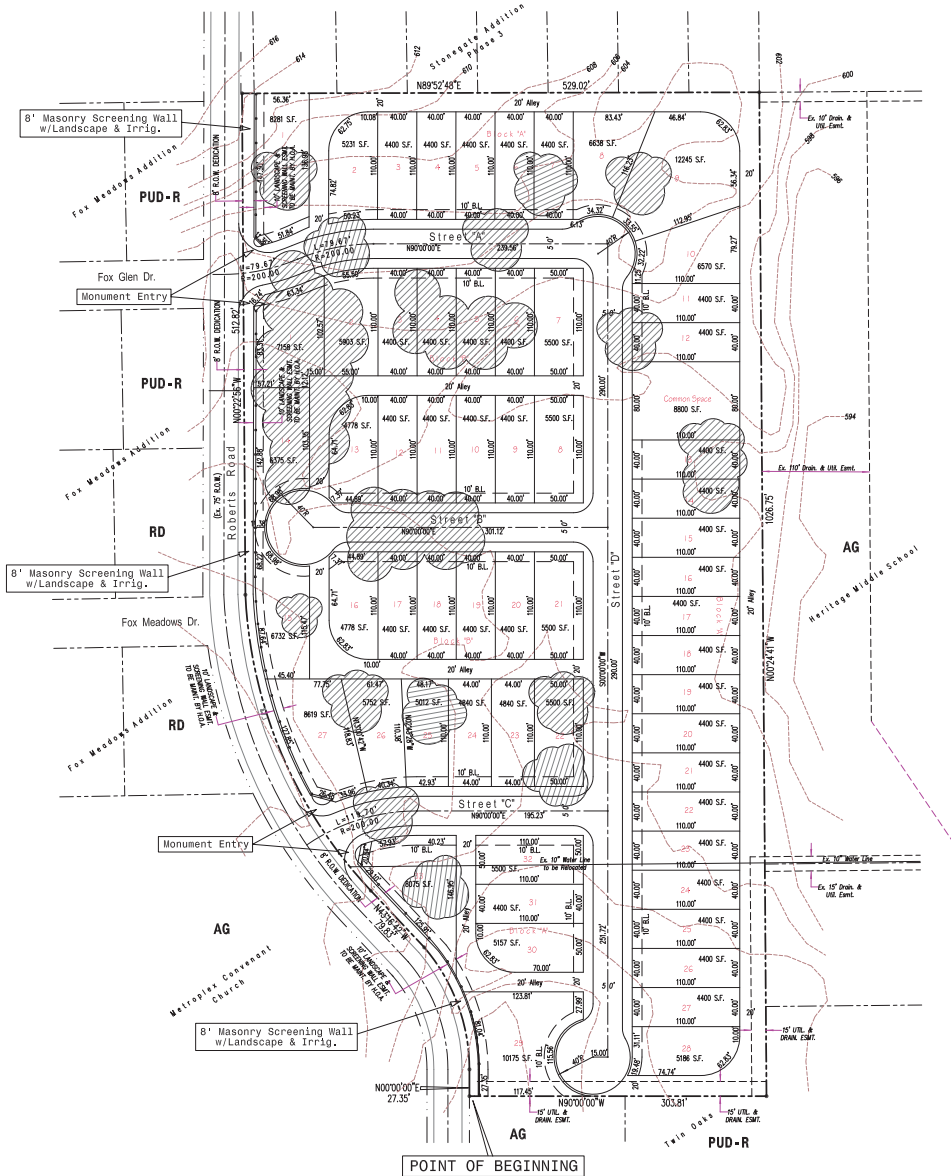
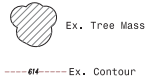
Min Dwelling 2000 s.f.

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°58'28" West;

THENCE North 0°22'58" 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

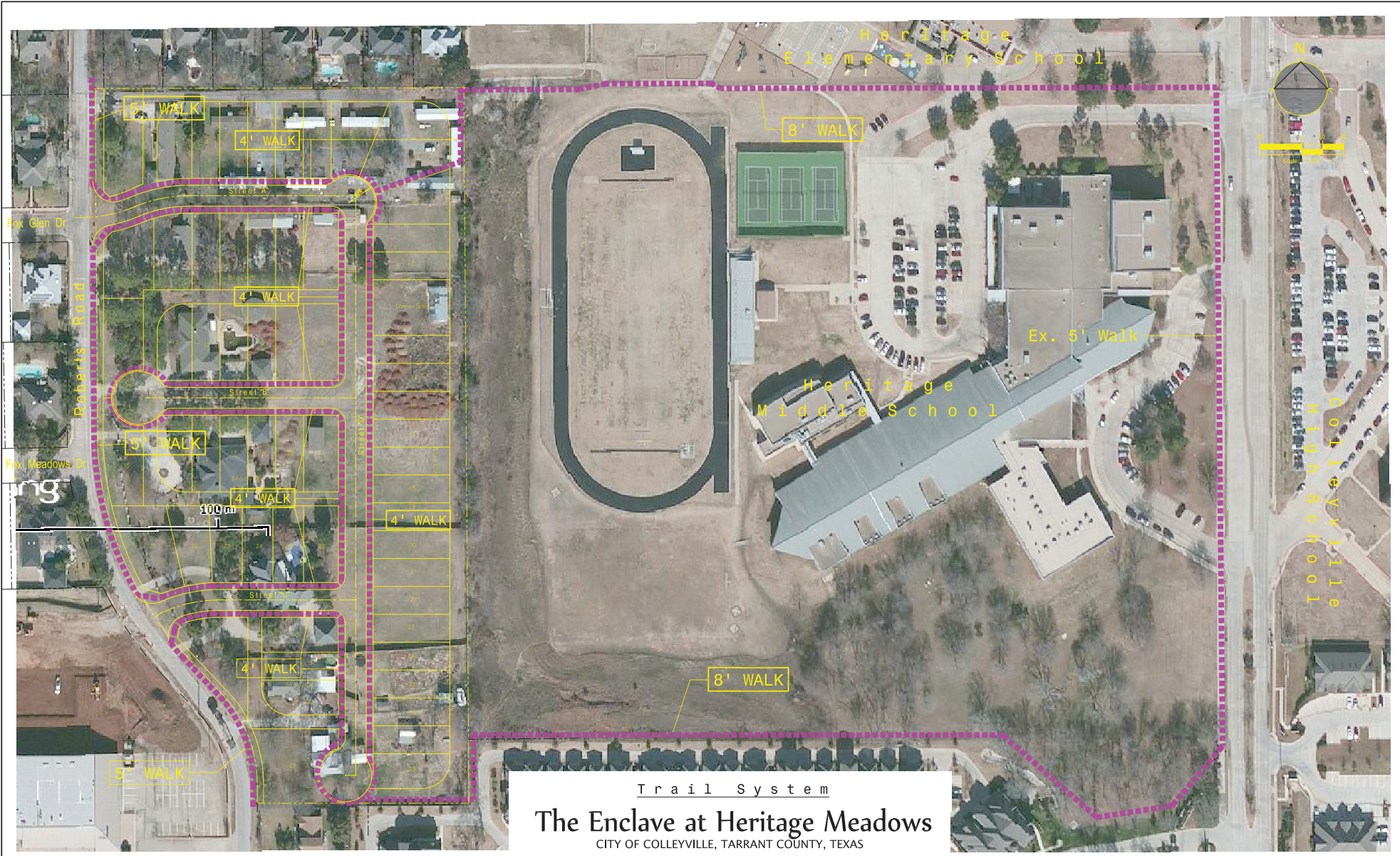
Engineer:
T. TABOR CONSULTING, PLLC
1301 E. Debbie Lane 102-152
Mansfield, Texas 76063
972.896.6989
Contact: Tommy Tabor, P.E.

Consultant:
KPA CONSULTING, INC.
3076 Ways Lane
Rockwall, Texas 75087
972.388.6383
Contact: Pat Atkins

October 28, 2014

Scale: 1" = 60'

Trail Plan



Trail System

The Enclave at Heritage Meadows

CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

Developer:	Engineer:	Consultant:
TCCI LAND DEVELOPMENT, INC.	ENGINEERING CONCEPTS & DESIGN	KPA CONSULTING, INC.
3930 Glade Road, S. 108-322	201 Windco Circle, S. 200	3076 Hays Lane
Colleyville, Texas 76034	Wylie, Texas 75098	Rockwall, Texas 75087
469.688.8224	972.941.3400	972.388.6383
Contact: Tommy Cansler	Contact: Todd Winters, P.E.	Contact: Pat Atkins



THE ENCLAVE AT HERITAGE MEADOWS

Colleyville, Texas

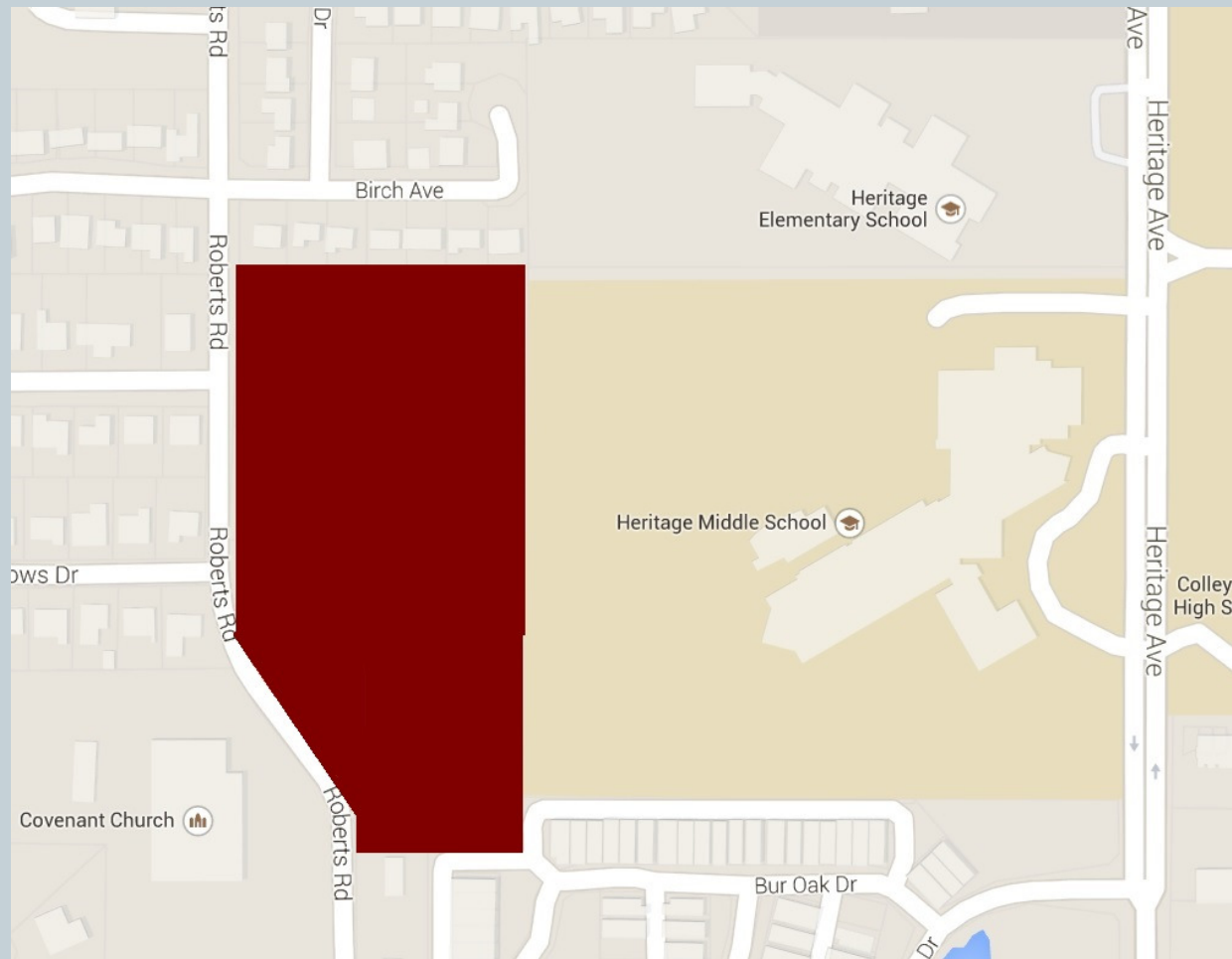
November, 2014

CONTENTS

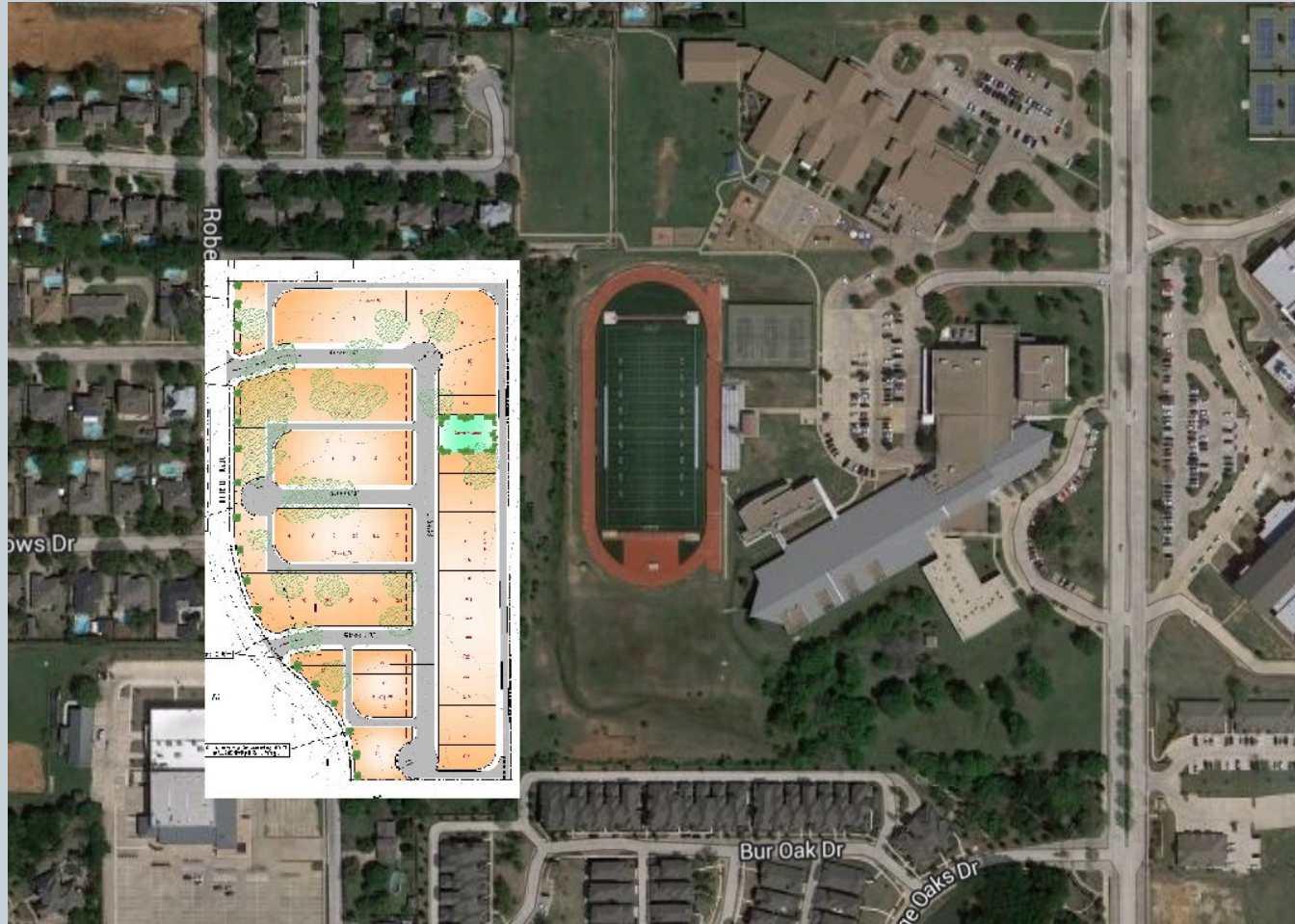


- I. LOCATION
- II. AERIAL OF SITE
- III. PROPERTY DESCRIPTION
- IV. DETAILED DEVELOPMENT PLAN
- V. BUILDING ARCHITECTURAL STANDARDS
- VI. PROPERTY DEVELOPMENT STANDARDS
- VII. PERIMETER SCREENING

I. LOCATION



II. AERIAL OF SITE



III. PROPERTY DESCRIPTION



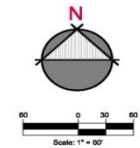
The property consists of 11.6 acres of land, adjacent to Roberts Road A60' residential collector, west of existing Colleyville Elementary and Middle School. The property is sparsely vegetated with native trees of which a tree preservation plan will be prepared. Development of this property will eliminate 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

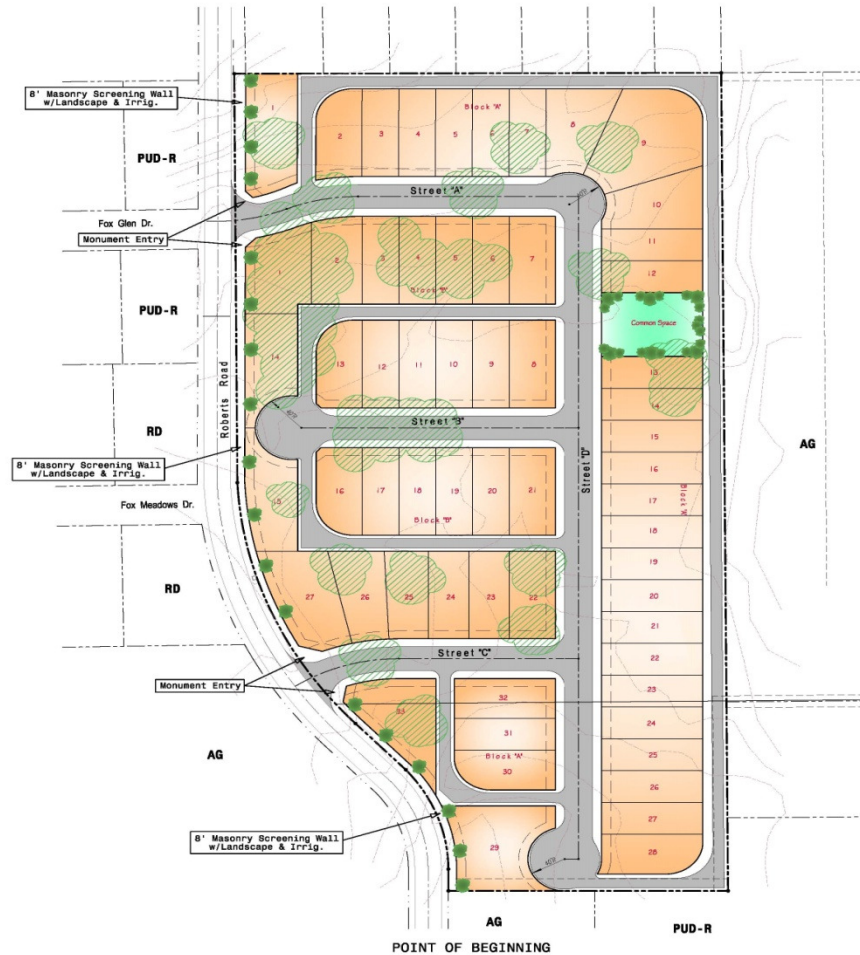


The density is justified based on elimination of substandard uses on the properties (mobile homes) and creation, with consolidation of properties of an exclusive high end residential neighborhood. This development will provide over 30 million dollars annual tax base to the City of Colleyville. The recently 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



Legend



Vicinity Map
n. t. s.

Property Description

BEING a 11.22 acre tract of land situated in the 11.22 Acre 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 Roberts Road (see existing 80' right-of-way);
THENCE North a distance of 27.26 feet to a point for corner;
THENCE a curve to the left having a radius of 191.85 feet and a length of 135.88 feet with a chord bearing of North 27°19'24" West;
THENCE North 42°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°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 48808.387 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

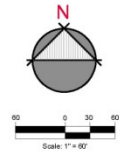
Engineer:
T. TABOR CONSULTING, PLLC
1301 E. Debbie Lane 102-152
Mansfield, Texas 76063
972-896-6989
Contact: Tommy Tabor, P.E.

Consultant:
AKA CONSULTING, INC.
3076 Hays Lane
Rockwall, Texas 75087
972-388-6383
Contact: Pat Atkins

October 28, 2014

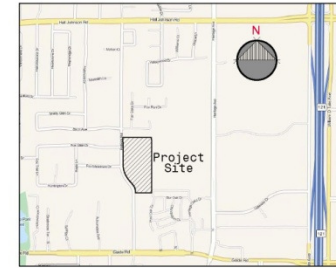
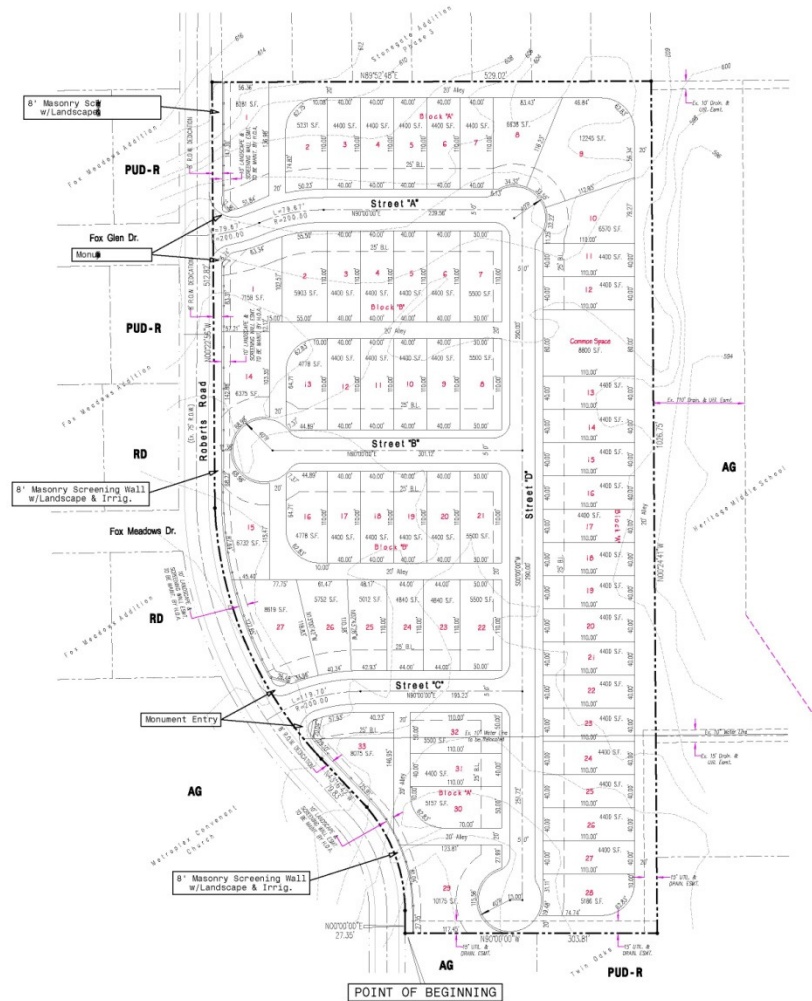
Scale: 1" = 60'

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 Southeast corner of said tract said point also being on the easterly Right of Way line of Roberts Road (as 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 191.88 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 333.61 feet to the POINT OF BEGINNING and containing 48866.397 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:
TDCI LAND DEVELOPMENT, INC.
 3930 Glade Road, S. 108-322
 Colleyville, Texas 76034
 469.688.8224
 Contact: Tommy Candler

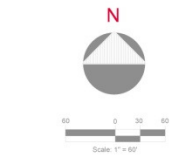
Engineer:
T. TABOR CONSULTING, PLLC
 1301 E. Oakblue Lane 102-152
 Mansfield, Texas 76063
 972.896.6989
 Contact: Tommy Tabor, P.E.

Consultant:
KPA CONSULTING, INC.
 3076 Hays Lane
 Rockwall, Texas 75087
 972.388.6383
 Contact: Pat Atkins

Doc #

Scale: 1" = 60'

Presentation from Applicant



V i c i n i t y M a p
n . t . s .

[illegible]

Determine Total Pre-Development Peak Storm Water Discharge Rates										Collegedale Inflow		TO SCHOOL		Rational	
WHALE TAIL OF CONCENTRATION										30 minutes					
POST DEVELOPMENT EAST										0.07	0.00	1.00	1.00	1.00	1.00
PRE DEVELOPMENT										0.07	0.00	1.00	1.00	1.00	1.00
INCHES										0.07	0.00	1.00	1.00	1.00	1.00
AREA										AREA	AREA	AREA	AREA	AREA	AREA
TO SCHOOL										30.00	0.00	1.00	1.00	1.00	1.00

Determine Total Post-Development Peak 15-min Water Discharge Rates										Colleavy's Enclave		Retention			
MINIMUM TIME OF CONCENTRATION										FULLY DEVELOPED					
PRE-DEVELOPMENT TIME										1.00		1.00			
POST-DEVELOPMENT										0.88		1.00			
										1 YEAR	2	5	10	20	100
										5 YEARS	1.00	1.50	1.80	1.90	
										10 YEARS	1.00	1.50	1.80	1.90	
										25 YEARS	1.00	1.50	1.80	1.90	
										50 YEARS	1.00	1.50	1.80	1.90	
										100 YEARS	1.00	1.50	1.80	1.90	
										200 YEARS	1.00	1.50	1.80	1.90	
										500 YEARS	1.00	1.50	1.80	1.90	
										1000 YEARS	1.00	1.50	1.80	1.90	
										2000 YEARS	1.00	1.50	1.80	1.90	
										5000 YEARS	1.00	1.50	1.80	1.90	
										10000 YEARS	1.00	1.50	1.80	1.90	
										20000 YEARS	1.00	1.50	1.80	1.90	
										50000 YEARS	1.00	1.50	1.80	1.90	
										100000 YEARS	1.00	1.50	1.80	1.90	
										200000 YEARS	1.00	1.50	1.80	1.90	
										500000 YEARS	1.00	1.50	1.80	1.90	
										1000000 YEARS	1.00	1.50	1.80	1.90	
										2000000 YEARS	1.00	1.50	1.80	1.90	
										5000000 YEARS	1.00	1.50	1.80	1.90	
										10000000 YEARS	1.00	1.50	1.80	1.90	
										20000000 YEARS	1.00	1.50	1.80	1.90	
										50000000 YEARS	1.00	1.50	1.80	1.90	
										100000000 YEARS	1.00	1.50	1.80	1.90	
										200000000 YEARS	1.00	1.50	1.80	1.90	
										500000000 YEARS	1.00	1.50	1.80	1.90	
										1000000000 YEARS	1.00	1.50	1.80	1.90	
										2000000000 YEARS	1.00	1.50	1.80	1.90	
										5000000000 YEARS	1.00	1.50	1.80	1.90	
										10000000000 YEARS	1.00	1.50	1.80	1.90	
										20000000000 YEARS	1.00	1.50	1.80	1.90	
										50000000000 YEARS	1.00	1.50	1.80	1.90	
										100000000000 YEARS	1.00	1.50	1.80	1.90	
										200000000000 YEARS	1.00	1.50	1.80	1.90	
										500000000000 YEARS	1.00	1.50	1.80	1.90	
										1000000000000 YEARS	1.00	1.50	1.80	1.90	
										2000000000000 YEARS	1.00	1.50	1.80	1.90	
										5000000000000 YEARS	1.00	1.50	1.80	1.90	
										10000000000000 YEARS	1.00	1.50	1.80	1.90	
										20000000000000 YEARS	1.00	1.50	1.80	1.90	
										50000000000000 YEARS	1.00	1.50	1.80	1.90	
										100000000000000 YEARS	1.00	1.50	1.80	1.90	
										200000000000000 YEARS	1.00	1.50	1.80	1.90	
										500000000000000 YEARS	1.00	1.50	1.80	1.90	
										1000000000000000 YEARS	1.00	1.50	1.80	1.90	
										2000000000000000 YEARS	1.00	1.50	1.80	1.90	
										5000000000000000 YEARS	1.00	1.50	1.80	1.90	
										10000000000000000 YEARS	1.00	1.50	1.80	1.90	
										20000000000000000 YEARS	1.00	1.50	1.80	1.90	
										50000000000000000 YEARS	1.00	1.50	1.80	1.90	
										100000000000000000 YEARS	1.00	1.50	1.80	1.90	
										200000000000000000 YEARS	1.00	1.50	1.80	1.90	
										500000000000000000 YEARS	1.00	1.50	1.80	1.90	
										1000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										2000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										5000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										10000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										20000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										50000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										100000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										200000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										500000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										1000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										2000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										5000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										10000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										20000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
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										100000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										200000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										500000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										1000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
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										10000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										20000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										50000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										100000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										200000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										500000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										1000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										2000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
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										20000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										50000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										100000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										200000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										500000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										1000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										2000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										5000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										10000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										20000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										50000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										100000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										200000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										500000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										1000000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										2000000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										5000000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										10000000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										20000000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										50000000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										100000000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										200000000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
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										1000000000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
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										500000000000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										1000000000000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										2000000000000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										5000000000000000000000000000000000000000 YEARS	1.00	1.50	1.80	1.90	
										100 YEARS	1.00	1.50	1.80	1.90	
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										2000 YEARS	1.00	1.50	1.80	1.90	
										5000 YEARS	1.00	1.50	1.80	1.90	
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										100 YEARS	1.00	1.50	1.80	1.90	
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										5000 YEARS	1.00	1.50	1.80	1.90	
										100 YEARS	1.00	1.50	1.80	1.90	
										200 YEARS	1.00	1.50	1.80	1.90	
										500 YEARS	1.00	1.50	1.80	1.90	
										1000 YEARS	1.00				

Comparison of Pre and Post Development Peak Discharge						
VEAD	2	5	10	25	50	100
Increase (cfs)	6.21	7.60	10.35	12.87	15.10	14.80
Percent Increase (%)	200	200	200	200	200	200

Preliminary Determination of Detention Pond Volume					Cubic Feet					
YEAR					2	5	10	20	50	9
Line	10 minutes			Cubic Feet	5000	6000	8000	10000	17000	5000
	Min/Depth	L/W/X1	Off/In	C/Fsystem						
StormTech-SC 310	45.00	86x46x10	14.7	01	180		300	274	360	430
StormTech-SC 360	45.00	86x46x10	46.8	76.8	76	01	124	156	167	176

Source: TechNet 2000	60.00 900/300	40.2	20.4	11	87	119	140	150	171
Source: TechNet 2000	60.00 900/340	113.0	136.0	32	28	53	60	87	76

Notes:

1. Underground storage to be installed 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

----- Ex. Contour
Flow Direction

1

==== Drainage Divide

Determine Initial Pre-Development Peak Storm Water Discharge Rates				Culleyville Enduse		TO ROBERTS HO		Return	
WRAH TYP OF CONCENTRATION				M/minutes					
PRE-DEVELOPMENT WEST	048			Q=	1.00	1.00	1.00	1.00	1.00
POST-DEVELOPMENT	048			YEAR	2	5	10	20	80
DISCHQTA	048			PER	3.02	1.00	4.43	7.90	100
				2 YEAR	1 YEAR	10 YEAR	20 YEAR	10 YEAR	10 YEAR
AREA	AREA	AREA	COEFF	RUNOFF	RUNOFF	RUNOFF	RUNOFF	RUNOFF	RUNOFF
Sq/Ft	Sq/Ft	Acres	C	CUFTS	CUFTS	CUFTS	CUFTS	CUFTS	CUFTS
TO WEST	287,891	4.17	0.48	226	780	826	1256	1575	1602
				0.00	0.00	0.00	0.00	0.00	0.00
				0.00	0.00	0.00	0.00	0.00	0.00

[illegible]

Comparison of Pre and Post Development Peak Discharge							
YEAR		2	5	10	25	50	100
Increase (ft)		2.05	3.48	4.75	5.90	6.21	6.95
Percent Increase (%)		30%	30%	30%	30%	30%	30%

Preliminary Determination Dredging Pond Volume				Cubic Feet				
Size	15 minutes	1 Hour	24 Hours	2	5	10	20	50
ft/Depth	ft/Depth	ft/Depth	ft/Depth	ft/Depth	ft/Depth	ft/Depth	ft/Depth	ft/Depth
Shore-Tech S-C-210	80.00 8564.60	14.7	21	82	100	139	171	114
Shore-Tech S-C-760	80.00 8564.60	45.0	76	34	82	117	11	32
Shore-Tech S-C-760	80.00 8564.60	45.0	76	34	82	117	11	32
Shore-Tech S-C-760	80.00 8564.60	45.0	76	34	82	117	11	32
Shore-Tech S-C-760	80.00 8564.60	45.0	76	34	82	117	11	32

Preliminary Drainage
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

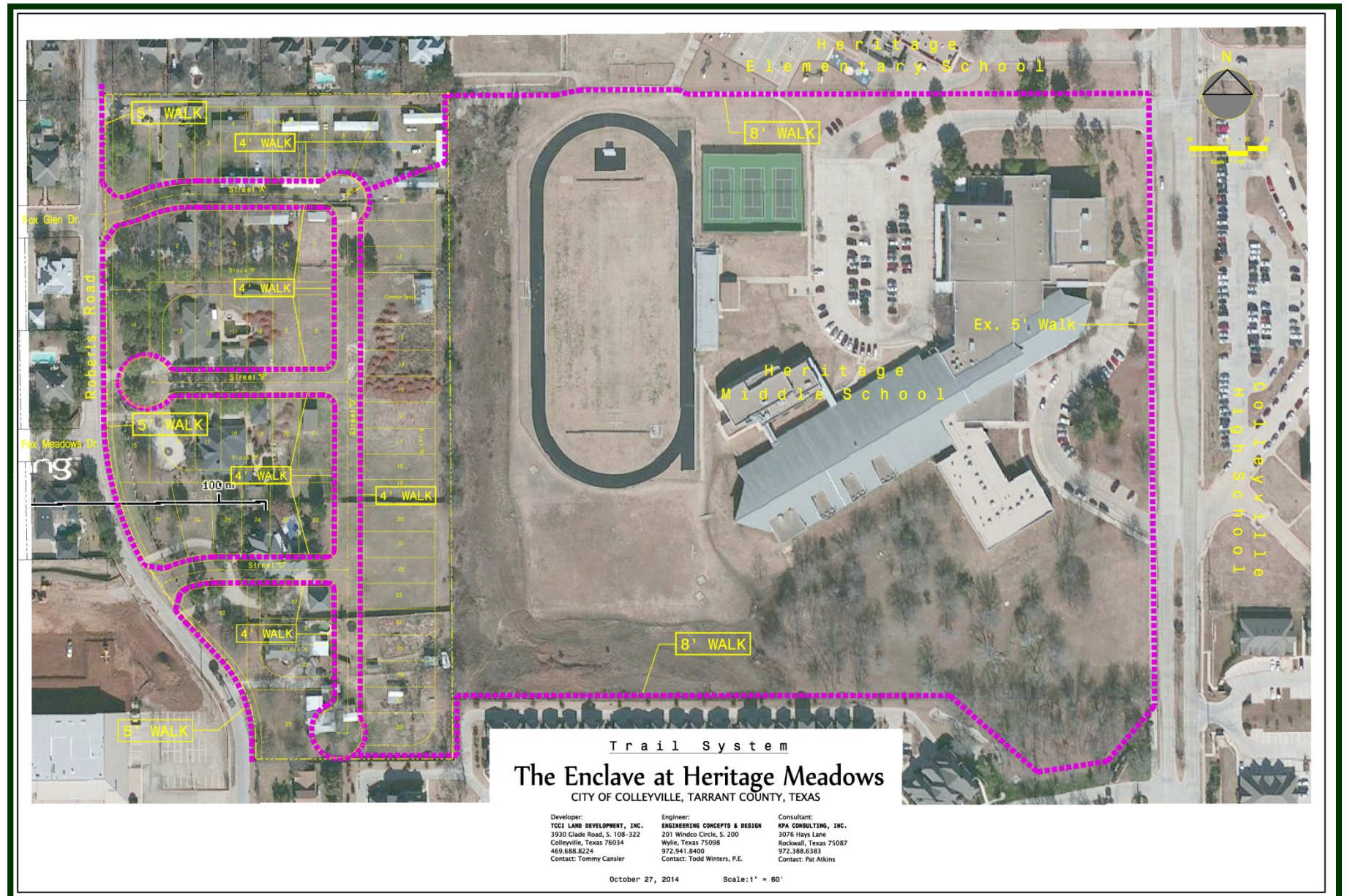
Engineer:
T. TABOR CONSULTING, PLLC
1301 E. Debbie Lane 102-152
Mansfield, Texas 76063
972.896.6989
Contact: Tommy Tabor, P.E.

Consultant:
KPA CONSULTING, INC.
3076 Hays Lane
Rockwall, Texas 75087
972.388.6383
Contact: Pat Atkins

October 20, 2014

Scale: 1" = 60'

Presentation from Applicant



V. BUILDING ARCHITECTURAL STANDARDS



Presentation from Applicant



Presentation from Applicant



Presentation from Applicant



Presentation from Applicant

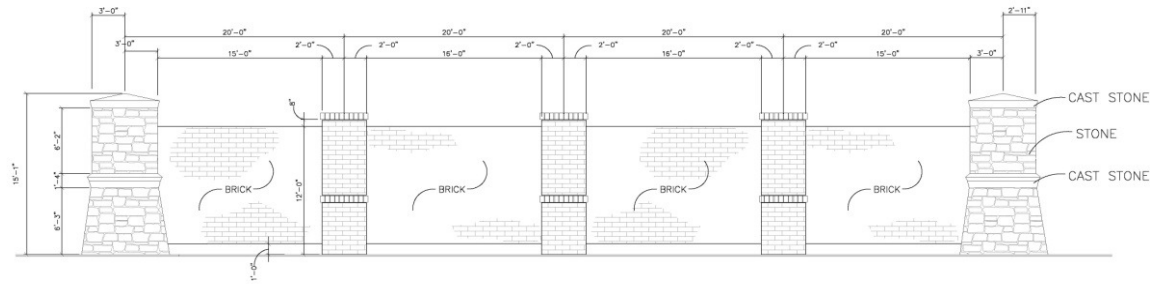


Presentation from Applicant

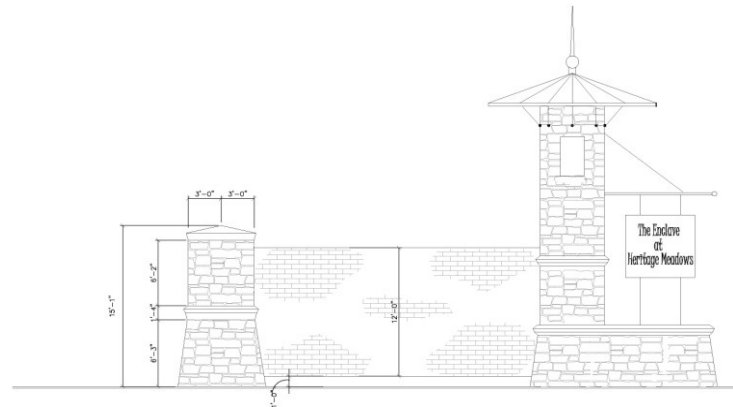


Presentation from Applicant

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

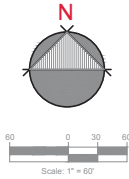


VI. PROPERTY DEVELOPMENT STANDARDS



- 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



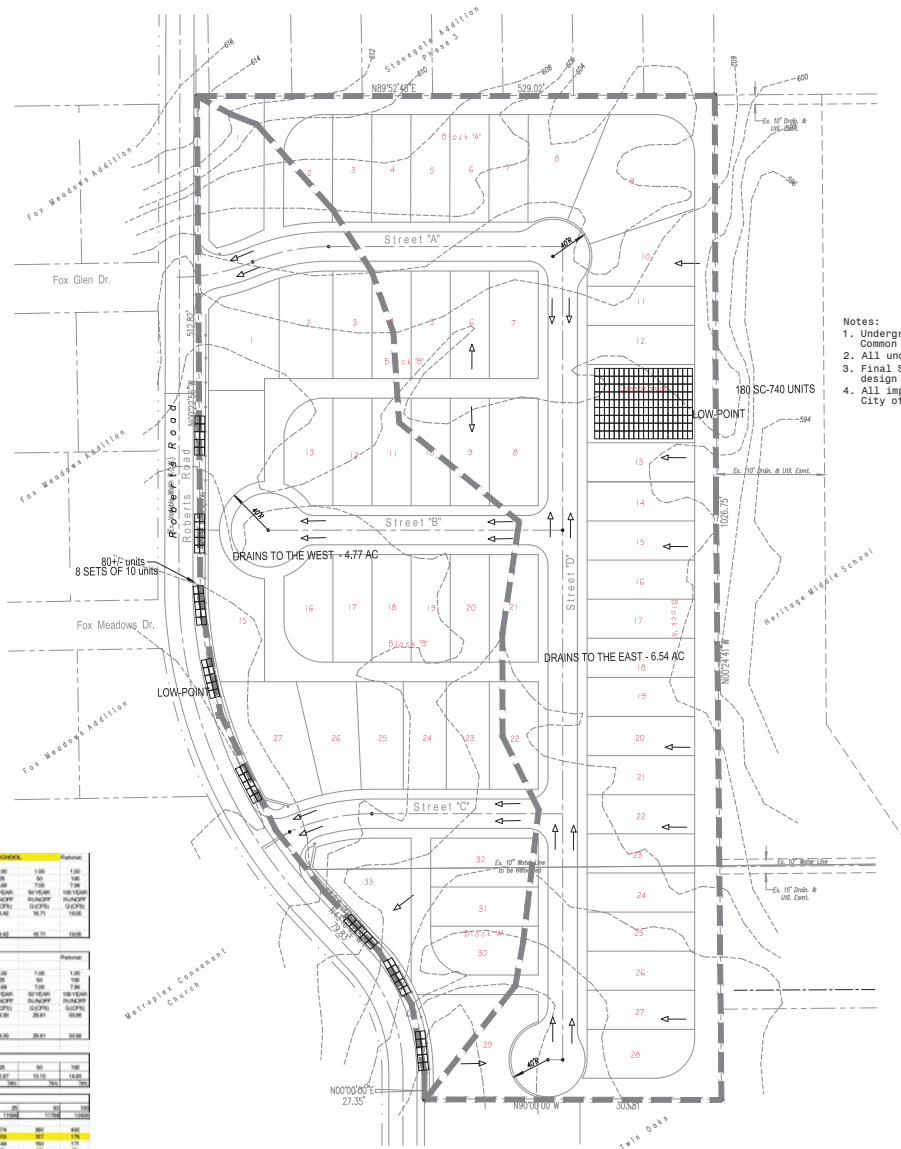
V i c i n i t y M a p
n . t . s .

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Delaware Initial Post-Development Peak Storm Water Discharge Rates										Catalelope & Nelson					Ratios
MINIMUM OF CONCENTRATION										FULLY DEVELOPED					
PRE-DEVELOPMENT EAST		0.97			10	10	1.00	1.00	1.00	1.00	1.00				
POST-DEVELOPMENT		0.98	YEAR 0		2	5	1.00	2.50	5.00	5.00	5.00				
			YEAR 1		3	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 2		4	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 3		5	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 4		6	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 5		7	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 6		8	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 7		9	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 8		10	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 9		11	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 10		12	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 11		13	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 12		14	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 13		15	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 14		16	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 15		17	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 16		18	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 17		19	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 18		20	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 19		21	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 20		22	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 21		23	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 22		24	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 23		25	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 24		26	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 25		27	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 26		28	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 27		29	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 28		30	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 29		31	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 30		32	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 31		33	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 32		34	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 33		35	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 34		36	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 35		37	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 36		38	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 37		39	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 38		40	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 39		41	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 40		42	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 41		43	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 42		44	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 43		45	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 44		46	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 45		47	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 46		48	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 47		49	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 48		50	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 49		51	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 50		52	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 51		53	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 52		54	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 53		55	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 54		56	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 55		57	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 56		58	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 57		59	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 58		60	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 59		61	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 60		62	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 61		63	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 62		64	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 63		65	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 64		66	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 65		67	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 66		68	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 67		69	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 68		70	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 69		71	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 70		72	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 71		73	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 72		74	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 73		75	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 74		76	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 75		77	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 76		78	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 77		79	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 78		80	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 79		81	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 80		82	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 81		83	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 82		84	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 83		85	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 84		86	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 85		87	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 86		88	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 87		89	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 88		90	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 89		91	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 90		92	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 91		93	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 92		94	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 93		95	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 94		96	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 95		97	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 96		98	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 97		99	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 98		100	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 99		101	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 100		102	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 101		103	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 102		104	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 103		105	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 104		106	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 105		107	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 106		108	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 107		109	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 108		110	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 109		111	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 110		112	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 111		113	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 112		114	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 113		115	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 114		116	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 115		117	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 116		118	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 117		119	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 118		120	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 119		121	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 120		122	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 121		123	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 122		124	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 123		125	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 124		126	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 125		127	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 126		128	4.5	1.00	1.50	2.25	2.25	2.25				
			YEAR 127		129	4.5	1.00	1.50	2.25	2.25	2.				

Comparison of Pre and Post Development Peak Discharge						
VEAP	2	6	10	20	50	100
Increase (cfs)	0.21	7.90	10.50	12.87	13.10	14.91
Notes	See	See	See	See	See	See

Preliminary Determination of Detention Pond Volume					Cabin Feet						
Line	15 minutes			YEAR	Cabin Feet						
	Min/Depth	LOAR XH1	OffLine	OffLine	5	10	20	50	100		
					100	500	910	1150	1750	1240	
StormTech SO-103	40.00	950/416	14.7	35	190	221	900	274	860	440	
StormTech SO-780	30.00	950/520	40.9	76.9	76	91	124	166	917	176	
StormTech SO-780	30.00	950/520	40.2	76.4	71	87	118	166	900	170	



- 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.

L e g e n d

- 614---Ex. Contour
- Flow Direction
- ① Drainage Area
- ▬▬▬ Drainage Divide

[illegible][illegible]

Comparison of Pre and Post Development Peak Discharge		YEAR					
		2	6	10	25	50	100
Increase (ft)		0.05	0.66	4.75	5.90	9.27	9.85
Code	Discharge (cfs)	500	500	500	500	500	500

Preliminary Deformation of Detention Pond Value			Caten Feet					
Time	15 minutes	YEAR	0	50	100	150	200	250
		Caten Feet	2004	3100	4200	5300	6400	8500
Mid-Depth	1000000	Offshore	147	31	60	100	170	280
Storm-Fac SC-201	4000000000	Onshore	40.9	76.8	34	42	57	72
Storm-Fac SC-180	4000000000	Onshore	40.9	76.8	34	42	57	72
Storm-Fac SC-180	4000000000	Onshore	40.9	76.8	34	42	57	72
Storm-Fac SC-180	4000000000	Onshore	40.9	76.8	34	42	57	72

Preliminary Drainage

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
972.896.6989
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

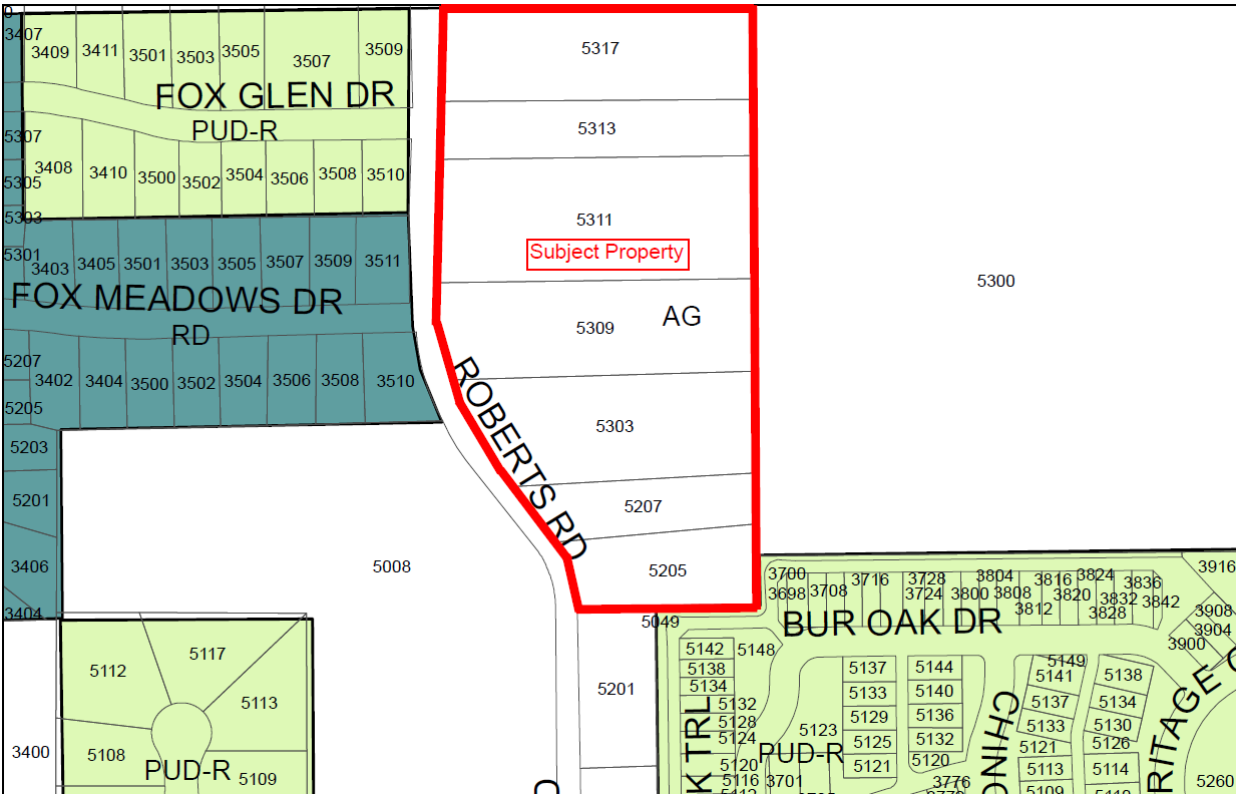


Exhibit B – Legal Description

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.

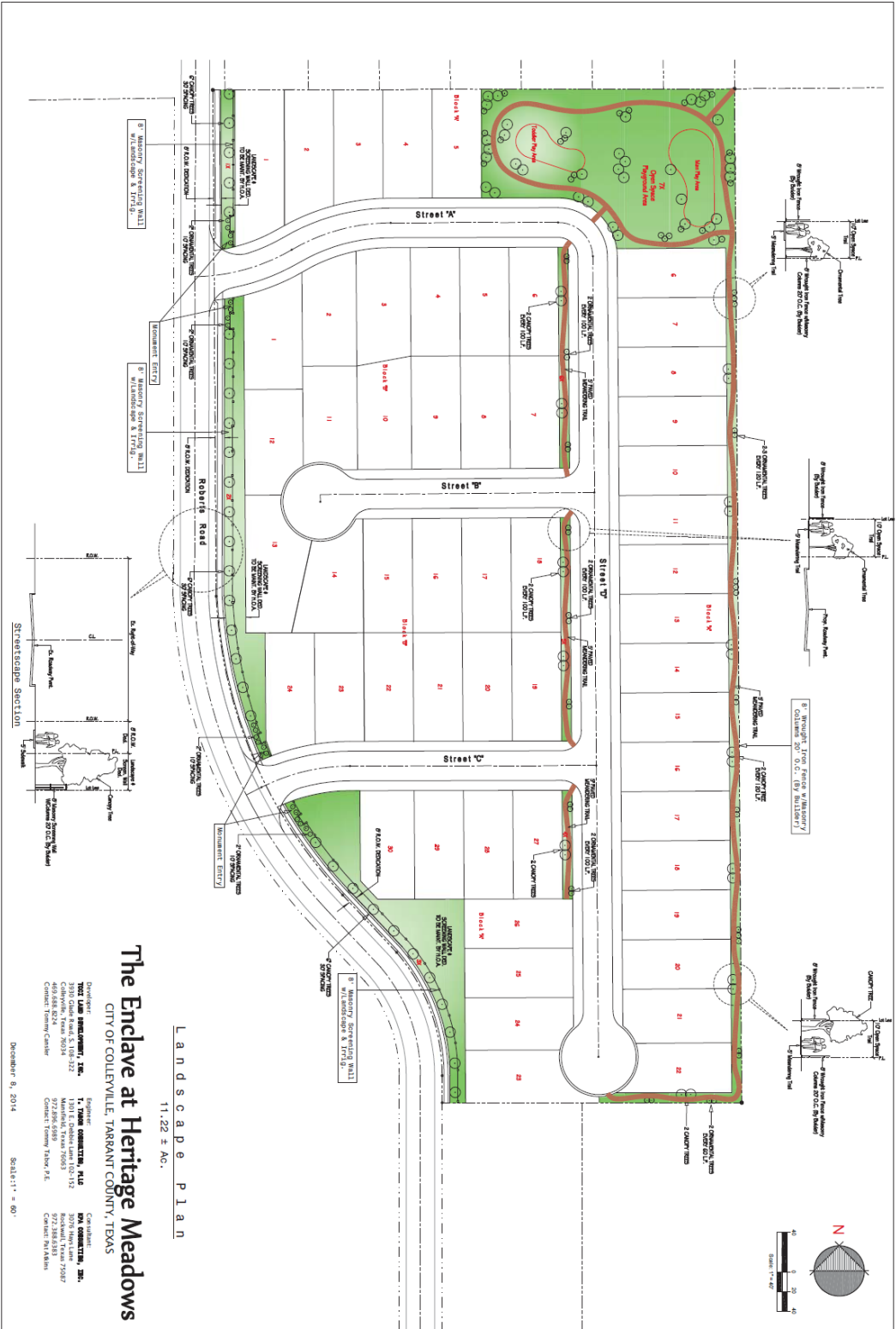
Development Standards

- 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%

Exhibit D - Conceptual Development Plan



Exhibit E - Landscape Plan





City of Colleyville City Council Agenda Briefing

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

Agenda Number 6a

Agenda Date 01/06/2015

Number Ordinance O-15-1946

Type Ordinance

Department Public Works

Title

Approval of the adoption of the City of Colleyville Water Conservation and Drought Contingency Plan, 2015

Explanation

First Reading and Public Hearing

On May 3, 1994, City Council approved attached Ordinance O-94-948 adopting the City of Colleyville Water Conservation and Emergency Water Demand Management Plan. This was the City's initial effort to implement water conservation measures and was a requirement of the Texas Water Development Board as a condition of the 1994 utility bond sale. On September 5, 2006, City Council adopted the attached Ordinance O-06-1587 adopting a Water Conservation and Drought Contingency Plan (WCDCP). This ordinance updated Ordinance O-94-948 to be more consistent with the policies of the Tarrant Regional Water District (TRWD) and the Trinity River Authority (TRA). This ordinance update provided for water conservation measures, and prohibited certain water usages during times of water shortages and drought conditions. The provisions of the ordinance were modeled after similar water conservation and drought contingency plans developed by TRWD and TRA. The City's wholesale supplier of treated water is TRA. Trinity River Authority purchases raw water from TRWD and follows the adopted TRWD plan. Both the TRWD and the TRA plans were updated in 2014. The State of Texas requires that all water conservation and drought contingency plans be updated every five years. Attached Ordinance O-12-1834 updated the Colleyville WCDCP again in 2012, which is the current WCDCP for the City. In April 2014, TRA updated its WCDCP, which is attached to this briefing. There are a few differences between the 2012 Colleyville plan and the recently updated TRA plan, the major difference being the allowed watering days, as shown in the tables below:

Colleyville Plan Watering Days:

Current Geographic Zones	Current Allowed Water Days*
A	Tuesday and Friday
B	Wednesday and Saturday
C	Thursday and Sunday
*No watering is allowed on Monday	

TRA Plan Watering Days:

Stage 1, Water Watch, Current Outdoor Watering Schedule		
Monday	No Outdoor Watering	Water System Recovery Day
Tuesday and Friday	Non-Residential Sites	Apartments, Parks, Common Areas, HOA's, Businesses
Wednesday and Saturday	Residential Addresses Ending in Even Numbers	0, 2, 4, 6, 8
Thursday and Sunday	Residential Addresses Ending in Odd Numbers	1, 3, 5, 7, 9

Colleyville chose to establish permitted watering days based on geographic zones as opposed to addresses because at the time the 2006 plan was adopted, the L.D. Lockett above ground storage tank was not built, and it was determined that odd/even watering days would not provide adequate water supply to all parts of the City.

A second difference between the 2012 Colleyville plan and the recently updated TRA plan relates to the use of water in public areas that are open to the public-at-large, and have a high impact from frequent use. Under the TRA plan, those areas may be granted a variance if it is deemed to be beneficial to serve and protect the community amenity. The 2012 Colleyville plan "prohibits the use of water for recreational purposes, such as splash pads, unless the water is recyclable and can be made to conform to the established standards for water used in swimming pools." The splash pad at McPherson Park uses approximately 7,800 gallons per hour to operate when in continuous use. Historically, the splash pad has operated between Memorial Day and Labor Day, when no water restrictions were in place. Water usage at the splash pad for 2010 was 3,950,000 gallons; for 2011 the usage was 3,441,900 gallons, and for 2012 the usage was 3,844,900 gallons.

The third difference between the 2012 Colleyville plan and the recently updated TRA plan is that the TRA plan establishes specific goals for reduction in water usage as shown below. The 2012 Colleyville plan does not include specific goals for reduction, although overall usage in Colleyville has been reduced by approximately 23 percent since Stage 1 restrictions were put in place in June 2013, as compared to the same period of June 2012 through August 2013. Although the City has not yet had to implement Stage 2 measures, the restrictions associated with Stage 1 of the Water Conservation and Drought Contingency Plan have proven to be very effective in achieving the Stage 1 goal for reduction and if Stage 2 or 3 measures are ever implemented, the restrictions included in the plan for those stages should be more than adequate to achieve the Stage 2 and 3 reduction goals.

TRA Water Usage Reduction Goals	
Stage 1 (Water Watch)	5%
Stage 2 (Water Warning)	10%
Stage 3 (Water Emergency)	20%

Chapter 288 of the Texas Administrative Code requires municipal water suppliers to develop water conservation plans and establishes minimum requirements for such plans. The Texas Administrative Code also contains provisions that allow the Texas Commission on Environmental Quality (TCEQ) to require specific actions be taken if TCEQ determines that such actions are necessary to achieve the goals of the water conservation plan. These actions include:

1. Conservation oriented water rates and water rate structures such as uniform or increasing block rate schedules, and/or seasonal rates but not flat rates or decreasing block rates;
2. Adoption of ordinances, plumbing codes, and/or rules requiring water-conservation plumbing fixtures be installed in new structures undergoing substantial modification or addition;
3. A program for the replacement or retrofit of water-conserving plumbing fixtures in existing structures;
4. Reuse and/or recycling of wastewater and/or graywater;
5. A program for pressure control and/or reduction in the distribution system and/or for customer connections;
6. A program and/or ordinance for landscape water management;
7. A method for monitoring the effectiveness and efficiency of the water conservation plan, and
8. Any other water conservation practice, method, or technique which the water supplier shows to be appropriate for achieving the stated goal or goals of the water conservation plan.

City staff is confident that Colleyville's proposed 2015 Water Conservation and Drought Contingency Plan meets or exceeds all of the TCEQ requirements and that no additional measures beyond those included in the plan will be necessary.

On February 18, 2014, City Council approved attached Resolution R-14-3723, approving a contract with Garver, LLC, to develop a comprehensive master plan for the City's water and wastewater systems. One of the specific tasks to be performed by Garver was to determine if the Overland Trail above ground storage tank and pump station were still required to provide adequate water service to our residents and businesses. This task has been completed and a copy of the report is attached. As discussed during the December 16, 2014 Pre Council presentation on the 2014 Water

and Wastewater Master Plan, the study determined that under the current use of geographical zones for water restrictions, the Overland Trail tank and pump station needs to remain in place to meet peak period demands. However, if the City were to change watering days to odd and even, based on addresses, the Overland Trail tank and pump station would no longer be needed and it could be demolished and the land used for some other purpose or sold. If the decision is made to keep the Overland Trail tank and pump station in service, in order to meet current and projected future (2034) demands and not change the geographical permitted water days, a new replacement two million gallon storage tank is required, at an estimated cost of \$2.5 million. If the projected peak demand of more than 19 million gallons a day was placed on the water system, it was determined that customer demand could not be met without the Overland Trail storage tank and pump station upgrades, unless the geographic watering days are changed to odd/even address days.

At the October 6, 2014, Pre Council meeting, staff proposed a change to the Colleyville Water Conservation and Drought Contingency Plan to change the watering days from geographic zones to odd/even watering days for residential customers based on addresses, and designate two separate days a week for non-residential customers, following the same schedule that is part of the TRA Water Conservation and Drought Contingency Plan as outlined above. City Council indicated concurrence with the proposed change and gave staff direction to include that change in the updated plan. As stated in Ordinance O-15-1946, the effective date of this change will be April 1, 2015. This change, if it is approved, as well as a reminder of the prohibited and non-essential water uses, will be communicated to customers through the City newsletter, E-News, and postings on the City's web page.

In the event Stage 2 watering restrictions are implemented, signage will be placed on the major arterial streets throughout the City to advise customers that Stage 2 watering restrictions are in effect, and the restrictions associated with Stage 2 will be communicated to customers using the same communication tools as will be used for communicating the change in watering days. Stage 2 measures include all conservation measures in Stage 1 plus the following additional measures:

1. A target of 10% reduction in total water use.
2. Restrict watering to one day per week.
3. Prohibit the use of water for dust control, except as required to protect public health.
4. Prohibit operation of ornamental fountains or ponds that use potable water except where necessary to support aquatic life.
5. Prohibit filling of swimming pools with automatic valves.
6. Prohibit wet street sweeping.

As implementation of Stage 2 restrictions will impact all cities in the region, it is anticipated that such action will be widely covered by radio, television, and printed media as well. Enforcement will be done through the Code Enforcement Officer, as has

been the past practice for violations of the Water Conservation and Drought Contingency Ordinance. Prior to the issuance of a citation, violators will be contacted and provided a warning notice that they are in violation of the City Code of Ordinances and that future violations may result in a citation.

Other changes to the updated plan include the establishment of water usage reductions goals for each of the three stages of drought conditions, consistent with the TRA Plan as stated above, and a provision that allows the City Council to approve an exemption for operation of the McPherson Park Splash Pad, for specific days and hours as designated by the City Council, if deemed appropriate. This action would be taken by adoption of a resolution.

In addition, staff is preparing McPherson Park Splash Pad improvement options for City Council consideration that would capture and either treat or recycle the water used at that facility.

Staff recommends adoption of the City of Colleyville Water Conservation and Drought Contingency Plan, 2015, which is attached as Exhibit A to Ordinance O-15-1946.

Financial Impact

There is no budgetary impact associated with item.

Recommendation

Approve

Attachments

1. City of Colleyville Water Conservation and Drought Contingency Plan, 2015
2. Ordinance O-94-948
3. Ordinance O-06-1587
4. Ordinance O-12-1834
5. Resolution R-14-3723
6. 2014 Update of TRA's Water Conservation and Drought Contingency Plan
7. October 6, 2014 Water Conservation and Drought Contingency Plan Update Presentation
8. Overland Trail Tank and Pump Station Report
9. Ordinance O-15-1946



WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN 2015

100 Main Street
Colleyville, Texas 76034
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PWS# 2200043



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DECLARATION OF POLICY, PURPOSE, AND INTENT

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, to protect and preserve public health, welfare, and safety, and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Colleyville hereby adopts the following practices, regulations, and restrictions on the delivery, use, and consumption of water by City Ordinance.

Water uses regulated or prohibited under this Water Conservation and Drought Contingency Plan are considered to be wasteful, non-essential, or discretionary. Uses of water considered wasteful or violations of restricted uses during times of water shortage or other emergency water supply conditions subjects the offender(s) to penalties as defined in the Implementation and Enforcement section of this Plan.

AUTHORIZATION

The City Manager or his/her designee is hereby authorized and directed to implement this Water Conservation Plan and the applicable provisions of this Drought Contingency Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The City Manager or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

APPLICATION

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the City of Colleyville. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

OVERVIEW

HISTORY

Colleyville began as a rural community, situated primarily between Big Bear and Little Bear Creek in the central portion of northeastern Tarrant County. The first significant settlement of the area began in the 1850s. Samuel C.H. Witten came to Texas from Missouri in 1854 and established a farm along Little Bear Creek. He became one of the founders of the Spring Garden community, which flourished in the 1860s around a well-known school, finally declining in the 1870s as Bedford rose to prominence. Other settlers from the upper South included Jonathan A. Riley, who came from Kentucky in 1856 and settled near the Spring Garden community; the Kentucky-born adventurer and Civil War veteran Ryan Harrington, who bought land in 1865 near the community of Pleasant Glade; and William B. Cheek, who migrated to northeast Tarrant County from Kentucky in 1869, eventually settling near Ryan Harrington's property.

Other farmers continued to arrive throughout the 19th century. William Dunn settled property between Big Bear Creek and Bransford in 1875; the James R. Forbes family, of Bedford County, Tennessee, established a farm in 1887; and French native Anthelm Bidault began cultivating his renowned orchards and vineyards near the Pleasant Run community in 1897. The communities of Pleasant Glade and Pleasant Run were hamlets situated in clearings of the Eastern Cross Timbers. Churches, schools, and stores served the rural population. Pleasant Run Baptist Church, organized in 1877, was the first church within what is now Colleyville.

The St. Louis, Arkansas, & Texas Railway (later known as the St. Louis & Southwestern or the Cotton Belt Route) extended its tracks between Fort Worth and Grapevine in the late 1800s, passing through the hamlet of Red Rock in the Colleyville area in 1888. The nearby community of Bransford, clustered around the general store and post office of Felix G. Bransford, disappeared that same year when the store and post office were moved to Red Rock, which was renamed Bransford. The new Bransford prospered over the next several decades, becoming the largest community in the Colleyville area. In addition to the post office, the town had two blacksmith shops, a livery stable, four general stores, and a lodge hall shared by the Masons, Odd Fellows and Woodmen of the World. Four doctors resided there.

Lilburn Howard Colley was one of these doctors. A native of Missouri and a veteran of the Union Army, Dr. Colley and his wife moved to Texas in 1880, eventually settling in Bransford soon after the town was founded. In his 40 years of active practice, he became one of the best-known physicians in northeast Tarrant County and was widely respected as a leader in the Bransford area. Colley's name became associated with a community that formed around a store opened by W.G. Couch on Glade Road south of Bransford in 1914. The surrounding area gradually acquired the name "Colleyville." The hamlets of Pleasant Run and Pleasant Glade had populations of 75 and 80, respectively, in 1940, and today have all but disappeared. Bransford declined after World War I as the automobile took precedence over railroads for passenger travel. The last store, owned by John R. Webb, closed in 1925. The town became known primarily for a large nursery established by Andy Felps around 1920. Bransford had a population of 155 in 1940, but today has vanished except for a cluster of houses around the train tracks.

Colleyville was incorporated on January 10, 1956, and its City limits are now contiguous with those of Grapevine and Euless on the east, Bedford and Hurst on the south, Keller and North Richland Hills on the west and Southlake on the north. Although once a predominantly rural community, Colleyville has experienced significant residential development during the past decade. From a population of about 1,500 in 1960, it grew to 6,700 in 1980 and had an estimated population of 11,300 by 1989. Colleyville Boulevard (Highway 26) passes through its center, and many of its residents commute to Fort Worth.

"Tarrant County Historic Resources Survey"
Historic Preservation Council of Tarrant County, Texas
© 1990

GEOGRAPHY

Colleyville is located in the Trinity River Basin within 13.1 square miles of northeast Tarrant County. The City is roughly 12 miles from Dallas/Fort Worth International Airport. The City is within the geographical boundaries of the Northern Trinity Groundwater Conservation District, Region C Regional Water Planning Group, and TCEQ Region 4.

CLIMATE

An average annual rainfall for Colleyville is 32.9 inches with the months of April and October typically having the most rainfall (3.4 inches). The City averages 77 days with rainfall each year. Monthly temperature averages range from 43.4°F in January to 84.2°F in August. On average, there are 99 days per year where the temperature exceeds 90°F and 47 days where the temperature falls below 32°F.

WATER RESOURCES

The City of Colleyville obtains 100% of its water through a water supply contract with Trinity River Authority (TRA). Raw water is impounded in Cedar Creek and Richland-Chambers Lakes and transported to Tarrant County through the Tarrant Regional Water District (TRWD) pipeline network where water is impounded in Lake Arlington. TRA treats water pumped from Lake Arlington and supplies the treated water to the City through four master meters.

In addition to the raw water purchased from the Trinity River Authority, there are more than 300 private water wells in the city that are used for irrigation.

INTRODUCTION

OBJECTIVE

The objective of Colleyville's Water Conservation and Drought Contingency Plan is to increase efficiency of water use and reduce water demands without adversely affecting the population and economic growth of the City. The fundamental strategy for this Plan is to promote and publicize water conservation activities and drought management strategies in order to meet our water conservation goals and respond appropriately to water supply concerns or emergencies.

The City of Colleyville recognizes that the amount of water available to the City and its water utility customers may be limited and subject to depletion during periods of extended drought. Representing the best interests of the citizens of Colleyville, Texas, the City deems it expedient and necessary to establish and maintain certain rules and policies for the ongoing conservation of water and the orderly and efficient management of limited water supplies during drought and other water supply emergencies.

STATUTORY AND RULE REQUIREMENTS

Texas Water Code §13.146. WATER CONSERVATION PLAN. The commission shall require a retail public utility that provides potable water service to 3,300 or more connections to submit to the executive administrator of the board a water conservation plan based on specific targets and goals developed by the retail public utility and using appropriate best management practices, as defined by Section 11.002, or other water conservation strategies.

Title 30 Texas Administrative Code, Chapter 288.30(10)(A) Water conservation plans for retail public water suppliers. For retail public water suppliers providing water service to 3,300 or more connections, a water conservation plan meeting the minimum requirements of Subchapter A of this chapter and using appropriate best management practices must be developed, implemented, and submitted to the executive administrator of the Texas Water Development Board not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group.

Texas Water Code §11.1272. ADDITIONAL REQUIREMENT: DROUGHT CONTINGENCY PLANS FOR CERTAIN APPLICANTS AND WATER RIGHT HOLDERS. (a) The commission shall by rule require wholesale and retail public water suppliers and irrigation districts to develop drought contingency plans consistent with the appropriate approved regional water plan to be implemented during periods of water shortages and drought.

Title 30 Texas Administrative Code, Chapter 288.30(5)(A). For retail public water suppliers providing water service to 3,300 or more connections, the drought contingency plan must be submitted to the executive director not later than May 1, 2005. Thereafter, the retail public water suppliers providing water service to 3,300 or more connections shall submit the next revision of the plan not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group.

REPORTING REQUIREMENTS

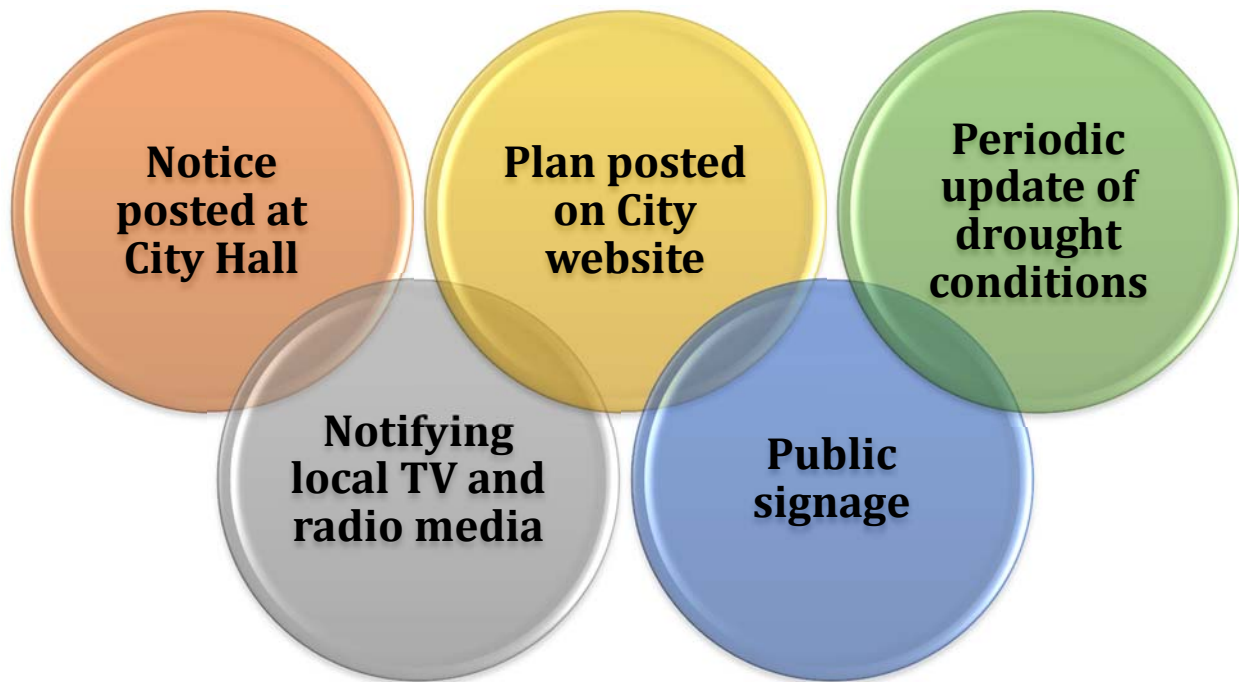
The Texas Water Development Board (TWDB) requires that the City submit a Water Conservation Plan every five years to coincide with the Regional Water Planning Cycle. The TWDB also requires that the City submit the following information annually:

1. Water Loss Audit, May 1
2. Annual Report, May 1
3. Water Use Survey, March 1

The Texas Commission on Environmental Quality (TCEQ) requires that the City submit a Drought Contingency Plan every five years to coincide with the Regional Water Planning Cycle.

PUBLIC EDUCATION AND INFORMATION

The City will periodically provide the public with information about this Plan, including information, and/or notification, about ongoing water conservation efforts, the conditions under which each drought stage would be initiated or terminated, and the drought response measures to be implemented in each stage. This information will be provided by means of posted notices, notifying local radio/television stations, public signage, and other public activities.



WATER WASTE AND NON-ESSENTIAL USES

WATER WASTE

The following shall be unlawful at any time of the year for any person, firm, corporation, business, or other entity:

- Failing to repair a controllable leak, including a broken sprinkler head, a leaking valve, leaking or broken pipes, or a leaking faucet.
- Operating a permanently installed irrigation system with a broken head, a head that is out of adjustment, or a head that is misting due to high water pressure.
- Operating an automated in-ground irrigation system or hose-end sprinkler on any day of the week between 10:00 a.m. and 6:00 p.m.
- Irrigation or landscape watering during any form of precipitation.
- Allowing water to run off a property and form a stream of water in a street for a distance of fifty (50) feet or greater.
- Allowing water to pond in a street or parking lot to a depth of greater than one quarter ($\frac{1}{4}$) of an inch.

NON-ESSENTIAL/DISCRETIONARY USES OF WATER

The following uses of water are considered non-essential, or discretionary uses of water and may become unlawful during the implementation of the drought response stages:

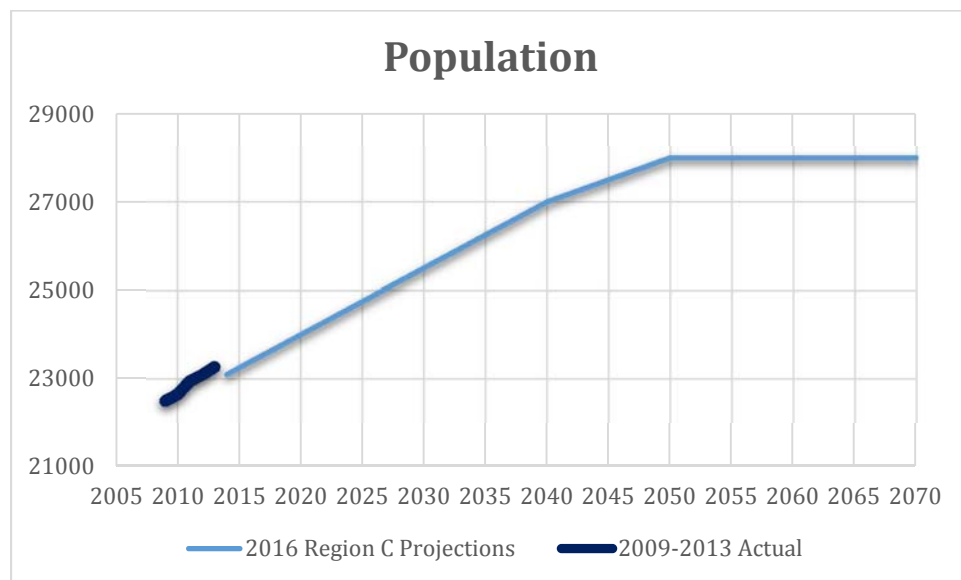
- Irrigation of landscape areas, including parks, athletic fields, and golf courses.
- Use of water to wash any motor vehicle, boat, trailer, airplane, or other vehicle.
- Use of water to wash down any sidewalks, walkways, driveways, parking lots, athletic courts, or other hard surfaced areas.
- Use of water to wash down buildings or other structures for purposes other than immediate fire protection.
- Flushing gutters or permitting water to run or accumulate in any gutter or street.
- Use of water to fill, refill, or add to any swimming pools or Jacuzzi type pools.
- Use of water in an outside fountain or pond for aesthetic or scenic purposes, except where necessary to support aquatic life.
- Any outdoor recreational use of water.

UTILITY PROFILE

Data is managed by utility staff on a daily basis and organized to be able to track water production and deliveries to the highest practicable levels.

POPULATION

The population of the City has increased steadily throughout its history. The approved 2016 TWDB and Region C population projections, shown below, predict that the City will grow to have 28,000 residents by 2050 and maintain this population through 2070.



WATER SYSTEM

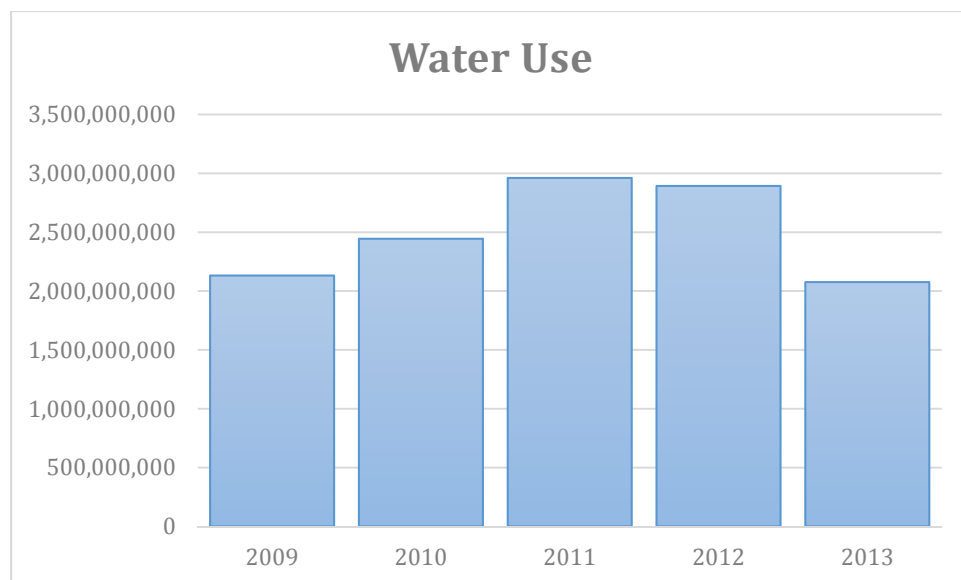
The Water Utility System consists of over 200 miles of distribution lines and over 9,000 connections. The City maintains four ground/elevated storage tanks, which when full, contain 8,500,000 gallons of water. Wastewater is conveyed to TRA treatment facilities.

WATER SUPPLY

The City of Colleyville obtains 100% of its water from a water supply contract with the Trinity River Authority (TRA) with the exception of water from more than 300 privately owned wells that are used for irrigation.

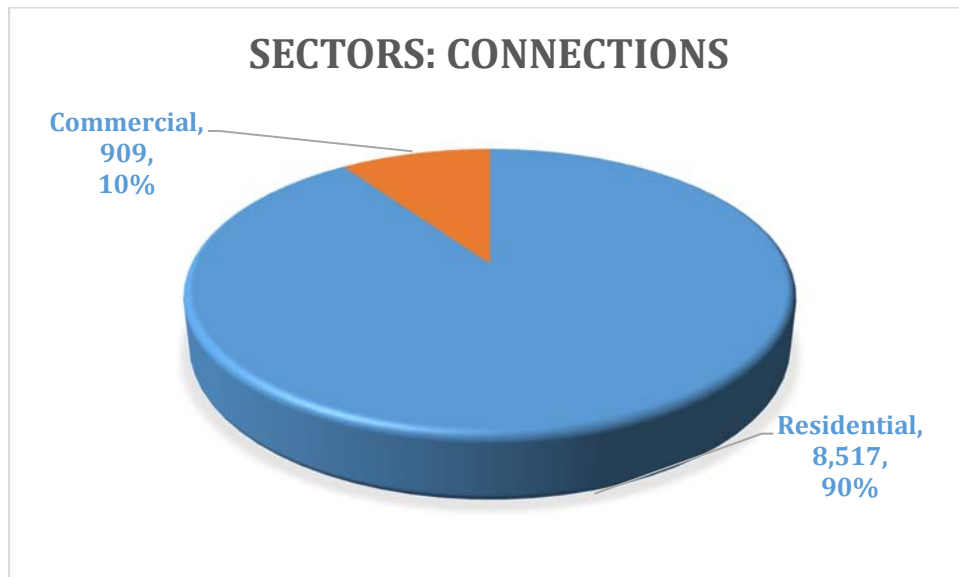
WATER DEMANDS

Over the previous 5 years, the City has averaged 2,501,202,500 gallons (7,676 acre-feet) of water use annually.

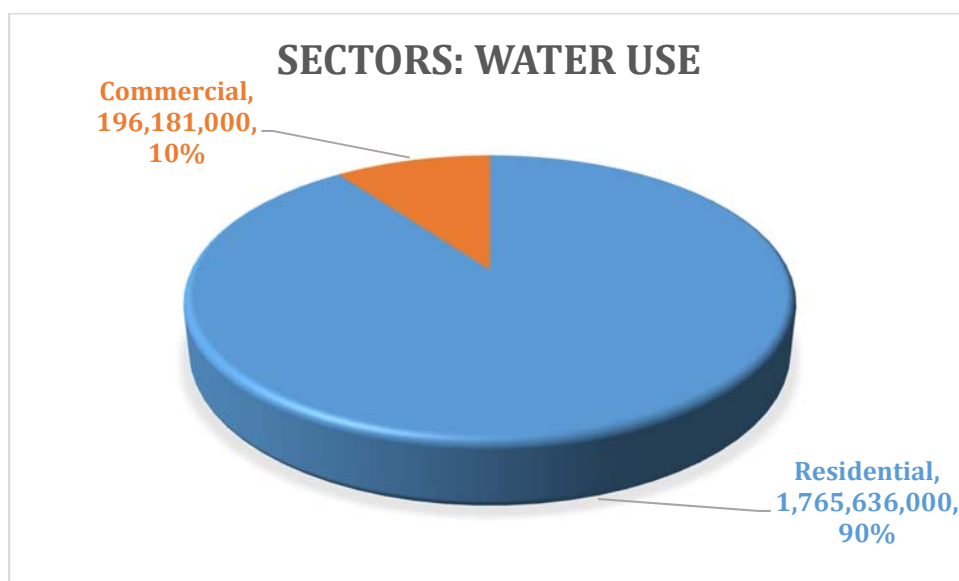


WATER USE SECTORS

The distribution of retail connections within Colleyville is shown below. Ninety percent (90%) of connections are for single family residential use and ten percent (10%) are for Commercial. The City has no multi-family or industrial connections.



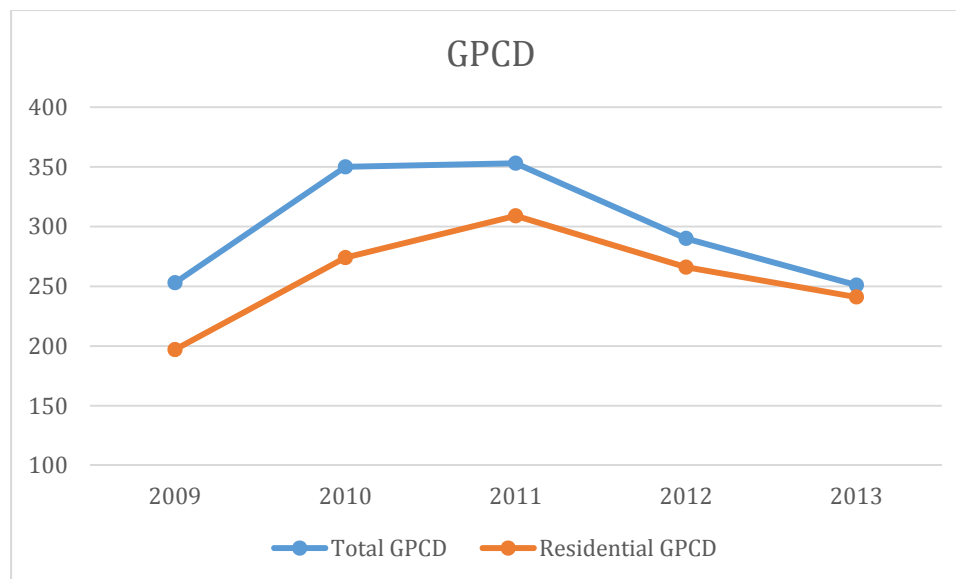
Water use for each sector is shown below.



PER CAPITA WATER USE

Per capita water use is generally expressed in gallons per customer per day (GPCD) and is the average amount of water used by each person in the population served by a water utility. Variables that can influence GPCD include the relative amount of non-residential water uses, the rate and type of growth, economics, demographics, and especially the weather. Residential GPCD is a better metric for understanding how much water each resident is actually using and does not include commercial and industrial uses.

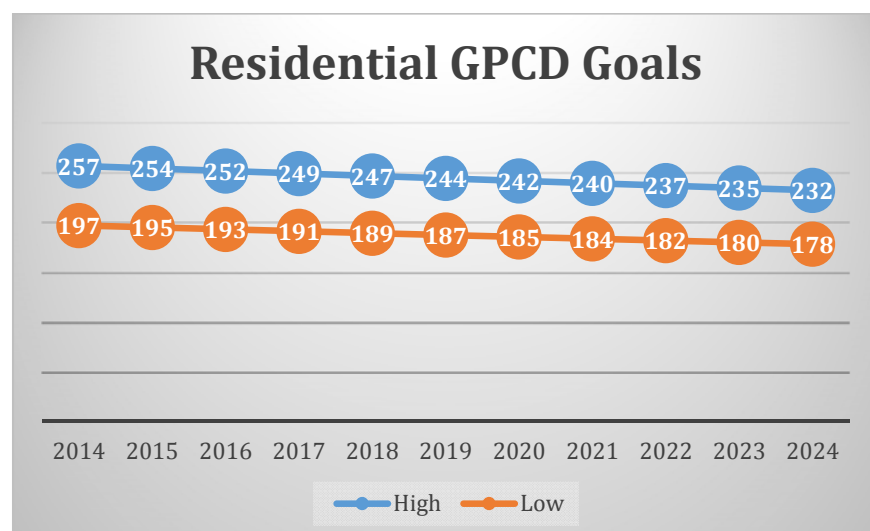
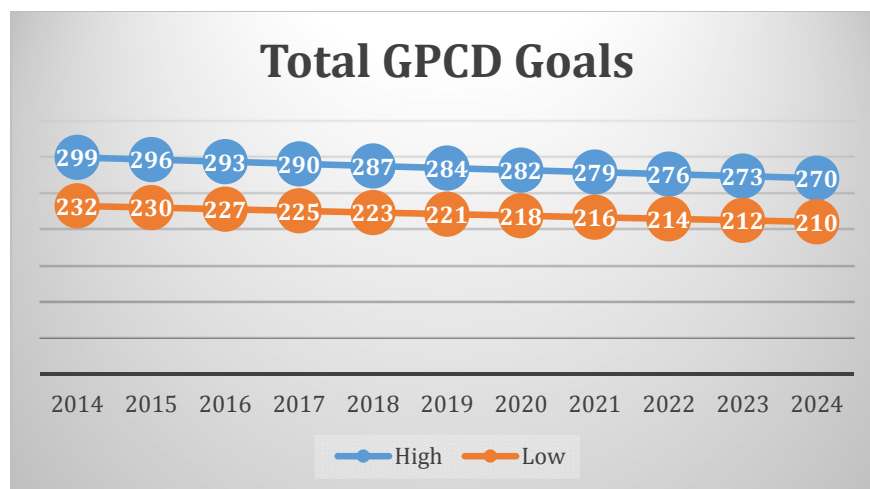
For the previous five years, Total and Residential GPCD for the City are shown below.



The total GPCD for 2013 is 251 gallons per day, and the residential GPCD for 2013 is 241 gallons per day. Both of these consumption rates are below the established maximum consumption goals for 2014 as shown on the charts on the next page.

PER CAPITA WATER USE GOALS

The City of Colleyville's per capita water conservation goals for the next 10 years are based upon the Texas Water Conservation Implementation Task Force's recommendation of a reduction in per capita water use by 1% per year. The City's GPCD has fluctuated significantly in recent years, likely due to the high variability of rainfall and the implementation of Stage 1 water restrictions in 2013. The range of per capita usage goals is based upon the average usage for the previous five years.



SCHEDULE AND TRACKING

The Public Works Director will act as the Administrator of the water conservation program. The Administrator will oversee the execution and implementation of all elements of the program. The Administrator is responsible for maintaining adequate records for program verification.

The Administrator will monitor the progress of the Water Conservation Plan, using information from water utility records and staff. Additionally, the Administrator will be responsible for submission of an annual report to the TWDB on the progress, and any changes to, the Water Conservation Plan.

UNIVERSAL METERING AND RECORDS MANAGEMENT

The City employs metering devices on all source water connections capable of measuring the amount of water to within plus or minus 5%. The City requires all retail connections to be metered. All water metered and billed is recorded using the City's billing software.

METER TESTING, REPAIR, AND REPLACEMENT

The City's meter testing, repair, and replacement program:

- Master meters are tested and calibrated periodically to within an accuracy of plus or minus 5%.
- All retail meters are currently replaced on a twelve-year cycle, unless failure necessitates replacement.
- Meters that have abnormally high or low water usage are changed out as they are identified based on customer inquiries.

LEAK DETECTION, REPAIR, AND WATER LOSS CONTROL

The City of Colleyville operates and maintains the water transmission system within the city. In order to maintain water delivery service and to reduce and control unaccounted-for water, Colleyville staff routinely visually inspect the distribution system to identify abnormal conditions indicating leaks. The staff is equipped to respond and repair equipment and pipeline breaks or employ contract assistance as required. As a result of these measures, water loss (the difference between water purchased and water sold) has averaged 3% over the previous five years. The City's goals for water loss for the next five (5) and ten (10) years is to maintain less than 5% water loss.

WATER RATE STRUCTURE

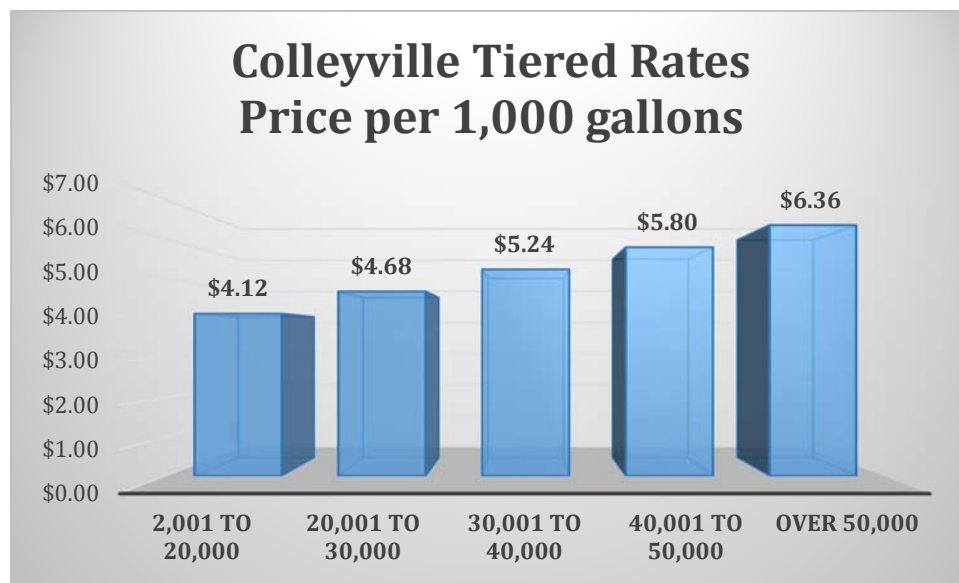
Colleyville has a non-promotional, tiered rate structure for water service that is cost based and discourages the excessive use of water. Tiered rates are designed to reward customers who use less water by charging the lower rates for water used in the lower tiers. The more water a customer uses, the higher the tier(s), resulting in higher charges for water use. The City of Colleyville is a water customer of the Trinity River Authority (TRA), which provides the City with treated water, as well as wastewater treatment. As the City purchases water for its customers, rates charged to the City rise proportionally for the cost of TRA's chemicals, debt service to fund federal environmental mandates, and investment in infrastructure. As with other cities who purchase water from TRA, these costs are passed through to the customer. Water rates are reviewed annually and revised as needed.

In addition to helping in the effort to conserve water, tiered rates provide the consumer with an opportunity to control household costs. Consumers who use less water will pay a lower-tier rate. While generating revenue is not an objective of the tiered rate structure, any additional revenue from the tiered rate structure will be dedicated to replacement and enhancement of the City's water infrastructure.

In addition to the minimum bill of \$13.28 for the first 2,000 gallons of water used by a customer, the current charge for every 1,000 gallons of water is \$4.12 up to 20,000 gallons. (Sewer charges are billed at a flat monthly rate, as determined by volume usage for

WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

individual customers during the winter months.) For the tiered rates, the cost breakdown by usage is as follows:



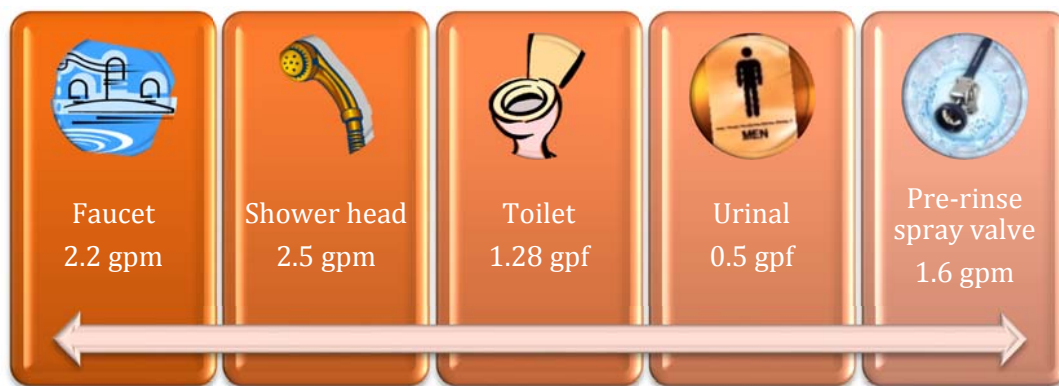
In the progressively tiered system, once usage elevates to the next tier, every 1,000 gallons of water will be charged at the rate for that tier. Water bills will be calculated so that water used in the lower tiers is charged at that tier. Bills will provide a snapshot of the portion of water use from each tier.

The City has developed online water calculators to assist customers in determining increases in their bills or to gauge the savings afforded from greater water conservation efforts. Note that under the “Old Average Bill” heading, after the “minimum bill” of \$13.28 (a set rate for the first 2,000 gallons of usage, the rate is always calculated at \$4.12 (per 1,000 gallons), since that was the previous flat rate for all customers regardless of usage.

A calculator is also provided for winter sewer calculations. Colleyville uses the winter months’ average of December, January, and February for sewer calculations. Winter sewer usage is used to set a user’s sewer rate for the year, so less use during the winter months can lead to savings throughout the year.

PLUMBING FIXTURES

The State of Texas has recently adopted more stringent water saving performance measures for plumbing fixtures, found in the Health & Safety Code, Chapter 372. The following maximum flow standards are subsequently listed in the Texas Administrative Code, Title 30, Chapter 290, sub-chapter G:



Customers in existing buildings that do not have water saving plumbing fixtures are encouraged to retrofit their old plumbing fixtures. New construction, including remodeling of existing structures, must comply with City and State plumbing fixture standards. There are a wide assortment of water efficient fixtures, clothes and dish washers that provide the same performance, but use less water. A water efficient home can save more than 20% of annual indoor water use.

WATER-CONSERVING LANDSCAPING

Water-conserving landscaping is a development concept that encourages residents to adopt low- water- using landscaping principles and methods for use around the home. The same concepts can be applied to other landscaped areas as well, including parks and other public places.

A popular method of reducing water use for landscape irrigation is to encourage residents to use the following techniques for landscaping. Generally accepted principles when planning a water efficient yard are:

- (1) Planning and design. During this step an appropriate plan is developed considering such variables as climate, existing vegetation, intended use of the space, and topographic features.
- (2) Soil analysis. Examine the soil types covering the whole site.
- (3) Appropriate plant selection. Plants should be selected which are native to the area or are adaptive to the site.
- (4) Practical turf areas. Plan where turf areas should be located and consider increasing the area of decks, porous paving, paths, and mulched planting beds to reduce turf.
- (5) Efficient irrigation. Landscaped areas should only be watered as needed and then usually during the early morning or late evening to avoid water loss due to evaporation, keeping in mind some plant species may experience mold and/or fungus growth if watered at night.
- (6) Use of mulches. A three- to four-inch layer of mulch should cover all exposed soil areas and be replenished twice a year.
- (7) Appropriate maintenance. Keep the yard well maintained to reduce the use of fertilizer, chemicals, and water.

CUSTOMER SERVICE INSPECTIONS

A customer service inspection certification as required by the Texas Commission on Environmental Quality (TCEQ), 30 Texas Administrative Code, Chapter 290, §290.46, shall be completed prior to providing continuous water service to new construction or any existing service when the City has reason to believe that cross-connections or other unacceptable plumbing practices exist; or after any material improvement, correction, or addition to the private plumbing facilities. The existence of a serious threat to the integrity of the public water supply shall be considered sufficient grounds for immediate termination of water service.

BACKFLOW ASSEMBLY TESTING AND INSTALLATION

All backflow prevention assemblies shall be tested upon installation by a recognized backflow assembly tester and certified to be operating within specifications. Backflow prevention assemblies which are installed to provide protection against high health hazards must also be tested and certified to be operating within specifications at least annually by a recognized backflow prevention device tester. These tests are witnessed by a City inspector. Backflow assembly testing and installation shall be completed as required by the Texas Commission on Environmental Quality (TCEQ), 30 Texas Administrative Code, Chapter 290, § 290.44h.

It shall be the duty of the customer at any premise where backflow prevention assemblies are installed to have a certified inspection and operational tests conducted annually. In those instances where the City deems the hazard to be deleterious to human health, customer service inspection certifications may be required semiannually. Inspections and tests shall be at this expense of the customer or customer representative and shall be performed by a certified backflow technician.

No device or assembly shall be removed from use, relocated, or other device or assembly substituted without the approval of the City. Whenever the existing assembly is moved from the present location, requires more than minimum maintenance, or when the City finds that the maintenance constitutes a hazard to health, the unit shall be replaced by a

backflow prevention assembly complying with requirements of this section and the current adopted Plumbing Code of the City.

A test report must be completed by the recognized backflow prevention assembly tester for each assembly tested. A recognized backflow prevention assembly tester must have completed a Texas Commission on Environmental Quality (TCEQ) approved course on cross connection control and backflow prevention and pass an examination administered by the TCEQ or its designated agent.

ADDITIONAL WATER CONSERVATION STRATEGIES

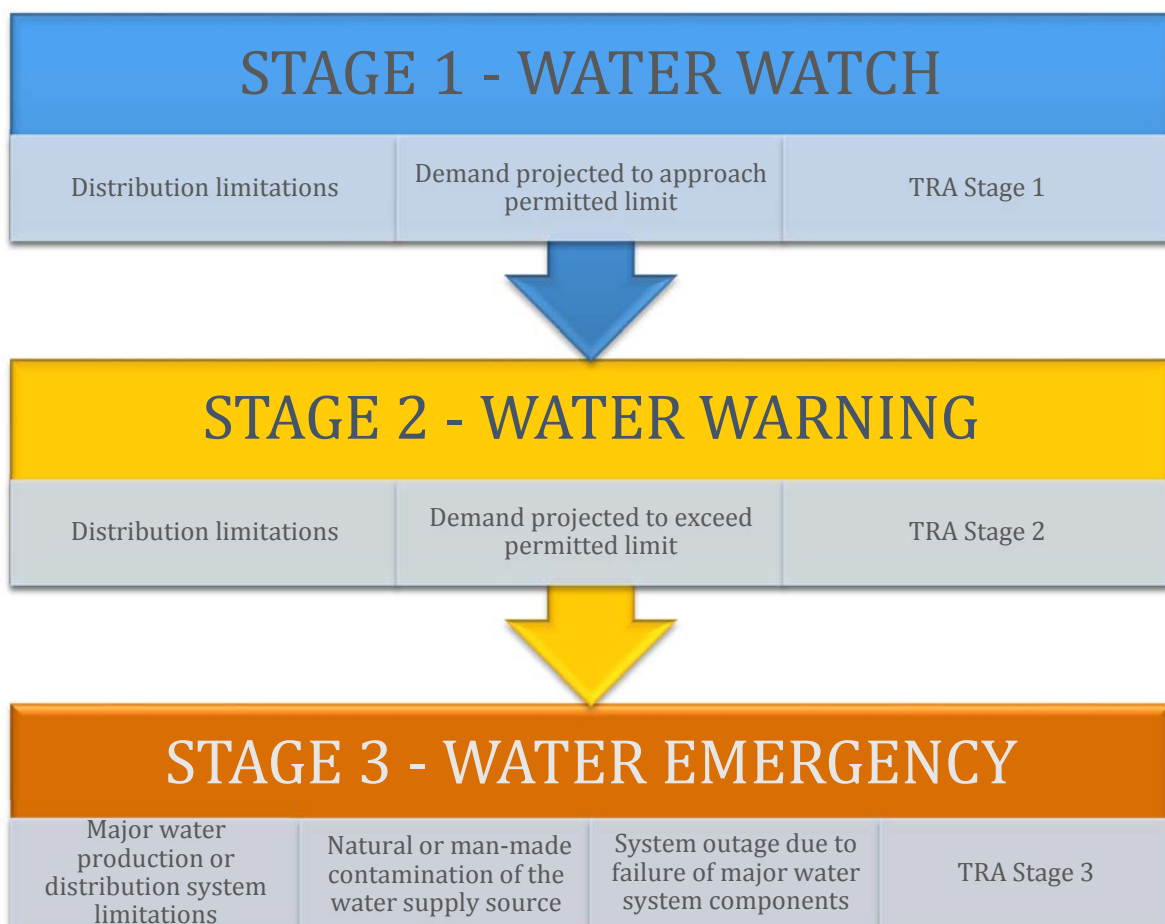
The City will select any combination of the following strategies, in addition to those strategies listed above, if they are necessary to achieve the stated water conservation goals of this Water Conservation Plan. The TCEQ may also require that any of the following strategies be implemented by the City if the TCEQ determines that the strategy is necessary to achieve the goals of this Water Conservation Plan. The additional strategies that may be implemented are:

- Revision of water rates to promote increased water conservation.
- Additional programs to encourage the retrofit of water-conserving plumbing fixtures in existing structures.
- A program for pressure control and/or reduction in the distribution system and/or for customer connections.
- Any other conservation practice, method, or technique which the City shows to be appropriate to achieving the stated goal or goals of this Water Conservation Plan.

DROUGHT TRIGGERS

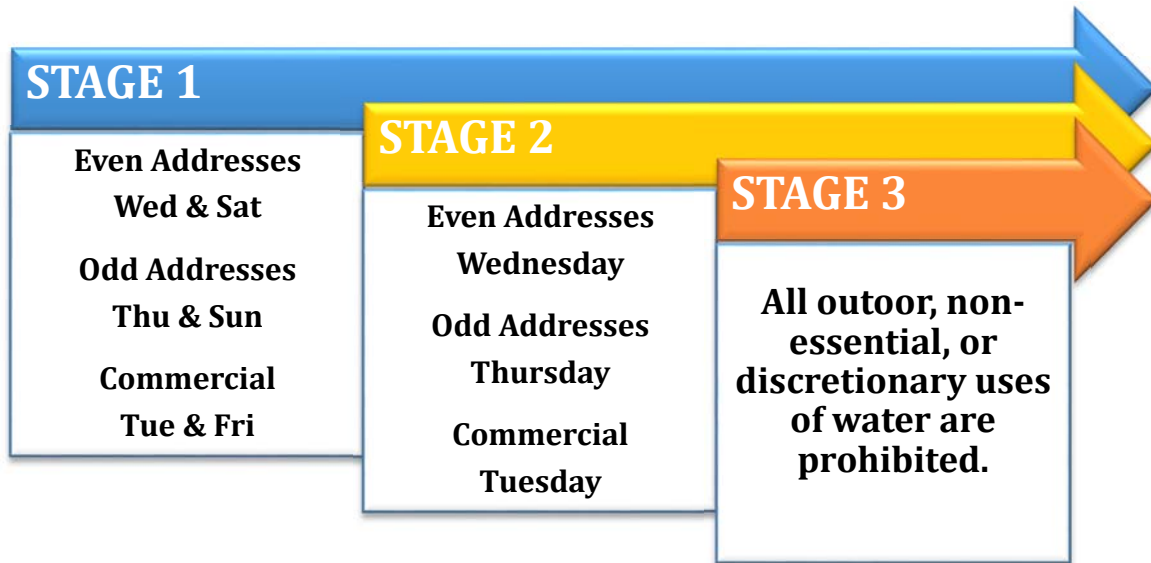
The City Manager will, with the concurrence of the City Council, order the implementation of a drought response stage or water emergency when requested to do so by TRA or when he/she determines that conditions warrant the implementation of the plan. The City is always in Water Awareness stage.

The Director of Public Works, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of the Plan.



WATERING SCHEDULE & WATER AWARENESS

The City of Colleyville's watering schedule is shown below. Watering with irrigation system or hose-end sprinklers is prohibited between the hours of 10:00AM and 6:00PM*.



The City of Colleyville practices Water Awareness at all times.

Water Awareness					
Voluntary reductions in water use	No watering between 10AM and 6PM*	Ongoing public information efforts	Work with major water users	Reduce City uses of water	Enforce water waste

* Landscape watering is permitted at any time or day with a handheld hose with shutoff nozzle, soaker hose, drip irrigation, or watering can.

DROUGHT RESPONSE STAGES

STAGE 1 - WATER WATCH

Continue water awareness actions

Require customers to adhere to Stage 1 watering schedule

Expand oversight and enforcement of water waste

Request customers to discontinue non-essential uses

Contact TCEQ

Target: 5% reduction in total water use.

Additional Stage 1 measures:

- Audit all City irrigation systems to ensure proper condition, setting, and operation.
- Hotels, restaurants, and bars are encouraged to serve drinking water to patrons on an “as requested” basis.
- Identify and encourage voluntary reductions from high volume users.

Stage 1 Exceptions:

- Twice per week watering restrictions do not apply to locations using well water or treated wastewater effluent, or water from ponds that are naturally fed from sources other than the public water supply.
- Foundations may be watered up to two hours on any day by a handheld hose, soaker hose, or drip system placed within 24 inches of the foundation.
- Newly installed shrubs (first year) and trees may be watered up to two hours on any given day by a handheld hose with shutoff nozzle, drip irrigation, soaker hose, or tree bubbler. Tree watering is limited to an area not to exceed the drip line of a tree.
- Establishing new turf is discouraged while this Drought Contingency Plan is in effect. If new hydro-mulch, grass sod, or grass seed is installed for the purpose of establishing a new lawn, there are no restrictions for the first thirty days. A sign

issued by the City of Colleyville must be prominently displayed during the establishment period. (This exception does not apply to over seeding with rye or other winter grasses.)

- Outdoor watering at service addresses with large multi-station irrigation systems may take place in accordance with a variance granted by the Public Works Director if it is determined that a property cannot be completely irrigated in a single day. A sign issued by the City of Colleyville must be prominently displayed for the duration of the variance.
- Misting systems for public gatherings, including outdoor eating venues.
- Irrigation systems that are undergoing repair provided a licensed irrigation contractor or property owner is on site and doing necessary repair work. Irrigation repair work may take place at any time of day provided that no irrigation zones operate continuously for more than two minutes.
- Swimming pools that are being repaired for leaks (this does not include cleaning) may be emptied and filled for the specific purpose of structural repairs.
- Swimming pools that have been declared a health hazard due to lack of proper maintenance (i.e. vacant property) may be emptied and refilled for the purpose of eliminating the health hazard. Owners of such pools may be subject to other enforcement actions as determined by the City's code enforcement officer.
- Flushing of fire hydrants to ensure water quality compliance with State requirements.
- Washing of any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle shall be limited to the use of a hand held hose with shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the premises of a commercial car wash or commercial service station. Further, such washing may be exempt from these requirements if the health, safety, or welfare of the public are contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- Skinned areas of sports fields may be watered as needed for dust control.
- Plant stock at commercial nurseries.
- McPherson Park Splash Pad may be operated on designated days and hours when specifically authorized by the City Council by adoption of a resolution.

STAGE 2 - WATER WARNING

Continue Stage 1 actions	Require customers to adhere to Stage 2 watering schedule	Expand oversight and enforcement of water waste and watering schedule	Require customers to discontinue non-essential uses	Contact TCEQ
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Target: 10% reduction in total water use.

Additional Stage 2 measures:

- Prohibit the use of water for dust control, except as required to protect public health.
- Prohibit operation of ornamental fountains or ponds that use potable water except where necessary to support aquatic life.
- Prohibit filling of swimming pools with automatic valves.
- Prohibit wet street sweeping.

Stage 2 Exceptions:

- Once per week watering restrictions do not apply to locations using well water or treated wastewater effluent, or water from ponds that are naturally fed from sources other than the public water supply.
- Foundations may be watered up to two hours on any day by a handheld hose, soaker hose, or drip system placed within 24 inches of the foundation.
- Newly installed shrubs (first year) and trees may be watered up to two hours on any given day by a handheld hose with shutoff nozzle, drip irrigation, soaker hose, or tree bubbler. Tree watering is limited to an area not to exceed the drip line of a tree.
- Outdoor watering at service addresses with large multi-station irrigation systems may take place in accordance with a variance granted by the Public Works Director if it is determined that a property cannot be completely irrigated in a single day. A

sign issued by the City of Colleyville must be prominently displayed for the duration of the variance.

- All users are encouraged to wait until the current drought or emergency situation has passed before establishing new landscape or turf. If new hydro-mulch, grass sod, or grass seed is installed for the purpose of establishing a new lawn, there are no restrictions for the first thirty days. A sign issued by the City of Colleyville must be prominently displayed during the establishment period. (This exception does not apply to over seeding with rye or other winter grasses.)
- Drip irrigation systems.
- Misting systems for public gatherings, including outdoor eating venues.
- Irrigation systems that are undergoing repair provided a licensed irrigation contractor or property owner is on site and doing necessary repair work. Irrigation repair work may take place at any time of day provided that no irrigation zones operate continuously for more than two minutes.
- Swimming pools that are being repaired for leaks (this does not include cleaning) may be emptied and filled for the specific purpose of structural repairs.
- Swimming pools that have been declared a health hazard due to lack of proper maintenance (i.e. vacant property) may be emptied and refilled for the purpose of eliminating the health hazard. Owners of such pools may be subject to other enforcement actions as determined by the City's code enforcement officer.
- Plant stock at commercial nurseries.
- Flushing of fire hydrants to ensure water quality complies with state requirements.

STAGE 3 - WATER EMERGENCY

Continue Stage 1
and 2 actions

All landscape,
non-essential, and
discretionary uses
of water
prohibited

Continue to
enforce water
waste and water-
use restrictions

Examine
alternative
sources

Target: 20% reduction in total water use.

Additional Stage 3 measures:

- Implement viable alternative water supply strategies.
- Reduce City water use to maximum extent possible.
- Prohibit permitting of new swimming pools, Jacuzzi type pools, spas, ornamental ponds, and fountain construction. Pools already permitted and under construction may be filled.

Stage 3 Exceptions:

- Watering restrictions do not apply to locations using well water or treated wastewater effluent, or water from ponds that are naturally fed from sources other than the public water supply.
- Foundations may be watered up to two hours on any day by a handheld hose, soaker hose, or drip system placed within 24 inches of the foundation.
- Newly installed shrubs (first year) and trees may be watered up to two hours on any given day by a handheld hose with shutoff nozzle, drip irrigation, soaker hose, or tree bubbler. Tree watering is limited to an area not to exceed the drip line of a tree.
- Vehicle washing is restricted to commercial car washes or commercial service stations and can only be done as necessary for health, sanitation, or safety reasons, including but not limited to the washing of garbage trucks and vehicles used to transport food and perishables. All other vehicle washing is prohibited.

- Prohibit the draining, filling, or refilling of swimming pools, wading pools, and Jacuzzi type pools. Existing private and public pools may add water to maintain pool levels, however they may not be refilled using automatic fill valves.
- Stock at commercial plant nurseries may be watered only with a hand held hose, hand held watering can, or drip irrigation system.
- Commercial water users are required to reduce water use by a set percentage determined by the Public Works Director.

EMERGENCY RESPONSES

In the event of an identified water shortage declaration, TRA will distribute water to wholesale customers according to Texas Water Code, §11.039* and initiate water allocation to municipal water customers.

In the event of a contamination event, appropriate emergency procedures will be implemented and appropriate emergency response officials will be notified immediately. In the event of a backflow incident, loss of pressure, or an Acute Maximum Contaminant Level coliform violation, a Boil Water Notice will be implemented as prescribed in 30 TAC Chapter 290.

In the event of a catastrophic failure due to natural or man-made events, appropriate emergency procedures will be implemented and appropriate emergency response officials will be notified.

In the event of an emergency loss of water supply, the City will consider purchases of water by the truckload or in bottles for the health and public safety of the City's residents.

VARIANCES

The City Manager or his/her designee may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

1. Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
2. Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Plan shall file a petition for a variance with the City of Colleyville after a particular drought response stage has been invoked and it is believed that one or both of the above conditions are met. All petitions for variances shall be reviewed by the City Manager or his/her designee, and shall include the following:

1. Name and address of the petitioner(s).
2. Purpose of water use.
3. Specific provision(s) of the Plan from which the petitioner is requesting relief.
4. Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Plan.
5. Description of the relief requested.
6. Period of time for which the variance is sought.
7. Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
8. Other pertinent information.

WHOLESALE CONTRACTS

The City of Colleyville does not have any wholesale customers at this time.

The City of Colleyville will include a requirement in every water supply contract entered into after official adoption of the water conservation plan, and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements of this chapter. If the customer intends to resell the water, then the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with applicable provisions of Title 30 Texas Administrative Code, Chapter 288.

The City of Colleyville will include a provision in every wholesale water contract entered into after adoption of the Plan, including contract extensions, that in case of a shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, §11.039.

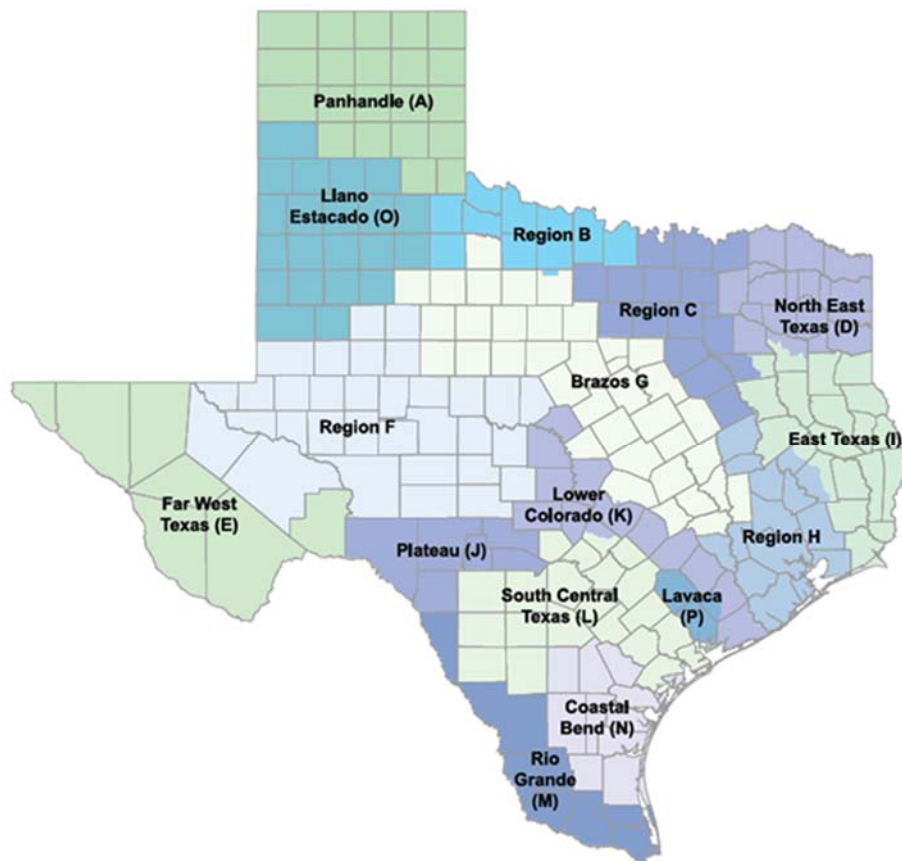
ENFORCEMENT

Whoever violates any provision of this chapter for which another penalty is not specifically provided, shall be punished as set forth by all applicable codes and ordinances of the City of Colleyville.

- (1) No person shall knowingly or intentionally allow the use of water from the City for residential, commercial, industrial, agricultural, governmental or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by Code Enforcement in accordance with provisions of this Plan.
- (2) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of up to \$2,000. Each day that one or more of the provisions is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of these sections, the City shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a reconnection charge and any other costs incurred by the City in discontinuing service. In addition, suitable assurance must be given to the City that the same action shall not be repeated while the Water Conservation & Drought Contingency Plan is in effect. Compliance with this Plan may also be sought through injunctive relief in the district court.
- (3) Any person, including a person classified as a water customer of the City, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation.

COORDINATION WITH REGION C PLANNING GROUP

The service area of the City of Colleyville is located within the Region C Planning Group. A copy of this plan will be provided to Region C.



DEFINITIONS, ABBREVIATIONS, AND ACRONYMS

For the purpose of this Plan, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AESTHETIC WATER USE. Water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

COMMERCIAL AND INSTITUTIONAL WATER USE. Water use which is integral to the operations of commercial and nonprofit establishments and governmental entities such as retail establishments, hotel and motels, restaurants, and office buildings.

CONSERVATION. Those practices, techniques and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

CUSTOMER. Any person, company or organization using water supplied by City.

DISCRETIONARY USE. See Non-essential water use.

DOMESTIC WATER USE. Water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation or for cleaning a residence, business, industry or institution.

DROUGHT CONTINGENCY PLAN. A strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies. A drought contingency plan may be a separate document identified as such or may be contained within another water management document(s).

GPCD. Gallons of water used per person per day.

GPF. Gallons per flush.

GPM. Gallons per minute.

INDUSTRIAL WATER USE. The use of water in processes designed to convert materials of lower value into forms having greater usability and value.

LANDSCAPE IRRIGATION USE. Water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, athletic fields, parks, rights-of-way, and medians.

NON-ESSENTIAL WATER USE. Water uses that are not essential or required for the protection of public health, safety, and welfare.

REGION C. Region C Regional Water Planning Group.

TCEQ. Texas Commission on Environmental Quality.

TRA. Trinity River Authority.

TRWD. Tarrant Regional Water District.

TWDB. Texas Water Development Board.

WATER CONSERVATION PLAN. A strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water, and for preventing the pollution of water.

ORDINANCE O-94-948

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS ADOPTING "WATER CONSERVATION AND EMERGENCY WATER DEMAND MANAGEMENT PLAN"; PROVIDING A PENALTY OF NOT LESS THAN \$10.00 PER DAY NOR MORE THAN \$200.00 PER DAY FOR EACH DAY OF NON-COMPLIANCE WITH THE PROVISION THEREOF:

BE IT ORDAINED BY THE CITY OF COLLEYVILLE, TEXAS:

WHEREAS, the Texas Water Development Board (the "Board") rules require that the City adopt a "Water Conservation and Emergency Water Demand Management Plan" which has been approved by the Executive Director of the Board; and

WHEREAS, the City has previously submitted to the Texas Water Development Board a proposed "Water Conservation and Emergency Water Demand Management Plan" which has been reviewed and commented upon by the Board; and

WHEREAS, the City Council of the City now desires to evidence its approval of the "Water Conservation and Emergency Water Demand Management Plan" and adopt such plan as an official policy of the City;

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

SECTION I: Approval of the Plan: The City Council approves and adopts as the City's water conservation plan the "Water Conservation and Emergency Water Demand Management Plan" attached hereto as Exhibit "A" to be included in full as a part of this Ordinance as if recited verbatim herein. The City commits to implement the program according to the procedures set forth in the adopted plan.

SECTION II: The City shall report to the Texas Water Development Board annually on the implementation and effectiveness of the plan in accordance with the outline set forth in the plan.

SECTION III: In regards to implementation and enforcement of the Water Conservation and Emergency Water Demand Management Plan, the Mayor of Colleyville is designated as the official responsible for implementation and enforcement, according to the guidelines in the Water Conservation and Emergency Water Demand Management Plan attached.

SECTION IV: Users of city water, except for the City, that do not comply with Section III of the Emergency Water Demand Management Plan attached, shall be subject to a penalty and fine of not less than \$10.00 per day nor more than \$200.00 per day for each day of non-compliance and/or disconnection or discontinuance of water services to such users by the City.

SECTION V: The City Council finds and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a designed place of posting was readily accessible at all times to the general public; that all of the foregoing was done as required by law; and that this meeting has been open to the public as required by law at all times during which the Ordinance and subject matter thereof has been discussed, considered and formally acted upon.

The City Council ratifies, approves, and confirms such written notice and the contents and posting thereof.

AND SO IT IS ORDERED

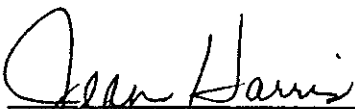
The first reading and public hearing being conducted on the 5th day of April, 1994.

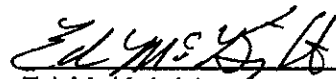
The second reading and public hearing being conducted on the 19th day of April, 1994.

The third reading and public hearing being conducted on the 3rd day of May, 1994.

ATTEST:

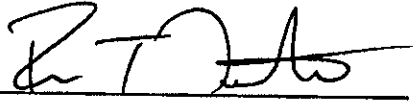
CITY OF COLLEYVILLE, TEXAS


Jean Harris, CMC
City Secretary


Ed McKnight
Mayor

0-94-948, Page 3

APPROVED AS TO FORM AND LEGALITY

A handwritten signature in dark ink, appearing to read 'R T Foster', written over a horizontal line.

Ross T. Foster
City Attorney

I. INTRODUCTION

A. BRIEF DESCRIPTION OF THE PLANNING AREA AND THE PROJECT

The City of Colleyville owns, maintains, and operates a water distribution and sewage collection system within the City. All budgets and utility rates are reviewed and established by the City Council. The City purchases a majority of its water from the Trinity River Authority (TRA). Colleyville also owns and maintains eight (8) Paluxy wells. These wells are used primarily as a back-up source of supply. TRA also receives and treats all of the City's collected wastewater flows.

Over the past several years, the area has experienced moderate to high growth. The City's current population is approximately 15,000. The City has approximately 50% of its land area available for development of which most will be developed into single family detached housing. The estimated ultimate build-out population of 32,000 reflects both land use and density projections from the City's 1987 Master Plan. This report outlines the City's water conservation and emergency water demand management program. The objective of the conservation program is to reduce the quantity required for each water using activity, insofar as is practical, through the implementation of efficient water use practices.

The emergency water demand management program provides procedures for voluntary and mandatory actions to be put into effect to temporarily reduce the demand placed upon the City's water supply system during a water shortage emergency. Emergency water demand management procedures include conservation but may also include prohibition of certain

uses. Both programs are tools that the City will have available to operate effectively in all situations.

The City of Colleyville is located in north central Texas, northeast of Fort Worth in Tarrant County. The City has applied for TWDB funding assistance under the State Revolving Fund (SRF) program to finance wastewater collection system improvements. The proposed project is comprised of 46 individual sewer lines ranging in size from 6" to 12" in diameter. The total length of line to be constructed is estimated at 55,000 linear feet. The purpose of the project is to provide sewer service to residents of Colleyville currently on private septic systems.

ORDINANCE 0-06-1587

APPROVAL TO REPLACE EMERGENCY ORDINANCE O-06-1579 AND AMENDING CHAPTER 98, ARTICLE II REGARDING WATER SERVICE AND WATER CONSERVATION PROVIDING FOR A DROUGHT CONTINGENCY PLAN

WHEREAS, there currently exists a drought situation in North Texas which, drought threatens the availability of a continuous and reliable potable water supply; and

WHEREAS, the City of Colleyville has been asked by the Trinity River Authority to adopt drought contingency provisions in order to better manage the precious resource of potable water; and

WHEREAS, in the absence of the Ordinance, the City of Colleyville may not be able to adequately protect its potable water supply, to ensure its availability for both regular and emergency consumption; and

WHEREAS, the City Council previously adopted Ordinance O-06-1579 as an emergency ordinance pursuant to Section 3.12 of the Charter; and

WHEREAS, the City Council wishes to adopt permanent provisions to assist in drought control protection; and

WHEREAS, all legal prerequisites for the passage of this Ordinance have been met, including but not limited to the requirements of the Texas Open Meetings Act and the City Charter; and

WHEREAS, the current drought situation and the inadequate regulations to respond to such a drought represent an emergency pursuant to Section 3.12 of the City Charter; and

WHEREAS, City Council has found that the passage of this Ordinance serves 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 of the above premises are found to be true and correct and are hereby incorporated into the body of this ordinance by reference as if copied in their entirety herein.

Sec. 2. THAT this Ordinance amends in its entirety and replaces Ordinance O-06-1579 pursuant to Section 3.12 of the Charter.

Sec. 3. THAT Chapter 98, Article II of the Code of Ordinances, is hereby amended as follows:

Section's 98-44, 98-45, 98-46, and 98-47 of the Code of Ordinances are hereby amended in their entirety and replaced as follows:

The City of Colleyville adopts and establishes a drought contingency plan as shown and provided for in the attached Exhibit "A", which is incorporated herein by reference.

Sec. 4. THAT any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than two thousand dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

Sec. 5. 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 15th day of August 2006.

The second reading and public hearing being conducted on the 5th day of September 2006.

ATTEST:



Cynthia Singleton, TRMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:



Matthew C. G. Boyle
City Attorney

Exhibit "A"

WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

Section 1. Non-essential water uses.

Water uses regulated or prohibited under this article (hereinafter referred to as the "Drought Contingency Plan" or the "Plan") are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section 10 of this plan.

Section 2. Public education and notification.

(a) The City, by and through its Department of Public Works and Communications Department shall periodically provide the public with information about the plan, including information about the conditions under which each stage of the plan is to be initiated or terminated and the drought response measures to be implemented in each stage.

(b) When drought contingency measures appear to be necessary, the public will be notified through available news media and additional information on water conservation methods will be distributed. In the event that a trigger condition is reached, the public will be kept fully informed of the status of the drought condition through all available media.

(c) When a trigger condition has been reached and/or the Trinity River Authority informs the City that drought contingency measures may be necessary, the City Manager or his designee will order the initiation of a public notification process. The public notification process will include, but is not limited to the following:

(1) A notice of drought condition will be posted at City Hall.

(2) The notice will be circulated to local newspapers and radio stations via public service announcement. Information regarding the contingency measures for the drought condition will be posted on the City's web page.

(3) A brochure to each address in Colleyville explaining the plan through a saturation mailing.

Section 3. **Coordination with regional water planning groups.**

The service area of the City is located within the Texas Commission on Environmental Quality (TCEQ) Region 6, the Tarrant Regional Water District (T.R.W.D.) the City of Colleyville, Texas will provide a copy of this plan and any subsequent amendments to the TCEQ, Trinity River Authority (TRA), and Texas Water Development Board (TWDB) Region "C"

Section 4. **Rates.**

A tiered rate structure may be implemented to encourage conservation.

Section 5. **Authorization.**

The City Manager, or his designee, is hereby authorized and directed to implement the applicable provisions of the Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The City Manager or his designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as needed.

Section 6. **Application.**

The provisions of this plan shall apply to all persons, customers, and property using water provided by the City. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section 7. **Definitions.**

For the purposes of this plan, the following definitions shall apply:

Aesthetic water use means water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use means water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels, motels, restaurants and office buildings.

Conservation means those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer and Person means any person, company, or organization using water supplied by the City.

Domestic water use means water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Industrial water use means the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use means water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

Non-essential water use means water uses that are neither essential nor required for the protection of public, health, safety, and welfare including:

- (1) Irrigation of landscape areas, including parks, athletic fields, and golf courses, except as otherwise provided under this plan;
- (2) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- (3) Use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (4) Use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (5) Flushing gutters or permitting water to run or accumulate in any gutter or street;
- (6) Use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
- (7) Use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (8) Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (9) Use of water from hydrants for construction purposes or any other purposes other than fire fighting.

Watering Zones means predetermined areas of the city where irrigation is allowed on designated days.

Section 8. Triggering criteria for initiation and termination.

The City purchases 100 percent of its potable water from the Trinity River Authority. Therefore, the emergency water management triggering measures will be the same as those of T.R.A. Also, triggering criteria may be initiated as a result of short term deficiencies and or emergencies specific to the City of Colleyville and/or T.R.A.

Following are the triggering criteria for initiation and termination of drought response stages:

Stage 1: Water Awareness

Triggering criteria: Beginning on May 1st of each year or, when the T.R.A. water treatment plant is operating at greater than 85% capacity for seven consecutive days prior to May 1st, or limitations or failures within the City distribution system warrant implementation, the City Manager may enact conservation measures.

Stage 1, Awareness is intended to raise public awareness of potential drought problems. The City Manager or his designee may order the implementation of any of the actions listed below, as deemed necessary:

- Voluntary reductions in water use
- Prohibit residential or commercial lawn watering between the hours of 10:00 a.m. and 6:00 p.m. with the exception of watering by hand or with soaker hoses
- Accelerate public information efforts to teach and encourage reduced water use
- Issue a "Code Red" informing residents of restrictions
- Staff will begin a review of the problems which initiated the Stage 1 actions
- Intensify efforts on leak detection and repair for the City distribution system
- Notify major water users and work with them to achieve voluntary water use reduction
- Reduce City government use of water for street washing, vehicle washing, operation of ornamental fountains, landscape irrigation and

all other nonessential use

- Require rain and freeze sensors installed on all new irrigation systems
- Require existing irrigation systems to have rain and freeze sensors installed within 24 months
- Prohibit the operation of irrigation systems with broken or missing heads
- Prohibit the operation of irrigation systems which cause significant runoff
- Notify property owners in writing of operation of irrigation systems with broken or missing heads requesting repair or discontinuance within thirty days

Exemptions: Private water wells used for irrigation, street sweeping, dust control and newly installed lawns shall be exempt from this ordinance.

Enforcement: Violations of restrictions will result in a written warning, and then a citation may be issued with a fine not to exceed \$2,000.00 per incident.

Termination criteria: All initiated actions will remain in effect until the conditions which triggered Stage 1 have been alleviated. If Stage 1 is initiated because of excessive demands, all initiated actions will remain in effect through September 30 of the year in which they were triggered.

Stage 2: Water Watch

Triggering criteria: When the T.R.A. water plant is operating at greater than 90% capacity for seven consecutive days or, limitations or failures within the City distribution system warrant implementation.

Goals for reduction and actions available under Stage 2, water watch. The goal for water use reduction under Stage 2, Water Watch, is a ten percent (10%) reduction in the use that would have occurred in the absence of drought contingency measures. The City Manager or his designee may order the implementation of any of the actions listed below, as deemed necessary:

- Continue Stage 1 actions
- Develop and implement inter-local agreements with adjacent

municipalities for temporary water purchase

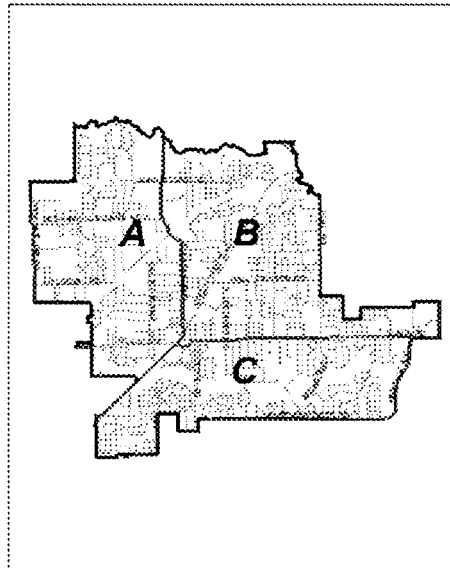
- Begin mandatory water use restrictions as follows:
 - Prohibit the hosing of paved areas, buildings or windows; operation of swimming pool draining followed by refilling, washing or rinsing vehicles by hose; using water in such a manner as to allow runoff or other water wastes.
 - Limit landscape watering at each service address to once every four days based on the watering zone per the schedule below:

Zone	Allowed Water Days
A	Tuesday and Friday
B	Wednesday and Saturday
C	Thursday and Sunday

Zone "A" is north of Colleyville Blvd. and west of Pleasant Run.

Zone "B" is north of Glade Rd. and east of Pleasant Run.

Zone "C" is south of Glade Rd. and east of Colleyville Blvd.



No watering will be allowed on Monday. These restrictions also apply to government facilities.

Exceptions: Foundations, and new plantings (first year) of grass, trees and shrubs may be watered with a hand-held or soaker hose on any day; nurseries may water plant stock only.

Enforcement: Violations of restrictions will result in a written warning, and then a citation may be issued with a fine not to exceed \$2,000.00 per incident.

Termination criteria: All initiated actions will remain in effect until the conditions which triggered Stage 2 have been alleviated. If Stage 2 is initiated because of excessive demands, all initiated actions will remain in effect through September 30 of the year in which they were triggered, or until T.R.A. and the City determines that conditions exist which will allow termination of Stage 2 actions. Upon termination of Stage 2, Stage 1 becomes operative.

Stage 3: Water Warning

Triggering criteria: When the T.R.A. water treatment plant is operating at 95% capacity for seven consecutive days or, limitations or failures within the City distribution system warrant implementation. Stage 3 actions will not ordinarily be taken until Stage 2 actions have first been implemented.

Goals for reduction and actions available under Stage 3, Water Warning. The goal for water use reduction under Stage 3, Water Warning, is a 20 percent reduction in the use that would have occurred in the absence of drought contingency measures. The City Manager or his designee may order the implementation of any of the actions listed below, as deemed necessary:

- Continue implementation of all restrictions from previous stages
- Recommend and implement engineering alternatives for water reduction
- Foundations, shrubs, trees and landscape may be watered with a soaker or hand-held hose on the same four-day basis stated in Stage 2, for up to two hours
- Prohibit operations of ornamental fountains

Enforcement: Violations of restrictions will result in a written warning, and then a citation may be issued with a fine not to exceed \$2,000.00 per incident.

Termination criteria: All initiated actions will remain in effect until the

conditions which triggered Stage 3 have been alleviated. If Stage 3 is initiated because of excessive demands, all initiated actions will remain in effect through September 30 of the year in which they were triggered, or until T.R.A. and the City determines that conditions exist which will allow termination of Stage 3 actions. Upon termination of Stage 3, Stage 2 becomes operative.

Stage 4: Water Emergency

Triggering criteria: The T.R.A. water treatment plant is operating at 100% capacity for seven consecutive days or, limitations or failures within the City distribution system warrant implementation. Stage 4 actions will not ordinarily be taken until Stage 3 actions have first been implemented.

Goals for reduction and actions available under Stage 4, Water Emergency: The goal for water use reduction under Stage 4, Water Emergency, is a 25 percent reduction in the use that would have occurred in the absence of drought contingency measures. The City Manager or his designee may order the implementation of any of the actions listed below, as deemed necessary. Measures described as "requires notification to TCEQ" impose mandatory requirements on customers. The City must notify TCEQ within five business days if these measures are implemented:

- Continue implementation of all restrictions from previous stages
- Prohibit all commercial and residential landscape watering with the following exceptions:
 - Nurseries' plant stock may be watered once every four days based on the "watering zone" per the schedule in Stage 2
 - Foundations may be watered for a two-hour period between the hours of 6:00 p.m. and 10:00 a.m. with a soaker or hand-held hose on the four-day basis prescribed for landscape watering in Stage 2
- Any and all washing of vehicles is prohibited except for commercial car washes

- All commercial water users may be required to reduce water consumption by a percentage determined by the City Manager

Enforcement: Violations of restrictions will result in a warning, and then a citation may be issued with a fine not to exceed \$2,000.00 per incident.

Termination criteria: All initiated actions will remain in effect until the conditions which triggered Stage 4 have been alleviated. If Stage 4 is initiated because of excessive demands, all initiated actions will remain in effect through September 30 of the year in which they were triggered, or until T.R.A. and the City determines that conditions exist which will allow termination of Stage 4 actions. Upon termination of Stage 4, Stage 3 becomes operational.

Stage 5: Emergency Water Shortage

(a) *System outage due to failure of a major water system component--Triggering criteria:* A catastrophic failure within the T.R.W.D., T.R.A. water system, or the Colleyville water distribution system severely limiting the delivery of potable water.

Goals for reduction and actions available under Stage 5, Emergency Water Shortage: The goal for water use reduction under Stage 5, emergency water shortage, is a reduction to prevent public health emergencies that would have occurred in the absence of drought contingency measures. If circumstances warrant or if required by T.R.A., the City Manager or his designee can set a goal for a greater water use reduction.

The City Manager or his designee may order the implementation of any of the actions listed below, as deemed necessary. Measures described as "requires notification to TCEQ" impose mandatory requirements on member cities and customers. The City must notify TCEQ within five business days if these measures are implemented:

- Initiate or continue implementation of all restrictions from previous stages as directed by the city manager or his designee
- Prohibit all commercial and residential landscape watering. All commercial water users will be required to reduce water consumption by a percentage determined by the City Manager or his designee

(b) *Supply source contamination special precautions--Triggering criteria:*

Water system contamination caused by low distribution pressures (below 20 psi), repeated unacceptable microbiological samples, or failure to maintain adequate chlorine residuals. In the event of such contamination, the affected area shall be isolated from the distribution system immediately and special precautions shall be taken in accordance with subsection (q), "Special Precautions," of Section 290.46, "Minimum Acceptable Operating Practices for Public Drinking Water Systems," of Subchapter D, "Rules and Regulations for Public Water Systems," of Chapter 290, "Public Drinking Water," of Part 1, "Texas Commission on Environmental Quality," of Title 30, "Environmental Quality," of the Texas Administrative Code, in its current form and as it may hereafter be amended.

Water customers in the affected area shall be notified immediately with a "boil water notice" and a letter explaining the situation and containing recommendations to the water customer regarding the use of bottled water. The "Flow chart" contained in Appendix H of Section 290.47, "Appendices," of Subchapter D, "Rules and Regulations for Public Water Systems," of Chapter 290, "Public Drinking Water," of Part 1, "Texas Commission on Environmental Quality," of Title 30, "Environmental Quality," of the Texas Administrative Code, in its current form and as it may hereafter be amended, shall be used to evaluate the response measures necessary to correct the condition.

Actions available (applied to all affected customers).

- Hand deliver boil water notice to all water customers affected
- Prohibit all water usage for human consumption for 24 to 36 hours, as determined by the City Manager or his designee

Enforcement: Violations of restrictions will result in a warning, and then a citation may be issued with a fine not to exceed \$2,000.00 per incident.

Termination criteria: All initiated actions will remain in effect until the conditions which triggered Stage 5 have been alleviated. If Stage 5 is initiated because of water supply contamination, all initiated actions will remain in effect until the City Manager or his designee determines that conditions exist which will allow removal of Stage 5 actions.

Section 9

Variances.

(a) *Temporary variances.* The City Manager or his designee may in writing, grant temporary variance for existing water uses otherwise prohibited under this plan if it is determined that failure to grant such a variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- (1) Compliance with this plan cannot be technically accomplished during

the duration of the water supply shortage or other condition for which the plan is in effect.

(2) Alternative methods can be implemented which will achieve the same level of reduction in water use.

(b) *Exemptions.* Persons requesting an exemption from the provisions of this article shall file a petition for a variance with the City within 5 days after the plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the City Manager or his designee and shall include the following:

(1) Name and address of the petitioner(s).

(2) Purpose of water use.

(3) Specific provision(s) of the plan from which the petitioner is requesting relief.

(4) Detailed statement as to how the specific provision of the plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this article.

(5) Description of the relief requested.

(6) Period of time for which the variance is sought.

(7) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this plan and the compliance date.

(8) Other pertinent information as may be required by the City Manager or his designee.

(c) *Special conditions.* Variances granted by the City Manager or his designee shall be subject to the following conditions, unless waived or modified by the City Manager or his designee:

- Variances granted shall include a timetable for compliance
- Variances granted shall expire when the plan is no longer in effect, unless the petitioner has failed to meet specified requirements
- No variance shall be retroactive or otherwise justify any violation of the plan occurring prior to the issuance of the variance

Section 10. Penalty.

It shall be unlawful for any person to violate any provision of this article, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not more than \$2,000.00, and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

ORDINANCE O-12-1834

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS AMENDING THE CITY OF COLLEYVILLE CODE OF ORDINANCES, CHAPTER 98, ARTICLE II, REGARDING WATER SERVICE AND WATER CONSERVATION, REPEALING IN ITS ENTIRETY ORDINANCE O-94-948 AND ORDINANCE O-06-1587, PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF \$2,000.00 FOR EACH OFFENSE, PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, there continues to exist a need to conserve water due to potential drought conditions in North Texas, and such conditions threaten the availability of potable water on a long term basis; and

WHEREAS, the City of Colleyville has been asked by the Trinity River Authority to adopt drought contingency provisions in order to better manage the precious resource of potable water; and

WHEREAS, in the absence of an Ordinance, the City of Colleyville may not be able to adequately protect its potable water supply in order to ensure its availability for both regular and emergency consumption; and

WHEREAS, the City Council previously adopted Ordinance O-06-1587 and Ordinance O-08-1704 and amended Chapter 98 of the Municipal Code regarding water conservation and drought contingency planning; and

WHEREAS, all legal prerequisites for the passage of this Ordinance have been met, including but not limited to the requirements of the Texas Open Meetings Act and the City Charter; and

WHEREAS, City Council has found the passage of this Ordinance serves 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 of the above premises are found to be true and correct and are hereby incorporated into the body of this Ordinance by reference as if copied in their entirety herein.

Sec. 2 THAT this Ordinance entirely replaces Ordinance O-94-948 and Ordinance O-06-1587, pursuant to Section 3.11 of the City Charter.

Sec 3. THAT Chapter 98, Article II of the Code of Ordinances, is hereby amended as follows:

Sec. 98-41. - Water Conservation and Drought Contingency Plan adopted; report by City on implementation and effectiveness of plan.

(a) *Adoption and approval of plan.* The City Council approves and adopts as the City's Water Conservation and Drought Contingency Plan attached to Ordinance O-12-1834 as Exhibit "A" to be included in full as part of this division as if recited verbatim herein. The City commits to implement the program according to the procedures set forth in the plan.

(b) *Annual report to Water Development Board.* The City shall report to the State Water Development Board annually on water usage.

Sec. 98-42. - Administrative official designated.

In regard to implementation and enforcement of the Water Conservation and Drought Contingency Plan, the city manager is designated as the official responsible for implementation and enforcement, according to the guidelines in the Water Conservation and Drought Contingency Plan, attached as Exhibit "A", and adopted by reference in this division.

Sec. 4. THAT any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provision of this Ordinance shall be fined not more than two thousand dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

Sec. 5. THAT the effective date of this ordinance shall be immediate upon its passage

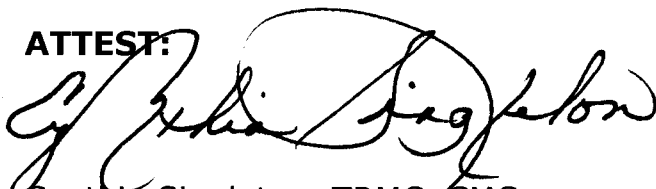
AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 15th day of May 2012.

The second reading and public hearing being conducted on the 5th day of June 2012.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 5th day of June 2012.

ATTEST:


Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE


David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

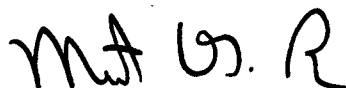

Matthew C. G. Boyle
City Attorney

Exhibit "A"

City of Colleyville Water Conservation and Drought Contingency Plan

Section 1. Purpose

The purpose of the Colleyville Water Conservation and Drought Contingency Plan (hereinafter referred to as the "plan") is as follows:

- (a) To conserve the available water supply in times of drought and emergency.
- (b) To maintain supplies for domestic water use, sanitation, and fire protection.
- (c) To protect and preserve public health, welfare, and safety.
- (d) To minimize the adverse impacts of water supply shortages.
- (e) To minimize the adverse impacts of emergency water supply conditions.

Section 2. Applicability

The provisions of this plan shall apply to all persons, customers, and properties using water provided by the City of Colleyville. The terms "person" and "customer" as used in the plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section 3. Definitions.

For the purposes of this plan, the following definitions shall apply:

- (a) Aesthetic water use means water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.
- (b) City means the City of Colleyville, Texas, a municipal corporation.
- (c) Commercial and institutional water use means water use, which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels, and motels, restaurants, and office buildings.
- (d) Conservation means those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of

water, improve the efficiency in the use of water, or increase the recycling and reuse of water so that the water supply is conserved and made available for future or alternative uses.

- (e) Customer means any person, company, or organization using water supplied by the City.
- (f) Domestic water use means water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.
- (g) Industrial water use means the use of water in processes designed to convert materials of lower value into forms having greater usability and value.
- (h) Landscape irrigation use means water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way, and medians.
- (i) Irrigation maintenance means testing, repair, and/or replacement of existing system components, including but not limited to irrigation pipe, valves, heads, controllers, and wiring. Irrigation maintenance must be performed in compliance with existing statutes, building codes, and City ordinances.
- (j) Non-essential water use means water uses that are not essential or required for the protection of public, health, safety, and welfare. Water uses regulated or prohibited under this plan are considered non-essential and continuation of such uses during times of water shortage or other emergency water supply conditions are deemed to constitute a waste of water, which subjects the offender(s) to penalties as defined in Section 12 of this plan.
- (k) TCEQ means Texas Commission on Environmental Quality.
- (l) TRA means Trinity River Authority, the City's wholesale supplier of water.
- (m) TRWD means Tarrant Regional Water District.
- (n) TWDB means Texas Water Development Board.
- (o) Watering zones means predetermined areas of the City where irrigation is allowed on designated days.

Section 4. Coordination with regional water planning groups.

The service area of the City is located within TCEQ Region 6 and TRWD. TRA is the City's wholesale supplier of water. The City will provide a copy of this plan, and any subsequent amendments to the TCEQ, TRA, TRWD, and TWDB.

Section 5. Public education and notification.

- (a) The City, by and through its Public Works Department and other staff, shall periodically provide the public with information about the plan, including information about the conditions under which each stage of the plan is to be initiated or terminated and the drought response measures to be implemented in each stage.
- (b) When drought contingency measures appear to be necessary, the public will be notified through available news media, and additional information on water conservation methods will be distributed. In the event that a trigger condition is reached, the public will be kept fully informed of the status of the drought condition through all available media.
- (c) When a trigger condition has been reached and the Trinity River Authority informs the City that drought contingency measures may be necessary, the city manager or his/her designee will order the initiation of a public notification process. The public notification process will include, but is not limited to the following:
 - (1) A notice of drought condition will be posted at City Hall.
 - (2) The same notice will be circulated to local newspapers and radio stations via public service announcement.
 - (3) Information regarding the contingency measures for the drought condition will be posted on the City's web site.
 - (4) Appropriate signage will be posted in the public rights-of-way at key locations throughout the City.

Section 6. Initiation and Termination of Drought Response Stages

The city manager will, with the concurrence of the City Council, order the implementation of a drought response stage or water emergency when requested to do so by TRA or when he/she determines that conditions warrant the implementation of the plan.

Section 7. Drought and Emergency Response Stages and Measures

Water Awareness - Water awareness is intended to raise public awareness of the need for ongoing water conservation measures and potential drought problems. The actions listed below are in effect year round and are subject to being superseded by more severe measures when determined necessary by the city manager and/or TRA.

- (a) Voluntary reductions in water use.

- (b) Except for hand watering and the use of soaker hoses, the irrigation or watering of any lawn or landscape is prohibited between the hours of 10:00 a.m. and 6:00 p.m. at any time during the year. (Code of Ordinances, Section 98-46, a.)
- (c) Ongoing public information efforts to teach and encourage water conservation.
- (d) Notify major water users and work with them to achieve voluntary water use reduction.
- (e) Reduce City use of water for street cleaning, vehicle washing, operation of ornamental fountains, landscape irrigation, and all other non-essential use.
- (f) Prohibit the operation of irrigation systems with broken or missing heads.
- (g) Prohibit the operation of irrigation systems, which cause significant runoff.
- (h) Prohibit any form of irrigation or landscape watering device to operate during any form of precipitation.

Stage 1, Water Watch

Triggering and Terminating Conditions

- (a) TRA directs that Stage 1 measures be implemented.
- (b) Water demand is projected to approach the limit of permitted supply.
- (c) Supply source becomes contaminated.
- (d) Water supply system is unable to deliver water due to the failure or damage of major water system components.
- (e) The city manager, with concurrence of the City Council, determines that conditions warrant the declaration of a Stage 1 drought.

Stage 1 may terminate when authorized by TRA, and/or when the circumstances that caused the initiation of Stage 1 no longer prevail, or at the discretion of the city manager.

Actions Required under Stage 1, Water Watch

The city manager may order the implementation of the actions listed below, as deemed necessary. Measures imposing mandatory requirements on customers require notification to TRA, TRWD and TCEQ.

- (a) Continue Water Awareness actions.

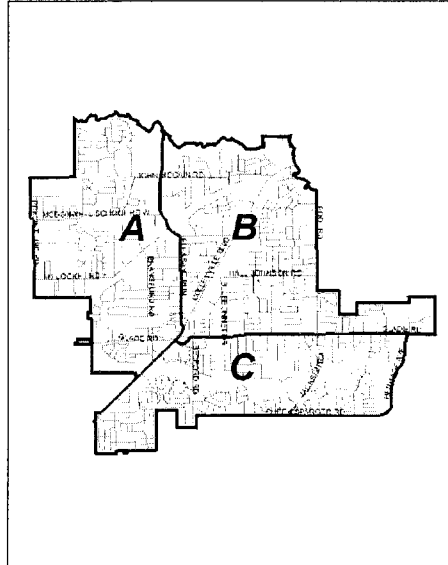
- (b) Prohibit hosing of paved areas, such as sidewalks, driveways, parking lots, tennis courts, or other impervious surfaces, except to alleviate an immediate health or safety hazard.
- (c) Prohibit hosing of buildings or other structures for purposes other than fire protection or surface preparation prior to painting.
- (d) Prohibit using water in such a manner as to allow runoff or other waste, including:
 - (1) Failure to repair a controllable leak, including a broken sprinkler head, a leaking valve, leaking or broken pipes, or a leaking faucet;
 - (2) Operating a permanently installed irrigation system with:
 - a. a broken head; (b) a head that is out of adjustment and the arc of the spray head is over a street or parking lot; or (c) a head that is misting because of high water pressure;
 - b. during irrigation, allowing water to (a) run off a property and form a stream of water in a street for a distance of 50 feet or greater; or (b) to pond in a street or parking lot to a depth greater than one quarter of an inch; or
 - c. use of water for recreational purposes such as splash pads unless the water is recyclable and can be made to conform to established standards for water used in public swimming pools.
- (e) Prohibit the draining and filling of swimming pools except as authorized elsewhere in this plan.
- (f) Limit landscape watering with sprinklers or irrigation systems at each service address to twice per week, based on the following schedule. This includes landscape watering of parks, golf courses and sports fields.

Zone	Allowed Water Days
A	Tuesday and Friday
B	Wednesday and Saturday
C	Thursday and Sunday

Zone "A" is north of Colleyville Boulevard and west of Pleasant Run Road.

Zone "B" is north of Glade Road and east of Pleasant Run Road.

Zone "C" is south of Glade Road and east of Colleyville Boulevard.



- (g) No watering will be allowed on Monday. These restrictions also apply to government facilities.

Exceptions:

- (a) Twice per week watering restrictions do not apply to locations using well water or treated wastewater effluent, or water from ponds that are naturally fed (from sources other than the public water supply).
- (b) Foundations may be watered up to two hours on any day by a handheld hose; or using a soaker hose or drip system placed within 24-inches of the foundation that does not produce a spray of water above the ground.
- (c) Newly installed shrubs (first year) and trees may be watered up to two hours on any day by a handheld hose, drip irrigation, soaker hose, or tree bubbler. Tree watering is limited to an area not to exceed the drip line of a tree.
- (d) Establishing new turf is discouraged. If new hydro-mulch, grass sod, or grass seed is installed for the purpose of establishing a new lawn, there are no watering restrictions for the first six weeks while it is being established. A sign issued by the City of Colleyville must be prominently displayed during the establishment period. After that, the watering restrictions set forth in this stage apply. (This exception does not include over seeding with rye or other winter grasses since turf already exists.)
- (e) Outdoor watering at service addresses with large multi-station irrigation systems may take place in accordance with a variance granted by the Public Works Director, if the Public Works Director determines that a property cannot be completely irrigated with an

average of three-quarters of an inch of water in a single day, and that the property should be divided into sections to be watered on different days. A sign issued by the City of Colleyville that states such exemption has been granted must be prominently displayed for the duration of the exemption.

- (f) Drip irrigation systems
- (g) Misting systems for public gatherings, including outdoor eating venues.
- (h) Irrigation systems that are undergoing repair provided a licensed irrigation contractor or property owner is on site and doing necessary repair work. Irrigation repair work may take place anytime during the day, provided no irrigation zones are operating continuously for more than two minutes.
- (i) Swimming pools that are being repaired for leaks (this does not include cleaning) may be emptied and filled for the specific purpose of structural repairs.
- (j) Swimming pools that have been declared a health hazard due to lack of proper maintenance (vacant property, for example) may be emptied and refilled for the purpose of eliminating the health hazard. Owners of such pools may be subject to other enforcement actions as determined by the City's code enforcement officer.
- (k) Flushing of fire hydrants to ensure water quality complies with state requirements.
- (l) Washing of any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle shall be limited to the use of a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the premises of a commercial car wash or commercial service station. Further, such washing may be exempt from these requirements if the health, safety, and welfare of the public are contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- (m) Skinned areas of sports fields may be watered as needed for dust control.
- (n) Plant stock at commercial plant nurseries.
- (o) All users are encouraged to use Texas native and drought tolerant plants in landscaping.

In addition to the above restrictions, the following additional measures will be taken:

- (a) Continue public education efforts on ways to reduce water use.
- (b) Increase enforcement efforts.

- (c) Audit all City irrigation systems to ensure proper condition, settings, and operation.
- (d) Hotels, restaurants, and bars are encouraged to serve drinking water to patrons on an "as requested" basis.
- (e) Identify and encourage voluntary reduction measures by high-volume water users through water use audits.

Stage 2, Water Warning

Triggering and Terminating Conditions

- (a) TRA directs that Stage 2 measures be implemented.
- (b) Water demand is projected to approach the limit of permitted supply.
- (c) Supply source becomes contaminated.
- (d) Water supply system is unable to deliver water due to the failure or damage of major water system components.
- (e) The city manager, with concurrence of the City Council, finds that conditions warrant the declaration of a Stage 2 drought.

Stage 2 may terminate when authorized by TRA, and/or when the circumstances that caused the initiation of Stage 2 no longer prevail, or at the discretion of the city manager.

Actions available under Stage 2, Water Warning

The city manager may order the implementation of the actions listed below, as deemed necessary. Measures imposing mandatory requirements on customers require notification to TRA, TRWD and TCEQ.

- (a) Continue Stage 1 actions.
- (b) Limit landscape watering with sprinklers or irrigation systems at each service address to one day per week, based on the following schedule. This includes landscape watering of parks, golf courses and sports fields.

Zone	Allowed Water Days
A	Tuesday
B	Wednesday
C	Thursday

- (c) Prohibit the use of water for dust control, except as required to protect public health.
- (d) Landscape watering of municipal parks, golf courses, and sports fields is limited to once every seven days; or once every seven days per irrigation station if a variance is granted by the Public Works Director. (See exceptions to outdoor watering restrictions for rules that apply to facilities with large multi-station irrigation systems.)
- (e) Prohibit the operation of ornamental fountains or ponds that use potable water except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (f) Prohibit wet street sweeping.
- (g) Prohibit watering for dust control on skinned areas of sports fields.
- (h) Prohibit filling of swimming pools with automatic valves.

Exceptions:

- (a) Once per week watering restrictions do not apply to locations using well water or treated wastewater effluent, or water from ponds that are naturally fed (from sources other than the public water supply).
- (b) Foundations may be watered up to two hours on the two watering days allowed in Stage 1 by handheld hose; or using a soaker hose or drip system placed within 24-inches of the foundation that does not produce a spray of water above the ground.
- (c) Newly installed shrubs (first year) and trees may be watered up to two hours on any day by handheld hose, drip irrigation, soaker hose, or tree bubbler. Tree watering is limited to an area not to exceed the drip line of a tree.
- (d) Outdoor watering at service addresses with large multi-station irrigation systems may take place in accordance with a variance granted by the Public Works Director, if the Public Works Director determines that a property cannot be completely irrigated with an average of three-quarters of an inch of water in a single day, and that the property should be divided into sections to be watered on different days. A sign issued by the City of Colleyville that states such exemption has been granted must be prominently displayed for the duration of the exemption.
- (e) All users are encouraged to wait until the current drought or emergency situation has passed before establishing new landscaping and turf. If new hydro-mulch, grass sod, or grass seed is installed for the purpose of establishing a new lawn, there are no watering restrictions for the first six weeks while it is being established. A sign issued by the City of Colleyville must be prominently displayed during the establishment period. After that,

the watering restrictions set forth in this stage apply. (This exception does not include over seeding with rye or other winter grasses since turf already exists.)

- (f) Drip irrigation systems
- (g) Misting systems for public gatherings, including outdoor eating venues.
- (h) Irrigation systems that are undergoing repair provided a licensed irrigation contractor or property owner is on site and doing necessary repair work. Irrigation repair work may take place anytime during the day, provided no irrigation zones are operating continuously for more than two minutes.
- (i) Swimming pools that are being repaired for leaks (this does not include cleaning) may be emptied and filled for the specific purpose of structural repairs.
- (j) Swimming pools that have been declared a health hazard due to lack of proper maintenance (vacant property, for example) may be emptied and refilled for the purpose of eliminating the health hazard. Owners of such pools may be subject to other enforcement actions as determined by the City's code enforcement officer.
- (k) Flushing of fire hydrants to ensure water quality complies with state requirements.
- (l) Plant stock at commercial plant nurseries.
- (m) All users are encouraged to use Texas native and drought tolerant plants in landscaping.

In addition to the above restrictions, the following additional measures will be taken:

- (a) Further accelerate public education efforts on ways to reduce water use.
- (b) Increase frequency of media releases on water supply conditions.
- (c) Continue increased enforcement efforts.
- (d) Audit irrigation systems to ensure proper condition, settings, and operation.
- (e) Continue to identify and encourage voluntary reduction measures by high-volume water users through water use audits.

Stage 3, Water Emergency

Triggering and Terminating Conditions

- (a) TRA directs Stage 3 measures to be implemented.
- (b) Water demand is projected to approach the limit of permitted supply.

- (c) Supply source becomes contaminated.
- (d) Water supply system is unable to deliver water due to the failure or damage of major water system components.
- (e) The city manager, with concurrence of the City Council, finds that conditions warrant the declaration of a Stage 3 drought.

Stage 3 may terminate when authorized by TRA, and/or when the circumstances that caused the initiation of Stage 3 no longer prevail, or at the discretion of the city manager.

Actions Available under Stage 3, Water Emergency

The city manager may order the implementation of the actions listed below, as deemed necessary. Measures imposing mandatory requirements on customers require notification to TRA and TRWD.

- (a) Continue Stage 1 and 2 actions.
- (b) Prohibit all landscape watering, including at parks, golf courses, and sports fields.
- (c) Prohibit establishment of new landscaping.

Exceptions:

- (a) Watering restrictions do not apply to locations using well water or treated wastewater effluent, or water from ponds that are naturally fed (from sources other than the public water supply).
- (b) Foundations may be watered up to two hours on the two watering days allowed in Stage 1, but only between the hours of midnight to 10:00 a.m. and between the hours of 6:00 p.m. to midnight, by handheld hose; or using a soaker hose or drip system placed within 24-inches of the foundation that does not produce a spray of water above the ground.
- (c) Newly installed shrubs (first year) and trees may be watered up to two hours on any day by handheld hose, drip irrigation, soaker hose, or tree bubbler. Tree watering is limited to an area not to exceed the drip line of a tree.
- (d) Vehicle washing is restricted to commercial car wash or commercial service station and can only be done as necessary for health, sanitation, or safety reasons, including but not limited to the washing of garbage trucks and vehicles used to transport food and other perishables. All other vehicle washing is prohibited.
- (e) Prohibit the operation of ornamental fountains or ponds that use potable water except where necessary to support aquatic life or

where such fountains or ponds are equipped with a recirculation system.

- (f) Prohibit the draining, filling, or refilling of swimming pools, wading pools and Jacuzzi type pools. Existing private and public pools may add water to maintain pool levels; however they may not be refilled using automatic fill valves. Hotels, restaurants, and bars are required to serve drinking water to patrons on an "on requested" demand" basis.
- (g) Stock at commercial plant nursery may be watered only with a hand-held hose, hand-held watering can, or drip irrigation system.
- (h) Commercial water users are required to reduce water use by a set percentage determined by the Public Works Director.

In addition to actions listed above:

- (a) Continue actions available under Stages 1 and 2.
- (b) Implement viable alternative water supply strategies.
- (c) Continue to issue media releases explaining emergency situation.
- (d) Reduce City water use to maximum extent possible.
- (e) Prohibit the permitting of new swimming pools, Jacuzzi type pools, spas, ornamental ponds and fountain construction. Pools already permitted and under construction may be completely filled with water.
- (f) Landscape watering at municipal parks, golf courses, and sports fields is prohibited.

Section 8. Procedure for Curtailment of Water Supplies

Any mandatory reduction to deliveries from TRWD to its customers shall be distributed as required by Texas Water Code §11.039. In addition, every wholesale water supply contract entered into or renewed after adoption of this plan, including contract extensions, shall include a provision that water will be distributed in accordance with the Texas Water Code §11.039 in case of a water shortage resulting from drought.

To the extent not prevented by enforcement of provisions in the Water District's wholesale contracts in effect before November 28, 1999, TRWD will implement pro rata curtailment of water deliveries pursuant to Texas Water Code §11.039.

Section 9. Procedure for Granting Variances to the Plan

- (a) The city manager or his/her designee may grant variances from the provisions of this plan as outlined below:
 - (1) The applicant must sign a compliance agreement form provided by the city manager or his/her designee, agreeing to irrigate or water a lawn or landscape only in the amount and manner permitted by the variance.
 - (2) Granting of a variance must not cause an immediate significant reduction in the City's water supply.
 - (3) The extreme hardship or need requiring the variance must relate to health, safety or welfare of the person requesting it.
 - (4) The health, safety, or welfare of other persons must not be adversely affected by granting the variance.
- (b) The city manager or his/her designee may revoke a variance granted when the city manager determines that:
 - (1) The conditions of subsection (a) above are not being met or are no longer applicable; or
 - (2) The terms of the compliance agreement are being violated; or
 - (3) The health, safety or welfare of other persons requires revocation.
- (c) Variances shall be granted or denied at the discretion of the city manager. All petitions for variances should be in writing and should include the following information:
 - (1) Name and address of petitioner(s).
 - (2) Purpose of water use.
 - (3) Specific provisions from which relief is requested.
 - (4) Detailed statement of the adverse effect of the provision from which relief is requested.
 - (5) Description of the relief requested.
 - (6) Period of time for which the variance is sought.
 - (7) Alternative measures that will be taken to reduce water use.
 - (8) Other pertinent information.

Section 10. Enforcement

Violations of restrictions will first result in a warning, and then subsequent violations will result in a citation with a fine as provided for in Section 1-6 of the Code of Ordinances.

Section 11. Penalty

It shall be unlawful for any person to violate any provision of this article, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not more than \$2,000.00 for each offense, and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

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.

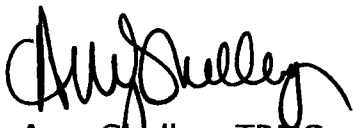
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF COLLEYVILLE, TEXAS:**

- 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.

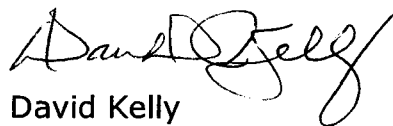
APPROVED BY A VOTE OF 7 AYES, 0 NAYS, AND 0 ABSTENTIONS
ON THIS THE 18TH DAY OF FEBRUARY 2014.

ATTEST:



Amy Shelley, TRMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor

Trinity River Authority of Texas

Tarrant County Water Supply Project

Water Conservation & Drought Contingency Plan

***April 2005
Revised April 2009
Revised April 2014***



***Prepared
by
Trinity River Authority of Texas***

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Trinity River Authority of Texas Tarrant County Water Supply Project Water Conservation & Drought Contingency Plan

1. INTRODUCTION

The Trinity River Authority of Texas (Authority) is a governmental agency of the State of Texas created as a conservation and reclamation district under Article XVI, Section 59 of the Constitution pursuant to Chapter 518, Acts of the 54th Legislature of Texas, Regular Session, 1955, as amended. The Authority has specific authority to construct, own and operate water supply, treatment, and distribution facilities and sewerage gathering, transmission, treatment, and disposal facilities, to charge for such services, and to make contracts in reference thereto with municipalities and others.

The Authority's defined territory includes all of Dallas, Tarrant, Ellis, Navarro, Chambers Counties, and the principal watershed portions of Anderson, Freestone, Henderson, Houston, Kaufman, Leon, Madison, Polk, San Jacinto, Trinity, Walker, and Liberty Counties. The Authority is governed by a Board of 25 directors who are appointed by the Governor with the advice and consent of the Texas Senate. The first directors were appointed for staggered terms, and directors thereafter have served six-year terms. Three of the directors are appointed from the area-at-large; three directors are from Tarrant County; four are from Dallas County; and one director is from each of the other 15 counties.

This Water Conservation Plan and Drought Contingency Plan pertains to the use of water by the Authority's Contracting Parties of the Tarrant County Water Supply Project (TCWSP) and are intended to meet the requirements of the Texas Commission on Environmental Quality (TCEQ), Texas Water Development Board (TWDB), and the Tarrant Regional Water District.

2. WATER CONSERVATION PLAN

2.1 Introduction

The Authority provides wholesale treated water to five Contracting Parties of the TCWSP. As the Contracting Parties retail utility systems are separate from the Authority's treated water system, the Authority does not have the ability to implement most of the water conservation measures discussed in this Program. The Contracting Parties shall be able to implement these measures as a part of their respective retail water supply operations. The

Authority's role in this program will include the administration and promotion of the Water Conservation Plan, public education and information, and investigations into wastewater reuse.

2.2 Planning Area Description

Raw water for the Authority's TCWSP comes from the Tarrant Regional Water District (TRWD) East Texas Water System. Raw water is impounded in the Cedar Creek and Richland-Chambers Lakes in East Texas and moved to the greater Tarrant County area by a District pipeline network. There is a tap in the line that allows water to flow into Village Creek, which is the principal tributary of Lake Arlington.

The Authority pumps raw water from Lake Arlington, treats it and delivers it on a wholesale basis to five cities in northeast Tarrant County. Originally established in 1974 to provide 6 mgd of treated water for the cities of Bedford and Euless, this project has been expanded six times, including the last expansion to its current capacity of 87 mgd completed in 2008. In 1980, the plant's service area was expanded to include the City of Colleyville and parts of Grapevine and North Richland Hills. The expansion of the plant's capacity is in response to population growth within the customer cities. The TCWSP system will ultimately deliver 118 mgd to the wholesale cities.

For more detailed information on the TCWSP service area such as population and historical water use information, please see Appendix A.

2.3 Conservation Goals

The Authority's water conservation goals are to: (1) provide an adequate supply of high-quality treated water to meet the needs of its wholesale customers; and to (2) encourage its wholesale customers to adopt and implement water conservation plans that will reduce per capita and peak use demands.

The Authority's water conservation program is predicated on the fact that the implementation of conservation measures must occur largely at the local level. The Authority's program is focused on encouraging and supporting initiatives by wholesale customers.

The Authority will assist its customers in the development of water conservation programs. TRWD has developed a *Model Water Conservation Plan for TRWD Customers* and a *Model Drought Contingency Plan for TRWD Customers*, which the Authority customers can use to develop their own water conservation and drought contingency plans.

As part of the model water conservation plan, the Authority requires water utility customers to provide Annual water conservation reports, modeled after the Utility Profile developed by TCEQ. The Authority will review these reports and compile the information as part of its own annual conservation report, which will be submitted to TRWD's water conservation coordinator.

In order to set a wholesale water supplier goal for municipal water conservation, baseline per capita water use must first be determined. It was determined to use figures reported by the Texas Water Development Board for each of the system's customer cities. Using these data, the Cities of Bedford, Colleyville, Euless, Grapevine, and North Richland Hills used a rolling average of 198 gpcd during that period. These numbers are higher than reported in the previous Water Conservation and Drought Contingency Plan for two reasons. The first is that Texas Water Development Board (TWDB) figures for total population and consumption are used in lieu of the NTCOG figures, which were used previously. This was done to be consistent across plans for the Authority, as well as with data used by the TWDB for other purposes. The second is that this time period includes several years of exceptional and extreme drought conditions, during which water use is known to increase. This is clearly seen during 2011, which was the driest year on record for the State as a whole. We can also confirm that per capita water consumption has not significantly increased based upon total plant production, which does not trend upward despite increases in population (Figure 1). The Authority uses the gpcd values as a means of establishing relative use against which future use can be measured. The values reported here should not be used as an actual representation of water used by a given individual.

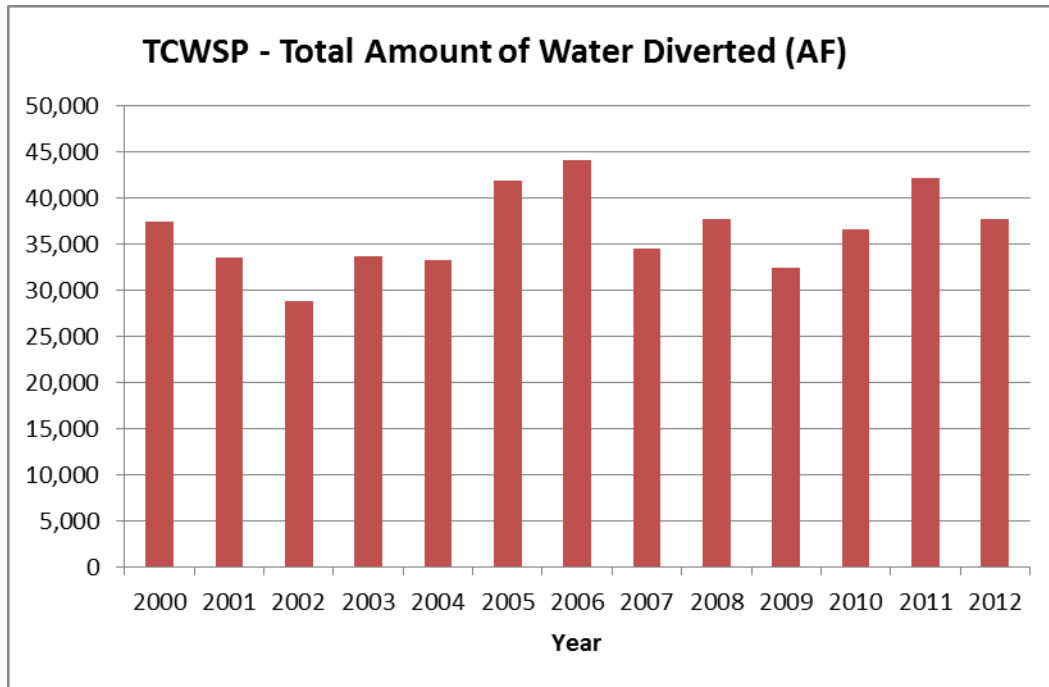


Figure 1. Total amount of water diverted from Lake Arlington by the Tarrant County Water Supply Project. According to the graph, there has been no appreciable increase in water use from 2000 to 2012.

In a special report to the 79th Legislature, the TWDB recommends a minimum annual reduction of one percent total GPCD, based upon a five-year rolling average until at such time as the entity achieves a total GPCD of 140 or less. The per capita use does not include the effect of new water conservation measures that may be adopted by the Authority customers. Following are targets for reduction to municipal per capita use due to the implementation of this water conservation and drought contingency plan and the plans to be developed by its customers.

- The target for the five-year (2019) municipal per capita water use for the Authority's customers is 194 gallons per capita per day in an average climatic year. This represents a five percent reduction of ten gallons per capita per day from 2014 to 2019.
- The target for the ten-year (2024) municipal per capita water use for the Authority's customers is 184 gallons per capita per day in an average climatic year. This represents a decrease of nine and a half gallons per capita per day, or five percent from 2019 to 2024.

Projected total per capita water use figures are based on average climate conditions. Per capita water use in years with less precipitation, especially during the summer, should be more than projected here.

- The TRWD estimates that over the next five years approximately two percent of its water supplies will be derived from indirect reuse. Credit for reuse is included in the five and ten year goals.

The long-term goal for conservation is to increase water use efficiency and reduce the waste of water. However, the Authority has limited control of water use because it is a wholesale provider of those supplies. Achievement of significant water conservation savings can only occur if each retail water user sets and implements its own water conservation programs.

2.4 Metering Water Diverted from the Source of Supply

The Authority meters the amount of raw water pumped from Lake Arlington to the TCWSP water treatment plant. In addition, treated water pumped from the TCWSP water treatment plant to each customer city is metered by the Authority. The Contracting Parties then meter water delivered to their customers. As a wholesale water supplier, The Authority has instituted a monitoring and record management program to assure that its customers are charged appropriately for their water use.

One of the goals of the Authority's water conservation program is to maintain unaccounted water below five percent in every year.

2.5 Monitoring and Record Management Program

Each year the Authority's records, including water sales, deliveries, and losses are audited by an independent auditor. In addition, flow records and reports are routinely audited by the Authority's internal auditor.

2.6 Metering/Leak Detection and Repair Program

Master metering of the wholesale customer by the Authority, will provide an accurate accounting of water use by each retail system.

The Contracting Parties shall meter all retail water uses and will be encouraged to provide a master meter as well as metering of all utility, city and other public facilities. The Contracting Parties will manage their ongoing leak detection, location and repair programs. Waterline leaks are detected by utility personnel while reading meters, maintaining their water and wastewater systems, and while performing other routine surveillance programs.

Additionally, periodic water audits shall be utilized to determine if leaks exist which have gone undetected.

In addition, the Authority will monitor for leaks any water storage, delivery, and distribution system components used to transport treated water prior to delivery to the wholesale customers. Any reported leaks will be repaired in a timely manner.

Starting in March of 2014, TRA began a program to use free-swimming acoustic sensors to locate leaks within the TCWSP distribution system. The sensors are deployed in pipelines and are carried by the water stream to an extraction point. While in the pipeline, sensors record information on location while listening for leaks. Because the sensors have no motors and do not generate noise, they are capable of detecting pinhole-sized leaks. This technology should greatly increase TRA's ability to detect and repair water leaks, reducing water loss.

2.7 Reservoir Operations Plan

This requirement is not applicable to the TCWSP.

2.8 Water Supply Contracts

Every contract for the wholesale sale of water by the Authority entered into, renewed, or extended after the adoption of this water conservation and drought contingency plan will include a requirement that the wholesale customer and any wholesale customers of that wholesale customer develop and implement a water conservation plan meeting the requirements of Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2 of the Texas Administrative Code. This requirement will extend to each successive wholesale customer in the resale of water. All customers Plans must be reviewed and approved by Authority staff before water sales contracts are signed.

2.9 Enforcement Procedure and Official Adoption

Resolution No. R-1400 adopts the Water Conservation Plan for the Trinity River Authority by the Authority's Board of Directors. The General Manager, or his/her designee(s), is authorized and directed to implement the applicable provisions of the Plan. The General Manager, or his/her designee(s), will act as the administrator of the plan, oversee the execution and implementation of the plan, and will be responsible for keeping adequate records for program verification.

2.10 Coordination with Regional Planning Groups

The water service area of the TCWSP is located within Region C, and the Authority has provided a copy of the Plan to Region C.

2.11 Review and Update of Water Conservation Plan

As required by TCEQ rules, the Authority will review and update this Water Conservation Plan in May 2019 and every five years thereafter. The Water Conservation Plan will be updated as appropriate based on new or updated information.

3. DROUGHT CONTINGENCY PLAN

3.1 Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and/or to protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the Authority adopts the following Drought Contingency Plan.

The purpose of the Plan is as follows:

- To conserve the available water supply in times of drought and emergency.
- To maintain supplies for domestic water use, sanitation, and fire protection.
- To protect and preserve public health, welfare, and safety.
- To minimize the adverse impacts of water supply shortages.
- To minimize the adverse impacts of emergency water supply conditions.

3.2 Public Involvement

Opportunity for the wholesale water customers to provide input into the preparation of the Plan was provided by the Authority by means of supplying the Contracting Parties with a copy of the Plan and receiving comments by email. Notification was placed on the Authority's public Web site offering to make the plan available for review by the public at the Authority's General Office. The Plan will be adopted under the open meetings requirement of the TCEQ during the April 2014 Board of Directors meeting. The Authority recognizes the need for developing a regional approach to implementing water conservation strategies. The Authority is working closely with the TRWD and other water suppliers to create an educational campaign with unified themes and messages. The campaign will be designed to provide people with

information and tools that can be used to save water. The extensive effort will consist of multiple methods to reach and educate the public, which may include:

- Television ads
- Radio ads
- Transit ads
- Billboards
- Yard signs
- Newspaper and magazine ads
- Messages on gasoline pumps (“pump toppers”)
- Movie theater ads
- Mall ads
- Fact sheets
- Web site
- An ongoing print and media relations campaign with print and electronic media.
- Other outreach programs, such as a traveling exhibit for community events and meetings with representatives of plumbing, landscape irrigation, nurseries, and other industries with influence on water use.

The specifics of the public outreach and education campaign will vary depending on the circumstances of future droughts, but this current example shows the Authority’s commitment to an appropriate drought response.

3.3 Wholesale Water Customer Education

The Authority will periodically provide wholesale customers with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. A copy of the Plan will be provided to each wholesale water customer.

3.4 Coordination with Regional Water Planning Groups

The water service area of the TCWSP is located within the Region C, and the Authority has provided a copy of the Plan to Region C.

3.5 Criteria for Initiation and Termination of Drought Response Stages

Initiation of Drought Response Stages

The General Manager, or his/her designee(s), may order the implementation of a drought response stage or water emergency when one or more of the trigger conditions for that stage is met. The following actions will be taken when a drought stage is initiated:

- The designated representative(s) of primary customers will be notified by telephone or email with a follow-up letter that provides details of the reasons for initiation of the drought stage;
- The public will be notified through local media following the notification of primary wholesale customers; and
- If any mandatory provisions of the drought contingency plan are activated, the Authority will notify the Executive Director of the TCEQ within five business days.

The General Manager, or his/her designee(s), may decide not to order the implementation of a drought response stage or water emergency even though one or more of the trigger criteria for the stage are met. Factors which could influence such a decision include, but are not limited to, the time of year, weather conditions, the anticipation of replenished water supplies, or the anticipation that additional facilities will become available to meet needs.

The trigger conditions in the Plan pertaining to TRWD's system volume were established following an intensive study of the North Texas climate and its impact on water supplies by Hydrosphere, an engineering firm based in Boulder, Colorado. The study projected the effects of simulated weather patterns on the combined storage capacity of TRWD reservoirs. Using computer simulations, Hydrosphere compared the water savings that would be achieved at various trigger points with and without outdoor watering restrictions in place. Under severe drought conditions, the estimated water savings that would be achieved by implementing the Plan would extend water supplies by several months. The Authority also has triggers which relate to the capacity of the Tarrant County Water Supply Project (TCWSP).

Termination of a Drought Stage

The General Manager, or his/her designee(s), will order the termination of a drought response stage or water emergency when the conditions for termination are met at his/her discretion. The following actions will be taken when a drought stage is terminated:

- The designated representative(s) of primary wholesale customers will be notified by telephone with a follow-up letter or email;

- The public will be notified through local media following the notification of primary wholesale customers; and
- When mandatory provisions of the drought contingency plan that have been activated are terminated, the Authority will notify the Executive Director of the TCEQ within five business days.

The General Manager, or his/her designee(s), may decide, under special circumstances, not to order the termination of a drought response stage or water emergency even though conditions for termination of the stage are met. Factors which could influence such a decision include, but are not limited to, the time of year, weather conditions, or the anticipation of potential changed conditions that warrant the continuation of the drought stage.

3.6 Drought Response Stages

Stage 1, Water Watch

Triggering and Terminating Conditions

TRWD has initiated Stage 1 – Water Watch for one or more of the following reasons:

- Total combined raw water supply in TRWD western and eastern division reservoirs drops below 75% (25% depleted) of conservation storage capacity.
- Water demand for all or part of the delivery system approaches delivery capacity because delivery capacity is inadequate.
- Water demand is projected to approach the limit of permitted supply.
- Supply source becomes contaminated.
- Water supply system is unable to deliver water due to the failure or damage of major water system components.
- The General Manager finds that conditions warrant the declaration of a Stage 1 drought.

Subject to paragraphs regarding the Termination of a Drought Response stage, Stage 1, Water Watch will be terminated when the total combined raw water supply in TRWD's western and eastern division reservoirs exceeds 95% of conservation storage or remains above 85% for 90 consecutive days, whichever occurs first.

Goal for Use Reduction

The goal for water use reduction under Stage 1, Water Watch, is to decrease use by five percent. If circumstances warrant, the General Manager can set a goal for greater water use reduction.

Water Use Reduction Actions under Stage 1, Water Watch

The General Manager may order the implementation of any of the actions listed below, as deemed necessary. Measures imposing mandatory requirements on customers require notification to TCEQ. TRWD must notify TCEQ within five business days if any mandatory measures are implemented.

- Require customers (including indirect customers) to initiate Stage 1 in their drought contingency plans. Indirect customers include any successive wholesale customers of TRWD's primary wholesale customers to the extent provided for in water sales contracts.

All Water Users

- Maximum of twice per week watering for hose-end sprinklers and automatic irrigation systems based on odd/even addresses and day of week schedule.

Stage 1, Water Watch, Outdoor Watering Schedule		
Monday	No Outdoor Watering	Water System Recovery Day
Tuesday and Friday	Non-Residential Sites	Apartments, Parks, Common Areas, HOA's, Businesses
Wednesday and Saturday	Residential Addresses Ending in Even Numbers	0,2,4,6,8
Thursday and Sunday	Residential Addresses Ending in Odd Numbers	1,3,5,7,9

Exceptions:

- Watering with a handheld hose, soaker hose or drip irrigation may occur any day and any time.
- The use of water necessary to protect the health, safety, or welfare of the public.

- Water use necessary for the repair of an irrigation system, plumbing line, fountain, etc. in the presence of person making repair.
- Variances may be available through the water utility department for the following:
 - Establishing new turfgrass and/or landscaping. Variances granted for establishing new turfgrass or landscaping will be for a maximum of 30 days from the date of approval then maximum of twice per week watering schedule applies.
 - Variances do not apply to the installation of cool season grasses (overseeding).
 - Outdoor watering at service addresses with large multi-station irrigation systems may take place in accordance with a variance granted by the Water Utilities Director, if the Water Utilities Director determines that a property cannot be completely irrigated with an average of three-quarters of an inch of water in a single day, and that the property should be divided into sections to be irrigated on different days. If approved, no station will be watered more than twice per week.
 - Restrictions do not apply to well water, reclaimed water, or other alternative water sources.
- No watering with hose-end sprinklers and/or automatic spray irrigation systems between 10 a.m. and 6 p.m.
- Water waste is prohibited - which includes the following:
 - failure to repair a controllable leak, including, broken sprinkler heads, leaking valves, leaking or broken pipes or faucets;
 - knowingly operating an irrigation system with: (a) a broken head; (b) a head that is out of adjustment and spraying into the street, parking area, or sidewalk; or (c) a system that is misting/fogging due to excessive water pressure; or
 - allowing any water to: (a) run off property forming a stream of water for a distance of 50 feet or greater; (b) run into a storm drain; or (c) pond to a depth of ¼ inch or greater; or
 - allowing or causing an irrigation system or other lawn watering device to operate during any form of precipitation or when temperatures are at or below 32 degrees Fahrenheit.

- Discourage hosing of paved areas.
- Discourage hosing of buildings or other structures for purposes other than fire protection or surface preparation prior to painting or maintenance.
- Washing of any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle shall be limited to the use of a hand-held bucket or a hand-held hose equipped with a positive-pressure shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the premises of a commercial car wash or commercial service station. Companies with an automated on-site vehicle washing facility may wash its vehicles at any time.
- Discourage the filling, draining, or refilling of swimming pools, wading pools, hot tubs and Jacuzzi type pools except to maintain adequate water levels for structural integrity, proper operation and maintenance, and/or to alleviate an issue that poses a public safety risk.

City and Local Governments

In addition to the action items listed above:

- Review conditions and problems that caused Stage 1. Take corrective action.
- Increase public education efforts on ways to reduce water use.
- Increase enforcement efforts.
- Intensify leak detection and repair efforts.
- Audit all city and local government irrigation systems to ensure proper condition, settings, and operation.
- Identify and encourage voluntary reduction measures by high-volume water users through water use audits.
- Landscape watering of municipal parks, golf courses and athletic fields is restricted to a twice per week watering schedule; or twice per week per irrigation station if a variance is granted by the Water Utilities Director. (See exceptions to outdoor watering restrictions in all water users category above for facilities with large multi-station irrigation systems.)

Exceptions:

- Golf courses may water greens and tee boxes as necessary, however, use of spray irrigation may not be done between 10 a.m. and 6 p.m. Encouraged to reduce water use by five percent.

- Watering of athletic fields (field only, does not include surrounding landscaped areas) used for organized sports practice, competition, or exhibition events may occur as necessary to protect the health and safety of the players, staff, or officials present for athletic events. Encouraged to reduce water use by five percent.
- Public areas that are open to the public at-large and have a high-impact from frequent use may be allowed additional watering, with a variance granted by the Water Utilities Director, if it is deemed to be beneficial to serve and protect the community amenity. Examples may include but are not limited to: outdoor amphitheaters, demonstration gardens, public art exhibits, outdoor learning areas, arboretums, etc.
- Reduce non-essential water use. As used herein, non-essential water uses are those that do not have any health or safety impact and are not needed to meet the core function of the agency.
- Notify wholesale customers of actions being taken and request them to implement the same drought stage and measures.

Commercial or Industrial

- All actions listed above for all water users apply to commercial and industrial users.
- Landscape watering of parks, golf courses and athletic fields is restricted to the twice per week watering schedule; or twice per week per irrigation station if a variance is granted by the water provider. (See exceptions to outdoor watering restrictions in all water users category above for facilities with large multi-station irrigation systems.)

Exceptions:

- Golf courses may water greens and tee boxes as necessary, however, use of spray irrigation may not be done between 10 a.m. and 6 p.m. Encouraged to reduce water use by five percent.
- Watering of athletic fields (field only, does not include surrounding landscaped areas) used for organized sports practice, competition, or exhibition events may occur as necessary to protect the health and safety of the players, staff, or officials present for athletic events. Encouraged to reduce water use by 5 five percent.
- Stock at commercial plant nurseries is exempt from Stage 1 watering restrictions.

- Hotels, restaurants, and bars are encouraged to serve drinking water to patrons per request only.
- Hotels are encouraged to implement laundry conservation measures by encouraging patrons to reuse linens and towels.
- Car wash facilities must keep equipment in good working order and inspect equipment regularly to be sure there are no leaks, no broken or misdirected nozzles, and operating efficiently.
- All commercial and industrial customers are encouraged to audit irrigation systems to ensure proper condition, settings, and operation. If irrigation audit or repair occurs during restricted watering times or days, a sign indicating such work is taking place must be placed in public view until job is completed.

Stage 2, Water Warning

Triggering and Terminating Conditions

TRWD has initiated Stage 2 – Water Warning for one or more of the following reasons:

- Total raw water supply in TRWD western and eastern division reservoirs drops below 60% (40% depleted) of conservation storage capacity.
- Water demand for all or part of the delivery system approaches delivery capacity because delivery capacity is inadequate.
- Water demand is projected to approach the limit of permitted supply.
- Supply source becomes contaminated.
- Water supply system is unable to deliver water due to the failure or damage of major water system components.
- The General Manager finds that conditions warrant the declaration of a Stage 2 drought.

Subject to preceding paragraphs regarding the Termination of a Drought Response stage, Stage 2, Water Warning, will be terminated when the total combined raw water supply in TRWD's western and eastern division reservoirs exceeds 75% of conservation storage or remains at or above 70% for 30 consecutive days, whichever occurs first.

Goal for Use Reduction

The goal for water use reduction under Stage 2, Water Warning, is to decrease use by 10 percent. If circumstances warrant, the General Manager can set a goal for greater water use reduction.

Water Use Reduction Actions under Stage 2, Water Warning

The General Manager may order the implementation of any of the actions listed below, as deemed necessary. Measures imposing mandatory requirements on customers require notification to TCEQ. TRWD must notify TCEQ within five business days if any mandatory measures are implemented.

- Continue or initiate any actions available under Stage 1.
- Require customers (including indirect customers) to initiate Stage 2 in their drought contingency plans. Indirect customers include any wholesale customer of TRWD's primary wholesale customers to the extent provided for in water sales contracts.
- Initiate engineering studies to evaluate water supply alternatives should conditions worsen.

All Water Users

- Maximum of once per week watering for hose-end sprinklers and automatic irrigation systems based on odd/even addresses and day of week schedule.
- Once per week watering schedule will be determined at such time as necessary by TRWD and its primary water customers. Due to the variation in water storage and delivery systems of TRWD customers, specific watering days per address may vary across TRWD's service area.

Exceptions:

- Watering with a handheld hose, soaker hose or drip irrigation may occur any day and any time.
- Variances may be available through the water utility department for the following:
 - All users are encouraged to wait until the current drought or emergency situation has passed before establishing new landscaping. Variances granted for establishing new turfgrass or landscaping will be for a maximum of 30 days from the date of approval then maximum of twice-per-week watering schedule applies.
 - Variances do not apply to the installation of cool season grasses (overseeding).
 - Outdoor watering at service addresses with large multi-station irrigation systems may take place in accordance with a variance granted by the Water Utilities Director, if the Water Utilities Director determines that a

property cannot be completely irrigated with an average of three-quarters of an inch of water in a single day, and that the property should be divided into sections to be irrigated on different days. If approved, no station will be watered more than once per week.

- Restrictions do not apply to well water, reclaimed water, or other alternative water sources.
- Encourage the use of covers for all types of pools, hot tubs, and Jacuzzi type pools when not in use.

City and Local Governments

In addition to the actions listed above:

- Continue or initiate any actions available under Stage 1.
- Review conditions or problems that caused Stage 2. Take corrective action.
- Increase frequency of media releases on water supply conditions.
- Further accelerate public education efforts on ways to reduce water use.
- Landscape watering of municipal parks, golf courses and athletic fields is restricted to a once-per-week schedule; or once-per-week per irrigation station if a variance is granted by the water provider. (See Stage 1 exceptions to outdoor watering restrictions in all water users category for facilities with large multi-station irrigation systems.)

Exceptions:

- Golf courses may water greens and tee boxes as necessary, however, use of spray irrigation may not be done between 10 a.m. and 6 p.m. Encouraged to reduce water use by ten percent.
- Watering of athletic fields (field only, does not include surrounding landscaped areas) used for organized sports practice, competition, or exhibition events may occur as necessary to protect the health and safety of the players, staff, or officials present for athletic events. Encouraged to reduce water use by ten percent.
- Eliminate non-essential water use. As used herein, non-essential water uses are those that do not have any health or safety impact and are not needed to meet the core function of the agency.
- Notify wholesale customers of actions being taken and request them to implement the same drought stage and measures.

Commercial or Industrial

- All actions listed above for all water users apply to commercial and industrial users.
- Landscape watering of municipal parks, golf courses and athletic fields is restricted to a once-per-week schedule; or once-per-week per irrigation station if a variance is granted by the water provider. (See Stage 1 exceptions to outdoor watering restrictions in all water users category for rules that apply to facilities with large multi-station irrigation systems.)

Exceptions:

- Golf courses may water greens and tee boxes as necessary, however, use of spray irrigation may not be done between 10 a.m. and 6 p.m. Encouraged to reduce water use by ten percent.
- Watering of athletic fields (field only, does not include surrounding landscaped areas) used for organized sports practice, competition, or exhibition events may occur as necessary to protect the health and safety of the players, staff, or officials present for athletic events. Encouraged to reduce water use by ten percent.
- Use of water from hydrants for any purpose other than firefighting related activities, or other activities necessary to maintain public health, safety and welfare, requires a variance issued by the Water Utilities Director. Fire hydrant use may be limited to only designated hydrants. Upon declaration of this drought stage, all holders or applicants of a Water Fire Hydrant Meter Agreement are required to apply for a variance as set forth in this plan. If conditions allow, as determined by the Water Utilities Director, the use of water from hydrants may continue until the Water Utilities Director or his/her official designee issues a determination on the petition for variance. If conditions do not allow, the Water Utilities Director may require all fire hydrant meters to be immediately returned from the field, pending determination of each petition for variance.

Stage 3, Water Emergency

Triggering and Terminating Conditions

TRWD has initiated Stage 3 – Water Emergency for one or more of the following reasons:

- Total raw water supply in TRWD western and eastern division reservoirs drops below 45% (55% depleted) of conservation storage capacity.

- Water demand exceeds the amount that can be delivered to customers.
- Water demand for all or part of the TRWD delivery system approaches delivery capacity because delivery capacity is inadequate.
- One or more of TRWD's water supply sources has become limited in availability.
- Water demand is projected to approach the limit of permitted supply.
- Supply source becomes contaminated.
- Water supply system is unable to deliver water due to the failure or damage of major water system components.
- The General Manager finds that conditions warrant the declaration of a Stage 3 drought.

Subject to preceding paragraphs regarding the Termination of a Drought Response stage, Stage 3, Water Emergency, will be terminated when the total combined raw water supply in TRWD's western and eastern division reservoirs exceeds 60% of conservation storage or remains at or above 55% for 30 consecutive days, whichever occurs first.

Goal for Use Reduction

The goal for water use reduction under Stage 3, Water Emergency, is to decrease use by 20 percent. If circumstances warrant, the General Manager can set a goal for greater water use reduction.

Water Use Reduction Actions under Stage 3, Water Emergency

The General Manager can order the implementation of any of the actions listed below, as deemed necessary. Measures imposing mandatory requirements on customers require notification to TCEQ. TRWD must notify TCEQ within five business days if these measures are implemented.

- Continue actions available under Stages 1 and 2.
- Require customers (including indirect customers) to initiate Stage 3 in their drought contingency plans. Indirect customers include any wholesale customer of TRWD's primary wholesale customers to the extent provided for in water sales contracts.

All Water Users

- Prohibit all outdoor watering.

Exceptions:

- Watering with hand-held hose, soaker hose or drip irrigation system may occur any day and any time. (The intent of this measure is to allow for the

protection of structural foundations, trees, and other high value landscape materials).

- Restrictions do not apply to well water, reclaimed water, or other alternative water sources.
- Irrigation of new landscapes and/or turfgrass installations is prohibited by means of automatic irrigation system or hose-end sprinkler. Variances may be granted for those landscape projects started prior to the initiation of stage 3 drought restrictions. However, variances will not be granted for the irrigation of new landscape and/or turfgrass installations after the initiation of Stage 3 drought restrictions.
- Prohibit washing of paved areas by any means except where a variance is granted to alleviate a possible public health and safety risk. Any power washing activities must be performed by a professional power washing service utilizing high efficiency equipment and a vacuum recovery system where possible.
- Prohibit hosing of buildings or other structures for purposes other than fire protection or surface preparation prior to painting with high-pressure equipment. Must be performed by a professional power washing service utilizing high efficiency equipment and a vacuum recovery system where possible.
- Vehicle washing is restricted to commercial car washes, commercial service stations, or professional washing services only. This includes home and charity car washing. The washing of garbage trucks and vehicles used to transport food and/or other perishables may take place as necessary for health, sanitation, or public safety reasons.
- Prohibit permitting of private pools. Pools already permitted may be completed and filled. Existing private and public pools may add water to maintain pool levels, but may not be drained and refilled.
- Prohibit the operation of ornamental fountains or ponds that use potable water except where necessary to support aquatic life or water quality.

City and Local Governments

- Continue or initiate any actions available under Stages 1 and 2.
- Review conditions or problems that caused Stage 3. Take corrective action.
- Increase frequency of media releases explaining emergency situation and/or water supply conditions.

- Landscape watering at municipal parks, golf courses, and sports fields is prohibited. Variances may be granted by the water provider under special circumstances.

Exceptions:

- Golf course greens and tee boxes may be watered by hand as necessary; however watering may not be done between 10 a.m. and 6 p.m.
- Variances should be available for watering of athletic fields (field only, does not include surrounding landscaped areas) used for organized sports practice, competition, or exhibition events may occur as necessary to protect the health and safety of the players, staff, or officials present for athletic events. A water use management plan must be submitted to the Water Utilities Director detailing how each area will comply with stage 3 drought measures.
- Professional and college sports fields (playing fields with a stadium only – not surrounding landscaping) may be watered as necessary to maintain league standards.
- If TRWD has imposed a reduction in water available to customers, impose the same percent reduction on wholesale customers.

Commercial or Industrial

- All actions listed above for all water users apply to commercial and industrial users. Landscape watering of municipal parks, golf courses and athletic fields is prohibited. Variances may be granted by the water provider under special circumstances.

Exceptions:

- Golf course greens and tee boxes may be watered by hand as necessary; however watering may not be done between 10 a.m. and 6 p.m.
- Variances should be available for watering of athletic fields (field only, does not include surrounding landscaped areas) used for organized sports practice, competition, or exhibition events to protect the health and safety of the players, staff, or officials present for the athletic event. A water use management plan must be submitted to the Water Utilities Director detailing how each area will comply with stage 3 drought measures.
- Professional and college sports fields (playing fields with a stadium only – not surrounding landscaping) may be watered as necessary to maintain league standards.

- Commercial water users may be required to reduce water use by a set percentage as determined by the Water Utilities Director.

3.7 Procedure for Curtailment of Water Supplies

Any mandatory reduction to deliveries from TRWD to its customers shall be distributed as required by Texas Water Code §11.039. In addition, every wholesale water supply contract entered into or renewed after adoption of this plan, including contract extensions, shall include a provision that water will be distributed in accordance with the Texas Water Code §11.039 in case of a water shortage resulting from drought.

To the extent not prevented by enforcement of provisions in the Water District's wholesale contracts in effect before November 28, 1999, TRWD will implement pro rata curtailment of water deliveries pursuant to Texas Water Code §11.039.

3.8 Procedure for Granting Variances to the Plan

The General Manager, or his/her designee(s), may grant temporary variances for existing water uses otherwise prohibited under this drought contingency plan to a customer if one or more of the following conditions are met:

- Failure to grant such a variance would cause an emergency condition adversely affecting health, sanitation, or fire safety for the public or the person requesting the variance.
- Compliance with this Plan cannot be accomplished due to technical or other limitations.
- Alternative methods that achieve the same level of reduction in water use can be implemented.
- Variances shall be granted or denied at the discretion of the General Manager, or his/her designee(s). All petitions for variances should be in writing and should include the following information:
 - Name and address of petitioner(s).
 - Purpose of water use.
 - Specific provisions from which relief is requested.
 - Detailed statement of the adverse effect of the provision from which relief is requested.
 - Description of the relief requested.
 - Period of time for which the variance is sought.

- Alternative measures that will be taken to reduce water use.
- Other pertinent information.

3.9 Procedure for Enforcing Mandatory Water Restrictions

TRWD customers (direct and indirect) shall provide the Authority with an order, ordinance, or resolution to demonstrate adequate enforcement provisions for the customer's own drought contingency plan.

Mandatory water use restrictions may be imposed in Stage 1, Stage 2, and Stage 3 drought stages. These mandatory water use restrictions will be enforced by warnings and penalties as follows:

- On the first violation, the customer will be given a written warning that they have violated one or more of the mandatory water use restrictions.
- The Authority may petition the TCEQ to initiate formal enforcement action against customers that repeatedly fail to comply with the mandatory water use restrictions implemented during any stage of this water conservation and drought contingency plan.

3.10 Review and Update of Drought Contingency Plan

As required by TCEQ rules, the Authority will review and update this Plan in May 2019 and every five years thereafter. The Plan will be updated as appropriate based on new or updated information.

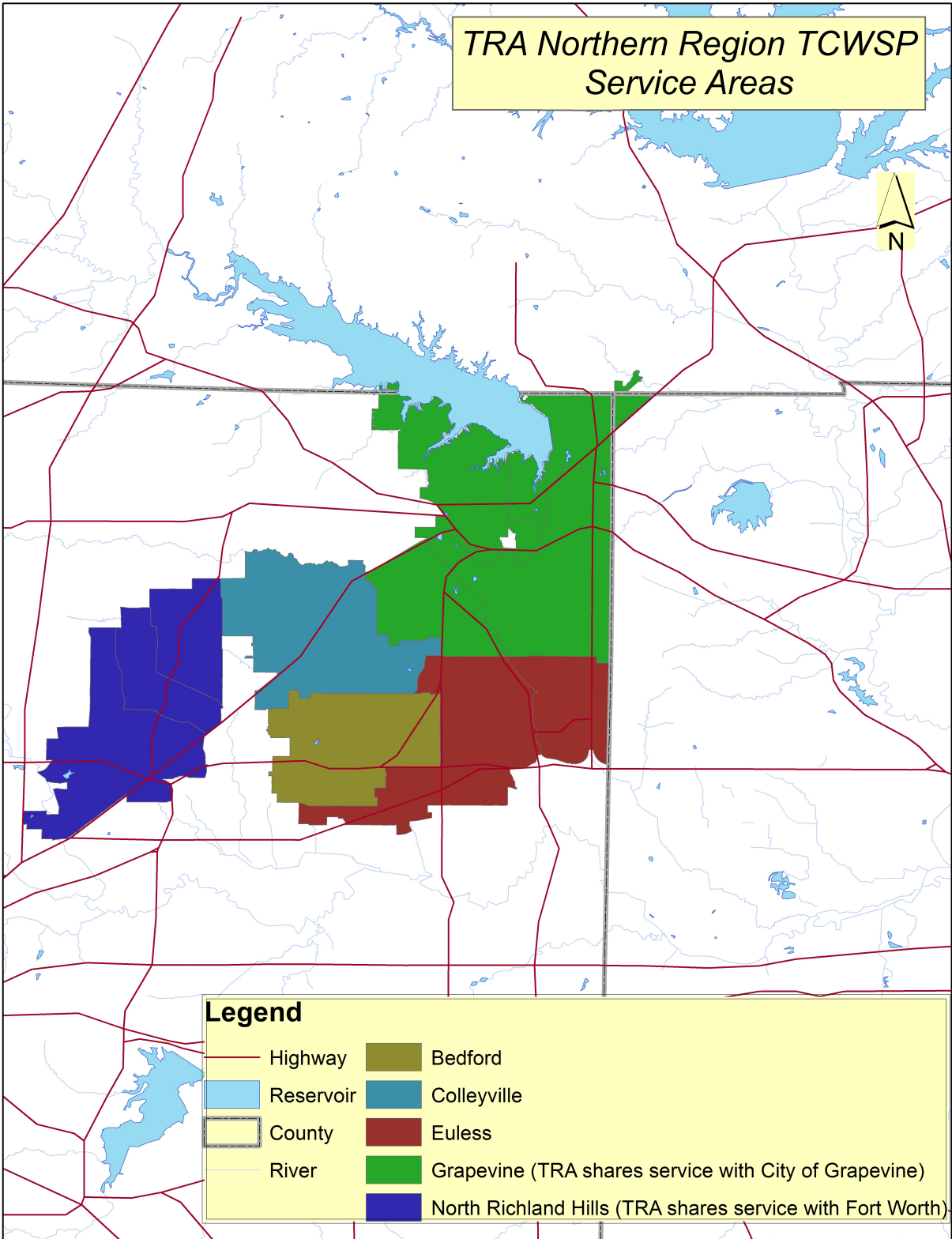
3.11 Severability

It is hereby declared to be the intention of the Authority that the sections, paragraphs, sentences, clauses, and phrases of the Plan are severable and, if any phrase, clause, sentence, paragraph, or section of the Plan shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of the Plan, since the same would not have been enacted by the Authority without the incorporation into the Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.

APPENDIX A

Profile and Water Conservation Plan Requirements for Wholesale Public Water Suppliers

Tarrant County Water Supply Project Service Areas



Projected Populations and Water Demands for 2020 and 2030
for TRA TCWSP Customer Cities

WUG	Projected Population for		Projected Municipal Water Demand for (in Acre-Feet)	
	2020	2030	2020	2030
Bedford	52,395	54,407	10,447	10,665
Colleyville	28,000	28,000	9,190	9,127
Eules	60,416	63,854	10,760	11,158
Grapevine	55,000	60,000	18,298	19,827
North Richland Hills	73,503	79,341	13,832	14,753

Source: 2011 Region C Water Plan Report

Description of Tarrant County Water Supply Project

The Trinity River Authority's Tarrant County Water Supply Project was originally established in 1974 and provides regional treated water service to five Contracting Cities. The project is an 87 MGD water treatment plant, located at the boundary between the City of Fort Worth and the City of Euless. Treatment consists of settling, flocculation, filtration with multi-media and ozonation. The plant works consist of nine miles of raw transmission pipelines from Lake Arlington to the treatment plant, raw water intake, pumping stations, booster pump, treated water pump stations, treated water transmission pipelines, three distribution booster pump stations, Murphy Pump Station and Storage, including fifteen metering control stations.

APPENDIX B

Water Conservation Implementation Report Public Water Supplier

Water Conservation and Drought Contingency Plan Update

**Pre Council Meeting
October 6, 2014**



Overview

- History
- Plan Comparison (City and Trinity River Authority)
- Water/Wastewater Master Plan Study
- Proposed Changes
- Discussion and Questions

History

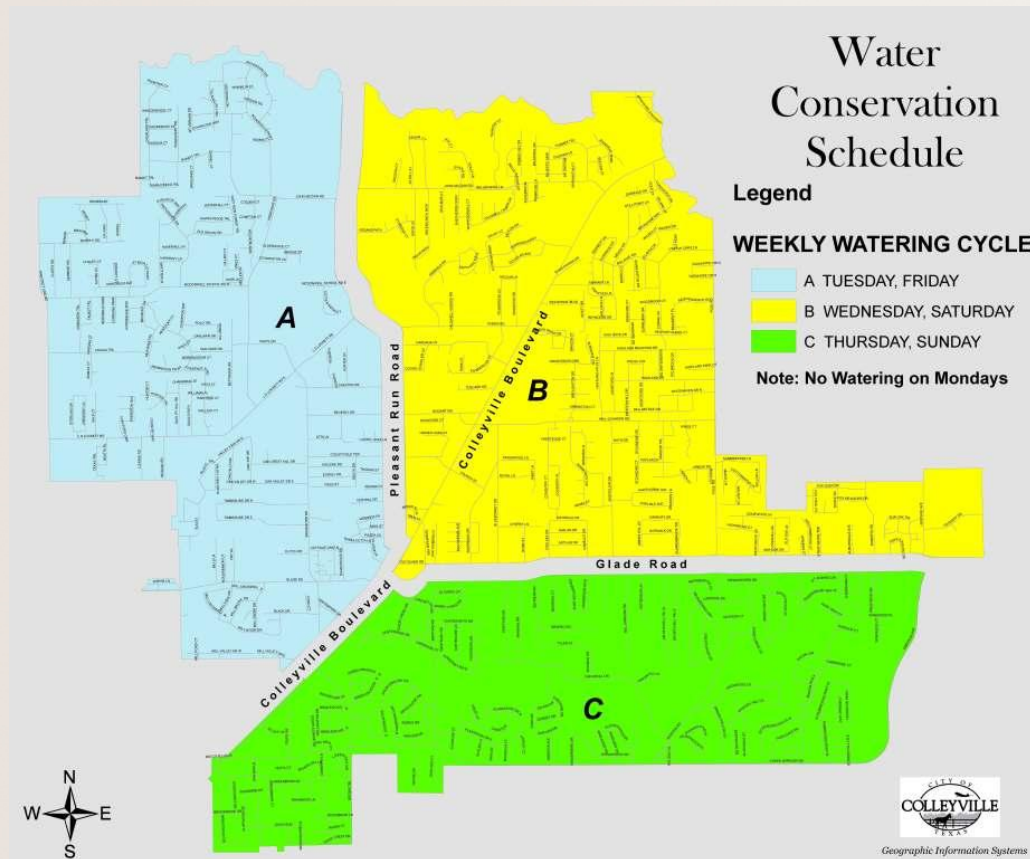
- May 1994 – Adopted Colleyville's first Water Conservation and Emergency Water Demand Management Plan
- September 2006 – Updated and adopted Colleyville Water Conservation and Drought Contingency Plan
- 2007 – Tarrant Regional Water District (TRWD) and Trinity River Authority (TRA) updated their water conservation plans
- June 2012 – Adopted revised Colleyville Water Conservation and Drought Contingency Plan
- April 2014 – TRA updated its Water Conservation and Drought Contingency Plan
- May 2014 – TRWD updated its Water Conservation and Drought Contingency Plan



Comparison of Plans (City vs. TRA)

- Different watering days (during drought stages)
 - TRA has a non-resident watering day
 - TRA's watering days are based on addresses (odd/even)
 - City's watering days are based on three geographic zones
- TRA plan sets goals for reduction in usage; Colleyville's does not
- TRA's plan provides for a variance for recreational facilities (such as splash pads); Colleyville's does not

Colleyville's Current Geographic Watering Zones



Splash Pad Water Usage

- Opened in McPherson Park – Summer 2010
- Operates on “push button” basis for 3 minutes
- Does not run 100% of time available (only when push button is activated)
- 130 gallons per minute = 7,800 gallons per hour
- Previously available 70 hours/week (10 hours/day)
- Splash pad season has historically been from Memorial Day to Labor Day

Water and Wastewater Master Plan Update

- Overall, water and sewer systems are in reasonably good condition, but many of the pipes are at or beyond their design life
- Scope of work included analysis and evaluation of Overland Trail ground storage tank and pump station
 - ❑ Watering zones (versus addresses) were put in place before the L.D. Lockett ground storage facility was put in service
 - ❑ Overland Trail facility is needed to meet future projected water demands with current geographic watering days
 - ❑ It is NOT needed if watering days are changed to odd and even addresses
 - ❑ Ground storage tank will have to be replaced if facility remains in use

Discussion and Questions

Overland Trail Tank and Pump Station Report



3010 Gaylord Parkway
Suite 190
Frisco, TX 75034
TEL 972.377.7480
FAX 972.377.8380
www.GarverUSA.com



TECHNICAL MEMORANDUM

To: City of Colleyville
Attn: Bob Lowry, P.E.
From: Jeff Sober, P.E.
RE: Overland Trail GST and PS

Date: September 5, 2014

Introduction. The purpose of this technical memorandum (TM) is to determine the feasibility of permanently decommissioning versus rehabilitating the Overland Trail ground storage tank (GST) and pump station (PS). The combination of those facilities is referred to simply as Overland Trail.

Overland Trail is located within the high pressure plane of the City of Colleyville's distribution system, and is presently offline due to the poor condition of the existing GST. Currently, the LD Lockett GST and PS (LD Lockett) supplies all water that is pumped into the high plane. LD Lockett also contains a low plane PS which relies on the same GST as the high plane PS. However, this memorandum focuses only on the high plane system, with the understanding that improvements to the high plane will benefit the low plane (by increasing flow capacity for the LD Lockett low plane facility).

High Plane Overview

The high plane covers the northwest portion of the City's water distribution system (see Figure 1).



Figure 1 – Pressure Plane Distribution

Approximately 15% of the system resides within the high plane, with the majority of the system (approximately 85%) being covered by the low plane. The high plane pumps at LD Lockett are the only entry route for water into the high plane. Storage is provided within the high plane by the McPherson elevated storage tank (EST), which has a capacity of approximately 1 million gallons (MG). Overland Trail is also located within the high plane, and is supplied by the high pressure plane interconnecting piping.

High Plane Supply and Storage

Active

Water is currently conveyed to the high plane by two sets of pumps at LD Lockett, as displayed in following table.

LD Lockett High Plane Pump Station					
Type	# of Pumps	Shutoff Head (ft)	Design Flow (gpm)	Design Head (ft)	Pumping Capacity (MGD)
Average Flow	2	211	750	204	2.16
Peak Flow	2	264	1,500	227	4.32

The design head for the peak flow pumps is greater than the shutoff head for the average flow pumps. Therefore, assuming the peak flow pumps are operating near their design point, the average flow pumps will not be able to operate concurrently with the peak flow pumps. The maximum flow rate of water from LD Lockett into the high plane is estimated at 3,000 gpm (4.320 MGD). The McPherson EST provides storage within the high plane, with a maximum volume of 1.000 MG.

Inactive

Overland Trail consists of a 1.2 MG GST and four pumps, as shown in the following table.

Overland Trail Pump Station					
Type	# of Pumps	Design Flow (gpm)	Design Head (ft)		Pumping Capacity (MGD)
Average Flow	2	500	150		1.44
Peak Flow	2	750	150		2.16

However, the pumps at Overland Trail are limited by the size of the GST, and are capable of supplying the total GST amount of 1.2 MG.

Total

The current maximum total amount of water that can be utilized with the high plane is the sum of the volume of water that can be pumped into the zone through LD Lockett and the storage within the McPherson EST. Additional capacity is available if Overland Trail is brought back into service.

The maximum day supply for the existing infrastructure is shown in the following table.

Facility	Maximum Daily Supply Volume (MG)
LD Lockett	4.320
McPherson EST	1.000
Total (Active Facilities)	5.320
Overland Trail (Inactive)	1.200

Demand Analysis

The planning horizon for the current study is 20 years, so this analysis included evaluations with present (2014) and future (2034) demand levels.

Overall System Demands. The current and projected water demands are summarized in the following table.

Demand Condition	Current Usage		2034 Future Usage	
	(gpcd)	(MGD)	(gpcd)	(MGD)
Base	122	2.879	122	3.345
Average	303	7.031	342	9.378
Maximum	823	19.423	823	22.567

High Plane Demands. The City's system is currently divided into three watering zones, and watering is allowed on the following schedule:

- Zone A: Tuesday and Friday
- Zone B: Wednesday and Saturday
- Zone C: Thursday and Sunday
- No watering: Monday

Daily data provided by the City was analyzed to develop a relationship between high and low plane demands and the relationship of watering zones. The average total system usage on no watering days for the period of July 1 through August 14, 2014 was 7.091 MGD. This value was assumed to be the base summer usage.

The maximum day usage of 19.423 MGD is expected to occur on a Zone B watering day, as Zone B contains the largest number of meters and historically produces the maximum demand since watering zones were implemented. Assuming the base usage remains constant at 7.091 MGD, the excess usage on the maximum day would be 12.332 MGD. The maximum excess usage for Zone B (12.332 MGD) is 1.71 times the peak Zone B excess usage during the period of record. This ratio of 1.71 is used for all zones in developing the anticipated maximum day usage by watering zone, as shown in the following table.

Watering Zone	Base Usage (MGD)	Excess Usage for Period of Record (MGD)	Excess Usage Peak Ratio (MGD)	Maximum Day Excess Usage (MGD)	Total Maximum Day Usage (MGD)
A	7.091	5.196	1.713	8.903	15.993
B	7.091	7.197	1.713	12.332	19.423
C	7.091	6.213	1.713	10.646	17.736

The water meter billing records from 2013 were then analyzed and applied to each zone and pressure plane, as follows:

Watering Zone	Pressure Plane	Number of Meters	Percentage of Meters with Zone	Percentage of Meters within System
A	High	1,541	49.1%	14.2%
A	Low	1,595	50.9%	14.7%
B	Low	4,503	100.0%	41.6%
C	Low	3,195	100.0%	29.5%

Zone A Maximum Day Demands. The usage within each pressure plane is the combination of the base and excess demands for the plane. Based on the previous meter data, the total of Zone A Maximum 15.993 MGD is divided as follows:

- High Plane: 5.384 MGD
- Low Plane: 10.610 MGD

For future (2034) projected maximum day usage, it is assumed that the average per capita demand will remain the same and that the ratio of high plane to low plane usage will remain constant for Zone A watering days. This assumption was made following investigation of the number of undeveloped parcels within different planes and watering zones. The projected maximum day usage for Zone A watering days is presented in the following table.

Area	2014 Usage (MGD)	2034 Usage (MGD)
Total System	15.993	18.582
High Plane	5.384	6.255
Low Plane	10.610	12.327

Comparison of Usage and Supply on a Daily Basis

The existing infrastructure is insufficient to supply peak demands if the maximum usage exceeds the maximum supply. Comparison of the maximum day usage values (current and projected) with the existing maximum supply reveals a deficiency for both demand scenarios.

	2014	2034
Maximum Supply Capacity (MGD)	5.320	5.320
Maximum Usage (MGD)	5.384	6.255
Supply Surplus/ Deficit (MGD)	-0.064	-0.935

Comparison of Usage and Supply on an Hourly Basis

A scenario was developed with the hydraulic model to assess the high plane under existing maximum day demand conditions. Specifically, the scenario was set-up with demands representative of a maximum day event during a Zone A watering day. Diurnal curves were also generated and implemented based on historical usage rates.

The model was set-up with the following conditions, which attempt to maximize the ability of the infrastructure to provide adequate supply to the high plane:

- McPherson EST Initial Level: 840.00' (at overflow level)
- LD Lockett PS High Plane Peak Flow Pumps: ON at McPherson EST level of 838.00', OFF at McPherson EST level of 839.95'
- LD Lockett GST Initial Level: 693.00'
- NW TRA Meter Station Open/Close Status: OPEN at LD Lockett GST level of 688.00', CLOSED at LD Lockett GST level of 693.00'
- NW TRA Meter Station Maximum Flow: 4,200 gpm

It is assumed that the high plane average flow pumps at LD Lockett cannot operate concurrent to the high plane peak flow pumps. Therefore, the high plane average flow pumps were not set to turn on during this model simulation.

Two scenarios were completed as follows:

- 2014 Max Day with no Overland Trail
- 2014 Max Day with Overland Trail

Figures 2 and 3 document the simulation results.

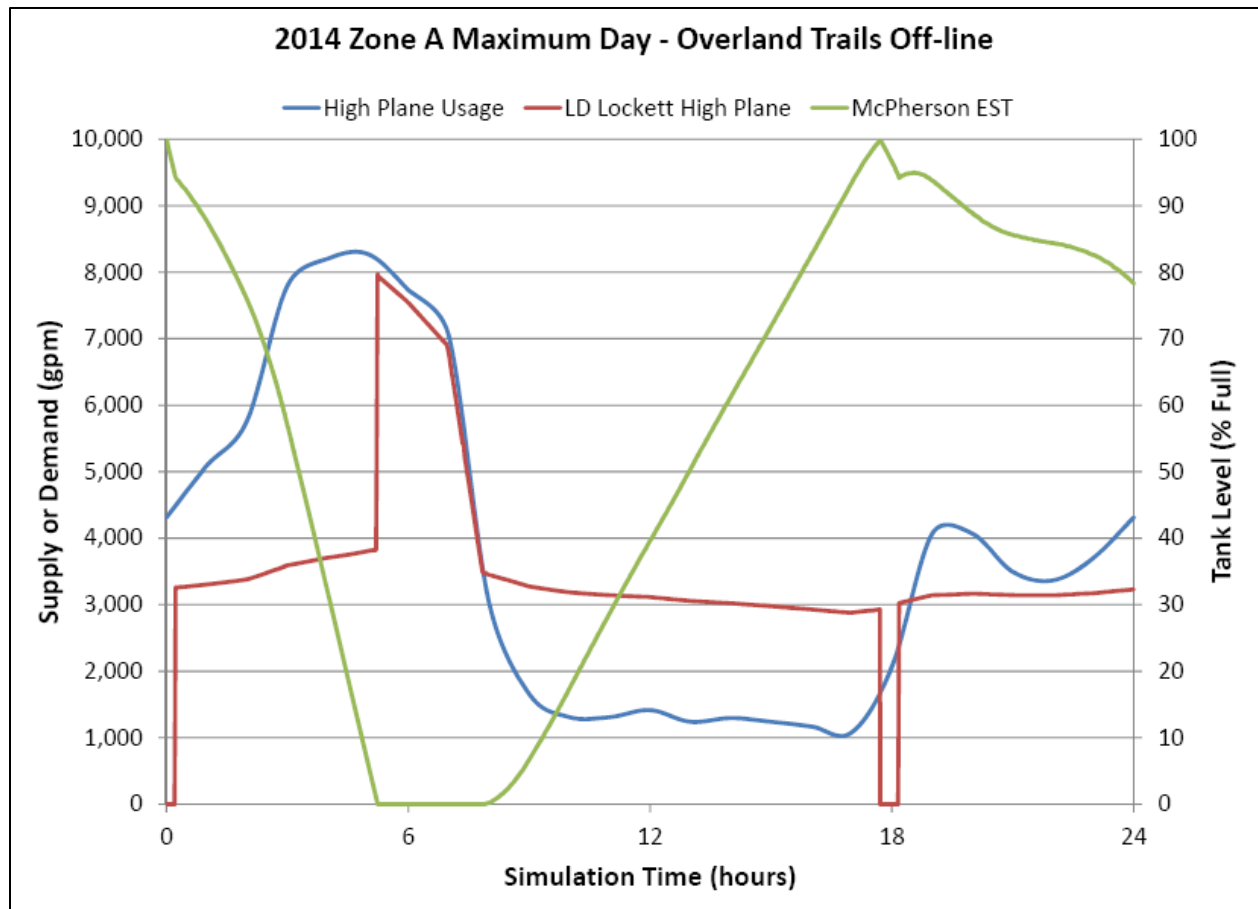


Figure 2 – Simulation with OT off-line

Consistent with the previous Daily Basis calculations, the system is unable to keep up with a peak day demand without Overland Trail online. McPherson EST is drained for a significant portion of time, and at approximately the 5 hour mark, the system hits 0 pressure, which unrealistically increases LD Lockett's pumping capacity. This is not a feasible scenario.

The following Figure 3, however, demonstrates that placing Overland Trail back online helps the system to recover from the hourly peak demand, without draining McPherson EST for an extended period of time.

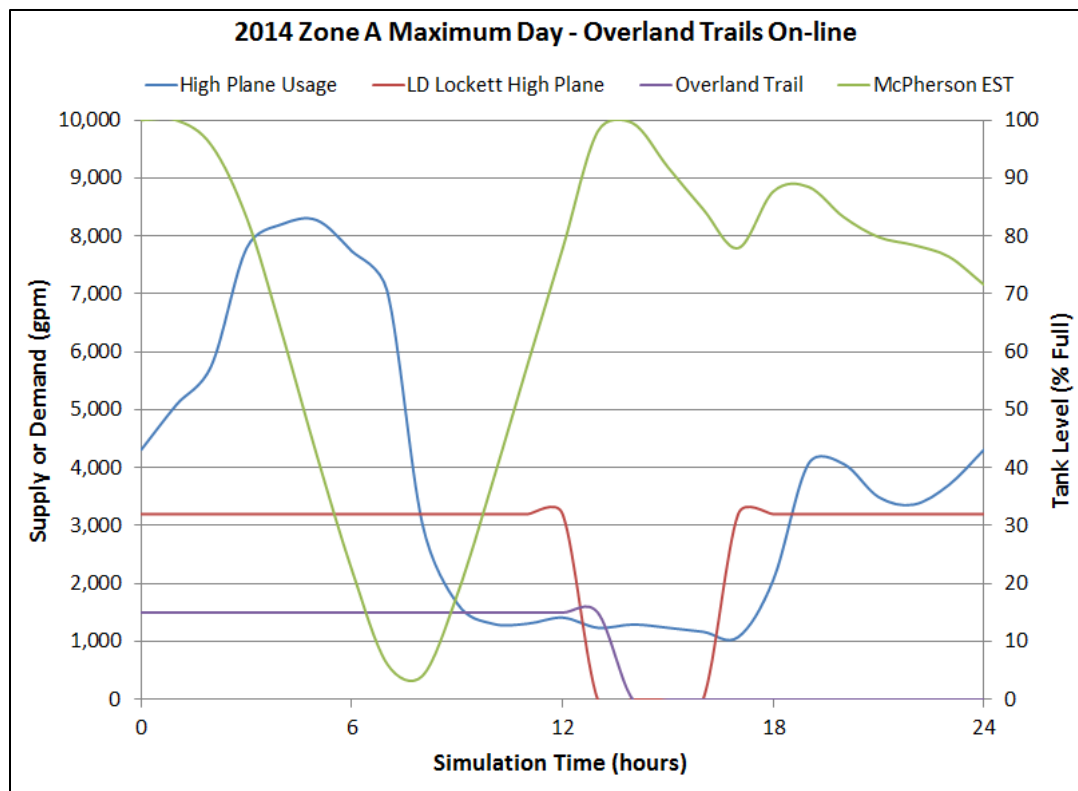


Figure 3 – Simulation with OT on-line

It was then assumed that a future scenario without Overland Trail would not be feasible, and modeling was conducted to determine the required sizing for the Overland Trail GST, assuming all Overland Trail pumps were utilized in a peak day scenario. As displayed in Figure 4, a GST volume of 2 MG provides adequate storage within the system to avoid extended draining of the McPherson EST. However, the tank is drained for a period of approximately one hour, and the system is completely dependent upon LD Lockett and Overland Trail for that time period, until the system demand decrease allows the tanks to catch back up. This scenario can be avoided by implementation of future pumping upgrades at either Overland Trail or LD Lockett.

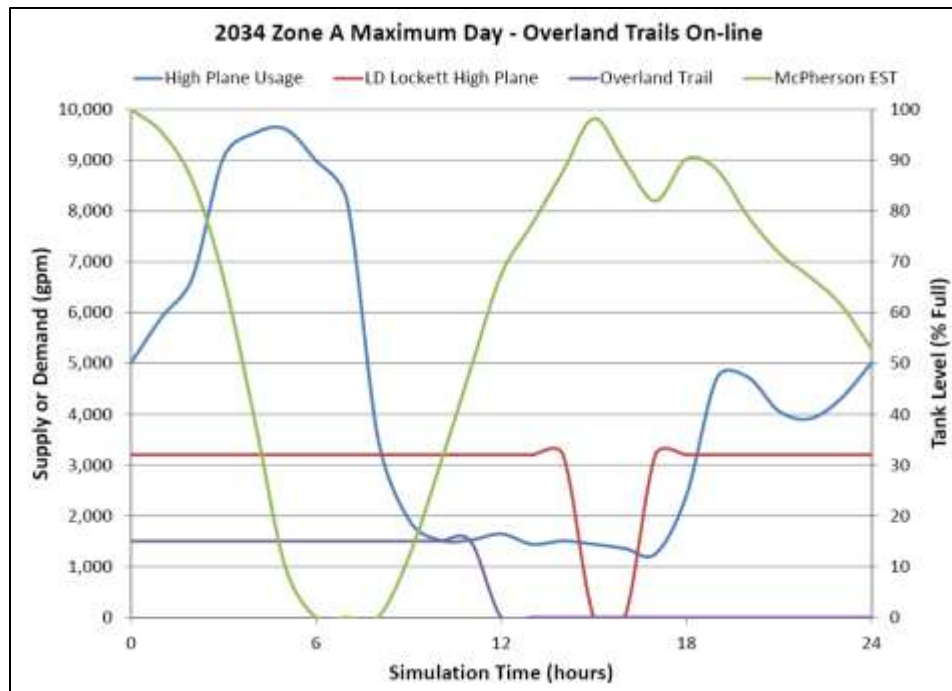


Figure 4 - Future Simulation with OT Online

Alternative to Improvements under Zone Watering Restrictions

The high pressure plane meters account for 14.2% of the total system demand. Assuming that the City elects to remove zone watering restrictions and water on an alternative City-wide usage schedule (such as odd/even address usage), the peak demand in each zone could decrease significantly. Potential high pressure plane usage numbers are shown in the following table

Max Day High Pressure Plane Usage (MG)		
	2014	2034
Current zone restrictions	5.384	6.255
Existing system capacity	5.32	5.32
Zoneless city-wide restrictions	2.76	3.20

Summary and Conclusions. The existing (2014) and projected (2034) maximum day usage in the high plane are estimated at 5.384 and 6.255 MG, respectively. Utilizing historical data, population and flow projections, and current zone watering restrictions, the existing infrastructure (i.e., LD Lockett and McPherson EST) is not capable of meeting this current and future demand.

Rehabilitation of Overland Trail with a new 2.0 MG GST and utilizing the existing pumping infrastructure would result in an addition of supply to the high plane adequate to cover present needs, and allow for the City to implement future pumping improvements to fully address the future peak day.

However, an alternative to these improvements would be the implementation of a new watering policy that provides equal restrictions across the City, and removes zones entirely. This scenario would not require additional maximum day storage and pumping capacity infrastructure within the high plane, and would avoid identified capital improvements for the City of Colleyville, while providing the same overall peak demand capacity. This is the preferred approach by the City, and will be incorporated in existing and future models.

ORDINANCE O-15-1946

AMENDING THE CITY OF COLLEYVILLE CODE OF ORDINANCES, CHAPTER 98, ARTICLE II, DIVISION 2, REGARDING WATER CONSERVATION, AMENDING ORDINANCE O-12-1834, PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF \$2,000.00 FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, there continues to exist a need to conserve water due to potential drought conditions in North Texas, and such conditions threaten the availability of potable water on a long term basis; and

WHEREAS, in order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, to protect and preserve public health, welfare, and safety, and minimize the adverse impacts of water supply shortage or other water supply emergency conditions; and

WHEREAS, in the absence of an ordinance, the City of Colleyville may not be able to adequately protect its potable water supply in order to ensure its availability for both regular and emergency consumption; and

WHEREAS, the City Council previously adopted Ordinance O-12-1834 and amended Chapter 98 of the Municipal Code regarding water conservation and drought contingency planning; and

WHEREAS, all legal prerequisites for the passage of this ordinance have been met, including but not limited to the requirements of the Texas Open Meetings Act and the City Charter; and

WHEREAS, City Council has found the passage of this ordinance serves 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 of the above premises are found to be true and correct and are hereby incorporated into the body of this ordinance by reference as if copied in their entirety herein.

Sec. 2. THAT Chapter 98, Article II, Division 2, of the Code of Ordinances, is hereby amended as follows:

Sec. 98-41. - Water Conservation and Drought Contingency Plan adopted; report by City on implementation and effectiveness of plan.

(a) *Adoption and approval of plan.* The City Council approves and adopts the City of Colleyville Water Conservation and Drought Contingency Plan, 2015, attached as Exhibit "A", to Ordinance O-15-1946, to be included in full as part of this division as if recited verbatim herein. The City commits to implement the program according to the procedures set forth in the plan.

(b) *Annual report to Water Development Board.* The City shall report to the Texas Water Development Board annually on water usage.

Sec. 3. THAT implementation and enforcement of the watering schedule, as provided in the City of Colleyville Water Conservation and Drought Contingency Plan, 2015, will begin April 1, 2015, as to allow the City to inform and educate citizens.

Sec. 4. THAT any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than two thousand dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

Sec. 5. 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 6th day of January 2015.

The second reading and public hearing being conducted on the 20th day of January 2015.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas,
on this the _____ day of _____ 2015.

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"



WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN 2015

100 Main Street
Colleyville, Texas 76034
(817) 503-1360
Colleyville.com

PWS# 2200043



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DECLARATION OF POLICY, PURPOSE, AND INTENT

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, to protect and preserve public health, welfare, and safety, and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Colleyville hereby adopts the following practices, regulations, and restrictions on the delivery, use, and consumption of water by City Ordinance.

Water uses regulated or prohibited under this Water Conservation and Drought Contingency Plan are considered to be wasteful, non-essential, or discretionary. Uses of water considered wasteful or violations of restricted uses during times of water shortage or other emergency water supply conditions subjects the offender(s) to penalties as defined in the Implementation and Enforcement section of this Plan.

AUTHORIZATION

The City Manager or his/her designee is hereby authorized and directed to implement this Water Conservation Plan and the applicable provisions of this Drought Contingency Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The City Manager or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

APPLICATION

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the City of Colleyville. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

OVERVIEW

HISTORY

Colleyville began as a rural community, situated primarily between Big Bear and Little Bear Creek in the central portion of northeastern Tarrant County. The first significant settlement of the area began in the 1850s. Samuel C.H. Witten came to Texas from Missouri in 1854 and established a farm along Little Bear Creek. He became one of the founders of the Spring Garden community, which flourished in the 1860s around a well-known school, finally declining in the 1870s as Bedford rose to prominence. Other settlers from the upper South included Jonathan A. Riley, who came from Kentucky in 1856 and settled near the Spring Garden community; the Kentucky-born adventurer and Civil War veteran Ryan Harrington, who bought land in 1865 near the community of Pleasant Glade; and William B. Cheek, who migrated to northeast Tarrant County from Kentucky in 1869, eventually settling near Ryan Harrington's property.

Other farmers continued to arrive throughout the 19th century. William Dunn settled property between Big Bear Creek and Bransford in 1875; the James R. Forbes family, of Bedford County, Tennessee, established a farm in 1887; and French native Anthelm Bidault began cultivating his renowned orchards and vineyards near the Pleasant Run community in 1897. The communities of Pleasant Glade and Pleasant Run were hamlets situated in clearings of the Eastern Cross Timbers. Churches, schools, and stores served the rural population. Pleasant Run Baptist Church, organized in 1877, was the first church within what is now Colleyville.

The St. Louis, Arkansas, & Texas Railway (later known as the St. Louis & Southwestern or the Cotton Belt Route) extended its tracks between Fort Worth and Grapevine in the late 1800s, passing through the hamlet of Red Rock in the Colleyville area in 1888. The nearby community of Bransford, clustered around the general store and post office of Felix G. Bransford, disappeared that same year when the store and post office were moved to Red Rock, which was renamed Bransford. The new Bransford prospered over the next several decades, becoming the largest community in the Colleyville area. In addition to the post office, the town had two blacksmith shops, a livery stable, four general stores, and a lodge hall shared by the Masons, Odd Fellows and Woodmen of the World. Four doctors resided there.

Lilburn Howard Colley was one of these doctors. A native of Missouri and a veteran of the Union Army, Dr. Colley and his wife moved to Texas in 1880, eventually settling in Bransford soon after the town was founded. In his 40 years of active practice, he became one of the best-known physicians in northeast Tarrant County and was widely respected as a leader in the Bransford area. Colley's name became associated with a community that formed around a store opened by W.G. Couch on Glade Road south of Bransford in 1914. The surrounding area gradually acquired the name "Colleyville." The hamlets of Pleasant Run and Pleasant Glade had populations of 75 and 80, respectively, in 1940, and today have all but disappeared. Bransford declined after World War I as the automobile took precedence over railroads for passenger travel. The last store, owned by John R. Webb, closed in 1925. The town became known primarily for a large nursery established by Andy Felps around 1920. Bransford had a population of 155 in 1940, but today has vanished except for a cluster of houses around the train tracks.

Colleyville was incorporated on January 10, 1956, and its City limits are now contiguous with those of Grapevine and Euless on the east, Bedford and Hurst on the south, Keller and North Richland Hills on the west and Southlake on the north. Although once a predominantly rural community, Colleyville has experienced significant residential development during the past decade. From a population of about 1,500 in 1960, it grew to 6,700 in 1980 and had an estimated population of 11,300 by 1989. Colleyville Boulevard (Highway 26) passes through its center, and many of its residents commute to Fort Worth.

"Tarrant County Historic Resources Survey"
Historic Preservation Council of Tarrant County, Texas
© 1990

GEOGRAPHY

Colleyville is located in the Trinity River Basin within 13.1 square miles of northeast Tarrant County. The City is roughly 12 miles from Dallas/Fort Worth International Airport. The City is within the geographical boundaries of the Northern Trinity Groundwater Conservation District, Region C Regional Water Planning Group, and TCEQ Region 4.

CLIMATE

An average annual rainfall for Colleyville is 32.9 inches with the months of April and October typically having the most rainfall (3.4 inches). The City averages 77 days with rainfall each year. Monthly temperature averages range from 43.4°F in January to 84.2°F in August. On average, there are 99 days per year where the temperature exceeds 90°F and 47 days where the temperature falls below 32°F.

WATER RESOURCES

The City of Colleyville obtains 100% of its water through a water supply contract with Trinity River Authority (TRA). Raw water is impounded in Cedar Creek and Richland-Chambers Lakes and transported to Tarrant County through the Tarrant Regional Water District (TRWD) pipeline network where water is impounded in Lake Arlington. TRA treats water pumped from Lake Arlington and supplies the treated water to the City through four master meters.

In addition to the raw water purchased from the Trinity River Authority, there are more than 300 private water wells in the city that are used for irrigation.

INTRODUCTION

OBJECTIVE

The objective of Colleyville's Water Conservation and Drought Contingency Plan is to increase efficiency of water use and reduce water demands without adversely affecting the population and economic growth of the City. The fundamental strategy for this Plan is to promote and publicize water conservation activities and drought management strategies in order to meet our water conservation goals and respond appropriately to water supply concerns or emergencies.

The City of Colleyville recognizes that the amount of water available to the City and its water utility customers may be limited and subject to depletion during periods of extended drought. Representing the best interests of the citizens of Colleyville, Texas, the City deems it expedient and necessary to establish and maintain certain rules and policies for the ongoing conservation of water and the orderly and efficient management of limited water supplies during drought and other water supply emergencies.

STATUTORY AND RULE REQUIREMENTS

Texas Water Code §13.146. WATER CONSERVATION PLAN. The commission shall require a retail public utility that provides potable water service to 3,300 or more connections to submit to the executive administrator of the board a water conservation plan based on specific targets and goals developed by the retail public utility and using appropriate best management practices, as defined by Section 11.002, or other water conservation strategies.

Title 30 Texas Administrative Code, Chapter 288.30(10)(A) Water conservation plans for retail public water suppliers. For retail public water suppliers providing water service to 3,300 or more connections, a water conservation plan meeting the minimum requirements of Subchapter A of this chapter and using appropriate best management practices must be developed, implemented, and submitted to the executive administrator of the Texas Water Development Board not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group.

Texas Water Code §11.1272. ADDITIONAL REQUIREMENT: DROUGHT CONTINGENCY PLANS FOR CERTAIN APPLICANTS AND WATER RIGHT HOLDERS. (a) The commission shall by rule require wholesale and retail public water suppliers and irrigation districts to develop drought contingency plans consistent with the appropriate approved regional water plan to be implemented during periods of water shortages and drought.

Title 30 Texas Administrative Code, Chapter 288.30(5)(A). For retail public water suppliers providing water service to 3,300 or more connections, the drought contingency plan must be submitted to the executive director not later than May 1, 2005. Thereafter, the retail public water suppliers providing water service to 3,300 or more connections shall submit the next revision of the plan not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group.

REPORTING REQUIREMENTS

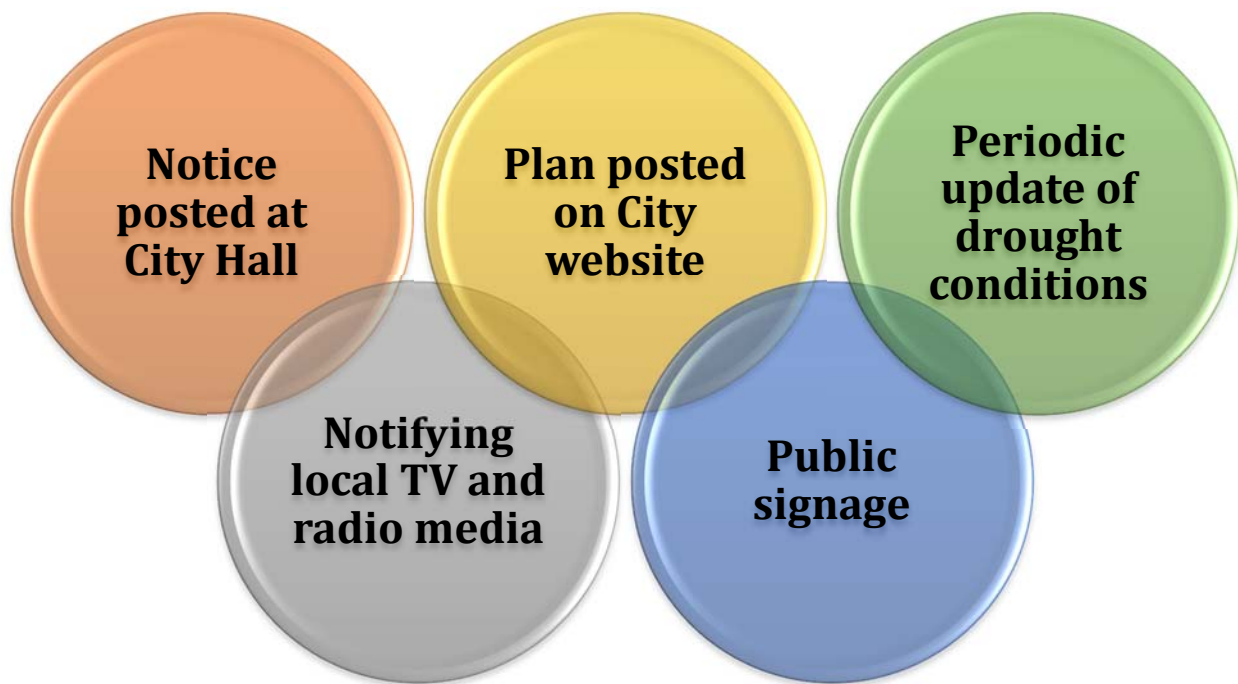
The Texas Water Development Board (TWDB) requires that the City submit a Water Conservation Plan every five years to coincide with the Regional Water Planning Cycle. The TWDB also requires that the City submit the following information annually:

1. Water Loss Audit, May 1
2. Annual Report, May 1
3. Water Use Survey, March 1

The Texas Commission on Environmental Quality (TCEQ) requires that the City submit a Drought Contingency Plan every five years to coincide with the Regional Water Planning Cycle.

PUBLIC EDUCATION AND INFORMATION

The City will periodically provide the public with information about this Plan, including information, and/or notification, about ongoing water conservation efforts, the conditions under which each drought stage would be initiated or terminated, and the drought response measures to be implemented in each stage. This information will be provided by means of posted notices, notifying local radio/television stations, public signage, and other public activities.



WATER WASTE AND NON-ESSENTIAL USES

WATER WASTE

The following shall be unlawful at any time of the year for any person, firm, corporation, business, or other entity:

- Failing to repair a controllable leak, including a broken sprinkler head, a leaking valve, leaking or broken pipes, or a leaking faucet.
- Operating a permanently installed irrigation system with a broken head, a head that is out of adjustment, or a head that is misting due to high water pressure.
- Operating an automated in-ground irrigation system or hose-end sprinkler on any day of the week between 10:00 a.m. and 6:00 p.m.
- Irrigation or landscape watering during any form of precipitation.
- Allowing water to run off a property and form a stream of water in a street for a distance of fifty (50) feet or greater.
- Allowing water to pond in a street or parking lot to a depth of greater than one quarter ($\frac{1}{4}$) of an inch.

NON-ESSENTIAL/DISCRETIONARY USES OF WATER

The following uses of water are considered non-essential, or discretionary uses of water and may become unlawful during the implementation of the drought response stages:

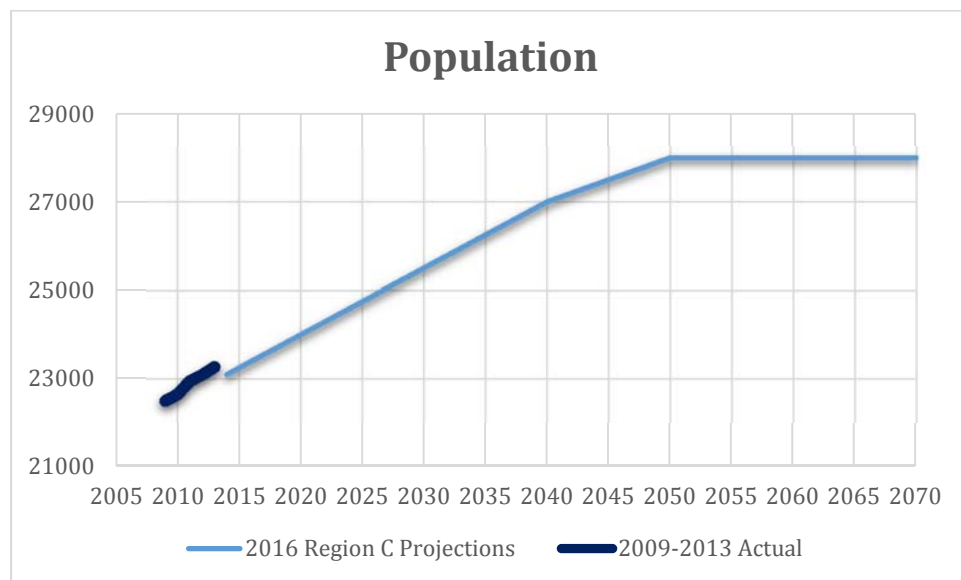
- Irrigation of landscape areas, including parks, athletic fields, and golf courses.
- Use of water to wash any motor vehicle, boat, trailer, airplane, or other vehicle.
- Use of water to wash down any sidewalks, walkways, driveways, parking lots, athletic courts, or other hard surfaced areas.
- Use of water to wash down buildings or other structures for purposes other than immediate fire protection.
- Flushing gutters or permitting water to run or accumulate in any gutter or street.
- Use of water to fill, refill, or add to any swimming pools or Jacuzzi type pools.
- Use of water in an outside fountain or pond for aesthetic or scenic purposes, except where necessary to support aquatic life.
- Any outdoor recreational use of water.

UTILITY PROFILE

Data is managed by utility staff on a daily basis and organized to be able to track water production and deliveries to the highest practicable levels.

POPULATION

The population of the City has increased steadily throughout its history. The approved 2016 TWDB and Region C population projections, shown below, predict that the City will grow to have 28,000 residents by 2050 and maintain this population through 2070.



WATER SYSTEM

The Water Utility System consists of over 200 miles of distribution lines and over 9,000 connections. The City maintains four ground/elevated storage tanks, which when full, contain 8,500,000 gallons of water. Wastewater is conveyed to TRA treatment facilities.

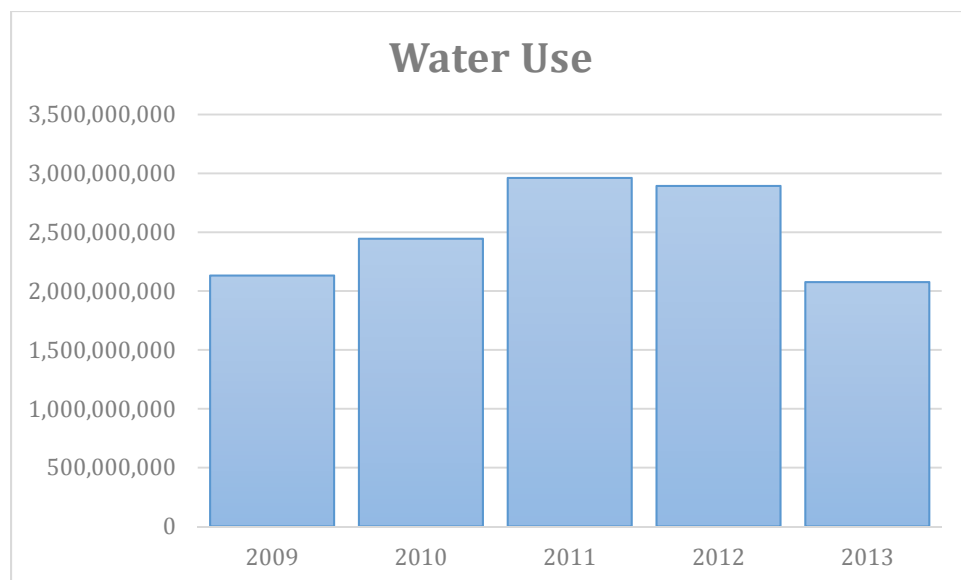
WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

WATER SUPPLY

The City of Colleyville obtains 100% of its water from a water supply contract with the Trinity River Authority (TRA) with the exception of water from more than 300 privately owned wells that are used for irrigation.

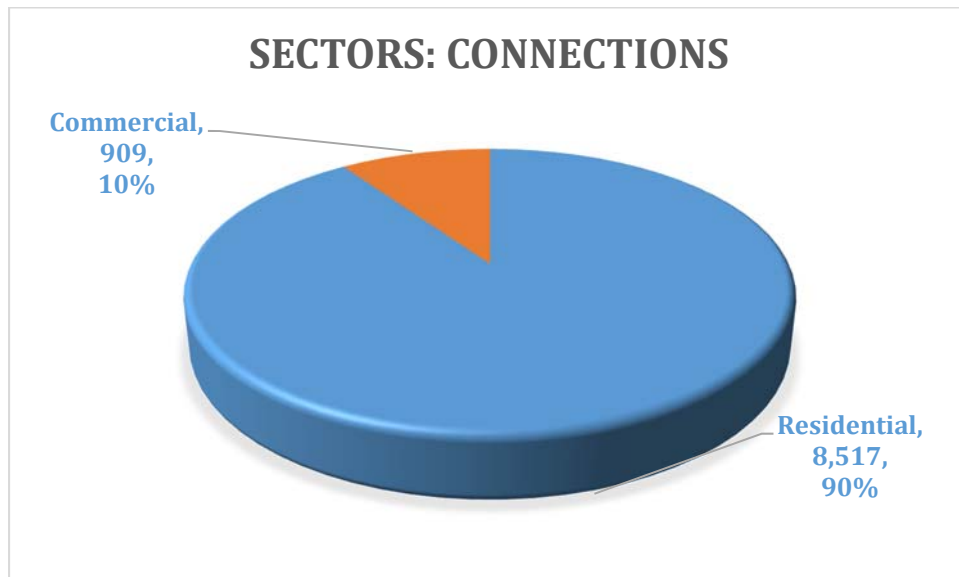
WATER DEMANDS

Over the previous 5 years, the City has averaged 2,501,202,500 gallons (7,676 acre-feet) of water use annually.

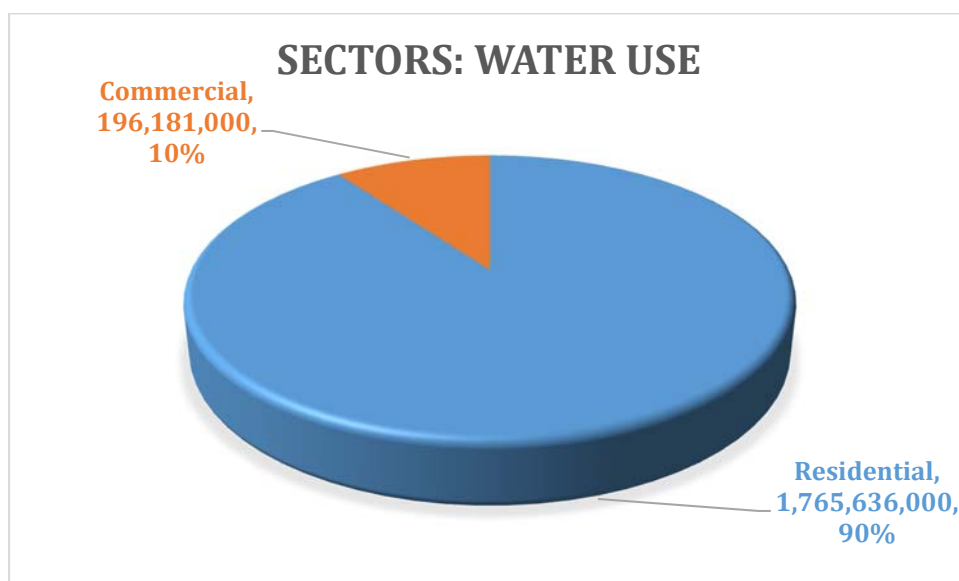


WATER USE SECTORS

The distribution of retail connections within Colleyville is shown below. Ninety percent (90%) of connections are for single family residential use and ten percent (10%) are for Commercial. The City has no multi-family or industrial connections.



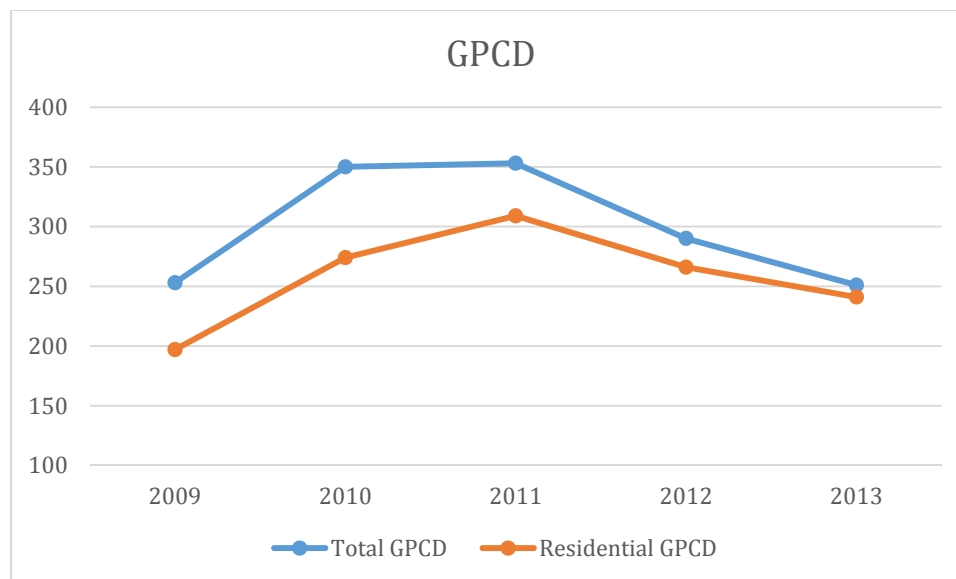
Water use for each sector is shown below.



PER CAPITA WATER USE

Per capita water use is generally expressed in gallons per customer per day (GPCD) and is the average amount of water used by each person in the population served by a water utility. Variables that can influence GPCD include the relative amount of non-residential water uses, the rate and type of growth, economics, demographics, and especially the weather. Residential GPCD is a better metric for understanding how much water each resident is actually using and does not include commercial and industrial uses.

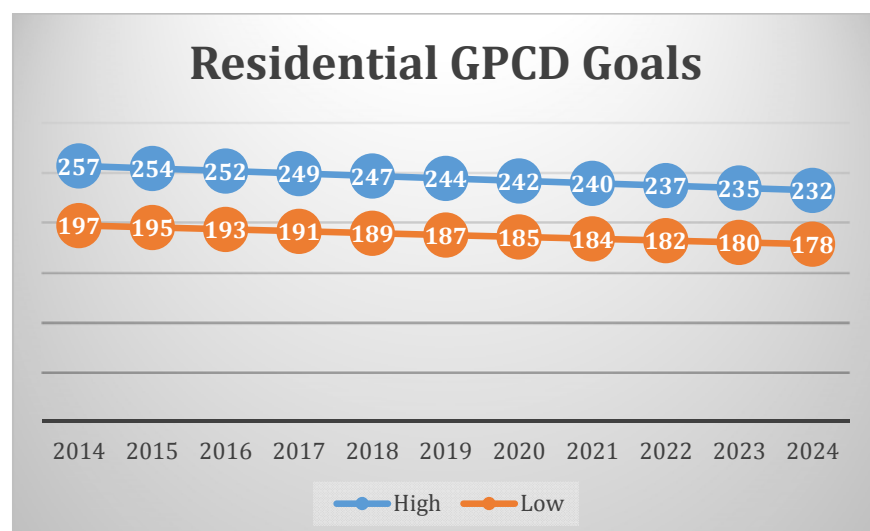
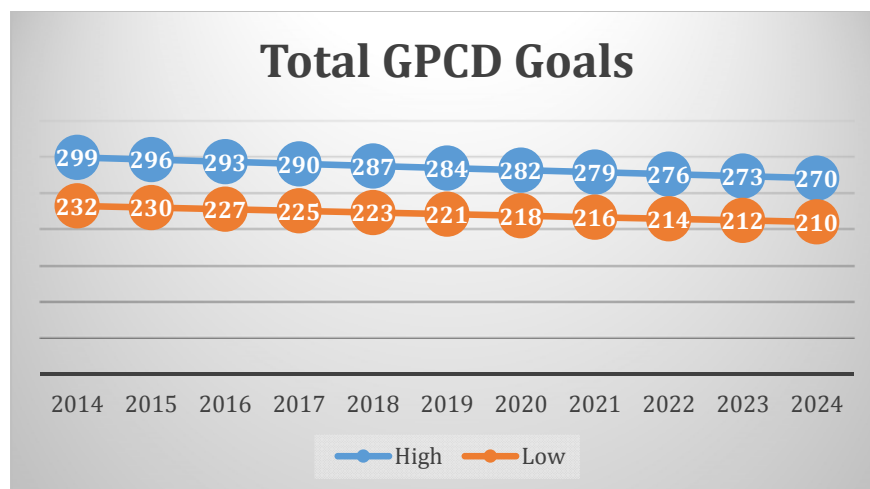
For the previous five years, Total and Residential GPCD for the City are shown below.



The total GPCD for 2013 is 251 gallons per day, and the residential GPCD for 2013 is 241 gallons per day. Both of these consumption rates are below the established maximum consumption goals for 2014 as shown on the charts on the next page.

PER CAPITA WATER USE GOALS

The City of Colleyville's per capita water conservation goals for the next 10 years are based upon the Texas Water Conservation Implementation Task Force's recommendation of a reduction in per capita water use by 1% per year. The City's GPCD has fluctuated significantly in recent years, likely due to the high variability of rainfall and the implementation of Stage 1 water restrictions in 2013. The range of per capita usage goals is based upon the average usage for the previous five years.



SCHEDULE AND TRACKING

The Public Works Director will act as the Administrator of the water conservation program. The Administrator will oversee the execution and implementation of all elements of the program. The Administrator is responsible for maintaining adequate records for program verification.

The Administrator will monitor the progress of the Water Conservation Plan, using information from water utility records and staff. Additionally, the Administrator will be responsible for submission of an annual report to the TWDB on the progress, and any changes to, the Water Conservation Plan.

UNIVERSAL METERING AND RECORDS MANAGEMENT

The City employs metering devices on all source water connections capable of measuring the amount of water to within plus or minus 5%. The City requires all retail connections to be metered. All water metered and billed is recorded using the City's billing software.

METER TESTING, REPAIR, AND REPLACEMENT

The City's meter testing, repair, and replacement program:

- Master meters are tested and calibrated periodically to within an accuracy of plus or minus 5%.
- All retail meters are currently replaced on a twelve-year cycle, unless failure necessitates replacement.
- Meters that have abnormally high or low water usage are changed out as they are identified based on customer inquiries.

LEAK DETECTION, REPAIR, AND WATER LOSS CONTROL

The City of Colleyville operates and maintains the water transmission system within the city. In order to maintain water delivery service and to reduce and control unaccounted-for water, Colleyville staff routinely visually inspect the distribution system to identify abnormal conditions indicating leaks. The staff is equipped to respond and repair equipment and pipeline breaks or employ contract assistance as required. As a result of these measures, water loss (the difference between water purchased and water sold) has averaged 3% over the previous five years. The City's goals for water loss for the next five (5) and ten (10) years is to maintain less than 5% water loss.

WATER RATE STRUCTURE

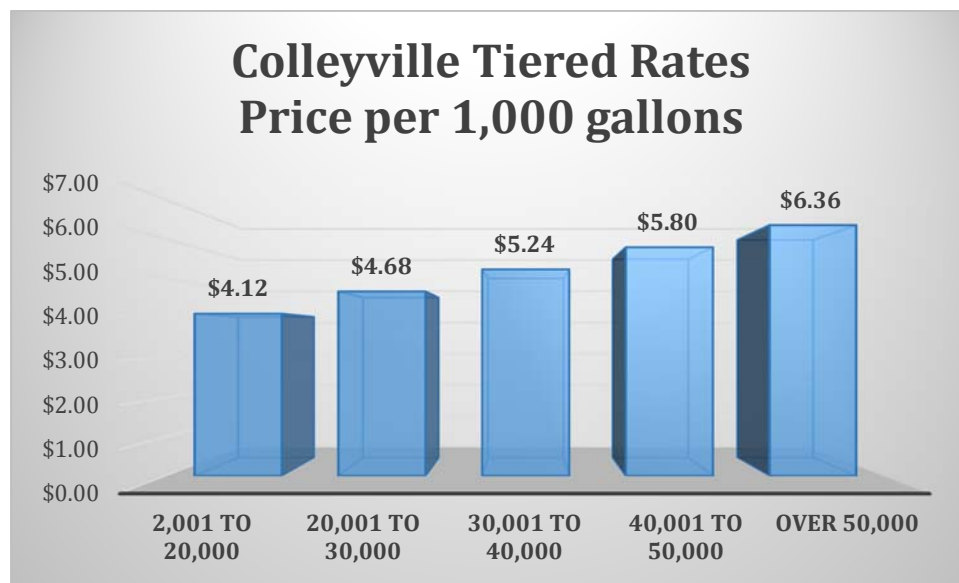
Colleyville has a non-promotional, tiered rate structure for water service that is cost based and discourages the excessive use of water. Tiered rates are designed to reward customers who use less water by charging the lower rates for water used in the lower tiers. The more water a customer uses, the higher the tier(s), resulting in higher charges for water use. The City of Colleyville is a water customer of the Trinity River Authority (TRA), which provides the City with treated water, as well as wastewater treatment. As the City purchases water for its customers, rates charged to the City rise proportionally for the cost of TRA's chemicals, debt service to fund federal environmental mandates, and investment in infrastructure. As with other cities who purchase water from TRA, these costs are passed through to the customer. Water rates are reviewed annually and revised as needed.

In addition to helping in the effort to conserve water, tiered rates provide the consumer with an opportunity to control household costs. Consumers who use less water will pay a lower-tier rate. While generating revenue is not an objective of the tiered rate structure, any additional revenue from the tiered rate structure will be dedicated to replacement and enhancement of the City's water infrastructure.

In addition to the minimum bill of \$13.28 for the first 2,000 gallons of water used by a customer, the current charge for every 1,000 gallons of water is \$4.12 up to 20,000 gallons. (Sewer charges are billed at a flat monthly rate, as determined by volume usage for

WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

individual customers during the winter months.) For the tiered rates, the cost breakdown by usage is as follows:



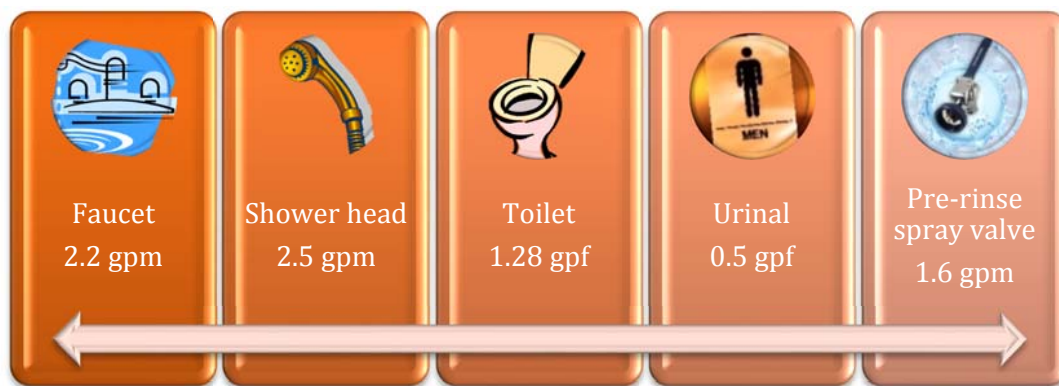
In the progressively tiered system, once usage elevates to the next tier, every 1,000 gallons of water will be charged at the rate for that tier. Water bills will be calculated so that water used in the lower tiers is charged at that tier. Bills will provide a snapshot of the portion of water use from each tier.

The City has developed online water calculators to assist customers in determining increases in their bills or to gauge the savings afforded from greater water conservation efforts. Note that under the “Old Average Bill” heading, after the “minimum bill” of \$13.28 (a set rate for the first 2,000 gallons of usage, the rate is always calculated at \$4.12 (per 1,000 gallons), since that was the previous flat rate for all customers regardless of usage.

A calculator is also provided for winter sewer calculations. Colleyville uses the winter months’ average of December, January, and February for sewer calculations. Winter sewer usage is used to set a user’s sewer rate for the year, so less use during the winter months can lead to savings throughout the year.

PLUMBING FIXTURES

The State of Texas has recently adopted more stringent water saving performance measures for plumbing fixtures, found in the Health & Safety Code, Chapter 372. The following maximum flow standards are subsequently listed in the Texas Administrative Code, Title 30, Chapter 290, sub-chapter G:



Customers in existing buildings that do not have water saving plumbing fixtures are encouraged to retrofit their old plumbing fixtures. New construction, including remodeling of existing structures, must comply with City and State plumbing fixture standards. There are a wide assortment of water efficient fixtures, clothes and dish washers that provide the same performance, but use less water. A water efficient home can save more than 20% of annual indoor water use.

WATER-CONSERVING LANDSCAPING

Water-conserving landscaping is a development concept that encourages residents to adopt low- water- using landscaping principles and methods for use around the home. The same concepts can be applied to other landscaped areas as well, including parks and other public places.

A popular method of reducing water use for landscape irrigation is to encourage residents to use the following techniques for landscaping. Generally accepted principles when planning a water efficient yard are:

- (1) Planning and design. During this step an appropriate plan is developed considering such variables as climate, existing vegetation, intended use of the space, and topographic features.
- (2) Soil analysis. Examine the soil types covering the whole site.
- (3) Appropriate plant selection. Plants should be selected which are native to the area or are adaptive to the site.
- (4) Practical turf areas. Plan where turf areas should be located and consider increasing the area of decks, porous paving, paths, and mulched planting beds to reduce turf.
- (5) Efficient irrigation. Landscaped areas should only be watered as needed and then usually during the early morning or late evening to avoid water loss due to evaporation, keeping in mind some plant species may experience mold and/or fungus growth if watered at night.
- (6) Use of mulches. A three- to four-inch layer of mulch should cover all exposed soil areas and be replenished twice a year.
- (7) Appropriate maintenance. Keep the yard well maintained to reduce the use of fertilizer, chemicals, and water.

CUSTOMER SERVICE INSPECTIONS

A customer service inspection certification as required by the Texas Commission on Environmental Quality (TCEQ), 30 Texas Administrative Code, Chapter 290, §290.46, shall be completed prior to providing continuous water service to new construction or any existing service when the City has reason to believe that cross-connections or other unacceptable plumbing practices exist; or after any material improvement, correction, or addition to the private plumbing facilities. The existence of a serious threat to the integrity of the public water supply shall be considered sufficient grounds for immediate termination of water service.

BACKFLOW ASSEMBLY TESTING AND INSTALLATION

All backflow prevention assemblies shall be tested upon installation by a recognized backflow assembly tester and certified to be operating within specifications. Backflow prevention assemblies which are installed to provide protection against high health hazards must also be tested and certified to be operating within specifications at least annually by a recognized backflow prevention device tester. These tests are witnessed by a City inspector. Backflow assembly testing and installation shall be completed as required by the Texas Commission on Environmental Quality (TCEQ), 30 Texas Administrative Code, Chapter 290, § 290.44h.

It shall be the duty of the customer at any premise where backflow prevention assemblies are installed to have a certified inspection and operational tests conducted annually. In those instances where the City deems the hazard to be deleterious to human health, customer service inspection certifications may be required semiannually. Inspections and tests shall be at this expense of the customer or customer representative and shall be performed by a certified backflow technician.

No device or assembly shall be removed from use, relocated, or other device or assembly substituted without the approval of the City. Whenever the existing assembly is moved from the present location, requires more than minimum maintenance, or when the City finds that the maintenance constitutes a hazard to health, the unit shall be replaced by a

backflow prevention assembly complying with requirements of this section and the current adopted Plumbing Code of the City.

A test report must be completed by the recognized backflow prevention assembly tester for each assembly tested. A recognized backflow prevention assembly tester must have completed a Texas Commission on Environmental Quality (TCEQ) approved course on cross connection control and backflow prevention and pass an examination administered by the TCEQ or its designated agent.

ADDITIONAL WATER CONSERVATION STRATEGIES

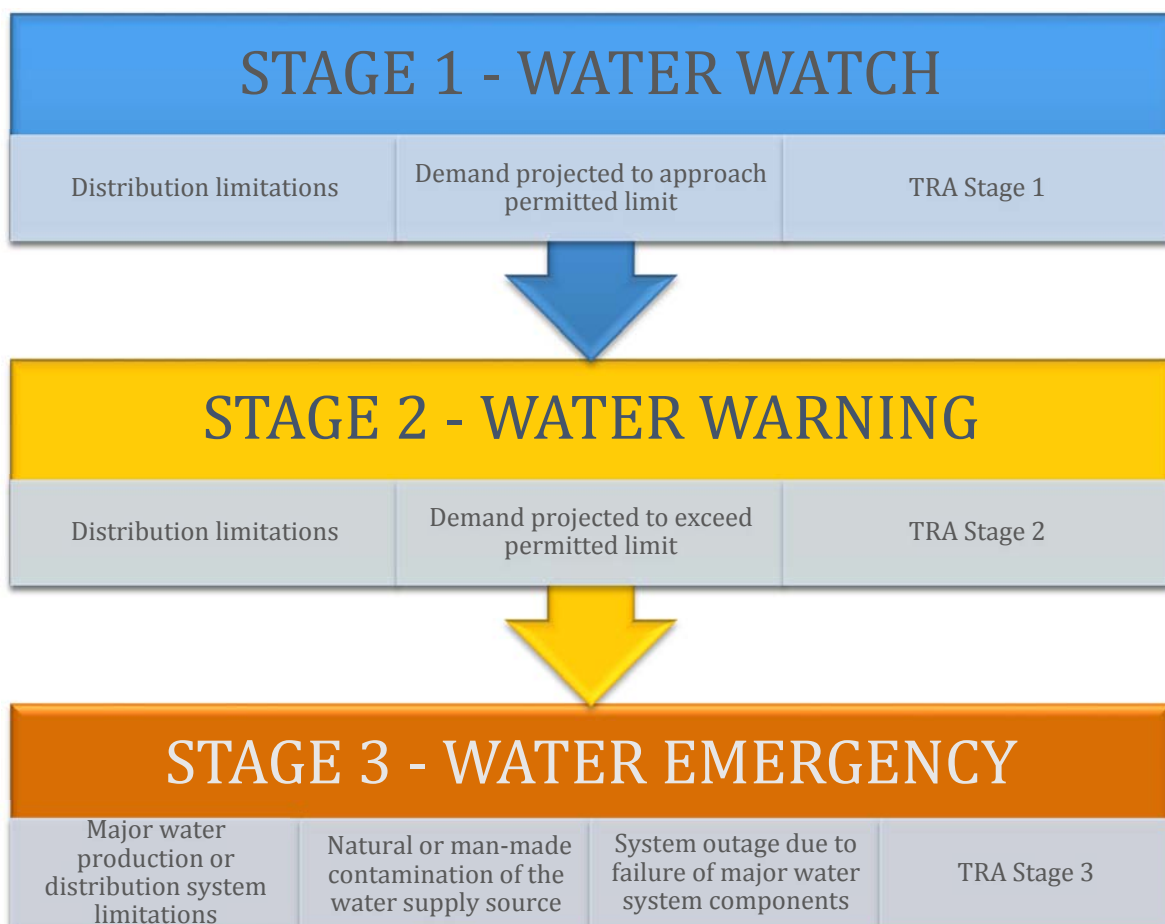
The City will select any combination of the following strategies, in addition to those strategies listed above, if they are necessary to achieve the stated water conservation goals of this Water Conservation Plan. The TCEQ may also require that any of the following strategies be implemented by the City if the TCEQ determines that the strategy is necessary to achieve the goals of this Water Conservation Plan. The additional strategies that may be implemented are:

- Revision of water rates to promote increased water conservation.
- Additional programs to encourage the retrofit of water-conserving plumbing fixtures in existing structures.
- A program for pressure control and/or reduction in the distribution system and/or for customer connections.
- Any other conservation practice, method, or technique which the City shows to be appropriate to achieving the stated goal or goals of this Water Conservation Plan.

DROUGHT TRIGGERS

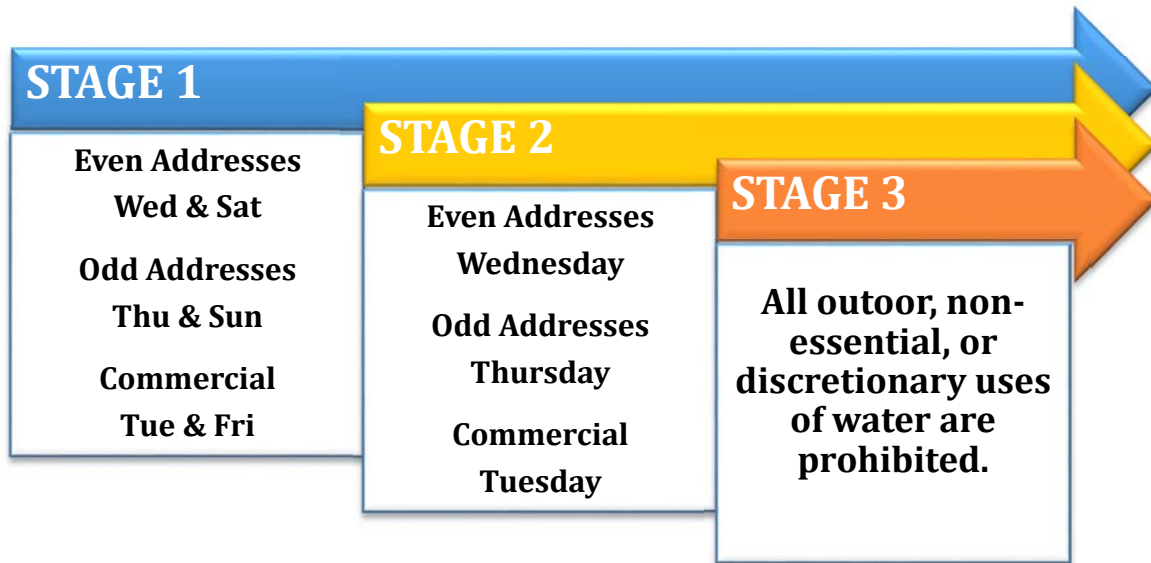
The City Manager will, with the concurrence of the City Council, order the implementation of a drought response stage or water emergency when requested to do so by TRA or when he/she determines that conditions warrant the implementation of the plan. The City is always in Water Awareness stage.

The Director of Public Works, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of the Plan.



WATERING SCHEDULE & WATER AWARENESS

The City of Colleyville's watering schedule is shown below. Watering with irrigation system or hose-end sprinklers is prohibited between the hours of 10:00AM and 6:00PM*.



The City of Colleyville practices Water Awareness at all times.

Water Awareness					
Voluntary reductions in water use	No watering between 10AM and 6PM*	Ongoing public information efforts	Work with major water users	Reduce City uses of water	Enforce water waste

* Landscape watering is permitted at any time or day with a handheld hose with shutoff nozzle, soaker hose, drip irrigation, or watering can.

DROUGHT RESPONSE STAGES

STAGE 1 - WATER WATCH

Continue water awareness actions

Require customers to adhere to Stage 1 watering schedule

Expand oversight and enforcement of water waste

Request customers to discontinue non-essential uses

Contact TCEQ

Target: 5% reduction in total water use.

Additional Stage 1 measures:

- Audit all City irrigation systems to ensure proper condition, setting, and operation.
- Hotels, restaurants, and bars are encouraged to serve drinking water to patrons on an “as requested” basis.
- Identify and encourage voluntary reductions from high volume users.

Stage 1 Exceptions:

- Twice per week watering restrictions do not apply to locations using well water or treated wastewater effluent, or water from ponds that are naturally fed from sources other than the public water supply.
- Foundations may be watered up to two hours on any day by a handheld hose, soaker hose, or drip system placed within 24 inches of the foundation.
- Newly installed shrubs (first year) and trees may be watered up to two hours on any given day by a handheld hose with shutoff nozzle, drip irrigation, soaker hose, or tree bubbler. Tree watering is limited to an area not to exceed the drip line of a tree.
- Establishing new turf is discouraged while this Drought Contingency Plan is in effect. If new hydro-mulch, grass sod, or grass seed is installed for the purpose of establishing a new lawn, there are no restrictions for the first thirty days. A sign

issued by the City of Colleyville must be prominently displayed during the establishment period. (This exception does not apply to over seeding with rye or other winter grasses.)

- Outdoor watering at service addresses with large multi-station irrigation systems may take place in accordance with a variance granted by the Public Works Director if it is determined that a property cannot be completely irrigated in a single day. A sign issued by the City of Colleyville must be prominently displayed for the duration of the variance.
- Misting systems for public gatherings, including outdoor eating venues.
- Irrigation systems that are undergoing repair provided a licensed irrigation contractor or property owner is on site and doing necessary repair work. Irrigation repair work may take place at any time of day provided that no irrigation zones operate continuously for more than two minutes.
- Swimming pools that are being repaired for leaks (this does not include cleaning) may be emptied and filled for the specific purpose of structural repairs.
- Swimming pools that have been declared a health hazard due to lack of proper maintenance (i.e. vacant property) may be emptied and refilled for the purpose of eliminating the health hazard. Owners of such pools may be subject to other enforcement actions as determined by the City's code enforcement officer.
- Flushing of fire hydrants to ensure water quality compliance with State requirements.
- Washing of any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle shall be limited to the use of a hand held hose with shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the premises of a commercial car wash or commercial service station. Further, such washing may be exempt from these requirements if the health, safety, or welfare of the public are contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- Skinned areas of sports fields may be watered as needed for dust control.
- Plant stock at commercial nurseries.
- McPherson Park Splash Pad may be operated on designated days and hours when specifically authorized by the City Council by adoption of a resolution.

STAGE 2 - WATER WARNING

Continue Stage 1 actions	Require customers to adhere to Stage 2 watering schedule	Expand oversight and enforcement of water waste and watering schedule	Require customers to discontinue non-essential uses	Contact TCEQ
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Target: 10% reduction in total water use.

Additional Stage 2 measures:

- Prohibit the use of water for dust control, except as required to protect public health.
- Prohibit operation of ornamental fountains or ponds that use potable water except where necessary to support aquatic life.
- Prohibit filling of swimming pools with automatic valves.
- Prohibit wet street sweeping.

Stage 2 Exceptions:

- Once per week watering restrictions do not apply to locations using well water or treated wastewater effluent, or water from ponds that are naturally fed from sources other than the public water supply.
- Foundations may be watered up to two hours on any day by a handheld hose, soaker hose, or drip system placed within 24 inches of the foundation.
- Newly installed shrubs (first year) and trees may be watered up to two hours on any given day by a handheld hose with shutoff nozzle, drip irrigation, soaker hose, or tree bubbler. Tree watering is limited to an area not to exceed the drip line of a tree.
- Outdoor watering at service addresses with large multi-station irrigation systems may take place in accordance with a variance granted by the Public Works Director if it is determined that a property cannot be completely irrigated in a single day. A

sign issued by the City of Colleyville must be prominently displayed for the duration of the variance.

- All users are encouraged to wait until the current drought or emergency situation has passed before establishing new landscape or turf. If new hydro-mulch, grass sod, or grass seed is installed for the purpose of establishing a new lawn, there are no restrictions for the first thirty days. A sign issued by the City of Colleyville must be prominently displayed during the establishment period. (This exception does not apply to over seeding with rye or other winter grasses.)
- Drip irrigation systems.
- Misting systems for public gatherings, including outdoor eating venues.
- Irrigation systems that are undergoing repair provided a licensed irrigation contractor or property owner is on site and doing necessary repair work. Irrigation repair work may take place at any time of day provided that no irrigation zones operate continuously for more than two minutes.
- Swimming pools that are being repaired for leaks (this does not include cleaning) may be emptied and filled for the specific purpose of structural repairs.
- Swimming pools that have been declared a health hazard due to lack of proper maintenance (i.e. vacant property) may be emptied and refilled for the purpose of eliminating the health hazard. Owners of such pools may be subject to other enforcement actions as determined by the City's code enforcement officer.
- Plant stock at commercial nurseries.
- Flushing of fire hydrants to ensure water quality complies with state requirements.

STAGE 3 - WATER EMERGENCY

Continue Stage 1
and 2 actions

All landscape,
non-essential, and
discretionary uses
of water
prohibited

Continue to
enforce water
waste and water-
use restrictions

Examine
alternative
sources

Target: 20% reduction in total water use.

Additional Stage 3 measures:

- Implement viable alternative water supply strategies.
- Reduce City water use to maximum extent possible.
- Prohibit permitting of new swimming pools, Jacuzzi type pools, spas, ornamental ponds, and fountain construction. Pools already permitted and under construction may be filled.

Stage 3 Exceptions:

- Watering restrictions do not apply to locations using well water or treated wastewater effluent, or water from ponds that are naturally fed from sources other than the public water supply.
- Foundations may be watered up to two hours on any day by a handheld hose, soaker hose, or drip system placed within 24 inches of the foundation.
- Newly installed shrubs (first year) and trees may be watered up to two hours on any given day by a handheld hose with shutoff nozzle, drip irrigation, soaker hose, or tree bubbler. Tree watering is limited to an area not to exceed the drip line of a tree.
- Vehicle washing is restricted to commercial car washes or commercial service stations and can only be done as necessary for health, sanitation, or safety reasons, including but not limited to the washing of garbage trucks and vehicles used to transport food and perishables. All other vehicle washing is prohibited.

- Prohibit the draining, filling, or refilling of swimming pools, wading pools, and Jacuzzi type pools. Existing private and public pools may add water to maintain pool levels, however they may not be refilled using automatic fill valves.
- Stock at commercial plant nurseries may be watered only with a hand held hose, hand held watering can, or drip irrigation system.
- Commercial water users are required to reduce water use by a set percentage determined by the Public Works Director.

EMERGENCY RESPONSES

In the event of an identified water shortage declaration, TRA will distribute water to wholesale customers according to Texas Water Code, §11.039* and initiate water allocation to municipal water customers.

In the event of a contamination event, appropriate emergency procedures will be implemented and appropriate emergency response officials will be notified immediately. In the event of a backflow incident, loss of pressure, or an Acute Maximum Contaminant Level coliform violation, a Boil Water Notice will be implemented as prescribed in 30 TAC Chapter 290.

In the event of a catastrophic failure due to natural or man-made events, appropriate emergency procedures will be implemented and appropriate emergency response officials will be notified.

In the event of an emergency loss of water supply, the City will consider purchases of water by the truckload or in bottles for the health and public safety of the City's residents.

VARIANCES

The City Manager or his/her designee may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

1. Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
2. Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Plan shall file a petition for a variance with the City of Colleyville after a particular drought response stage has been invoked and it is believed that one or both of the above conditions are met. All petitions for variances shall be reviewed by the City Manager or his/her designee, and shall include the following:

1. Name and address of the petitioner(s).
2. Purpose of water use.
3. Specific provision(s) of the Plan from which the petitioner is requesting relief.
4. Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Plan.
5. Description of the relief requested.
6. Period of time for which the variance is sought.
7. Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
8. Other pertinent information.

WHOLESALE CONTRACTS

The City of Colleyville does not have any wholesale customers at this time.

The City of Colleyville will include a requirement in every water supply contract entered into after official adoption of the water conservation plan, and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements of this chapter. If the customer intends to resell the water, then the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with applicable provisions of Title 30 Texas Administrative Code, Chapter 288.

The City of Colleyville will include a provision in every wholesale water contract entered into after adoption of the Plan, including contract extensions, that in case of a shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, §11.039.

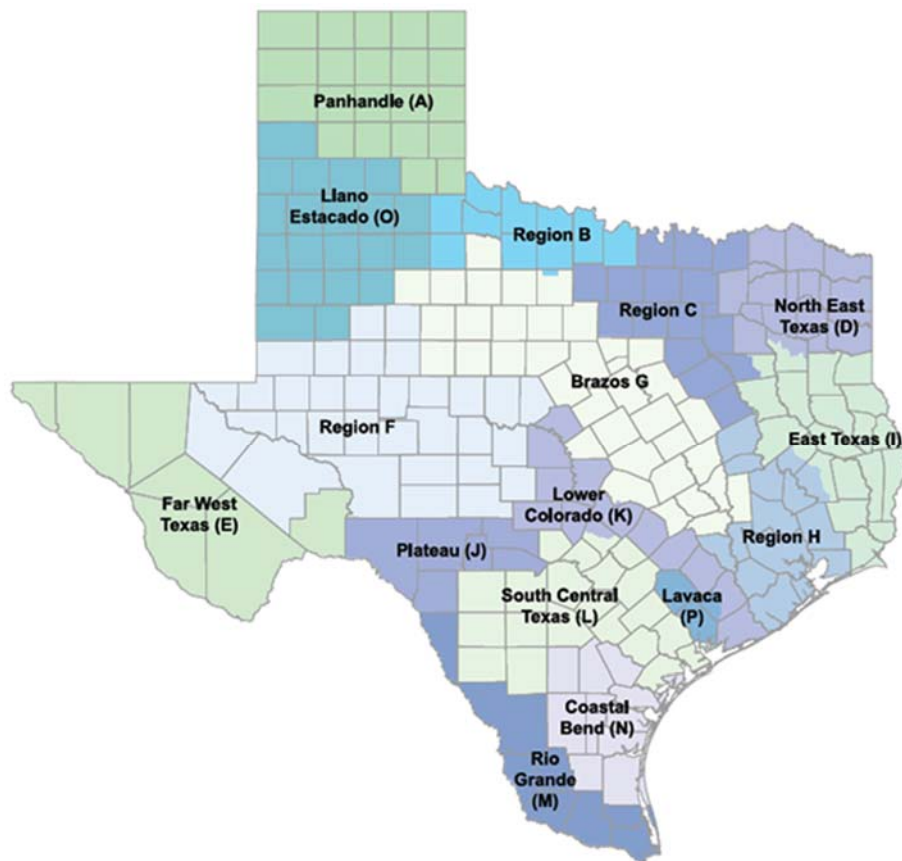
ENFORCEMENT

Whoever violates any provision of this chapter for which another penalty is not specifically provided, shall be punished as set forth by all applicable codes and ordinances of the City of Colleyville.

- (1) No person shall knowingly or intentionally allow the use of water from the City for residential, commercial, industrial, agricultural, governmental or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by Code Enforcement in accordance with provisions of this Plan.
- (2) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of up to \$2,000. Each day that one or more of the provisions is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of these sections, the City shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a reconnection charge and any other costs incurred by the City in discontinuing service. In addition, suitable assurance must be given to the City that the same action shall not be repeated while the Water Conservation & Drought Contingency Plan is in effect. Compliance with this Plan may also be sought through injunctive relief in the district court.
- (3) Any person, including a person classified as a water customer of the City, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation.

COORDINATION WITH REGION C PLANNING GROUP

The service area of the City of Colleyville is located within the Region C Planning Group. A copy of this plan will be provided to Region C.



DEFINITIONS, ABBREVIATIONS, AND ACRONYMS

For the purpose of this Plan, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AESTHETIC WATER USE. Water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

COMMERCIAL AND INSTITUTIONAL WATER USE. Water use which is integral to the operations of commercial and nonprofit establishments and governmental entities such as retail establishments, hotel and motels, restaurants, and office buildings.

CONSERVATION. Those practices, techniques and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

CUSTOMER. Any person, company or organization using water supplied by City.

DISCRETIONARY USE. See Non-essential water use.

DOMESTIC WATER USE. Water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation or for cleaning a residence, business, industry or institution.

DROUGHT CONTINGENCY PLAN. A strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies. A drought contingency plan may be a separate document identified as such or may be contained within another water management document(s).

GPCD. Gallons of water used per person per day.

GPF. Gallons per flush.

GPM. Gallons per minute.

INDUSTRIAL WATER USE. The use of water in processes designed to convert materials of lower value into forms having greater usability and value.

LANDSCAPE IRRIGATION USE. Water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, athletic fields, parks, rights-of-way, and medians.

NON-ESSENTIAL WATER USE. Water uses that are not essential or required for the protection of public health, safety, and welfare.

REGION C. Region C Regional Water Planning Group.

TCEQ. Texas Commission on Environmental Quality.

TRA. Trinity River Authority.

TRWD. Tarrant Regional Water District.

TWDB. Texas Water Development Board.

WATER CONSERVATION PLAN. A strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water, and for preventing the pollution of water.



City of Colleyville City Council Agenda Briefing

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

Agenda Number 7a

Agenda Date 01/06/2015

Number Resolution R-15-3830

Type Resolution

Department Parks and Recreation

Title

Consideration of a waiver request to amend Trail 36 of the Parks and Trails Master Plan

Explanation

Reading and Public Hearing

Keith Hamilton, consulting engineer for the developer, is requesting a waiver to reduce the width of Trail 36, titled the Remington Park Trail, as it is routed through The Legacy subdivision, located in the 800 block of Lavaca Trail. Additionally, staff recommends the route of the Remington Park Trail also be amended to improve connectivity of the trail system.

Background. *Colleyville Pathways: a Citywide Trail System for Colleyville*, was adopted by City Council in September of 1998 by attached Resolution R-98-1414. The plan was updated and retitled to the *Colleyville Pathways Plan* in October of 2005 by attached Resolution R-05-2609. In December of 2011, City Council approved attached Resolution R-11-3433, adopting the City of Colleyville Parks, Recreation and Open Space Master Plan, which included the attached revised "Parks and Trails Master Plan Map."

All three adopted trail plans include the Remington Park Trail, which was originally a planned .9 mile, ten foot wide trail, intended to provide connectivity from McPherson Dairy, now the site of McPherson Park, south to L.D. Lockett Road. The *Colleyville Pathways Plan*, adopted in 2005, modified the route of the Remington Park Trail, which reduced the planned trail to a length of .6 mile, but kept the trail width at ten feet.

In 2006 the developer of the Covington Addition, located at 716 W. L.D. Lockett Road, requested the route and width of the Remington Park Trail be amended to allow for the sidewalks internal to the Covington Addition, to be utilized to meet the trail requirement. After review of various routing options, the Colleyville Sidewalks Committee unanimously approved rerouting the Remington Park Trail. The Committee recommended the trail be constructed at a width of eight feet in the open space of the Covington Addition, and at a width of six feet in front of four residential lots along the trail's route within the addition.

At the meeting on December 5, 2006, City Council approved attached Resolution R-06-2783, amending the portion of the Remington Park Trail within the Covington Addition, in accordance with the recommendation of the Colleyville Sidewalks Committee. The

approved amended route, "Exhibit A" of attached Resolution R-06-2783, was most recently amended by the 2011 Parks, Recreation and Open Space Master Plan to have a northern terminus of Lavaca Trail, seen in the attached "Parks and Trails Master Plan Map." To provide clarity to the evolution of the Remington Park Trail from 1998 through 2011 (current), the "Remington Park Trail Overview Exhibit" is attached.

Applicant Waiver Request. As seen in the attached "Trail Width Waiver Request" the applicant is requesting the width of the Remington Park Trail be reduced to six feet, from the currently required ten feet, within the entirety of The Legacy subdivision.

Although the subdivision will have four foot wide sidewalks, the portion of the trail in front of Lots 10, 11, and 12 of Block C, will be constructed to a width of six feet. The subdivision plat for The Legacy is item 7c on this agenda for consideration by City Council and provides the necessary easements for the waiver request.

Additionally, as part of the request, the developer has agreed to construct an eight foot wide trail along the entirety of the property's frontage adjacent to Lavaca Trail. The developer is only required to construct a five foot wide sidewalk per the Land Development Code, as Lavaca Trail is identified as a minor collector on the Master Thoroughfare Plan, but has agreed to construct this portion of eight foot wide trail, in line with the staff recommended trail amendment.

Staff Recommended Amendment. In reviewing the applicant's waiver request, staff feels Lavaca Trail presents a cost-effective opportunity to extend the route of the Remington Park Trail to include a connection from Precinct Line Road to the Remington Park Addition. Taking advantage of land characteristics conducive to the construction of a trail, without the presence of a curb and gutter road section, would reduce construction costs and provide trail users a connection to the trail along Precinct Line Road, improving mobility within the system. Staff is proposing this connection, requiring the construction of approximately 2,800 feet of an eight foot wide trail, be made on the south side of Lavaca Trail. Therefore, as seen in the attached "Trail Extension Construction Map", the developer would be constructing approximately 1,200 feet, or 46 percent, of the trail. Staff expects future development would account for the construction of an additional approximate 500 feet of the trail. This would leave less than 1,000 feet of trail to be constructed utilizing City funds at a cost of approximately \$40,000 in today's dollars.

Summary. Given that other trails within the City, such as those within The Reserve at Colleyville development, have been constructed at a width of six feet, and that the developer is agreeing to construct an eight foot trail along Lavaca Trail, staff recommends approval of the trail width waiver request.

Financial Impact

The applicant's request to reduce the width of the Remington Park Trail within the

limits of The Legacy subdivision has no financial impact to the City. Staff's request to extend the route of the Remington Park Trail on the south side of Lavaca Trail will require City funds to construct approximately 950 linear feet of eight foot wide trail on land that is not expected to redevelop in the near future.

Recommendation

Approve

Attachments

1. Resolution R-98-1414
2. Resolution R-05-2609
3. Resolution R-11-3433
4. Parks and Trails Master Plan Map
5. Resolution R-06-2783
6. Remington Park Trail Overview Exhibit
7. Trail Width Waiver Request
8. Proposed Extension of the Remington Park Trail
9. Resolution R-15-3830

RESOLUTION R-98-1414

A RESOLUTION APPROVING THE MASTER TRAIL PLAN

WHEREAS, the City Council supports the continued development and enhancement of a linear park system within the City of Colleyville; and

WHEREAS, the City Council supports the development of a Master Plan for the Citywide Trail System for the City of Colleyville.

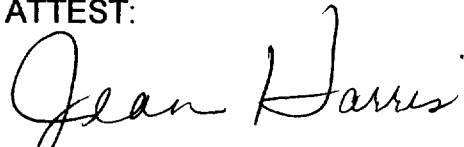
NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

Sec. 1. THAT the City Council approves the "*Colleyville Pathways: A Citywide Trail System for Colleyville.*"

AND IT IS SO RESOLVED.

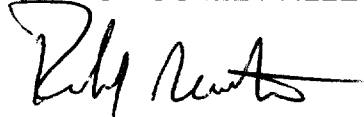
PASSED BY A VOTE OF 5 AYES, 0 NAYS, AND 0 ABSTENTIONS ON THIS THE 15th DAY OF September 1998.

ATTEST:



Jean Harris, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE



Richard Newton
Mayor

RESOLUTION R-05-2609

**A RESOLUTION ADOPTING THE "COLLEYVILLE PATHWAYS PLAN", DATED
SEPTEMBER 2005, TO BE USED AS THE GUIDE FOR FUTURE TRAIL AND
SIDEWALK PROJECTS IN COLLEYVILLE**

WHEREAS, the City Council of the City of Colleyville desires to update the 1998 Colleyville Pathways Plan to reflect changing conditions that have occurred in the community; and

WHEREAS, the Colleyville Sidewalk Committee has reviewed the document and forwarded a recommendation to the Colleyville Parks and Recreation Advisory Board; and

WHEREAS, a public hearing has been held by the Colleyville Parks and Recreation Advisory Board to receive citizen comments: and

WHEREAS, the Colleyville Parks and Recreation Advisory Board has forwarded a recommendation to the City Council for adoption of the final draft of the Colleyville Pathways Plan, dated September 2005.

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

Sec. 1. THAT the document entitled "Colleyville Pathways Plan", dated September 2005, is hereby adopted.

Sec. 2. THAT the Colleyville Pathways Plan, dated September 2005, shall be used as a guide for future development of public trails and sidewalks in Colleyville.

AND IT IS SO RESOLVED.

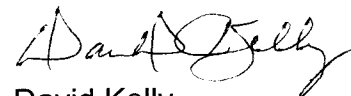
PASSED BY A VOTE OF 5 AYES, 0 NAYS AND 0 ABSTENTIONS ON
THIS THE 18th DAY OF October 2005.

ATTEST:



Cynthia Singleton, TRMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor

RESOLUTION R-11-3433

A RESOLUTION ADOPTING THE CITY OF COLLEYVILLE PARKS, RECREATION AND OPEN SPACE MASTER PLAN

WHEREAS, the City Council has a long history of planning for the acquisition and development of the City's parks and recreational system; and

WHEREAS, the City Council entered into an agreement with Halff Associates, Inc., a planning and design consultant, to assist with the development of a Parks, Recreation and Open Space Master Plan; and

WHEREAS, the City Council directed Halff Associates, Inc., to work with City staff, the Parks and Recreation Advisory Board, representatives of the youth sports associations and the public to prepare a Parks, Recreation and Open Space Master Plan, which shall serve the following purpose:

- A. Provide the framework for orderly and consistent planning and development.
- B. Provide detailed research and facts concerning the community and the roles of parks and recreation.
- C. Establish priorities and statements of direction based on researched and documented facts and a community based needs analysis.
- D. Provide direction in the area of acquisition and development of park land to meet future needs.
- E. Conform to the preparation, suggestions and/or guidelines for local Parks, Recreation and Open Space Master Plans, prepared by the Texas Parks and Wildlife Department for Texas Recreation and Parks Account local park grant program.

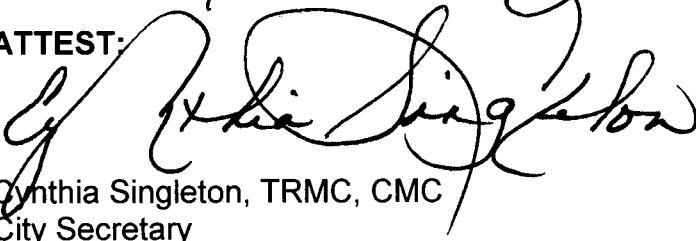
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

Sec. 1. THAT the City of Colleyville Parks, Recreation and Open Space Master Plan is hereby adopted.

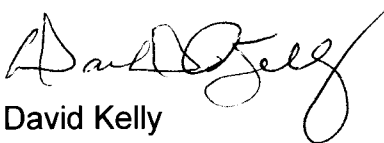
AND IT IS SO RESOLVED.

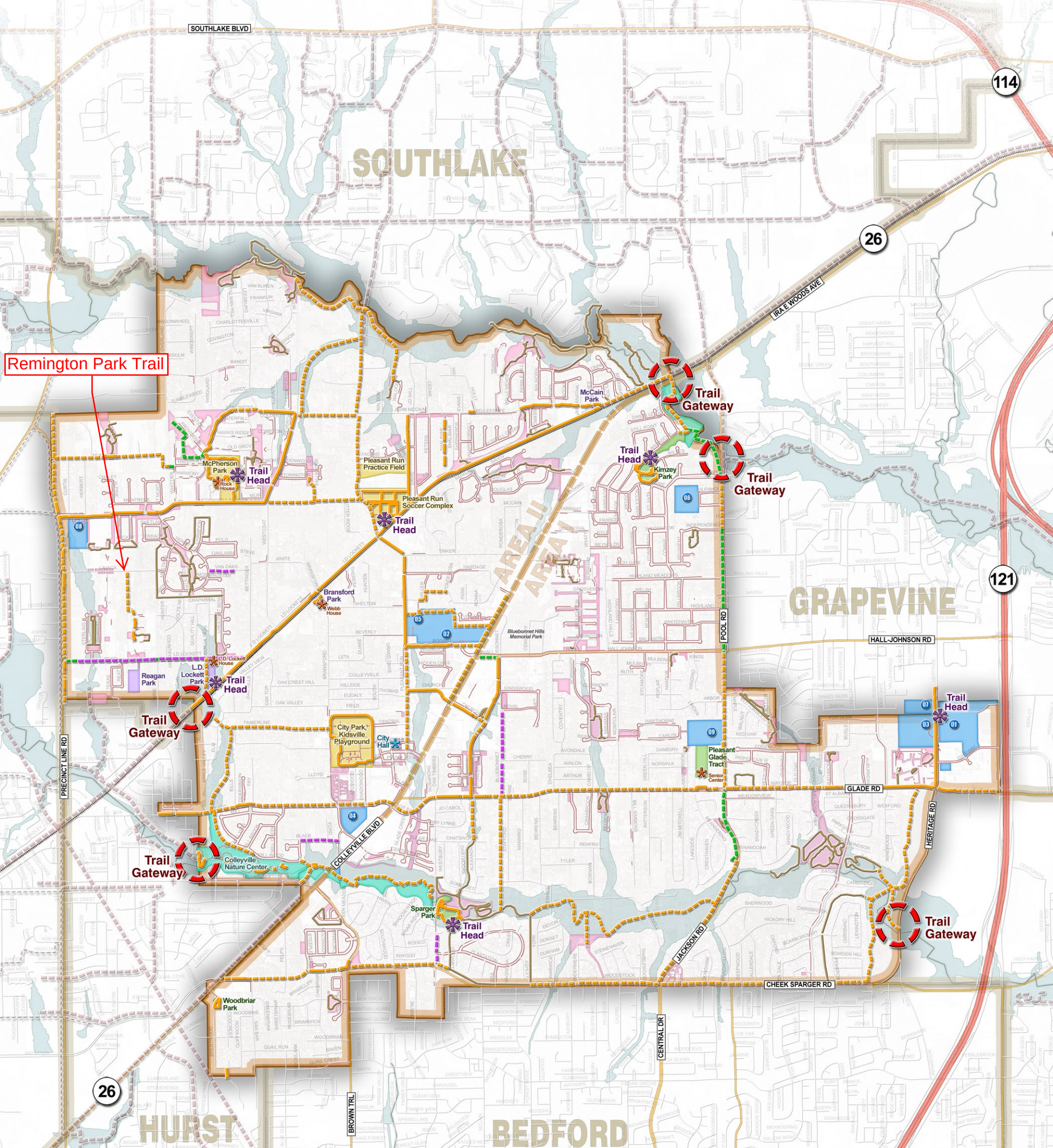
APPROVED BY A VOTE OF 7 AYES, 0 NAYS AND 0 ABSTENTIONS
ON THIS THE 6th DAY OF December 2011.

ATTEST:


Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE


David Kelly
Mayor



Remington Park Trail

- 01 SCHOOLS**
- HIGH SCHOOLS**
- 01 Heritage High School
- MIDDLE SCHOOLS**
- 02 Colleyville Middle School
 - 03 Heritage Middle School
- ELEMENTARY SCHOOLS**
- 04 Bransford Elementary
 - 05 Colleyville Elementary
 - 06 Glenhope Elementary
 - 07 Heritage Elementary
 - 08 Liberty Elementary
 - 09 O.C. Taylor Elementary

TRAILS LEGEND

- Existing Trails (8'-12' Width)
- Planned Trails
- Existing Sidewalks
- Proposed Sidewalks
- Privately-Owned Trails
- Proposed Long Range Trail Connection
- Existing & Proposed Adjacent City Trails
- Trail Head

LEGEND

- City Hall
- Parks and Recreation Facilities

PARKS

- Neighborhood Parks
- Community Parks
- Special Purpose Parks
- Open Space Preserves / Nature Areas
- Private Parks and Open Space

RESOLUTION R-06-2783

**A RESOLUTION AMENDING TRAIL NUMBER 23 IN THE
COLLEYVILLE PATHWAYS PLAN, DATED SEPTEMBER 2005**

WHEREAS, the City Council of the City of Colleyville adopted the Colleyville Pathways Plan with the approval of Resolution R-05-2609; and

WHEREAS, the City Council desires to amend Trail Number 23, by changing the proposed trail route to reflect changing conditions that have occurred in the community; and

WHEREAS, the Colleyville Sidewalk Committee met on November 6, 2006, and recommended approval to amend Trail Number 23; and

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

Sec. 1 THAT the document entitled "Colleyville Pathways Plan", dated September 2005, is hereby amended to incorporate the revised trail route for Trail Number 23, as shown on the attached Exhibit "A".

AND IT IS SO RESOLVED.

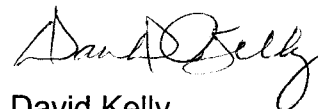
PASSED BY A VOTE OF 6 AYES, 0 NAYS AND 0
ABSTENTIONS ON THIS THE 5th DAY OF December 2006.

ATTEST:



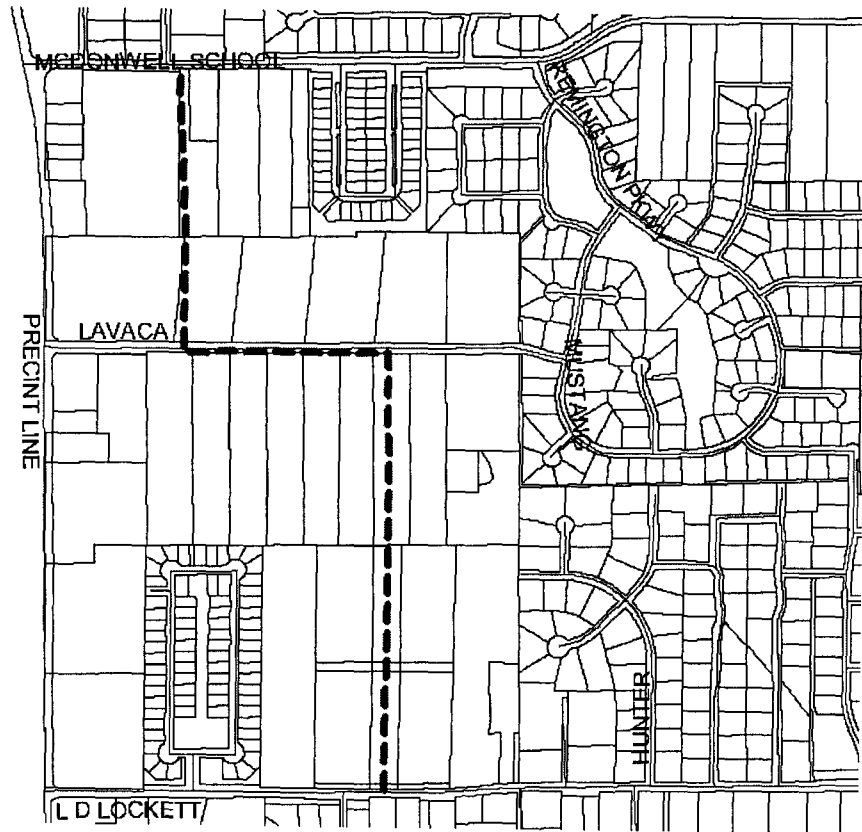
Cynthia Singleton, TRMC
City Secretary

CITY OF COLLEYVILLE

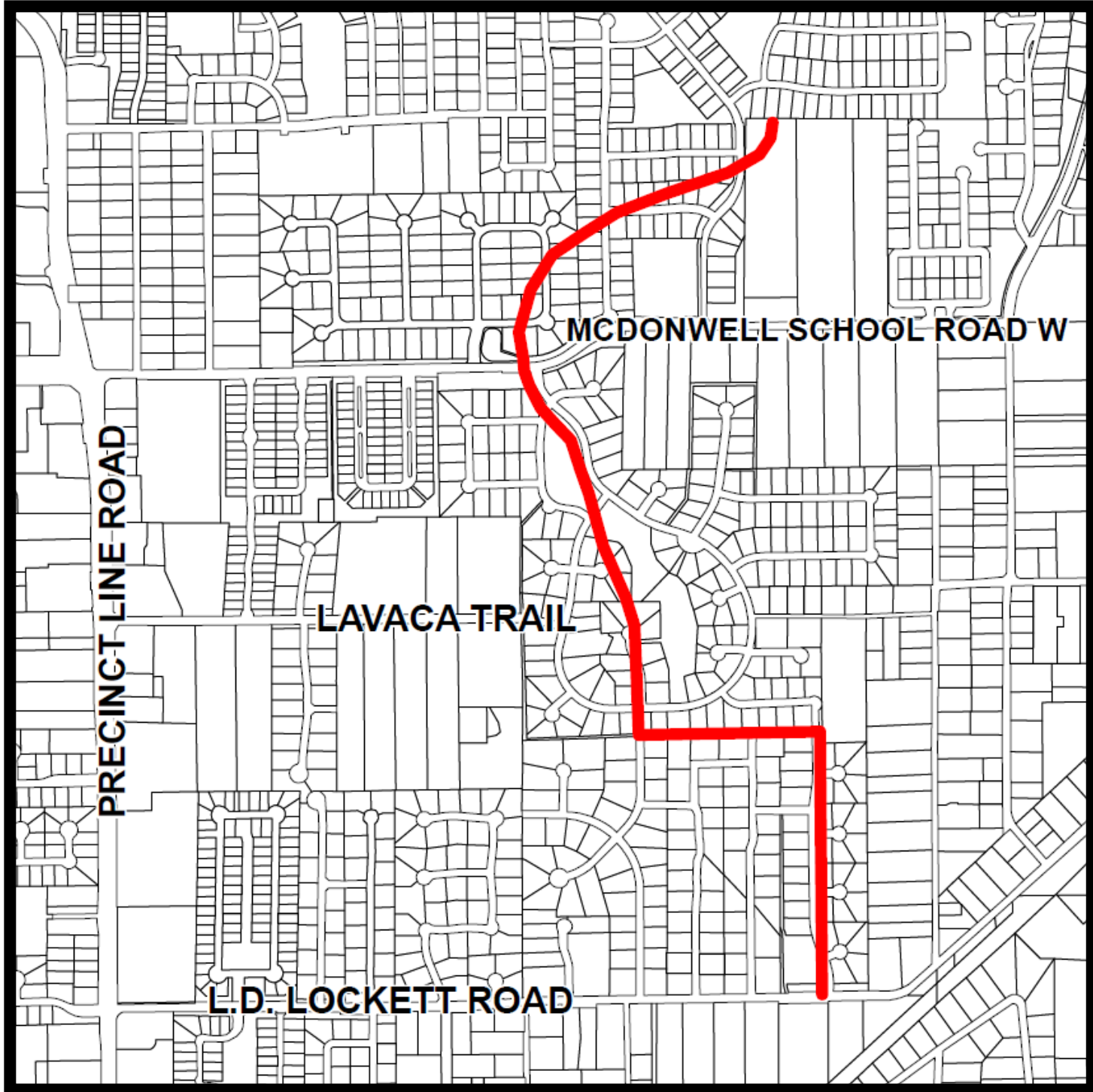


David Kelly
Mayor

Exhibit "A"

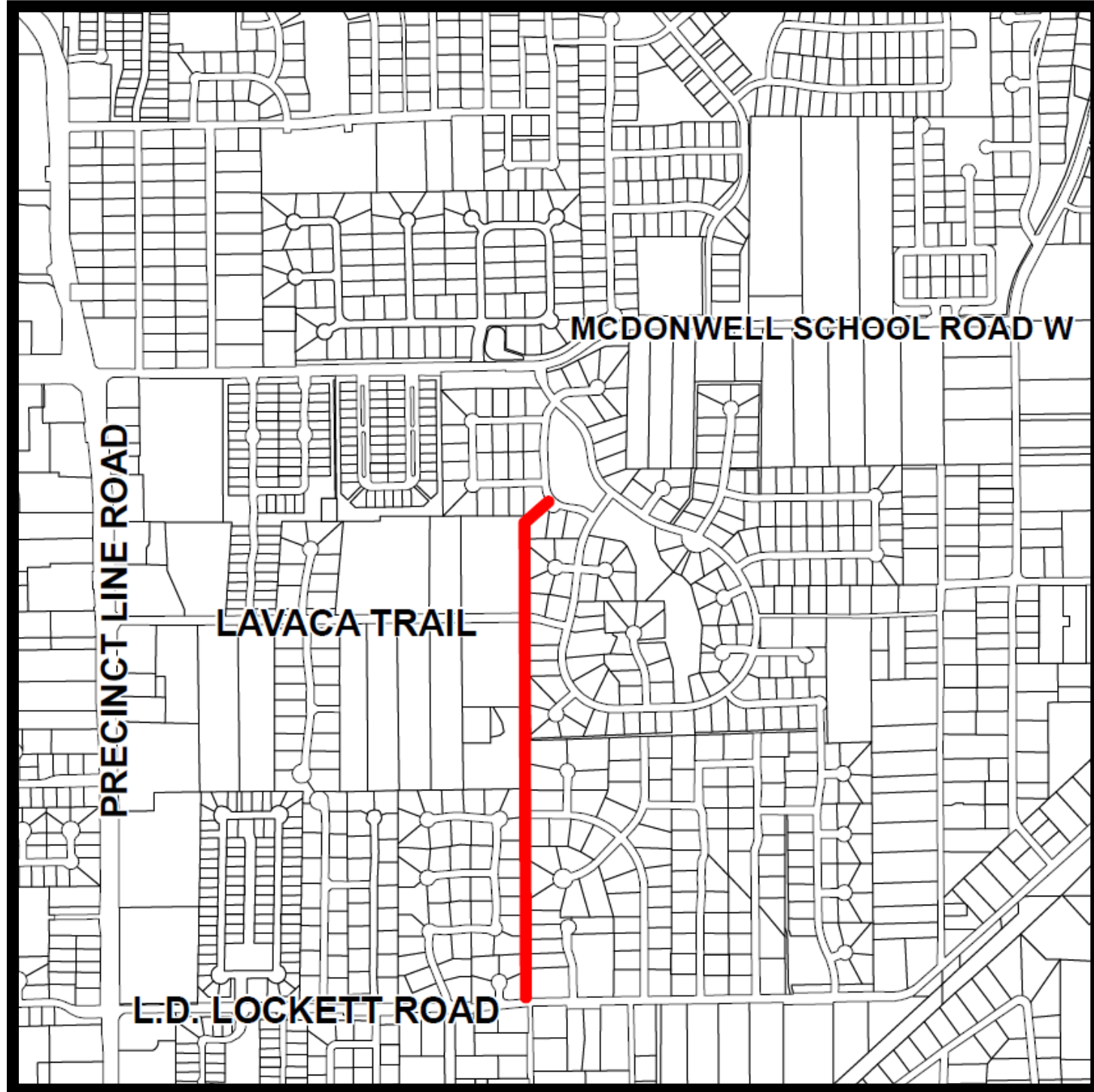


Remington Park Trail - Overview



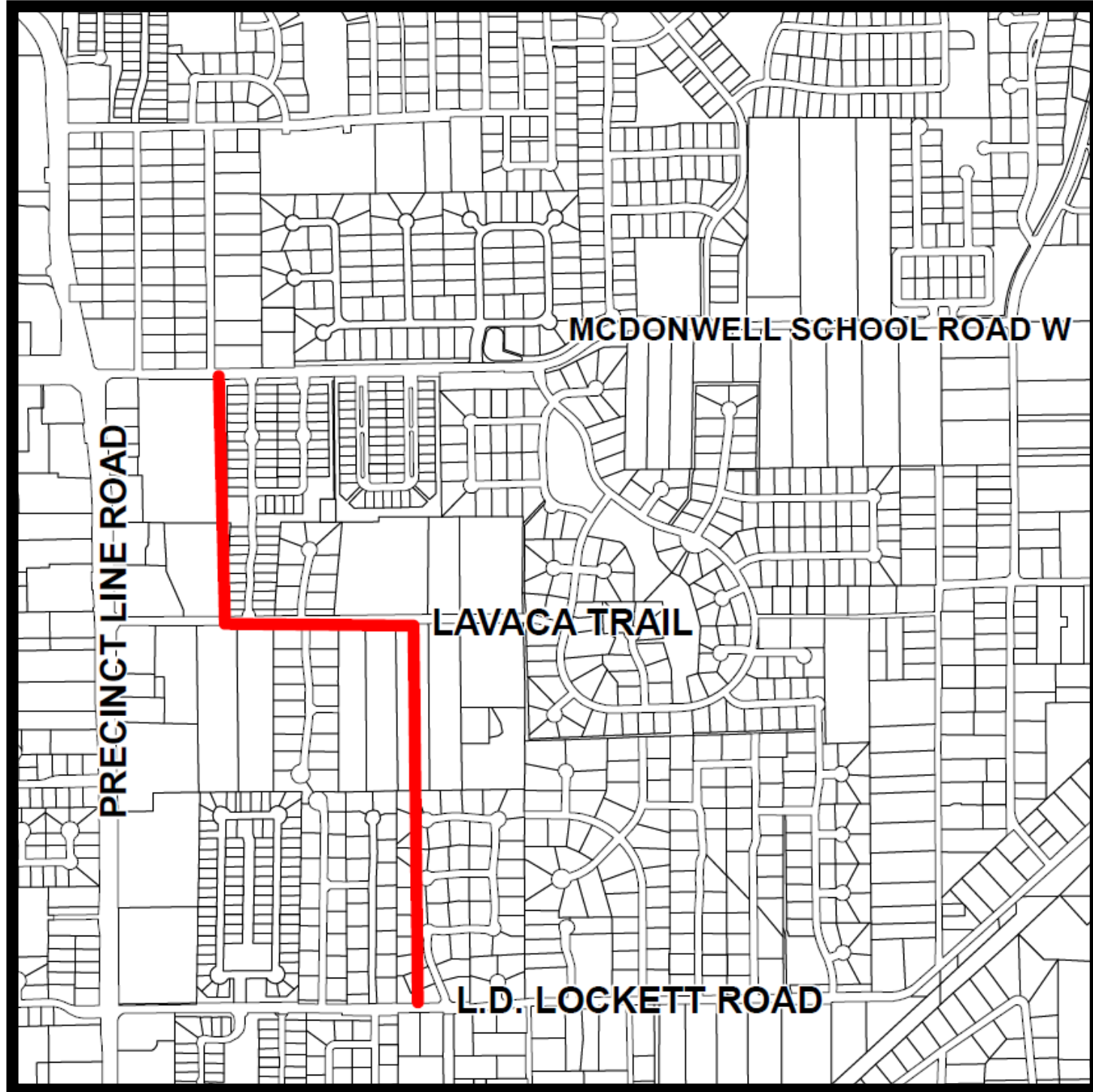
1998

Adoption of
Colleyville Pathways:
a Citywide Trail System
for Colleyville
Resolution R-98-1414



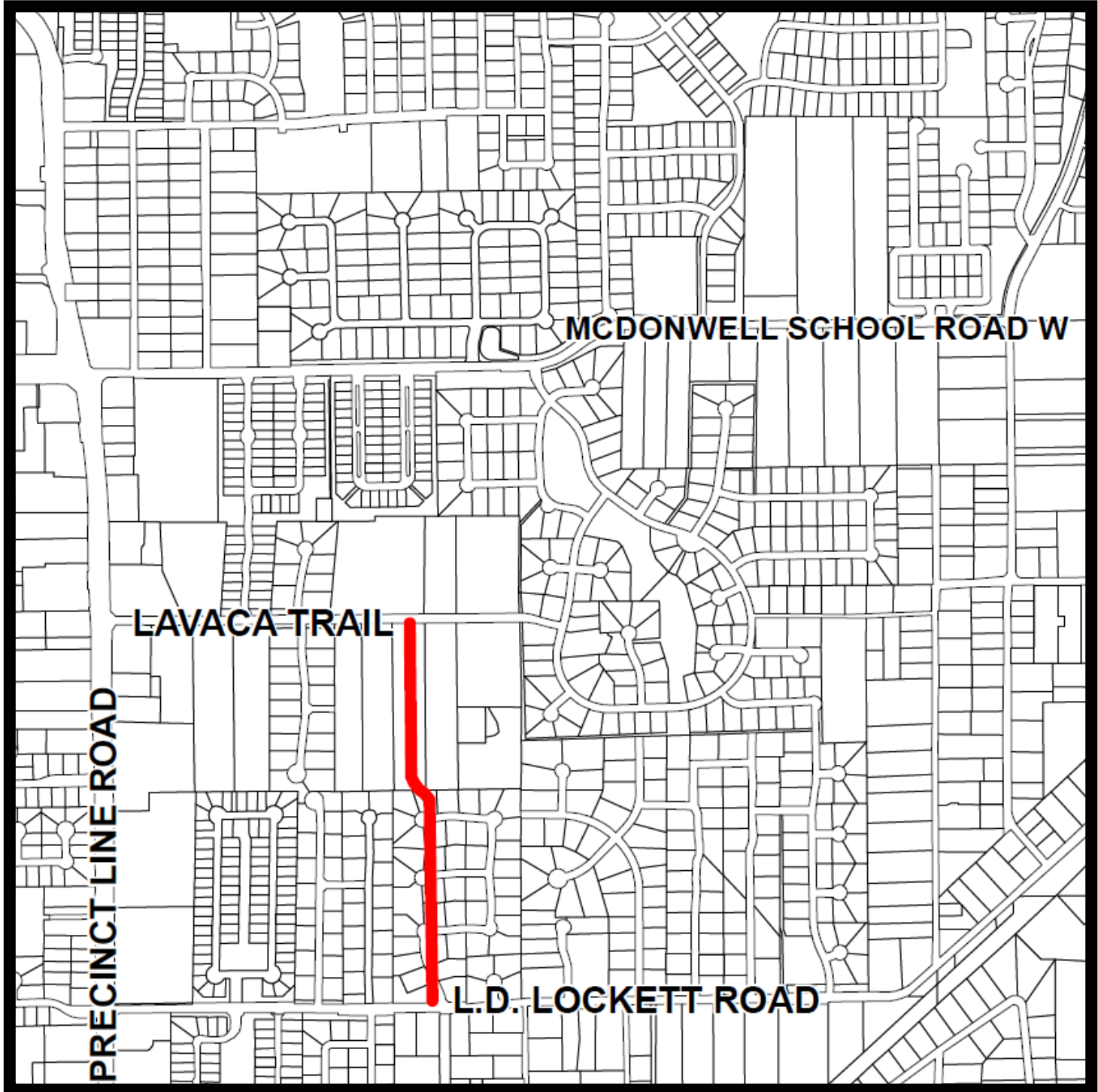
2005

Adoption of 2005
Colleyville Pathways Plan
Resolution R-05-2609



2006

Covington Trail Amendment
Resolution R-06-2783



2011

Adoption of 2011 Parks, Recreation
and Open Space Master Plan
Resolution R-11-3433

Trail Width Waiver Request

HAMILTON DUFFY, P.C.
Civil & Environmental Engineers · Planners · Construction Managers
Texas Firm Reg. No. F-5260

December 18, 2014

Mr. Ron Ruthven
City of Colleyville
100 Main Street
Colleyville, TX 76034

RE: Trail Width Waiver Request
The Legacy
City of Colleyville, Texas

Dear Ron:

We hereby request to waiver the width of Trail 36 through our proposed subdivision to 6' rather than the required 10' for the following reasons:

- A 10' wide trail is an invitation to be used as a driveway by both residents and contractors. We have experienced this in other subdivisions and it poses a problem in terms of safety and maintenance.
- The reduction of the trail from 10' wide to 6' wide will allow us to save more trees as we meander it through the park in the middle of our development.
- Although a portion of the sidewalk along Lavaca Trail is only required to be 5' we are showing that it be constructed to a width of 8', which is in line with City staff's request to amend the trail plan to include an 8' trail on the south side of Lavaca Trail from Precinct Line Road to the east property line of The Legacy Development.

If our request to reduce the trail from 10' to 6' in width is accepted we will reduce the proposed 20' public pedestrian access easement to 15' in width as discussed on the plat.

Please note that the trail will have public access through this subdivision in perpetuity. If you have any questions, please contact my office.

Sincerely,

HAMILTON DUFFY, P.C.

Keith Hamilton, P.E.

THE LEGACY

PRELIMINARY
FOR REVIEW ONLY

KEITH M. HAMILTON 87384 \$DATES\$

J08	040-047
DATE	\$DATE\$
DESIGNED	K. M. H.
DRAWN	J. B. E.
CHECKED	K. M. H.
TEXAS REGISTERED ENGINEERING FIRM NUMBER F-5260	

1 OF 1

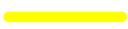




Proposed Extension of the Remington Park Trail



Means of Construction

-  CURRENT DEVELOPMENT approx. 1,200'
-  CITY approx. 900'
-  FUTURE DEVELOPMENT approx. 500'

RESOLUTION R-15-3830

AMENDING TRAIL 36, THE REMINGTON PARK TRAIL, IN THE PARKS AND TRAILS MASTER PLAN MAP, ADOPTED AS PART OF THE 2011 PARKS, RECREATION AND OPEN SPACE MASTER PLAN

WHEREAS, the City Council of the City of Colleyville adopted the 2011 Parks, Recreation and Open Space Master Plan, to include the Parks and Trails Master Plan Map, with the approval of Resolution R-11-3433; and

WHEREAS, the City Council desires to amend Trail 36, the Remington Park Trail, by changing the required width of the trail; and

WHEREAS, the City Council desires to amend Trail 36, the Remington Park Trail, by adding an extension to the trail.

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

Sec. 1. THAT the width requirement for the Remington Park Trail within The Legacy subdivision be reduced to six feet, as shown on Exhibit "A".

Sec. 2. THAT the Remington Park Trail be amended to include an eight foot wide section from Precinct Line Road to the Remington Park Addition, on the south side of Lavaca Trail, as shown on the attached Exhibit "A".

AND IT IS SO RESOLVED.

PASSED BY A VOTE OF ___ AYES, ___ NAYS, AND ___ ABSTENTIONS ON THIS THE 6TH DAY OF JANUARY 2015.

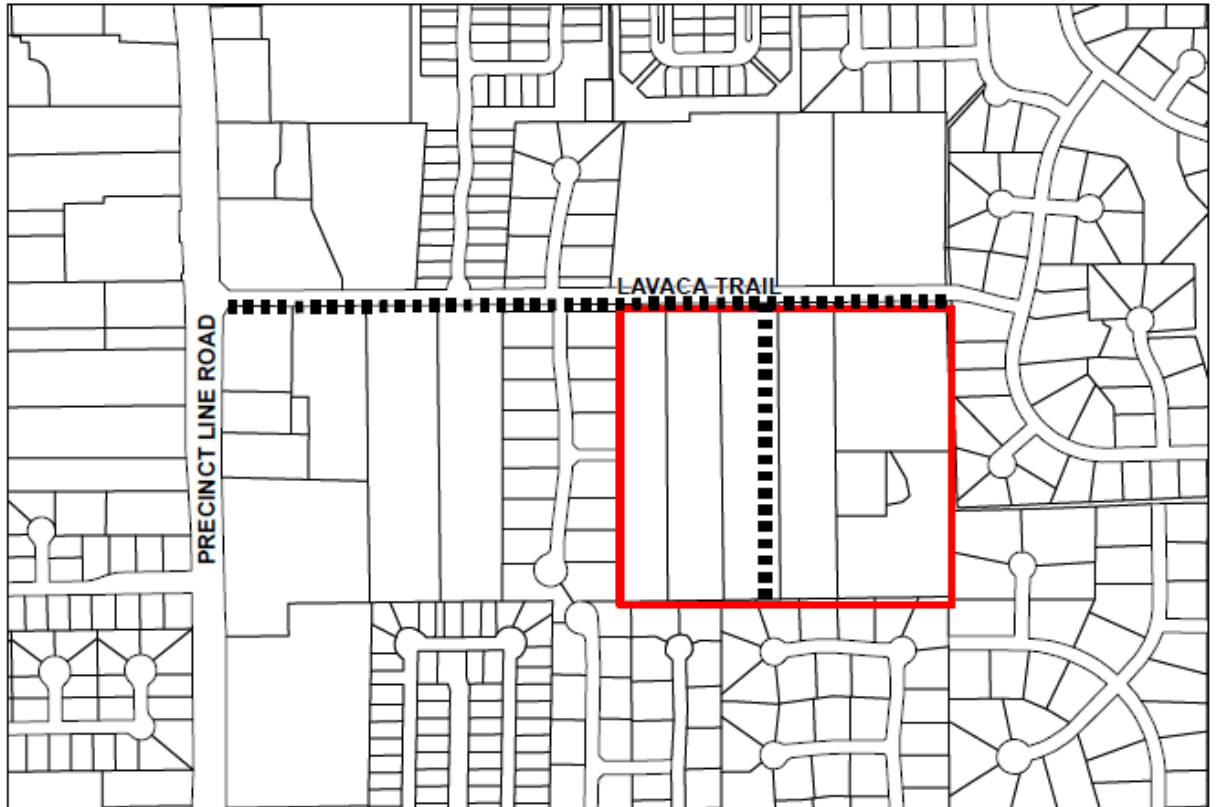
ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor

Exhibit "A"



Legend



The Legacy Subdivision

■■■■■■■■■■ Remington Park Trail (Trail 36)





City of Colleyville City Council Agenda Briefing

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

Agenda Number 7b

Agenda Date 01/06/2015

Number Resolution R-15-3831

Type Resolution

Department Public Works

Title

Consideration of a waiver request to the sidewalk requirement on Lot 1, Block D, of The Legacy subdivision located in the 800 block of Lavaca Trail, Case GC14-021

Explanation

Reading and Public Hearing

Keith Hamilton, consulting engineer for the developer, is requesting a waiver to the sidewalk construction requirements as outlined in Section 9.19.A of the Land Development Code, within the new The Legacy subdivision located in the 800 block of Lavaca Trail.

Rezoning Approval. On September 2, 2014 City Council approved attached Ordinance O-14-1924, rezoning 13.09 acres of Tract A and Track B, of the McEwing Subdivision, and a portion of Lot A, of the Giacomini Addition, located at 711, 715, and 805 Lavaca Trail from the R-40-Single Family Residential zoning district to the R-20-Single Family Residential zoning district. This action created 30.05 contiguous acres of R-20-Single Family Residential zoned property which is being proposed as the 44 lot subdivision known as The Legacy.

Applicants' Request. The subdivision plat for The Legacy is item 7c on this agenda for consideration by City Council. While reviewing the proposed subdivision construction plans, staff recognized the proposed sidewalk plan did not meet the Land Development Code requirements. Per Section 9.19.A of the City of Colleyville Land Development Code, a sidewalk is required along all new street frontage and a perimeter sidewalk was not proposed for open space Lot 1, Block D. After the developer was informed a sidewalk would be required around the perimeter of open space Lot 1, Block D, a sidewalk waiver request was submitted for City Council's consideration.

The applicant submitted the attached waiver letter and exhibit, citing reasons for the waiver request. These reasons include:

- A portion of Trail 36 will be constructed through the middle of open space Lot 1, Block D
- Pedestrians can use this trail to walk along the inside of this large open space lot, and use the sidewalk adjacent to the street located on the opposite side of the street
- Sidewalks will be provided, per the Land Development Code, on all other streets

- Open space Lot 1, Block D, is nearly two acres, and has been set aside due to the density of the existing trees, and the portion of Trail 36 located within this lot is being designed to preserve as many existing trees as possible
- The requirement to build a four foot sidewalk, along the perimeter of the open space lot, will require the removal of existing trees

Summary. Section 9.19.A of the City of Colleyville Land Development Code requires that sidewalks be constructed along all new street frontage. The applicant's proposal for constructing sidewalks throughout The Legacy subdivision does not meet this requirement. Section 9.19.A.1 of the Land Development Code states "*Any variance to the sidewalk construction requirements described above shall be considered by the City Council.*" Given the proposal does not meet these requirements, staff recommends denial due to technical non-compliance to the Land Development Code.

Financial Impact

There is currently no financial impact to the City, however, there is a potential future impact if the sidewalk is required to be constructed by the City at a future date.

Recommendation

Denial

Attachments

1. Aerial
2. Applicant Request
3. Exhibit 1 - Sidewalk Waiver Request
4. Ordinance O-14-1924
5. Resolution R-15-3831

This is an aerial photograph of a residential neighborhood. A large red rectangle is drawn over a central portion of the map, with a white box and red text inside that reads "Subject Property". The area within the rectangle is mostly undeveloped land with some trees and a few small structures. Surrounding the rectangle are several streets and residential lots. To the north is LANTANA CT, to the east is MUSTANG CT, and to the south is LOCKLEY WAY. To the west is CHANTAL LN. Other streets visible include LAVACA TRL, EMMAS CT, LIBERTY CT, and HUNTER CT. Numerous house numbers are scattered throughout the map, indicating individual lots. A small pond is visible in the upper left quadrant of the image.

Applicant Request

HAMILTON DUFFY, P.C.

Civil & Environmental Engineers · Planners · Construction Managers
Texas Firm Reg. No. F-5260

December 18, 2014

Mr. Ron Ruthven
City of Colleyville
100 Main Street
Colleyville, TX 76034

RE: Sidewalk Waiver Request
The Legacy
City of Colleyville, Texas

Dear Ron:

Please see attached application fee and exhibit for a sidewalk waiver request for a portion of our development mentioned above. We understand that sidewalks are required along all streets and we are showing to provide them along all of our streets except for the area as mentioned below and as shown on the attached exhibit. We hereby request to omit sidewalks along the outer limits of our main focal point open space lot (Lot 1, Block D) for the following reasons:

- We are constructing Trail 36 through the middle of our open space lot. Pedestrians can use this trail if they want to walk along the inside of the street opposite the already provided sidewalk on the outside of the road.
- As stated above, a sidewalk will be required along the outside of the roadway
- Said open lot (Lot 1, Block D) is almost 2 acres and has been set aside due to the density of the existing trees. Said Trail 36 will meander through the trees in an attempt to preserve as many as possible. The requirement to build a 4' sidewalk along the perimeter of these trees will only result in many of them to be removed.

If you have any questions, please contact my office.

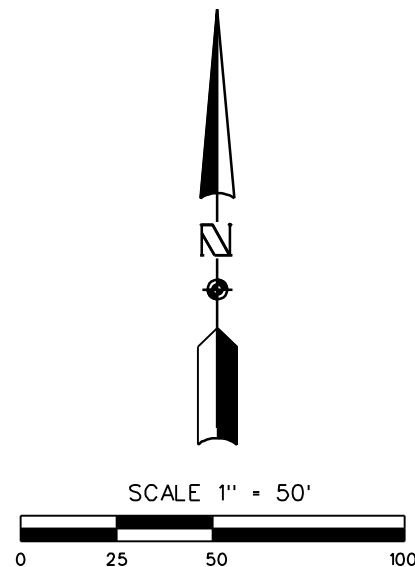
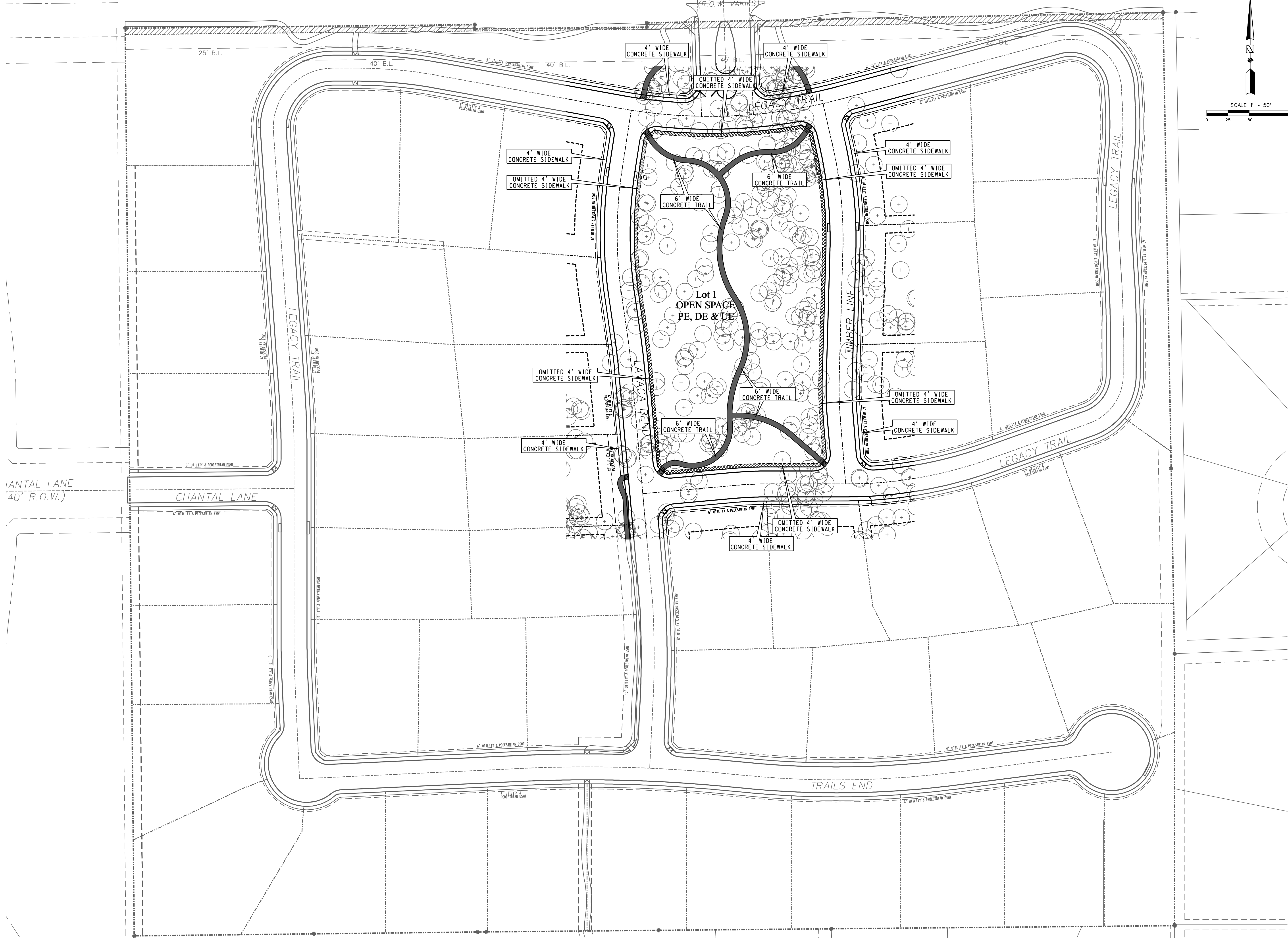
Sincerely,

HAMILTON DUFFY, P.C.

Keith Hamilton, P.E.

Attachments

Exhibit 1 - Sidewalk Waiver Request



HAMILTON
DUFFY, PC
CONSULTING

CIVIL & ENVIRONMENTAL ENGINEERS - PLANNERS - CONSTRUCTION MANAGERS
8241 MID-CITIES BLVD. - NORTH RICHLAND HILLS, TEXAS 76182
PHONE (817) 268-0408 FAX (817) 284-8408

THE LEGACY

CITY OF COLLEYVILLE, TEXAS

SIDEWALK WAIVER EXHIBIT

PRELIMINARY
FOR REVIEW ONLY

THESE DOCUMENTS ARE FOR DESIGN REVIEW
AND NOT INTENDED FOR CONSTRUCTION.
NO PART OF THESE DOCUMENTS ARE
TO BE USED FOR ANY OTHER PURPOSE
WITHOUT THE WRITTEN CONSENT OF
THE ENGINEER OF RECORD.

KEITH M. HAMILTON 87384 \$DATE\$
PE NO. DATE

NO.	REVISION	BY	DATE	JOB	DATE	040-047	\$DATE\$	TESTED	K.M.H.	DRAWN	J.B.E.	CHECKED	K.M.H.	TEXAS REGISTERED NUMBER F-5560

SHEET

1 OF 1

ORDINANCE O-14-1924

AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AS HERETOFORE AMENDED; BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 13.09 ACRES OF TRACT A AND TRACT B, OF THE MCEWING SUBDIVISION AND A PORTION OF LOT A, OF THE GIACOMINI ADDITION, LOCATED AT 711, 715, AND 805 LAVACA TRAIL, FROM THE R40-SINGLE FAMILY RESIDENTIAL ZONING DISTRICT TO THE R20-SINGLE FAMILY 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 rezoning under Case ZC14-012; 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; and 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 13.09 acres on Tract A and Tract B, of the McEwing Subdivision and a portion of Lot A, of the Giacomini Addition located at 711, 715, and 805 Lavaca Trail, from the R40-Single Family Residential zoning district to the R20-Single Family Residential zoning district, as depicted in the attached Exhibit "A" and described in the attached "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 any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

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

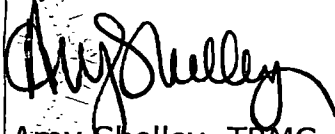
AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 19th day of August 2014.

The second reading and public hearing being conducted on the 2nd day of September 2014.

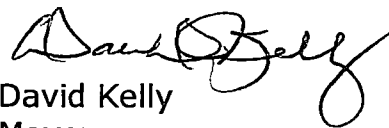
PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 2nd day of September 2014.

ATTEST:



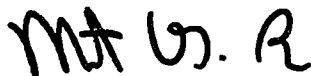
Amy Shelley, TRMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:



Matthew C. G. Boyle
City Attorney

The map displays a grid of property lots with various zoning designations. The subject property, located at the intersection of Chantall N and Mustang Ct, is a large lot (805) zoned R-40. It is bordered by R-20 zoned lots to the north and west. The map also shows other streets such as Lavaca Trl, Mustang Ct, Liberty Ct, Hunter Ct, and Lockley Way. Lots are numbered throughout the area, and a north arrow is provided for orientation.

Exhibit "B"- Metes and Bounds Description

METES AND BOUNDS DESCRIPTION of the portion of the property currently zoned R-40, proposed for R-20:

All of Tract A and Tract B of the McEwing Subdvision, recorded in Volume 388-29, Page 447, Plat Records of Tarrant County, Texas (P.R.T.C.T.), and a portion of Lot A, Giacomini Addition, recorded in Cabinet A, Slide 6002, P.R.T.C.T.

N 88°50'19" E 607.74

S 01°01'51" E 754.59

S 00°00'21" E 319.99

S 89°29'04" W 404.07

N 00°44'20" W 407.34

S 88°42'57" W 203.36

N 00°44'36" W 663.08

Containing 570,372 square feet, or 13.094 acres

RESOLUTION R-15-3831

APPROVING A REQUEST FOR A WAIVER FROM THE CONSTRUCTION REQUIREMENTS FOR A SIDEWALK ON LOT 1, BLOCK D, OF THE LEGACY SUBDIVISION, LOCATED IN THE 800 BLOCK OF LAVACA TRAIL

WHEREAS, a sidewalk is required to be constructed along all new street frontage per the City of Colleyville Land Development Code, Section 9.19.A; and

WHEREAS, the developer intends to construct a portion of Trail 36 through open space Lot 1, Block D, and is requesting to not construct the perimeter sidewalk required within open space Lot 1, Block D; and

WHEREAS, Keith Hamilton, design engineer of The Legacy subdivision, is requesting a waiver from the City of Colleyville Land Development Code, Section 9.19.A, on Lot 1, Block D, of The Legacy subdivision, which requires the construction of a perimeter sidewalk.

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

- Sec. 1. THAT the sidewalk construction waiver for Lot 1, Block D, of The Legacy subdivision, located in the 800 block of Lavaca Trail, is hereby approved and a four foot wide perimeter sidewalk will be omitted and not constructed, as shown in the attached Exhibit "A" – Sidewalk Waiver Request.
- Sec. 2. THAT a portion of Trail 36 will be constructed through open space Lot 1, Block D, of The Legacy subdivision, as shown in the attached Exhibit "A" – Sidewalk Waiver Request.
- Sec. 3. THAT all other requirements of the Land Development Code shall be met, except where amended herein.

AND IT IS SO RESOLVED.

PASSED BY A VOTE OF ___ AYES, ___ NAYS, AND ___ ABSTENTIONS ON THIS THE 6TH DAY OF JANUARY 2015.

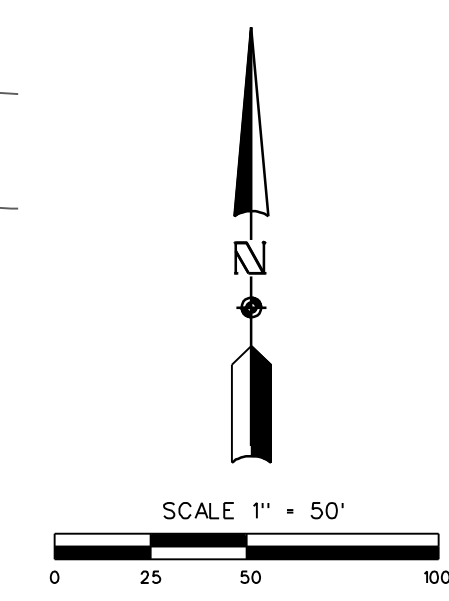
ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor

Request
(R.O.W. VARIES)



CIVIL & ENVIRONMENTAL ENGINEERS — PLANNERS — CONSTRUCTION MANAGERS
8241 MID-CITIES BLVD. — NORTH RICHLAND HILLS, TEXAS 76182
PHONE (817) 268-0408 FAX (817) 284-8408

SIDEWALK WAIVER EXHIBIT

KEITH M. HAMILTON 87384 \$DATES

NO.	REVISION	BY	DATE	JOB	040-047
				DATE	\$DATE\$
				DESIGNED	K. M. H.
				DRAWN	J. B. E.
				CHECKED	K. M. H.
				TEXAS REGISTERED ENGINEERING FIRM NUMBER P-5260	

1 OF 1



City of Colleyville City Council Agenda Briefing

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

Agenda Number 7c

Agenda Date 01/06/2015

Number Resolution R-15-3832

Type Resolution

Department Community Development

Title

Approval of a combination preliminary/final plat on Lot 1, Block 1, of the Lavaca Trail Addition; Lot 1, Block 1, of the Miller Addition; Lot 1, Block 1, of the Lancaster Hill Addition; Lot A, of the Giacomini Addition; and Tract A and Tract B, of the McEwing Subdivision, located at 711, 715, 805, 809, 813, and 901 Lavaca Trail, Case PC14-025

Explanation

Reading and Public Hearing

Emily Harding has submitted a request to approve a combination preliminary/final plat of The Legacy, which includes 44 single family residential lots and four open space lots on 30.05 acres.

Zoning and Land Use. The subject properties are zoned R-20-Single Family Residential zoning district and currently contain six platted lots with five single family detached homes.

Lot Dimensions. The R-20-Single Family Residential district requires the following lots dimensions:

Minimum Lot Size: 20,000 square feet

Minimum Lot Width: 100 feet

Minimum Lot Depth: 125 feet

The proposed plat adheres to the minimum lot dimension requirements listed above.

Adjacent Streets/Private Streets/Access. The developer proposes private streets for the development. As such the streets are indicated as private lots with adjacent six (6) foot pedestrian and utility easements. The proposed development will have two entrances, a resident only entrance from Chantal Lane, and the primary entrance from Lavaca Trail. All gates must have an approved Opticom system and must meet the minimum requirements of Chapter 10-Private Streets and Entrance Gates and Chapter 14-Engineering Design Standards in the Land Development Code.

Given the R-20-Single Family Residential zoning of the proposed plat, according to Section 10-125 of Chapter 10-Private Street and Entrance Gates, in the Land Development Code, in order to approve the private streets, the plat shall be "approved

by the City Council, after receiving recommendation from the Planning and Zoning Commission". A public hearing is not required since the subdivision plat is new and does not pertain to an existing development petitioning to convert existing public streets to private streets.

Lavaca Trail is classified as a Minor Collector on the Master Thoroughfare Plan. Minor Collectors require a minimum right-of-way of 75 feet, with the adjacent developer required to dedicate 37.5 feet whenever the property is platted. The plat reflects this requirement.

Sidewalks and Trails. Four (4) foot sidewalks will be installed in front of each residential lot within the six foot pedestrian and utility easement at the time of new home construction.

A five (5) foot sidewalk is required to be constructed along Lavaca Trail by the developer prior to the acceptance of public improvements.

A ten (10) foot wide trail is required to be constructed through the middle of the development by the developer prior to the acceptance of public improvements. The trail, shown as Trail 23 on the 2005 Colleyville Pathways Plan, and listed as the Remington Park Trail on the 2011 Parks, Recreation and Open Space Master Plan, was realigned by Resolution R-06-2783 (attached) to run through the middle of the Covington Addition, south of the proposed development, and continue northward to Lavaca Trail. A 20 foot wide easement is recommended to accommodate a ten (10) foot wide trail according to the guidelines set forth in 2005 Colleyville Pathways Plan. However, as detailed in the accompanying two agenda items, Resolution R-15-3830 and Resolution R-15-3831, the applicant is requesting a waiver to the trail width requirement and to certain sidewalk requirements within the development. Given the requested reduction in trail width from ten (10) feet to six (6) feet, the applicant proposes a reduction in the easement width from 20 feet to 15 feet. The easement in question is indicated on the plat as a "pedestrian, public access and utility easement".

Drainage. The development will provide on-site detention. All drainage must meet the requirements of the Land Development Code. Public Works Department staff has reviewed and accepted the proposed on-site detention.

Park Land Dedication Fees. Park land dedication fees are required, in the amount of \$1,802 per residential lot. Park land dedication fees must be paid before the final plat is recorded with the County Clerk's office.

Perimeter Street Improvement Requirements. Perimeter street improvement fees are not required for this development, as the amount of impact fees exceeds the total cost of the perimeter street improvement fees for Lavaca Trail, per the City Engineer's calculation.

Impact Fees. Water, sewer, and roadway impact fees are due at the time a building permit is issued. Fees will depend upon tap size for water and sewer impact fees. Roadway impact fees are due in the amount of \$4,941 for single family detached uses at the time of building permit application.

Tree Preservation. A tree preservation plan has been submitted by the applicant and is currently under review. Trees not located within the right-of-way or within the pad site must be preserved during construction. Before construction begins on the site, protective fencing must be installed around the drip line of all preserved trees located outside the right-of-way.

Planning and Zoning Commission Recommendation. The Planning and Zoning Commission recommended approval of this request at the December 8, 2014 meeting by a vote of 7-0.

Summary. With the exception of the trail width easement reduction from 20 feet to 15 feet, the proposed development generally satisfies the requirements of the Land Development Code. Although a combination preliminary/final plat only requires approval by the Planning and Zoning Commission, given the proposed private streets, City Council approval of the plat is required as well.

Financial Impact

There is no financial impact to the City.

Recommendation

Approval with the following conditions:

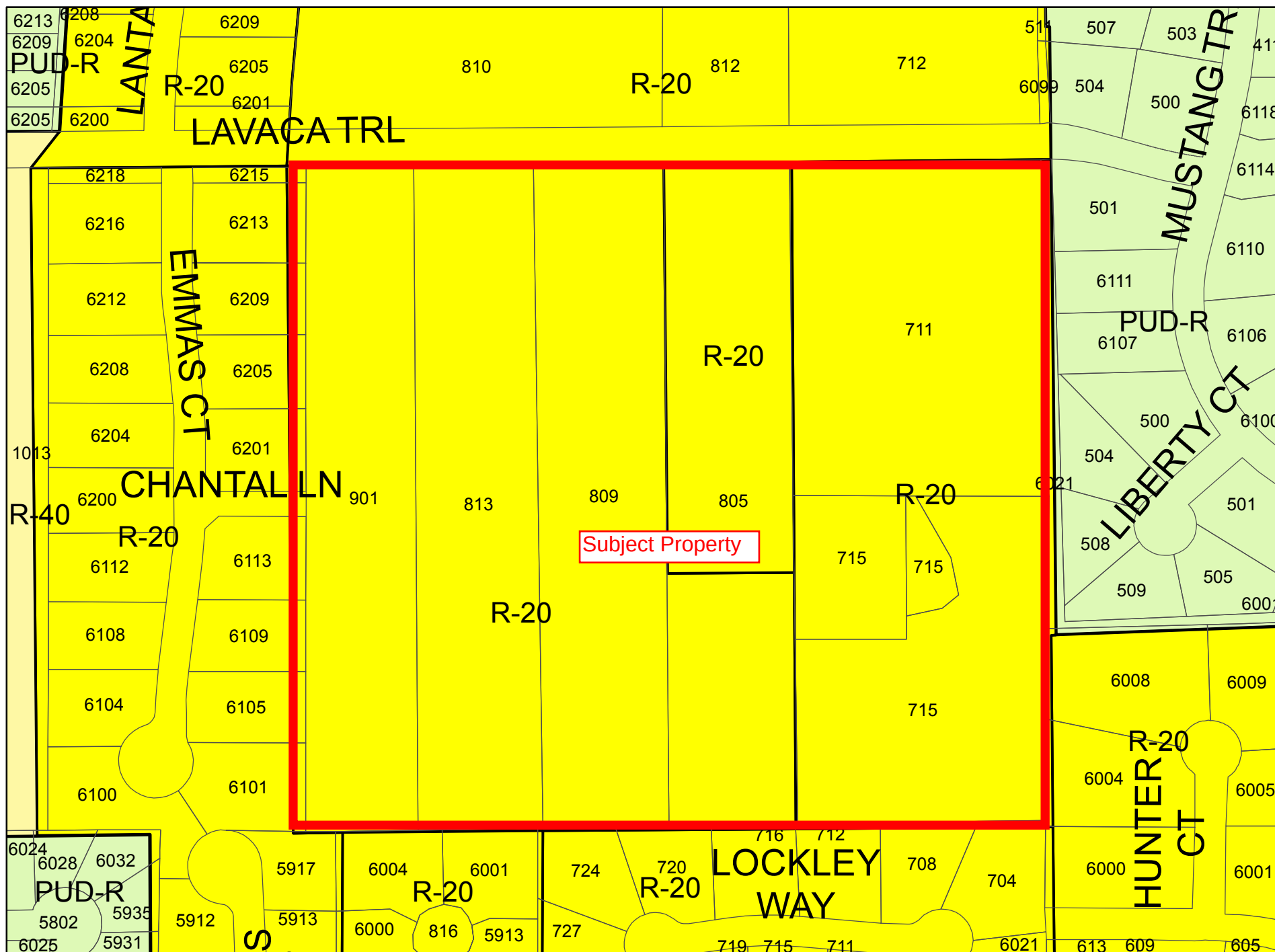
If the trail waiver described in agenda item R-15-3830 is approved, staff recommends approval of the plat;

If the trail waiver described in agenda item R-15-3830 is denied, or approved to a width greater than six (6) feet, staff recommends denial of the plat.

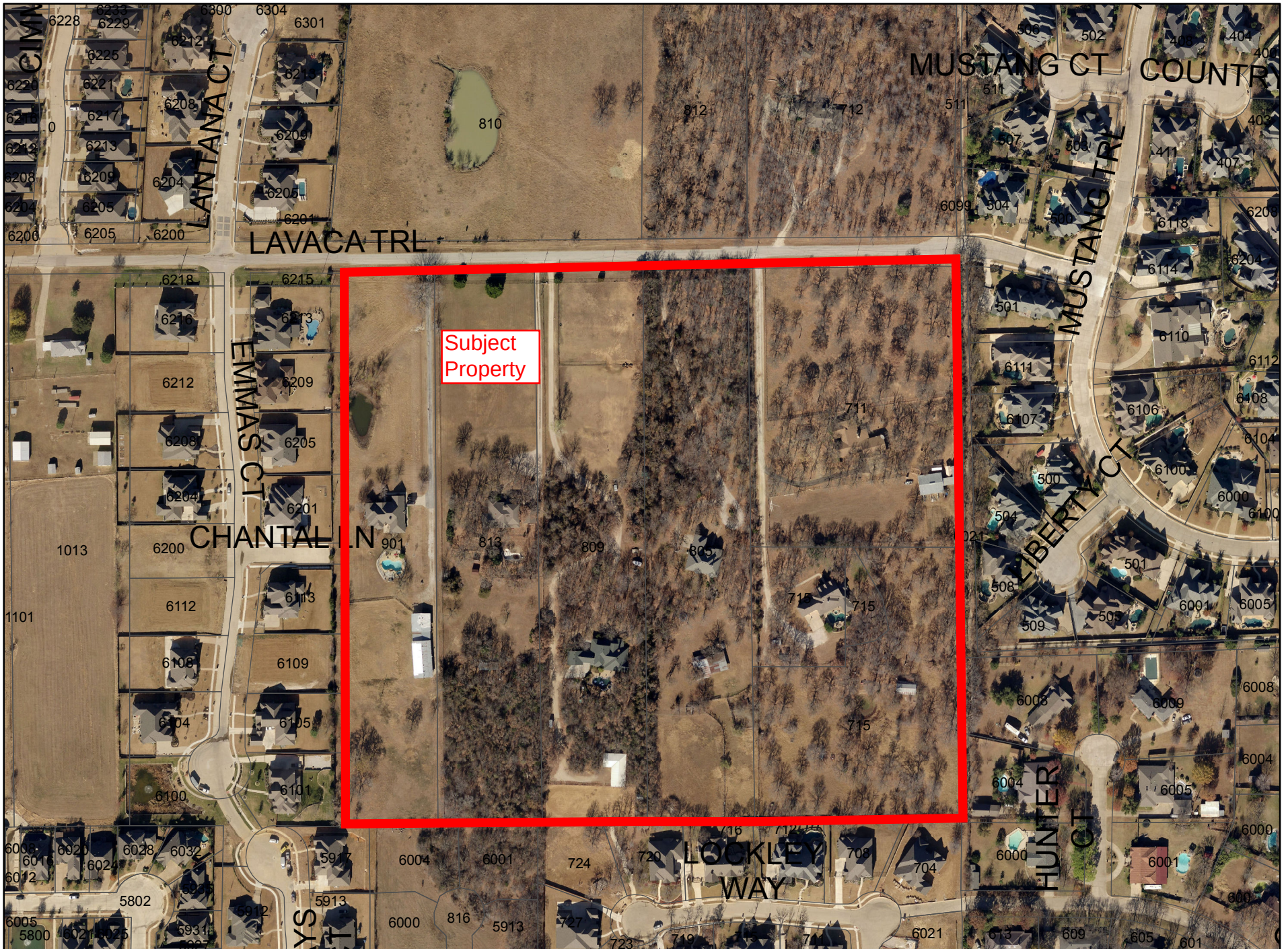
Attachments

1. Location and Zoning Map
2. Aerial
3. Final Plat Exhibit
4. Resolution R-06-2783
5. Resolution R-15-3832

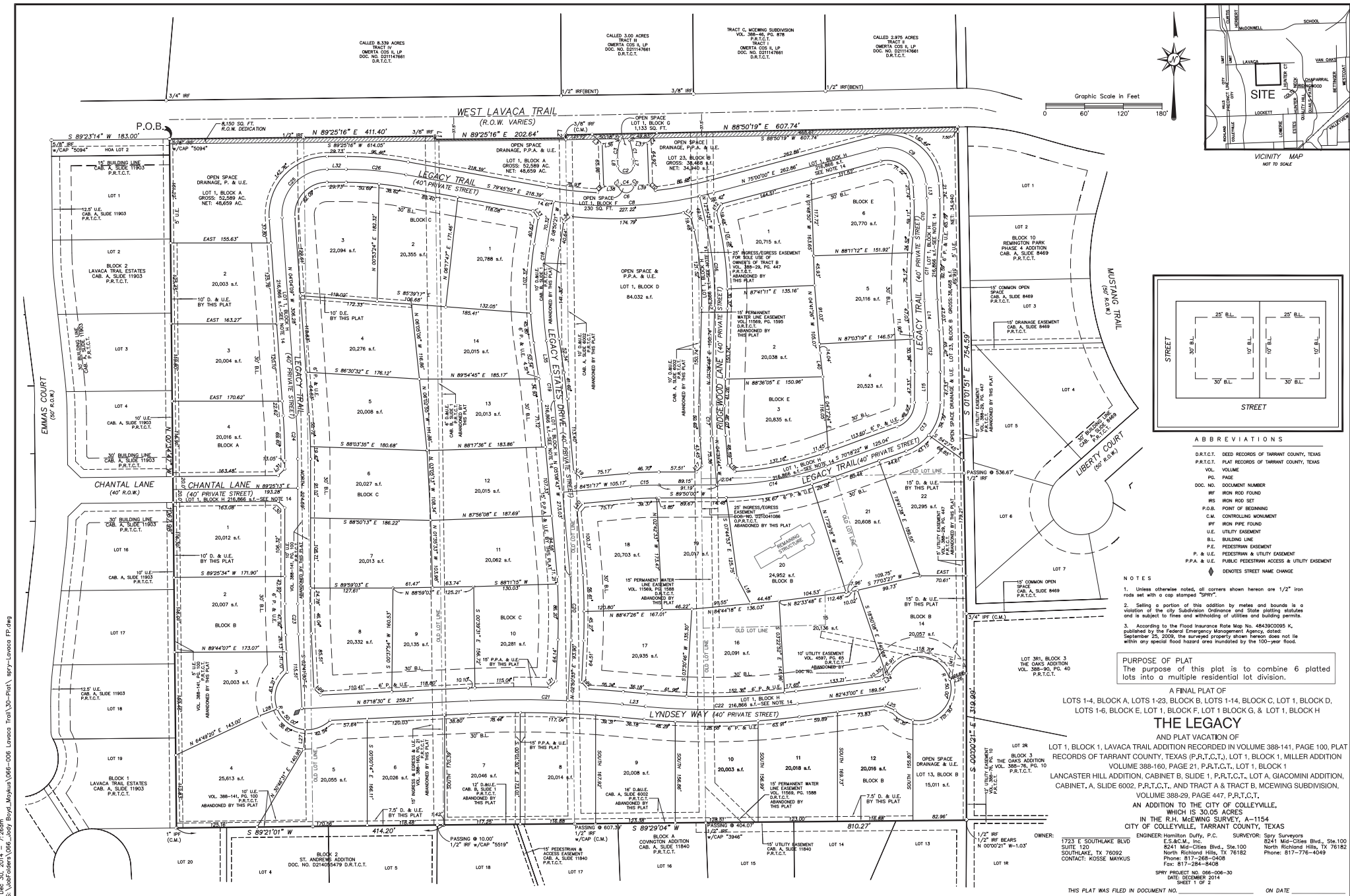
Location and Zoning Map



Aerial



Final Plat Exhibit



Final Plat Exhibit

OWNER'S DEDICATION

STATE OF TEXAS
COUNTY OF TARRANT

WHEREAS, _____ is the owner of all of Lot 1, Block 1, Lavaca Trail Addition recorded in Volume 388-141, Page 100, Plat Records of Tarrant County, Texas (P.R.T.C.T.), Lot 1, Block 1, Miller Addition Volume 388-160, Page 21, P.R.T.C.T., Lot 1, Block 1 Lancaster Hill Addition, Cabinet B, Slide 1, P.R.T.C.T., Lot A, Giacomini Addition, Cabinet A, Slide 6002, P.R.T.C.T., and Tract A & Tract B, McEwing Subdivision, Volume 388-29, Page 447, P.R.T.C.T., in the R.H. McEwing Survey, A-1154, in the City of Colleyville, Tarrant County, Texas and more particularly described by metes and bounds as follows: (all bearings shown hereon are based on Texas State Plane Coordinate System, North Central Zone);

BEGINNING at a 5/8" iron rod found with a cap stamped "5094" found in the south right-of-way line of West Lavaca Trail (a variable width right-of-way), being the northwest corner of said Lot 1, Block 1, Lavaca Trail Addition, also being the northeast corner of HOA Lot 2 of Lavaca Trail Estates, recorded in Cabinet A, Slide 11803, P.R.T.C.T., and from which point a 5/8" iron rod found with a cap stamped "5094" found at the intersection of the south right-of-way line of West Lavaca Trail and east right-of-way line of Emmas Court (a 50' right-of-way), and for the northwest corner of said HOA Lot 2 of Lavaca Trail Estates bears South 89° 23' 14" West - 183.00';

THENCE North 89°25'16" East along the east line of said Lot 1, Block 1, Miller Addition, 5.00' to a 1/2" iron rod found with a cap stamped "SPRY" set for an angle corner of the herein described tract, in the west line of said Miller Addition, common to the east line of said Lancaster Hill Addition;

THENCE North 89°25'16" East, along the south right-of-way line of said West Lavaca Trail common to the north line of said Lancaster Hill Addition, 202.64' to a 1/2" iron rod with a cap stamped "SPRY" set for an angle corner of the herein described tract, in the east line of said Lancaster Hill Addition, common to the west line of said Giacomini Addition;

THENCE North 00°44'36" West along the west line of said Giacomini Addition 5.00' to a 3/8" iron rod found for an angle corner of the herein described tract, in the south right-of-way line of West Lavaca Trail;

THENCE North 89°50'19" East along the south right-of-way line of said West Lavaca Trail, 607.74' to a 1/2" iron rod with a cap stamped "SPRY" set for the northeast corner of the herein described tract, common to the northwest corner of Block 10, Remington Park Phase 4 Addition, recorded in Cabinet A, Slide 8469, P.R.T.C.T.;

THENCE South 01°01'51" East, along the east line of said McEwing Subdivision, passing a 1/2" iron rod at a distance of 536.67' continuing for a total of 754.59' to a 3/4" iron pipe found to an angle corner of the herein described tract, common to the southwest corner of said Block 10, Remington Park Phase 4 Addition, common to the northwest corner of Lot 3R1, Block 3, The Oaks Addition, recorded in Volume 388-90, Page 40, P.R.T.C.T.;

THENCE South 00°02'11" East, continuing along the east line of said McEwing Subdivision, 319.98' to a 1/2" iron rod found for the southwest corner of Lot 2R, Block 3, The Oaks Addition, recorded in Volume 388-76, Page 10, P.R.T.C.T., common to the northwest corner of Lot 1R, Block 3, of said The Oaks Addition, also being the northeast corner of Block A, Covington Addition, recorded in Cabinet A, Slide 11840, P.R.T.C.T.;

THENCE South 89°29'04" West, along the south line of the herein described tract, common to the north line of said Block A, Covington Addition, passing a 1/2" iron rod with a cap stamped "5946" found at a distance of 404.07', passing a 1/2" iron rod with a cap found at a distance of 607.39' and continuing for a total distance of 810.27' to a 1/2" iron rod with a cap stamped "SPRY" set for an angle corner of the herein described tract;

THENCE South 89°21'01" West, passing a found 1/2" iron rod with a cap stamped "5519" at a distance of 10.00' for the northeast corner of block 2, St. Andrews Addition, recorded in Document Number D214055479, O.P.R.T.C.T., passing a 3/8" iron rod found which bears North 00° 45' West - 0.46' at a distance of 202.90', and continuing for a total distance of 414.20' to a 1" pipe found for the southwest corner of the herein described tract, common to an angle corner of Block 1, of said Lavaca Trail Estates;

THENCE North 00°34'47" West, along the west line of the herein described tract, common to the east line of said Lavaca Trail Estates, 1067.98' to the POINT OF BEGINNING and containing 30.05 acres.

NOTARY CERTIFICATE

STATE OF TEXAS

COUNTY OF _____

Before me, the undersigned authority, a Notary Public in and for the said County and State, on this _____ day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this _____ day of _____, 2014.

Signature _____ Title _____

Signature _____ Title _____

NOTARY CERTIFICATE

STATE OF TEXAS

COUNTY OF _____

Before me, the undersigned authority, a Notary Public in and for the said County and State, on this _____ day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this _____ day of _____, 20____.

Signature _____ Notary Stamp: _____

Signature _____ Notary Stamp: _____

Conditions of Approval

1. Lot 1, Block A denotes the private access and private drainage easement owned by the Homeowners Association (HOA) of The Legacy. No building permit will be issued for Lot 1, Block A.

2. The landowners and any subsequent owners of lots shown herein (the Lot Owners), jointly and severally, shall be responsible and liable for the construction, operation and maintenance of any private common areas or facilities in the addition created herein (the Addition), including but not limited to private streets, private entrance gates or structures, private walls and fences, private pedestrian access, private storm drainage systems, private lake, private open space and landscaping, and emergency access.

3. A HOA shall be established by the subdivider or developer to operate and/or maintain the aforementioned private common areas or facilities.

4. The City of Colleyville, Texas (the City) shall not be responsible for maintaining any of the aforementioned private common areas or facilities. The City will maintain only the public water and sanitary sewer systems in utility easements accepted by the City.

5. The HOA, lot owners, and landowners shall not seek maintenance from the City except for the aforementioned public water and sanitary sewer systems in utility easements accepted by the City.

6. Any public utility entities, including the City, shall have the right at all times of ingress and egress to and from and upon the utility easements shown herein for the purpose of construction, reconstruction, inspection, patrolling, maintaining, and adding to or removing all or part of its respective systems. Except for private storm drainage systems, private streets and related entrance gates or structures that are approved by the City, no buildings, fences, structures, trees, shrubs, or other improvements or growths shall be constructed or placed upon, or across said public utility easements. Any public utility entity, including the City, shall have the right to remove and keep removed all or parts of any buildings, fences, structures, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with its respective systems within said utility easements.

7. The City shall have the right at all times to remove and keep removed any vehicle or obstacle that impairs emergency access in the emergency access easements shown herein.

8. Any governmental entities, including the City, shall have the right at all times of ingress and egress to and from and upon the private access easements shown herein for any purpose related to the exercise of a governmental service or function.

SURVEYOR CERTIFICATE

That I, David Carlton Lewis, a Registered Professional Land Surveyor licensed in the State of Texas, do hereby certify that I have prepared this plat from an actual on the ground survey of the land and the monuments shown hereon were found and/or placed under my personal supervision and in accordance with the Plotting Rules and Regulations of the City Plan Commission of the City of Colleyville, Texas.

This document shall not be recorded for any purpose. This drawing shall be used for

REVIEW PURPOSES ONLY

David Carlton Lewis
R.P.L.S. No. 5647

Date: December 30, 2014

Surveyor's Signature



9. If the HOA or lot owners fail to maintain reliable access to any public utility or governmental entities for purposes stated hereinabove, the City may enter the Addition and remove any entrance gate or structure which is a barrier to access at the sole expense of the HOA or lot owners on a pro-rata share formula.

10. The construction, reconstruction or repair of any private streets within the Addition must meet the approval of the Director of Public Works and comply with the specifications of the City for public streets at the time of construction, reconstruction or repair. The construction, reconstruction or repair of any entrance gate and structure for the Addition must meet the approval of the Engineering Department and Fire Department of the City.

11. The installation or replacement of all traffic regulatory signs along the private streets must conform to the Texas Manual of Uniform Traffic Control Devices.

12. The HOA and lot owners agree to release, indemnify, defend and hold harmless the city, its officers, agents, licensees, servants and employees, from and against any and all claims or suits for property damage or loss and/or personal injury, including death, to any and all persons, of whatsoever kind of character, whether real or asserted, arising out of or in connection with, directly or indirectly: (a) the reasonable use of the private streets, emergency access, utility easements, entrance gate or structure by the city, its officers, agents, licensees, servants and employees; (b) the condition of the private streets, private entrance gates or structures, private walls and fences, private pedestrian access, private storm drainage systems and emergency access; or (c) any use of the addition by the city, its officers, agents, licensees, servants and employees for any purpose stated hereinabove, whether or not caused, in whole or in part, by alleged negligence or officers, agents, servants, employees, contractors, subcontractors, licensees or invitees of the city. The HOA shall be responsible for carrying liability insurance to meet the requirements in this paragraph.

13. Per resolution R-06-2783, the 2005 Colleyville Pathway Plan was amended to realign the trail route of Trail 23. Trail 23, a 6 foot wide trail, is located within the proposed development.

14. Lot 1, Block H is dedicated as an access, drainage, utility, and pedestrian easement. This easement covers the street lot and grants to the City unrestricted use of the property for utilities and the maintenance of same. This right shall extend to all utility providers including telecommunication companies operating within the City. This easement provides the City with the right of access for any purpose related to the exercise of a governmental service or function, including but not limited to fire and police protection, inspection and code enforcement. This easement shall permit the City to remove any vehicle or obstacle within the private street lot that impairs emergency access.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 00°34'50" E	6.00
L2	N 00°45'50" W	23.37
L3	S 46°25'06" E	23.37
L4	S 46°25'06" E	23.37
L5	N 14°48'48" E	3.34
L6	N 18°50'25" E	3.14
L7	N 02°00'00" W	10.30
L8	N 02°00'00" W	10.30
L9	S 44°30'00" E	13.63
L10	S 44°30'00" E	13.63
L11	S 56°52'19" E	14.49
L12	N 31°02'38" E	14.49
L13	N 00°00'00" W	27.43
L14	N 03°03'00" E	47.03
L15	N 00°00'00" W	17.43
L16	N 48°41'39" W	14.38
L17	S 42°00'00" E	13.58
L18	S 23°24'18" E	44.80
L19	S 50°58'43" E	14.14
L20	S 39°51'17" W	14.14
L21	S 47°14'35" W	14.29
L22	N 42°52'25" E	14.52
L23	N 84°10'04" W	36.18
L24	N 52°22'21" E	17.28
L25	N 68°56'01" W	17.28
L26	S 69°02'04" E	21.41
L27	S 04°54'42" E	30.00
L28	S 09°02'04" E	30.00
L29	N 49°10'00" E	14.19
L30	S 45°17'24" E	14.01
L31	S 44°24'24" E	14.01
L32	E 00°00'00" E	29.75
L33	S 39°51'17" W	14.14
L34	N 52°10'00" E	14.49
L35	S 01°10'00" E	62.34
L36	N 79°10'00" E	72.61
L37	N 81°10'00" E	72.61
L38	N 81°10'00" E	72.61
L39	N 87°30'00" E	23.00
L40	S 08°20'00" E	27.00
L41	N 09°11'00" E	56.20

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	100.00'	29.54'	29.43'	S 10°28'16" E
C2	13.00'	37.70'	24.00'	S 87°49'25" E
C3	100.00'	29.54'	29.43'	N 06°27'08" E
C4	30.00'	18.89'	18.67'	N 87°02'00" E
C5	2.00'	3.96'	3.14'	N 53°59'44" W
C6	600.00'	354.26'	33.47'	S 87°37'00" E
C7	2.00'	3.96'	3.14'	N 42°20'00" E
C8	600.00'	354.26'	33.47'	S 87°37'00" E
C9	600.00'	354.26'	33.47'	S 87°37'00" E
C10	460.00'	62.68'	62.60'	S 01°30'00" E
C11	578.00'	85.81'	85.80'	S 01°30'00" E
C12	1000.00'	84.13'	84.12'	S 01°40'49" E
C13	60.00'	71.46'	68.98'	S 70°11'00" E
C14	500.00'	720.41'	169.59'	S 80°14'11" W
C15	500.00'	720.41'	169.59'	S 80°14'11" W
C16	500.00'	720.41'	169.59'	S 80°14'11" W
C17	460.00'	48.46'	48.46'	S 01°40'49" E
C18	460.00'	48.46'	48.46'	S 01°40'49" E
C19	760.00'	40.59'	40.61'	S 08°14'34" E
C20	1188.24'	89.39'	88.02'	S 09°11'00" E
C21	1700.00'	237.59'	237.59'	S 88°41'17" E
C22	1000.00'	84.13'	84.12'	S 01°40'49" E
C23	1000.00'	84.13'	84.12'	S 01°40'49" E
C24	836.46'	68.98'	68.98'	S 70°11'00" E
C25	500.00'	720.41'	169.59'	S 80°14'11" W
C26	520.00'	82.89'	82.78'	S 84°52'58" E

PURPOSE OF PLAT
The purpose of this plat is to combine 6 plotted lots into one plat.

A FINAL PLAT OF

LOTS 1-4, BLOCK A, LOTS 1-23, BLOCK B, LOTS 1-14, BLOCK C, LOT 1, BLOCK D, LOTS 1-6, BLOCK E, LOT 1, BLOCK F, LOT 1 BLOCK G, & LOT 1, BLOCK H

THE LEGACY

AND PLAT VACATION OF

LOT 1, BLOCK 1, LAVACA TRAIL ADDITION RECORDED IN VOLUME 388-141, PAGE 100, PLAT RECORDS OF TARRANT COUNTY, TEXAS (P.R.T.C.T.), LOT 1, BLOCK 1, MILLER ADDITION VOLUME 388-160, PAGE 21, P.R.T.C.T., LOT 1, BLOCK 1, LANCASTER HILL ADDITION, CABINET B, SLIDE 1, P.R.T.C.T., LOT A, GIACOMINI ADDITION, CABINET A, SLIDE 6002, P.R.T.C.T., AND TRACT A & TRACT B, MCEWING SUBDIVISION, VOLUME 388-29, PAGE 447, P.R.T.C.T.,

AN ADDITION TO THE CITY OF COLLEYVILLE,

WHICH IS 30.05 ACRES

IN THE R.H. MCEWING SURVEY, A-1154

CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

OWNER: 1723 E SOUTHLAKE BLVD SUITE 120 SOUTHLAKE, TX 76092 CONTACT: KOSSE MARKUS
ENGINEER: Hamilton Duffy, P.C. 8241 Mid-Cities Blvd., Ste.100 North Richland Hills, TX 76182 Phone: 817-288-0408 Fax: 817-284-8408
SURVEYOR: Spry Surveyors E.S.&C.M., Inc. 8241 Mid-Cities Blvd., Ste.100 North Richland Hills, TX 76182 Phone: 817-776-4049

SPRY PROJECT NO. 086-098-30-30

DATE: DECEMBER 2014

SHEET 2 OF 2

THIS PLAT WAS FILED IN DOCUMENT NO. _____ ON DATE _____

RESOLUTION R-06-2783

**A RESOLUTION AMENDING TRAIL NUMBER 23 IN THE
COLLEYVILLE PATHWAYS PLAN, DATED SEPTEMBER 2005**

WHEREAS, the City Council of the City of Colleyville adopted the Colleyville Pathways Plan with the approval of Resolution R-05-2609; and

WHEREAS, the City Council desires to amend Trail Number 23, by changing the proposed trail route to reflect changing conditions that have occurred in the community; and

WHEREAS, the Colleyville Sidewalk Committee met on November 6, 2006, and recommended approval to amend Trail Number 23; and

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

Sec. 1 THAT the document entitled "Colleyville Pathways Plan", dated September 2005, is hereby amended to incorporate the revised trail route for Trail Number 23, as shown on the attached Exhibit "A".

AND IT IS SO RESOLVED.

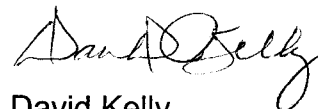
PASSED BY A VOTE OF 6 AYES, 0 NAYS AND 0
ABSTENTIONS ON THIS THE 5th DAY OF December 2006.

ATTEST:



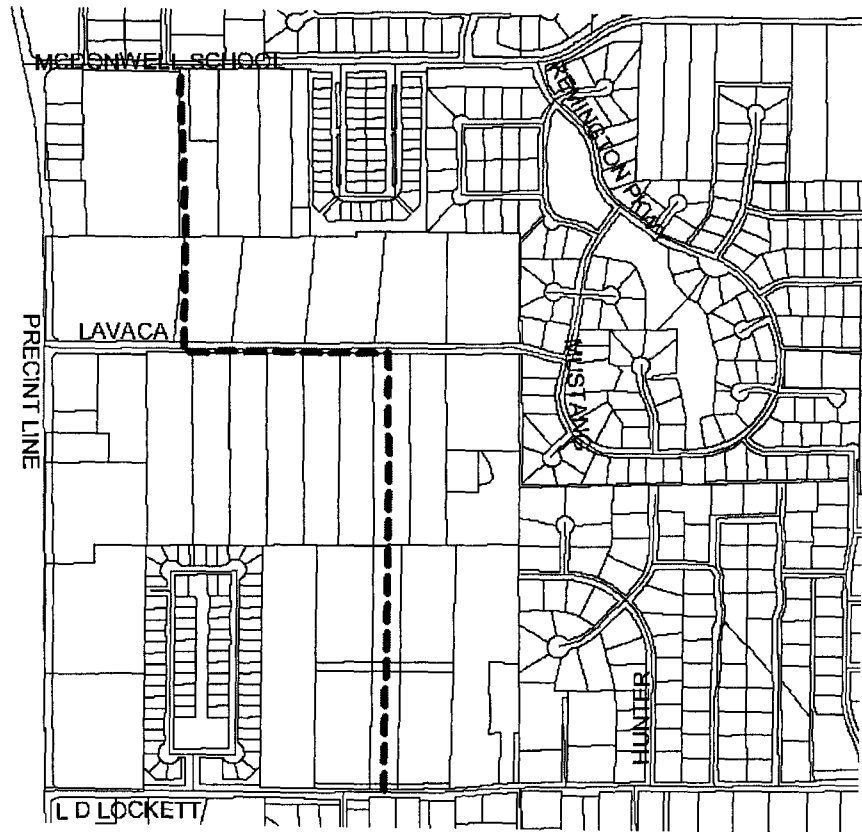
Cynthia Singleton, TRMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor

Exhibit "A"



RESOLUTION R-15-3832

**A RESOLUTION APPROVING A FINAL PLAT FOR
THE LEGACY**

WHEREAS, the Planning and Zoning Commission recommended approval of the final plat for The Legacy Addition on December 8, 2014.

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

Sec. 1. THAT the final plat for The Legacy Addition, attached as Exhibit "A" – Plat Exhibit, is hereby approved.

AND IT IS SO RESOLVED.

PASSED BY A VOTE OF ___ AYES, ___ NAYS, AND ___ ABSTENTIONS ON THIS THE 6TH DAY OF JANUARY 2015.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor

Exhibit "A"

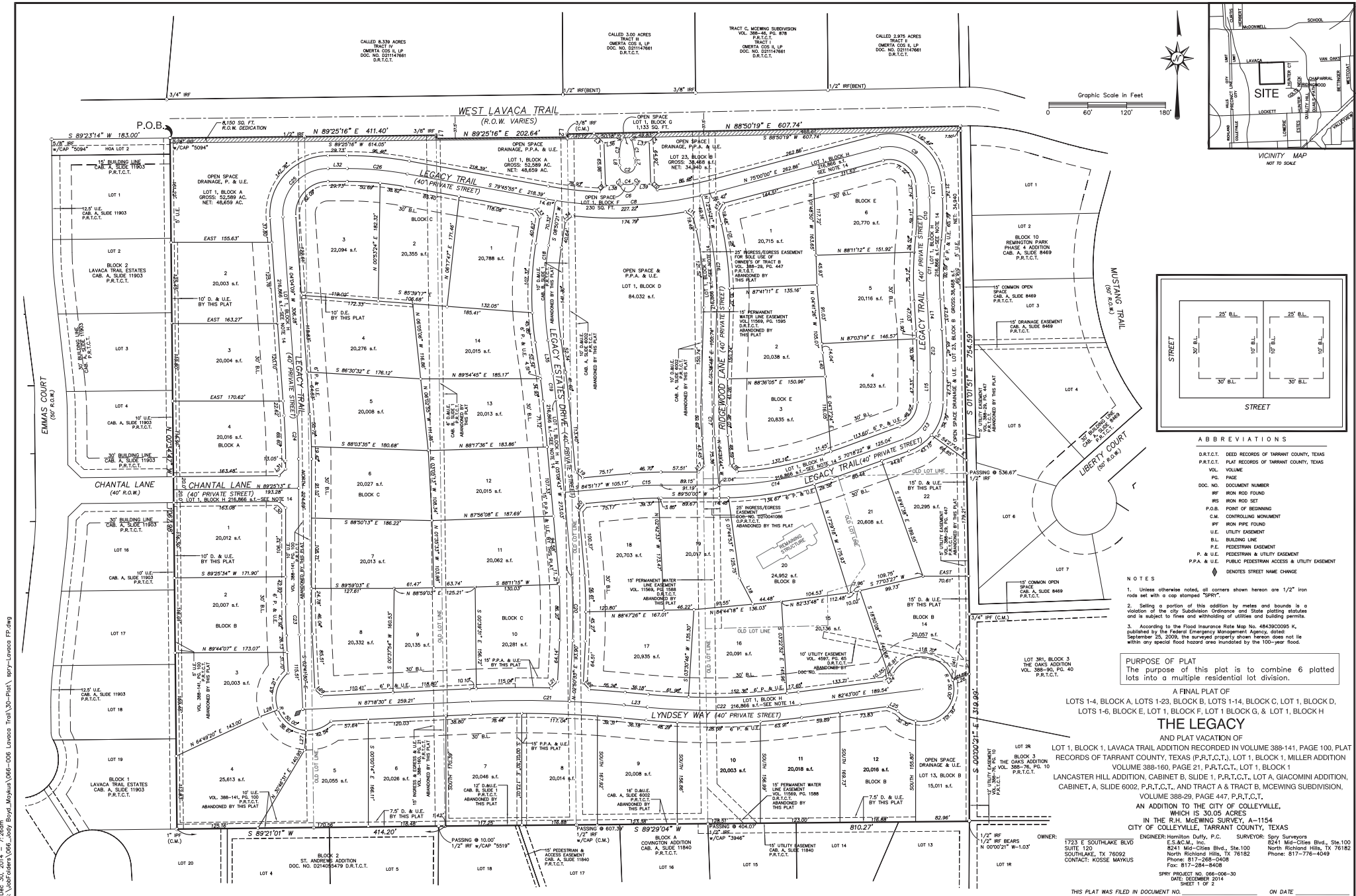


Exhibit "A"

OWNER'S DEDICATION

STATE OF TEXAS
COUNTY OF TARRANT

WHEREAS, _____ is the owner of all of Lot 1, Block 1, Lavaca Trail Addition recorded in Volume 388-141, Page 100, Plat Records of Tarrant County, Texas (P.R.T.C.T.), Lot 1, Block 1, Miller Addition Volume 388-160, Page 21, P.R.T.C.T., Lot 1, Block 1 Lancaster Hill Addition, Cabinet B, Slide 1, P.R.T.C.T., Lot A, Giacomini Addition, Cabinet A, Slide 6002, P.R.T.C.T., and Tract A & Tract B, McEwing Subdivision, Volume 388-29, Page 447, P.R.T.C.T., in the R.H. McEwing Survey, A-1154, in the City of Colleyville, Tarrant County, Texas and more particularly described by metes and bounds as follows: (all bearings shown hereon are based on Texas State Plane Coordinate System, North Central Zone);

BEGINNING at a 5/8" iron rod found with a cap stamped "5094" found in the south right-of-way line of West Lavaca Trail (a variable width right-of-way), being the northwest corner of said Lot 1, Block 1, Lavaca Trail Addition, also being the northeast corner of HOA Lot 2 of Lavaca Trail Estates, recorded in Cabinet A, Slide 11803, P.R.T.C.T., and from which point a 5/8" iron rod found with a cap stamped "5094" found at the intersection of the south right-of-way line of West Lavaca Trail and east right-of-way line of Emmas Court (a 50' right-of-way), and for the northwest corner of said HOA Lot 2 of Lavaca Trail Estates bears South 89° 23' 14" West - 183.00';

THENCE North 89°25'16" East along the south right-of-way line of said West Lavaca Trail, passing a 1/2" iron rod found at a distance of 208.10' and continuing along the south right-of-way line of said West Lavaca Trail a total distance of 411.40' to a 3/8" iron rod found for the northeast corner of said Lot 1, Block 1, Miller Addition;

THENCE South 00°43'50" East, along the east line of said Lot 1, Block 1, Miller Addition, 5.00' to a 1/2" iron rod with a cap stamped "SPRY" set for an angle corner of the herein described tract, in the west line of said Miller Addition, common to the east line of said Lancaster Hill Addition;

THENCE North 89°25'16" East, along the south right-of-way line of said West Lavaca Trail common to the north line of said Lancaster Hill Addition, 202.64' to a 1/2" iron rod with a cap stamped "SPRY" set for an angle corner of the herein described tract, in the east line of said Lancaster Hill Addition, common to the west line of said Giacomini Addition;

THENCE North 00°44'36" West along the west line of said Giacomini Addition 5.00' to a 3/8" iron rod found for an angle corner of the herein described tract, in the south right-of-way line of West Lavaca Trail;

THENCE North 88°50'19" East along the south right-of-way line of said West Lavaca Trail, 607.74' to a 1/2" iron rod with a cap stamped "SPRY" set for the northeast corner of the herein described tract, common to the northwest corner of Block 10, Remington Park Phase 4 Addition, recorded in Cabinet A, Slide 8469, P.R.T.C.T.;

THENCE South 01°01'51" East, along the east line of said McEwing Subdivision, passing a 1/2" iron rod at a distance of 536.67' and continuing for a total of 754.59' to a 3/4" iron pipe found to an angle corner of the herein described tract, common to the southwest corner of said Block 10, Remington Park Phase 4 Addition, common to the northwest corner of Lot 3R1, Block 3, The Oaks Addition, recorded in Volume 388-90, Page 40, P.R.T.C.T.;

THENCE South 00°02'11" East, continuing along the east line of said McEwing Subdivision, 318.98' to a 1/2" iron rod found for the southwest corner of Lot 2R, Block 3, The Oaks Addition, recorded in Volume 388-76, Page 10, P.R.T.C.T., common to the northwest corner of Lot 1R, Block 3, of said The Oaks Addition, also being the northeast corner of Block A, Covington Addition, recorded in Cabinet A, Slide 11840, P.R.T.C.T.;

THENCE South 89°29'04" West, along the south line of the herein described tract, common to the north line of said Block A, Covington Addition, passing a 1/2" iron rod with a cap stamped "5946" found at a distance of 404.07', passing a 1/2" iron rod to a cap found at a distance of 607.39' and continuing for a total distance of 810.27' to a 1/2" iron rod with a cap stamped "SPRY" set for an angle corner of the herein described tract;

THENCE South 89°21'01" West, passing a found 1/2" iron rod with a cap stamped "5519" at a distance of 10.00' for the northeast corner of block 2, St. Andrews Addition, recorded in Document Number D214055479, O.P.R.T.C.T., passing a 3/8" iron rod found which bears North 00° 45' West - 0.46' at a distance of 202.90', and continuing for a total distance of 414.20' to a 1" pipe found for the southwest corner of the herein described tract, common to an angle corner of Block 1, of said Lavaca Trail Estates;

THENCE North 00°34'47" West, along the west line of the herein described tract, common to the east line of said Lavaca Trail Estates, 1067.98' to the POINT OF BEGINNING and containing 30.05 acres.

NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:

That _____, acting by and through the undersigned, its duly authorized agent, does hereby adopt this plat designating the hereinabove described real property as Lots 1-4, Block A, Lots 1-23, Block B, Lots 1-14, Block C, Lot 1, Block D, Lots 1-6, Block E, Lot 1, Block F, Lot 1 Block G, & Lot 1, Block H, The Legacy, an addition to the City of Colleyville, Tarrant County, Texas, and does hereby dedicate to the public use the emergency access and utility easements shown thereon subject to the conditions of approval stated herein.

Witness my hands at Colleyville, Texas, this ____ day of _____, 2014.

Signature _____ Title _____

NOTARY CERTIFICATE

STATE OF TEXAS

COUNTY OF _____

Before me, the undersigned authority, a Notary Public in and for the said County and State, on this ____ day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this ____ day of _____, 20____.

Notary Signature _____ Notary Stamp: _____

Conditions of Approval

1. Lot 1, Block A denotes the private access and private drainage easement owned by the Homeowners Association (HOA) of The Legacy. No building permit will be issued for Lot 1, Block A.

2. The landowners and any subsequent owners of lots shown herein (the Lot Owners), jointly and severally, shall be responsible and liable for the construction, operation and maintenance of any private common areas or facilities in the addition created herein (the Addition), including but not limited to private streets, private entrance gates or structures, private walls and fences, private pedestrian access, private storm drainage systems, private lake, private open space and landscaping, and emergency access.

3. A HOA shall be established by the subdivider or developer to operate and/or maintain the aforementioned private common areas or facilities.

4. The City of Colleyville, Texas (the City) shall not be responsible for maintaining any of the aforementioned private common areas or facilities. The City will maintain only the public water and sanitary sewer systems in utility easements accepted by the City.

5. The HOA, lot owners, and landowners shall not seek maintenance from the City except for the aforementioned public water and sanitary sewer systems in utility easements accepted by the City.

6. Any public utility entities, including the City, shall have the right at all times of ingress and egress to and from and upon the utility easements shown herein for the purpose of construction, reconstruction, inspection, patrolling, maintaining, and adding to or removing all or part of its respective systems. Except for private storm drainage systems, private streets and related entrance gates or structures that are approved by the City, no buildings, fences, structures, trees, shrubs, or other improvements or growths shall be constructed or placed upon, or across said public utility easements. Any public utility entity, including the City, shall have the right to remove and keep removed all or parts of any buildings, fences, structures, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with its respective systems within said utility easements.

7. The City shall have the right at all times to remove and keep removed any vehicle or obstacle that impairs emergency access in the emergency access easements shown herein.

8. Any governmental entities, including the City, shall have the right at all times of ingress and egress to and from and upon the private access easements shown herein for any purpose related to the exercise of a governmental service or function.

SURVEYOR CERTIFICATE

That I, David Carlton Lewis, a Registered Professional Land Surveyor licensed in the State of Texas, do hereby certify that I have prepared this plat from an actual on the ground survey of the land and the monuments shown hereon were found and/or placed under my personal supervision and in accordance with the Plotting Rules and Regulations of the City Plan Commission of the City of Colleyville, Texas.

This document shall not be recorded for any purpose. This drawing shall be used for

REVIEW PURPOSES ONLY

David Carlton Lewis
R.P.L.S. No. 5647

Date: December 30, 2014

Surveyor's Signature _____



9. If the HOA or lot owners fail to maintain reliable access to any public utility or governmental entities for purposes stated hereinabove, the City may enter the Addition and remove any entrance gate or structure which is a barrier to access at the sole expense of the HOA or lot owners on a pro-rata share formula.

10. The construction, reconstruction or repair of any private streets within the Addition must meet the approval of the Director of Public Works and comply with the specifications of the City for public streets at the time of construction, reconstruction or repair. The construction, reconstruction or repair of any entrance gate and structure for the Addition must meet the approval of the Engineering Department and Fire Department of the City.

11. The installation or replacement of all traffic regulatory signs along the private streets must conform to the Texas Manual of Uniform Traffic Control Devices.

12. The HOA and lot owners agree to release, indemnify, defend and hold harmless the city, its officers, agents, licensees, servants and employees, from and against any and all claims or suits for property damage or loss and/or personal injury, including death, to any and all persons, of whatsoever kind of character, whether real or asserted, arising out of or in connection with, directly or indirectly: (a) the reasonable use of the private streets, emergency access, utility easements, entrance gate or structure by the city, its officers, agents, licensees, servants and employees; (b) the condition of the private streets, private entrance gates or structures, private walls and fences, private pedestrian access, private storm drainage systems and emergency access; or (c) any use of the addition by the city, its officers, agents, licensees, servants and employees for any purpose stated hereinabove, whether or not caused, in whole or in part, by alleged negligence or officers, agents, servants, employees, contractors, subcontractors, licensees or invitees of city; the HOA shall be responsible for carrying liability insurance to meet the requirements in this paragraph.

13. Per resolution R-06-2783, the 2005 Colleyville Pathway Plan was amended to realign the trail route of Trail 23. Trail 23, a 6 foot wide trail, is located within the proposed development.

14. Lot 1, Block H is dedicated as an access, drainage, utility, and pedestrian easement. This easement covers the street lot and grants to the City unrestricted use of the property for utilities and the maintenance of same. This right shall extend to all utility providers including telecommunication companies operating within the City. This easement provides the City with the right of access for any purpose related to the exercise of a governmental service or function, including but not limited to fire and police protection, inspection and code enforcement. This easement shall permit the City to remove any vehicle or obstacle within the private street lot that impairs emergency access.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 42°42'30"E	5.00'
L2	N 00°43'50" W	5.00'
L3	S 46°25'06" E	21.37'
L4	S 43°42'30" E	2.50'
L5	N 14°48'48" E	3.34'
L6	N 18°55'30" E	3.10'
L7	N 02°00'00" W	10.30'
L8	N 00°00'00" W	10.30'
L9	S 44°30'00" E	13.60'
L10	S 44°30'00" E	13.60'
L11	S 56°52'19" E	14.40'
L12	N 31°30'36" E	14.40'
L13	N 00°00'00" W	27.40'
L14	N 03°03'00" E	47.00'
L15	N 00°00'00" W	17.40'
L16	N 48°41'39" W	14.38'
L17	S 42°00'00" E	13.58'
L18	S 50°34'43" E	14.14'
L19	S 39°51'17" W	14.14'
L20	S 47°14'35" W	14.29'
L21	N 42°25'25" E	14.50'
L22	N 84°10'04" W	36.18'
L23	S 52°24'20" E	17.28'
L24	N 68°56'00" W	17.28'
L25	S 69°00'00" E	21.41'
L26	S 04°54'42" W	30.00'
L27	S 04°54'42" W	30.00'
L28	N 09°10'00" E	30.00'
L29	N 49°10'00" E	14.10'
L30	S 45°17'24" E	14.01'
L31	S 44°24'24" E	14.01'
L32	E 00°00'00" E	29.70'
L33	S 39°14'00" E	14.31'
L34	N 52°10'00" E	14.40'
L35	S 01°10'00" E	52.34'
L36	N 73°14'00" E	27.61'
L37	N 81°14'00" E	27.61'
L38	N 81°14'00" E	27.61'
L39	N 87°20'00" E	23.00'
L40	S 08°20'00" E	27.00'
L41	N 09°11'00" E	56.80'

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	100.00'	29.54'	29.43'	S 10°28'16" E
C2	13.00'	37.70'	24.00'	S 87°49'25" E
C3	100.00'	29.54'	29.43'	N 06°27'08" E
C4	30.00'	18.89'	18.67'	N 87°00'00" E
C5	2.00'	3.96'	3.14'	N 53°04'44" W
C6	2.00'	3.96'	3.14'	N 47°20'00" E
C7	2.00'	3.96'	3.14'	N 47°20'00" E
C8	600.00'	354.26'	354.26'	S 87°37'00" E
C9	600.00'	354.26'	354.26'	S 87°37'00" E
C10	460.00'	52.68'	52.60'	S 01°30'00" E
C11	578.00'	55.81'	55.80'	S 01°30'00" E
C12	1000.00'	84.11'	84.12'	S 01°40'49" E
C13	60.00'	71.46'	68.98'	S 70°17'00" E
C14	500.00'	170.41'	169.59'	S 80°14'11" W
C15	500.00'	170.41'	169.59'	S 80°14'11" W
C16	500.00'	170.41'	169.59'	S 05°36'29" E
C17	460.00'	48.46'	48.46'	S 01°40'25" E
C18	460.00'	48.46'	48.46'	S 01°40'25" E
C19	760.00'	40.59'	40.61'	S 08°14'34" E
C20	1188.24'	93.09'	98.02'	S 01°10'00" E
C21	1700.00'	237.59'	237.59'	S 88°41'17" E
C22	100.00'	136.59'	136.59'	S 80°20'00" E
C23	1000.00'	46.88'	46.98'	S 01°20'45" E
C24	836.46'	68.88'	68.88'	S 80°20'00" E
C25	500.00'	114.53'	109.45'	S 42°52'58" E
C26	520.00'	92.89'	92.78'	S 84°52'58" E

PURPOSE OF PLAT
The purpose of this plat is to combine 6 plotted lots into one plat.

A FINAL PLAT OF

LOTS 1-4, BLOCK A, LOTS 1-23, BLOCK B, LOTS 1-14, BLOCK C, LOT 1, BLOCK D, LOTS 1-6, BLOCK E, LOT 1, BLOCK F, LOT 1 BLOCK G, & LOT 1, BLOCK H

THE LEGACY

AND PLAT VACATION OF

LOT 1, BLOCK 1, LAVACA TRAIL ADDITION RECORDED IN VOLUME 388-141, PAGE 100, PLAT RECORDS OF TARRANT COUNTY, TEXAS (P.R.T.C.T.), LOT 1, BLOCK 1, MILLER ADDITION VOLUME 388-160, PAGE 21, P.R.T.C.T., LOT 1, BLOCK 1

LANCASTER HILL ADDITION, CABINET B, SLIDE 1, P.R.T.C.T., LOT A, GIACOMINI ADDITION, CABINET A, SLIDE 6002, P.R.T.C.T., AND TRACT A & TRACT B, MCEWING SUBDIVISION, VOLUME 388-29, PAGE 447, P.R.T.C.T.

AN ADDITION TO THE CITY OF COLLEYVILLE,

WHICH IS 30.05 ACRES

IN THE R.H. MCEWING SURVEY, A-1154

CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

OWNER: 1723 E SOUTHLAKE BLVD SUITE 120 SOUTHLAKE, TX 76092 CONTACT: KOSSE MARKUS

SURVEYOR: Spy Surveyors E.S.&C.M., Inc. 8241 Mid-Cities Blvd., Ste.100 North Richland Hills, TX 76182 Phone: 817-288-0408 Fax: 817-284-8408

SPY PROJECT #06-098-30-30

DATE: DECEMBER 2014

SHEET 2 OF 2

THIS PLAT WAS FILED IN DOCUMENT NO. _____ ON DATE _____



City of Colleyville City Council Agenda Briefing

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

Agenda Number 9

Agenda Date 01/06/2015

Type Report

Department City Secretary

Title

Architectural Review Commission Meeting Minutes - May 5, 2014

Attachments

1. Architectural Review Commission Meeting Minutes - May 5, 2014



City of Colleyville Architectural Review Commission Minutes

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

Monday, May 5, 2014

Executive Conference Room

CALL TO ORDER

The Architectural Review Commission meeting was called to order at 7:00 p.m. by Chairman Alan Greer.

Present: Jeff Ground, John Hines, Jim Makens, Christina Talley, Gerald Ward, Curtis Young, and Chairman Alan Greer

Staff present: Ron Ruthven and Marty Wieder

1. PUBLIC HEARING AGENDA ITEMS

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

Ron Ruthven presented the case and briefed the Commission.

Amy Cho, on behalf of the architect, and Scott Woodruff, the applicant, briefed the Commission.

Discussion occurred amongst the group regarding the possibility of adding features to the building in order to increase the score.

Chairman Greer stated he liked the roof proposed on the first option.

Discussion occurred regarding adding stone to the rear of the building.

Mr. Woodruff stated the stone and paint on this building would match the exterior of the Whole Foods building.

There was a consensus among the Commission that the buildings rear should be treated as a building front due to the building being visible on from Glade Road. With this being the case, it was determined stone should be added to the rear of the building.

Discussion occurred regarding the potential for creating points with the windows in the seating area of the proposed restaurant.

Commissioner Ground made a motion to approve Case ARC14-001 with the following condition: 1) the accent stone on the rear of the building must be consistent with the accent stone on the front of the building. Commissioner Young seconded.

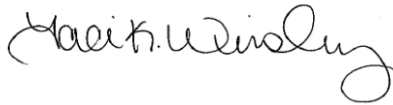
The motion to approve Case ARC14-001 with the following condition: 1) the accent stone on the rear of the building must be consistent with the accent stone on the front of the building carried by the following vote:

Aye: 7 - Ground, Hines, Makens, Talley, Ward, Young, and Greer

2. ADJOURNMENT

The meeting adjourned at 7:55 p.m.

The minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on December 1, 2014 by a vote of 4-0.

RESOLUTION R-15-3833

**A RESOLUTION APPROVING CITY COUNCIL ACTION
UNDER BUSINESS AT THE REGULAR CITY COUNCIL MEETING OF
JANUARY 6, 2015**

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 6TH DAY OF JANUARY 2015.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor