



City of Colleyville City Council Agenda

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

Tuesday, January 20, 2015

City Council Chambers

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

CALL TO ORDER

PC-1 Update and discussion of the Crime Report

PC-2 Update and discussion of the gas well site and pipeline regulations

PC-3 Discussion of the January 20, 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 551.087 - 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: Associate Pastor Kyle Bauman, Bear Valley Church

PLEDGE OF ALLEGIANCE: City Attorney Matthew Boyle

- 2. OATH OF OFFICE - Sam Stacy, Mayor for a Day**
- 3. EXECUTIVE SESSION READING AND PUBLIC HEARING: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - Resolution R-15-3834**

4. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

**Announcements of civic and charitable events
Presentation of calendar events and updates
Announcements of awards and recognition**

Proclamation in recognition of Sam Stacy, Mayor for a Day - Mayor David Kelly

Proclamation declaring January 23, 2015, "Thank a Teacher Day" at Colleyville Elementary School - Colleyville Elementary School Principal Shelia Shimmick - Mayor for a Day Sam Stacy

Proclamation recognizing the Grapevine Colleyville Youth Football Association's MP Black Team and their achievements - Mayor for a Day Sam Stacy and Mayor Kelly

In recognition of Colleyville's featured business - Ruggeri's - 32 Village Lane, Suite 100 - Mayor David Kelly and Economic Development Director Marty Wieder

5. CONSENT: READING AND PUBLIC HEARING- Resolution R-15-3835

- 5a** Approval of the minutes of the regular City Council meeting of January 6, 2015
- 5b** Approval of the minutes of the City Council worksession of January 13, 2015
- 5c** Approval of the use of Voluntary Park Funds for a playground at Pleasant Run Park, in an amount not to exceed \$55,000

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

6b 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

7. ORDINANCE(S): SECOND READING AND PUBLIC HEARING**7a Ordinance O-15-1946**

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

8. RESOLUTION(S): READING AND PUBLIC HEARING**8a Resolution R-15-3836**

Consideration of appointments to the Colleyville Tree Board

8b Resolution R-15-3837

Consideration of appointments to the Park Land Dedication Committee

9. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA**10. REPORTS**

Planning and Zoning Commission Meeting Minutes - December 8, 2014

Monthly Financial Report - December 2014

11. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR JANUARY 20, 2015- READING AND PUBLIC HEARING - RESOLUTION R-15-3838

12. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards Friday, January 16, 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 01/20/2015

Type Pre Council

Department Police

Title

Update and discussion of the Crime Report

Explanation

Colleyville continues to build upon the unprecedented success of the last few years by experiencing another decrease in crime in 2014. While we have witnessed a gradual decrease the past two years, this year the decrease was dramatic. Part 1 Crime reported in 2014 was reduced to its lowest number in over two decades. Colleyville's success in lowering crime is directly attributable to the men and women of the Colleyville Police Department and our many community partners, including the Citizen Police Academy Alumni Association, Citizens on Patrol (COP) and other volunteers, businesses, and alert citizens. The Colleyville Police Department employed a variety of strategies, technology and analysis to develop intelligence, identify trends and quickly deploy resources in a directed fashion to accomplish this crime reduction. The Department utilizes focused monthly management meetings called COMPSTAT to ensure we are being strategic in our crime prevention and resource allocation efforts. COMPSTAT, short for computer or comparative statistics, is a strategic management philosophy used to provide a business model methodology for collecting, analyzing, and mapping crime data and other essential police performance measures on a monthly basis. The COMPSTAT model emphasizes accountability within the organization and promotes creative solutions to identified problems.

Part 1 Crime reporting is used for crime analysis both locally and statewide through the Uniform Crime Report (UCR). The objective of the Uniform Crime Reporting program is to produce reliable crime statistics for law enforcement administration, operation, and management. This is accomplished through the recording and reporting of the eight Crime Index Offenses (Part 1 Offenses): Murder, Rape, Robbery, Aggravated Assault, Burglary, Theft, Auto Theft, and Arson.

Law enforcement agencies report the number of known index crime offenses from their record of complaints from victims, reports from witnesses and from crimes discovered by the agency during operation. Reports that are determined to be unfounded are eliminated from the totals. The resulting number of "offenses known to law enforcement officials" is reported without regard to whether arrests were made, stolen property recovered or prosecution took place.

Each month the Colleyville Police Department prepares and submits specific known crime statistics to the Federal Bureau of Investigations (FBI), through the Texas

Department of Public Safety. Although these crime statistics do not reflect all reported crimes, it is what Colleyville and other police agencies around the country are measured against. Crimes not tracked as index offenses include Criminal Mischief, Criminal Trespass, Simple Assault, Forgery, and other property and minor offenses against individuals.

2014 versus 2013 Crime Comparison

In Colleyville, the UCR Part 1 Offense comparison for 2014 versus 2013 reports an overall decrease in property crime. In 2014, there were 17 burglaries compared to 39 in 2013, a 57% decrease. Of specific note within the burglary category, we experienced an incredible 70% decrease in business burglaries. There were 125 thefts reported in 2014 as compared to 136 in 2013, including Auto Thefts, an 8% decrease. Overall property crime decreased 19% in 2014. Violent crimes, which include robbery and aggravated assault, increased during this time period from 9 to 10, an increase of 11%. A year to year comparison of 2014 to 2013 shows a total of 152 Part 1 Offenses as compared to 184 in 2013. Overall crime for Colleyville in 2014 declined 17%.

There are numerous factors that successfully impacted overall crime in Colleyville over the last few years and led to the crime reduction in 2014. The core element of our crime reduction was ensuring that our officers are proactively addressing crime rather than reacting to it and fostering relationships with the community. Through the COMPSTAT process, we develop timely and accurate intelligence information, rapidly deploy the proper resources, develop and utilize effective tactics, and engage in relentless follow-up.

The department continues to support community partnership programs, such as the Citizens Police Academy and Citizens on Patrol (COP). These programs represent invaluable crime deterrents and have contributed to the decrease in crime. Citizens on Patrol (COP) provide an excellent opportunity for our officers and community partners to work hand-in-hand with one another. The citizen volunteers report suspicious incidents, provide traffic control at special events, and provide a visible presence in the high traffic areas of the community.

Colleyville's emphasis on public safety has created an environment that fosters a safe community. As a result, the City of Colleyville has experienced a phenomenal 50% decline in crime since 2010. Through the continued utilization of effective management practices, a professional and engaged workforce and continued investment in resources, the Colleyville Police Department will meet each new challenge the future brings with confidence and determination.

Attachments

1. Crime Report Presentation



2014 ANNUAL CRIME REPORT

Colleyville Police Department
Chief Michael Holder
January 20, 2015

WHAT IS UNIFORM CRIME REPORTING (UCR)?

The objective of the Uniform Crime Reporting program is to produce reliable crime statistics for law enforcement administration, operation, and management.

This is accomplished through the recording and reporting of the eight (8) Crime Index Offenses (Part 1 Offenses);

- ☐ **Murder**
- ☐ **Rape**
- ☐ **Robbery**
- ☐ **Aggravated Assault**
- ☐ **Burglary**
- ☐ **Theft**
- ☐ **Auto Theft**
- ☐ **Arson**

2014 ANNUAL CRIME REPORT

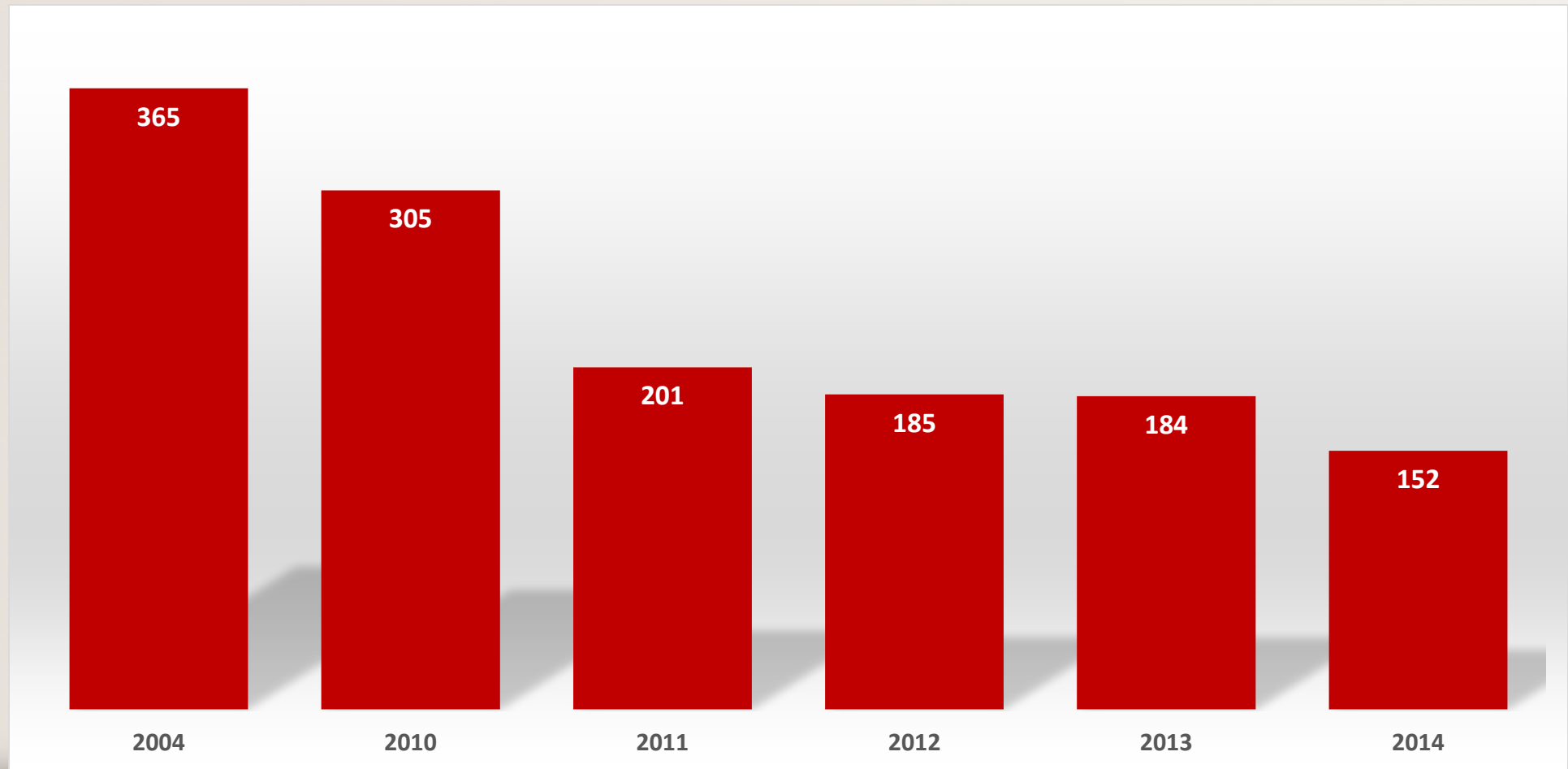
Part 1 Crimes	2013	2014	Change
Murder	0	1	100%
Rape	0	2	100%
Aggravated Assault	5	7	40%
Robbery	4	0	-100 %
Total Violent	9	10	11%
Burglaries			
Non-Residential	27	8	-70 %
Residential	12	9	-25 %
Thefts			
Burglary of Vehicle	40	48	20%
Other Theft	92	76	-17 %
Auto Theft	4	1	-75 %
Arson	0	0	N/A
Total Property	175	142	-19 %
Total Part 1	184	152	-17 %



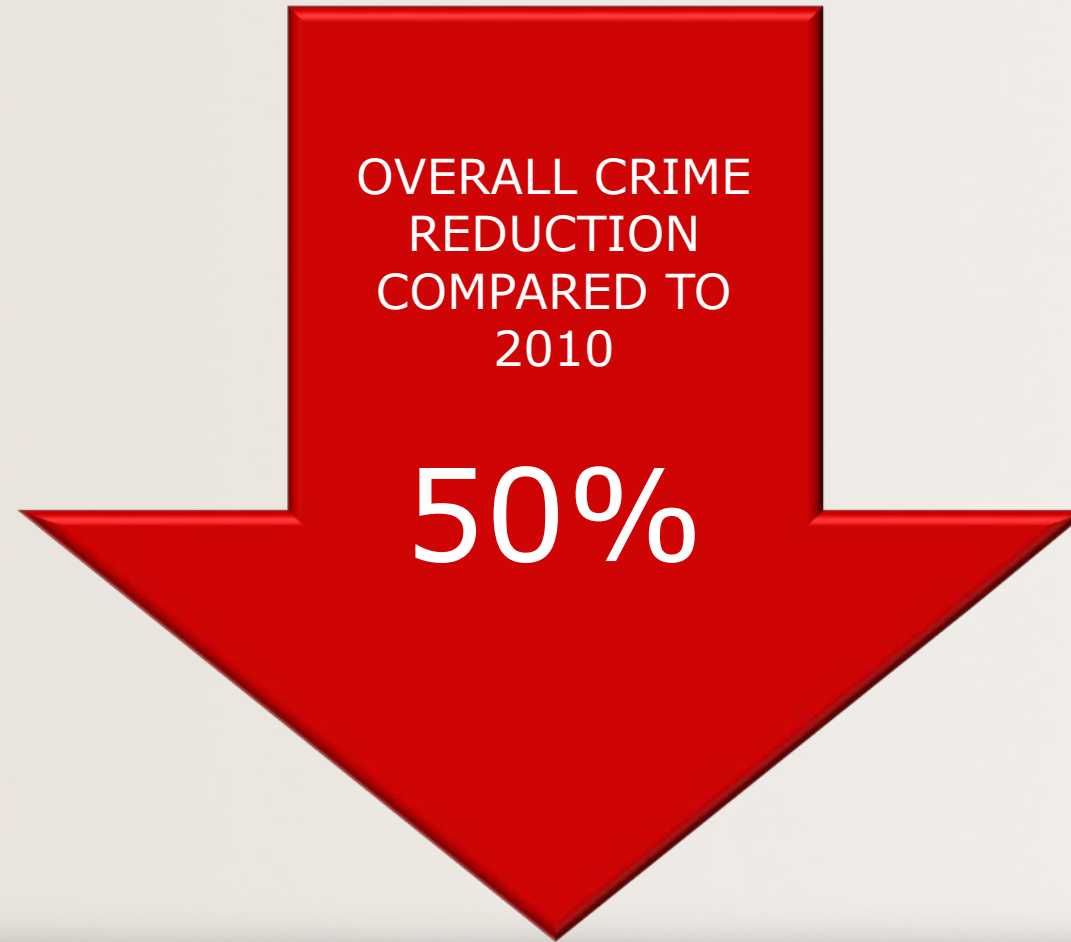
Change in Crime

-17%

CRIME REDUCTION ANALYSIS



2010 to 2014 CRIME REDUCTION



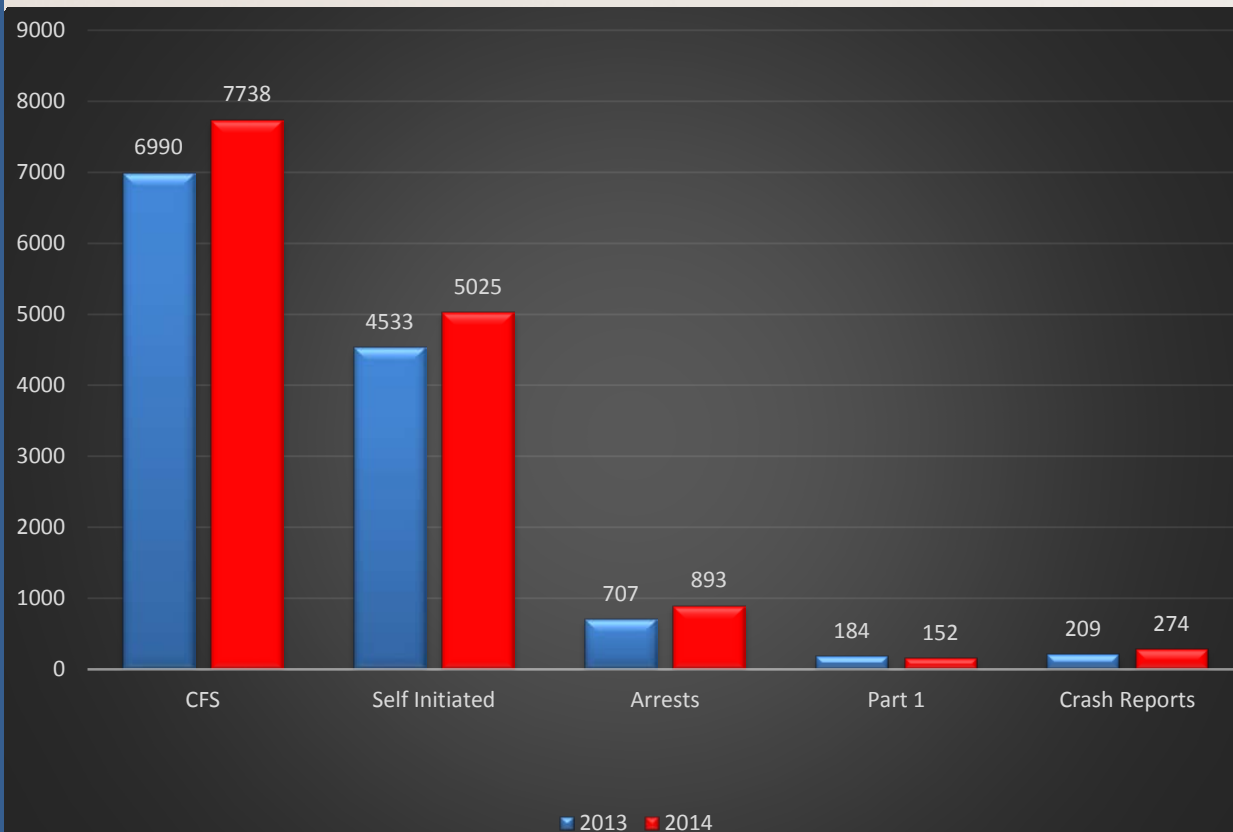
KEEPING COLLEYVILLE SAFE

- Keys to our success
 - Pro-active approach consisting of multi-layered strategies built upon a solid community policing foundation.

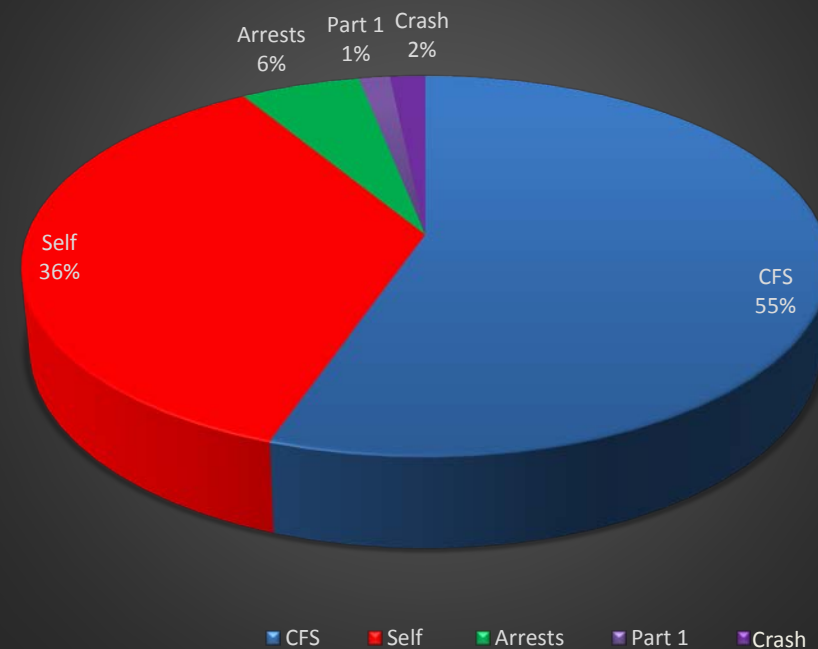


COLLEYVILLE POLICE DEPARTMENT PATROL ACTIVITY 2014

- Calls for Service 6,990 to 7,738 - 11% Increase
- Officer Initiated 4,533 to 5,025 - 11% Increase
- Arrests Up 707 to 893 - 26% Increase
- Part 1 Offenses 184 to 152 - 17% Decrease
- Burglary of Vehicle 40 to 48 - 20% Increase
- Home/Bus Burglaries 39 to 17 - 56% Decrease
- Traffic Stops 18,461 to 21,110 - 14% Increase
- Conducted 45,141 Business, Home, & Park Checks
- Crash Reports 209 to 274 - 31% Increase



Snap Shot of Patrol



In 2014, Colleyville Police Department's Criminal Investigations Division received 892 new case assignments.

On average, 3 new cases assigned per day, per detective. 74 Cases assigned per month. This is a 31% increase over 2013.

Annual Clearance Rate

- 26% Part I Clearance- 6% increase
 - Violent - 90% Clearance
 - Property - 22% Clearance
- 78% Clearance - Not classified as Part 1

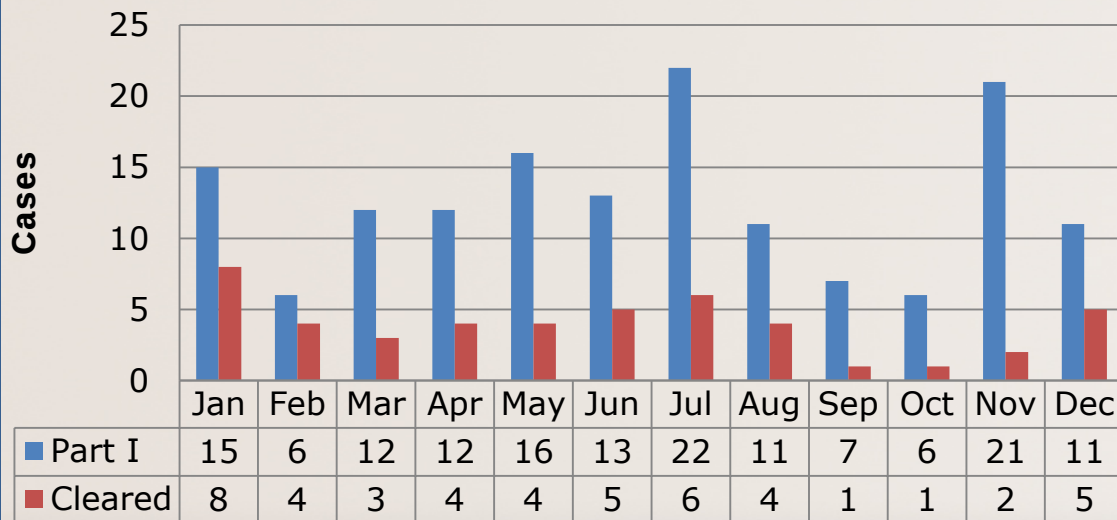
Other points of interest include:

- Submitted 2,423 Supplements
- 99% three day victim contact
- Specialized Training

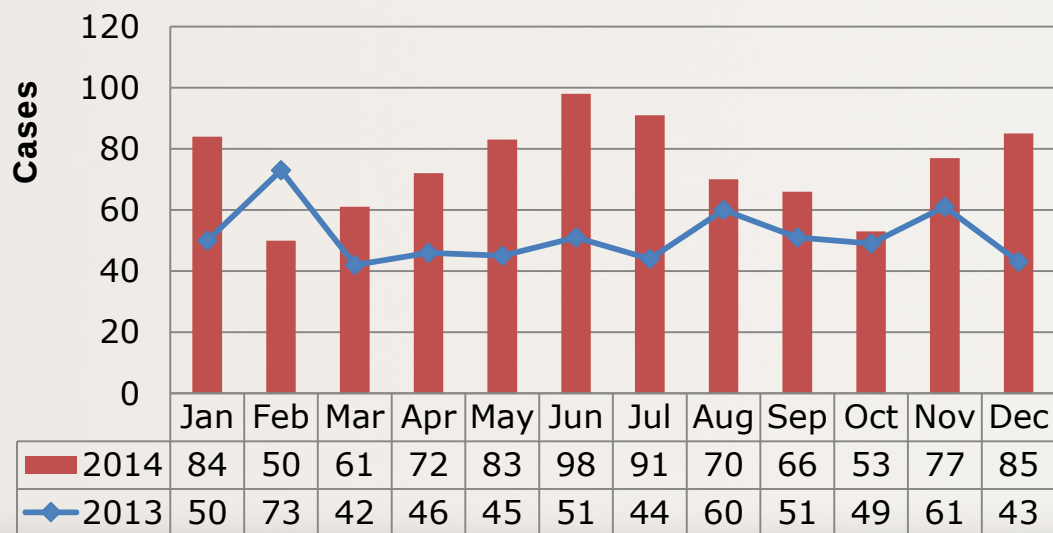
Extra Duties:

- Crossing Guard Administrator
- Taser Instructor
- Citizens on Patrol
- Firearms Instructor
- Child Abduction Response Team

2014 Part 1 Summary



2013 – 2014 Case Assignment Comparison



UPDATES

- Body worn cameras
 - Field Test upcoming
- Explorers
 - 11 Current members
- Citizens on Patrol
 - Over 1000 volunteer hours logged
- Coffee with Cops
 - Community engagement events
- Identity Theft Town Hall
 - Anticipated date late spring



City of Colleyville City Council Agenda Briefing

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

Agenda Number PC-2

Agenda Date 01/20/2015

Type Pre Council

Department Public Works

Title

Update and discussion of the gas well site and pipeline regulations

Explanation

Gas Production/Current Operations

On November, 16, 2010, City Council approved Ordinance O-10-1779 (attached) authorizing a Special Use Permit (SUP) to Titan Operating for the development of a gas well site with 14 bores at 7504 Pleasant Run Road. Titan has drilled seven wells on the property, and is currently developing the wells. This is achieved through a two-step alternating process of first perforating the well followed by hydraulic fracturing (also known as "fracking") of the surrounding shale formation. Perforating is the act of creating holes or pores in the well, casing to allow hydrocarbons to enter the well stream. Fracking is accomplished by injecting fluid into the shale formation to cause cracks and fractures thus allowing the release of additional hydrocarbons. Titan is completing this process, which occurs at six month intervals, on all the wells and it is anticipated fracking should be complete around March 2017. The drilling provision in the SUP expires in November 2015, at which point no additional wells can be drilled on the site.

Future Pipeline Timeline

Access Midstream is the company that has been contracted to design and construct the pipeline. Access Midstream has received all necessary permissions to survey along the proposed route and anticipates having all necessary survey data acquired by the end of January 2015. Once all the survey data is compiled, pipeline design will take approximately 150 to 180 days. At the completion of design, Access Midstream will submit a pipeline permit application to the City. Staff anticipates pipeline permit review and approval will take approximately 90 to 120 days. A pipeline permit must be approved by City Council in order for construction operations to commence. The City Council must approve a pipeline permit if the application meets all the requirements of the Land Development Code. If the pipeline permit is approved by City Council, Access Midstream anticipates a six to nine month easement acquisition process. Once all necessary easements are acquired, Access Midstream believes construction will take six to nine months. Based on the current timeline, construction is anticipated to occur from the summer of 2016 to the spring of 2017. Pipeline construction will be accomplished using multiple methods including boring/horizontal directional drilling and open cut when terrain and existing infrastructure allows. Access Midstream has indicated to staff that boring/horizontal directional drilling will be used near residential properties and minimize impacts to existing trees. Construction methods are illustrated

in the attached presentation.

Preliminary Pipeline Route

Staff has received a map of the properties within Colleyville that Access Midstream has secured survey rights from (included within the presentation and as an attachment), but an alignment map has not been provided. Access Midstream will be constructing the pipeline from the Colleyville well site at 7504 Pleasant Run Road, north to Big Bear Creek, then west along Big Bear Creek, within Colleyville, to Keller, south along the eastern side of Davis Boulevard and Precinct Line, within Colleyville, and eventually crossing over Precinct Line Road into North Richland Hills, south of L.D. Lockett Road. While this route does not match the planned pipeline route as shown in Exhibit "I" of Ordinance O-10-1779, the ordinance states that any changes to the portion of the pipeline within the City of Colleyville does not require an amendment to the ordinance. The final route will be approved by City Council through the pipeline permit.

Federal and State Regulations

Pipelines are regulated by multiple federal, state, and local entities. The U.S. Department of Transportation – Pipeline and Hazardous Materials Safety Administration regulates pipeline safety. The Federal Energy Regulatory Commission reviews and authorizes interstate natural gas pipelines. The Railroad Commission of Texas requires a permit for all pipelines and an organizational report for all pipeline permit operators. The Texas Department of Transportation requires a right-of-way permit for any pipelines located within state right-of-way.

City of Colleyville Requirements

The City of Colleyville requires a permit as outlined in Chapter 3.1, Section 3.1-186 Pipeline Regulations and Section 3.1-187 Pipeline Permitting Procedures, of the Land Development Code. The City Council must approve a pipeline permit if the application meets all the requirements of the Land Development Code. However, the City Council can negotiate the use of City right-of-way. Based on the information provided by Access Midstream, it appears the pipeline will cross City right-of-way in five locations: Crestlyn Cove, Murphy Road, McDonwell School Road, Lavaca Trail, and L.D. Lockett Road. The Land Development Code outlines what is required for a pipeline permit application, and all requirements will be met prior to the permit being brought before City Council.

Summary

Staff is not seeking direction at this time, but will be coming back to the City Council once more information is available regarding the pipeline crossings of City right-of-way.

Attachments

1. Gas Well Site and Pipeline Update Presentation
2. Access Midstream Surveyed Tracks
3. Ordinance O-10-1779

Gas Well Site and Pipeline Update

Public Works Department

January 20, 2015

Purpose



To update City Council on the operations at the existing gas well site located at 7504 Pleasant Run Road and the City's pipeline requirements in anticipation of a pipeline permit application submittal

Overview



- Gas Production/Current Operations
- Future Pipeline Timing
- Future Pipeline Information
- Typical Pipeline Construction
- Preliminary Pipeline Route
- Who Has Authority?
- Colleyville Pipeline Permit
- Discussion and Questions

Gas Production/Current Operations



- SUP for gas well approved by Ordinance O-10-1779 on November 16, 2010
 - Drilling provision in SUP expires in November 2015
- Titan is developing the wells through perforating the well and then hydraulic fracturing of the surrounding shale
 - These activities are performed at six month intervals
- Total on-site fracking should be complete around March 2017

Future Pipeline Timeline



- Access Midstream has received survey permission from all property owners along proposed route
- Field data collection to be completed by the end of January 2015
- 150-180 day design period prior to pipeline permit application submission
- 90-120 day pipeline permit review and approval
- 6-9 month easement acquisition
 - 10' wide easement for boring
 - 20' wide easement for open cut (along Precinct Line)
- 6-9 month construction
 - Anticipated from summer 2016 to spring 2017

Future Pipeline Information



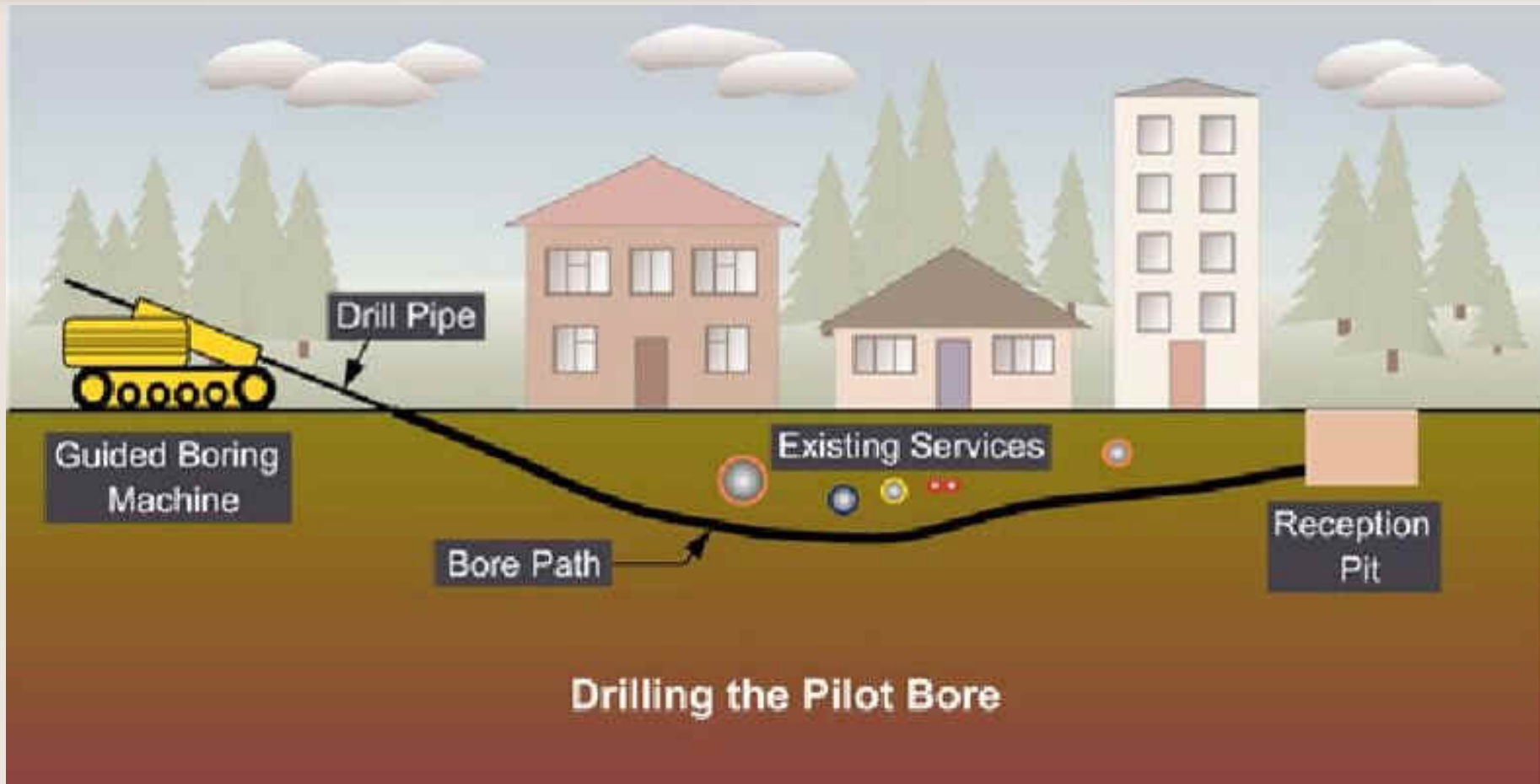
- Access Midstream is planning a 4.5 mile pipeline from Colleyville to North Richland Hills
- Construction staging in North Richland Hills
- Only above grade appurtenances located at the Colleyville well site
- 8-foot minimum depth of bury
- 12-inch welded steel
- 500 psi max pressure (typical operating pressure of 200-300 psi)
- Must meet all U.S. Department of Transportation safety requirements
- Above grade markers located every 500 feet and at changes of direction
- Will follow construction hours and noise ordinances

Pipeline Construction



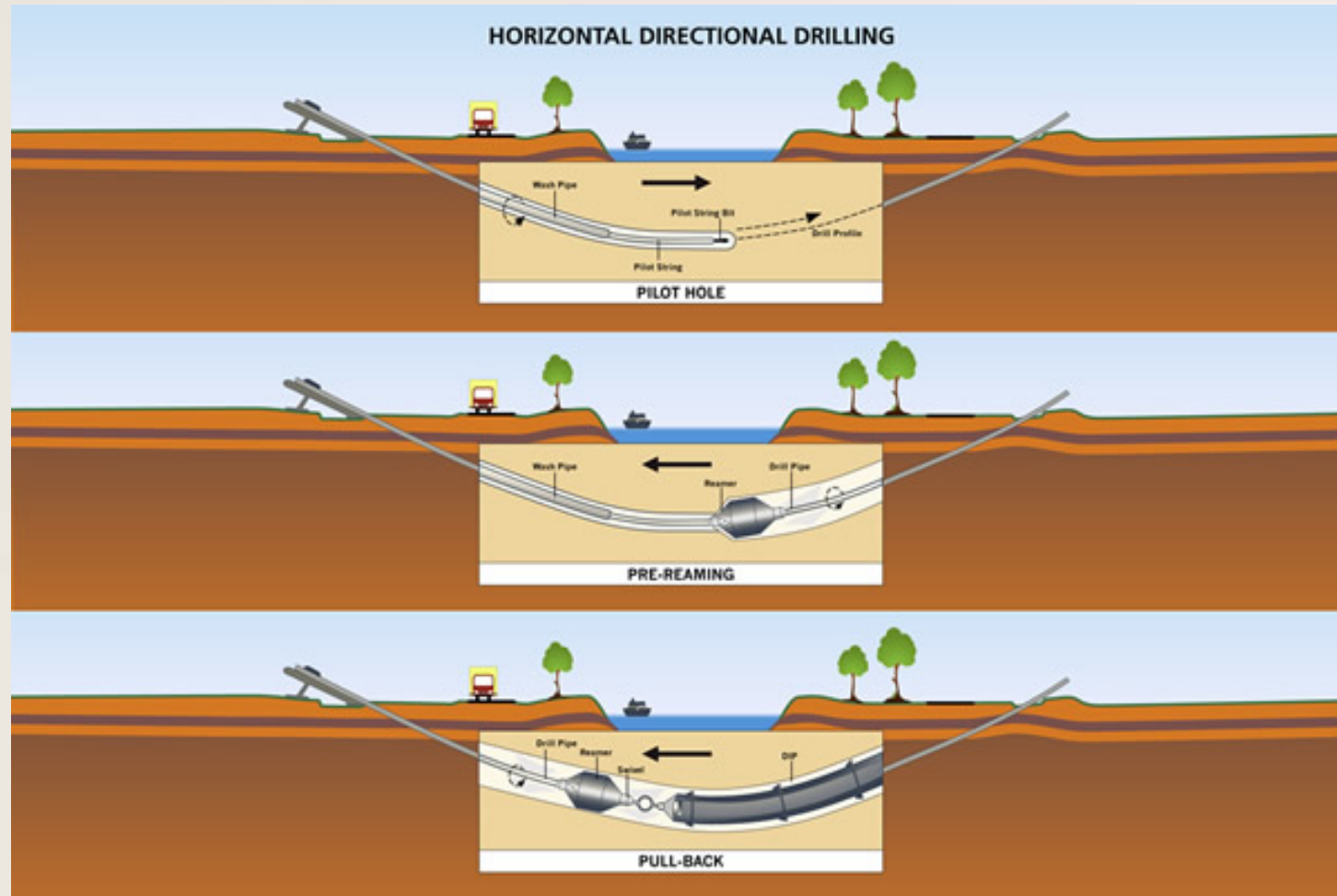
- Construction accomplished through multiple methods
 - Open cut where terrain and existing infrastructure allows
 - Machine trenching and laying pipe section
- Boring/horizontal direction drilling will be used through neighborhoods and to save trees

Pipeline Construction



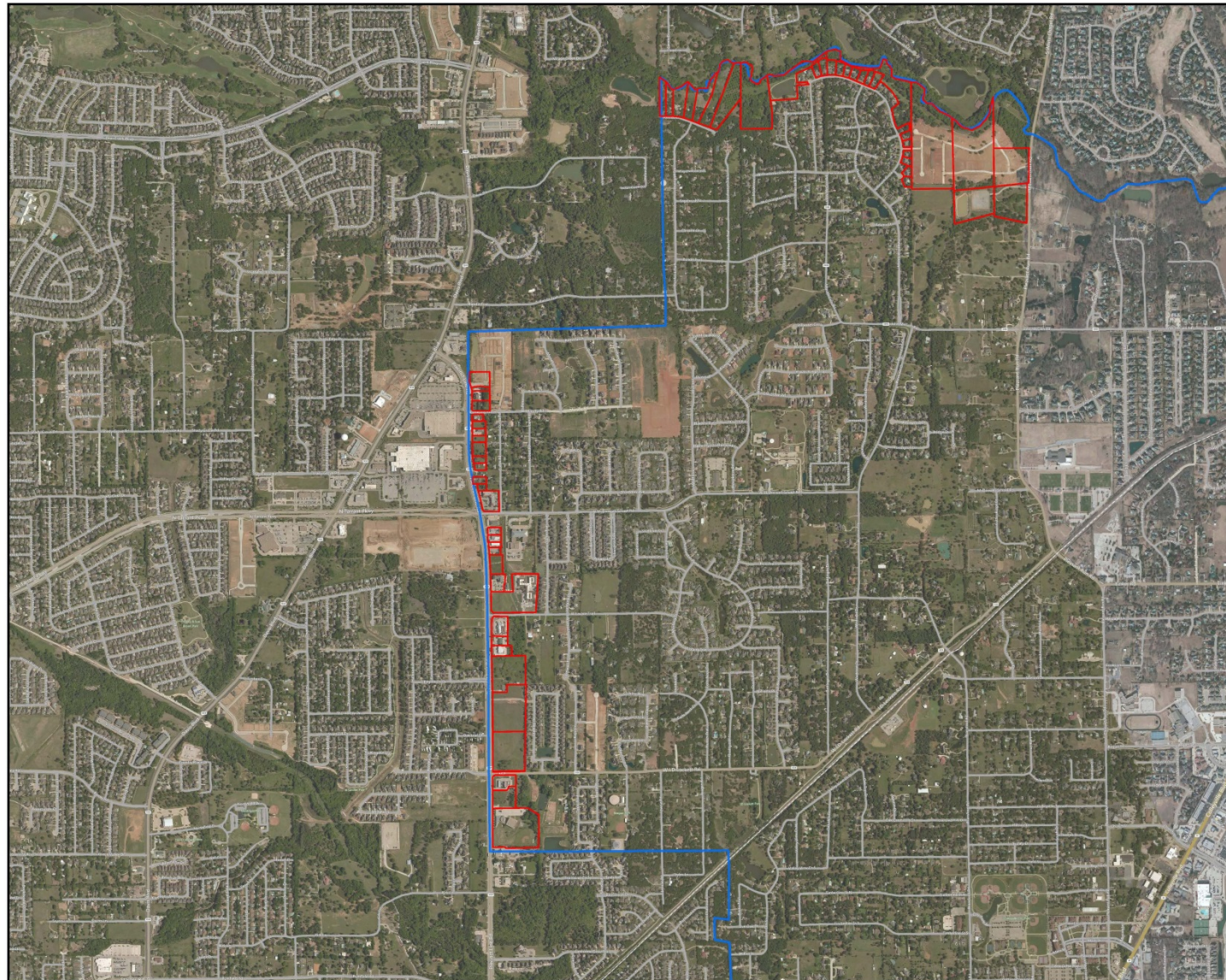
- Diesel powered bore machine creates pilot bore

Pipeline Construction



Pilot bore is reamed to desired diameter and pipe is pulled

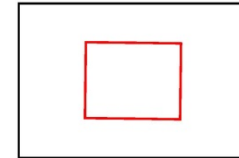
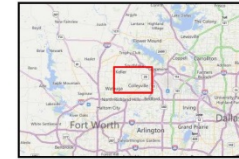
Preliminary Pipeline Route



Atlas Colleyville Affected Tracts

Date: 10/2015

-  City of Colleyville Tracts
-  City of Colleyville



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1,400 700 0 1,400 Feet

ACCESS
MIDSTREAM

Who Has Authority?



- US DOT – Pipeline and Hazardous Materials Safety Administration
- Federal Energy Regulatory Commission
- Railroad Commission of Texas
 - T-4 Pipeline Permit
 - P-5 Organization Report for Operator
- TxDOT
 - Right-of-Way Use Permit
- City Council
 - Pipeline Permit - Land Development Code Section 3.1 – 186 Pipeline Regulations and 187 Pipeline Permitting Procedures
 - Permit must be approved if it meets all requirements
 - Required to follow the City's Tree Preservation Ordinance if pipeline is not considered a public utility



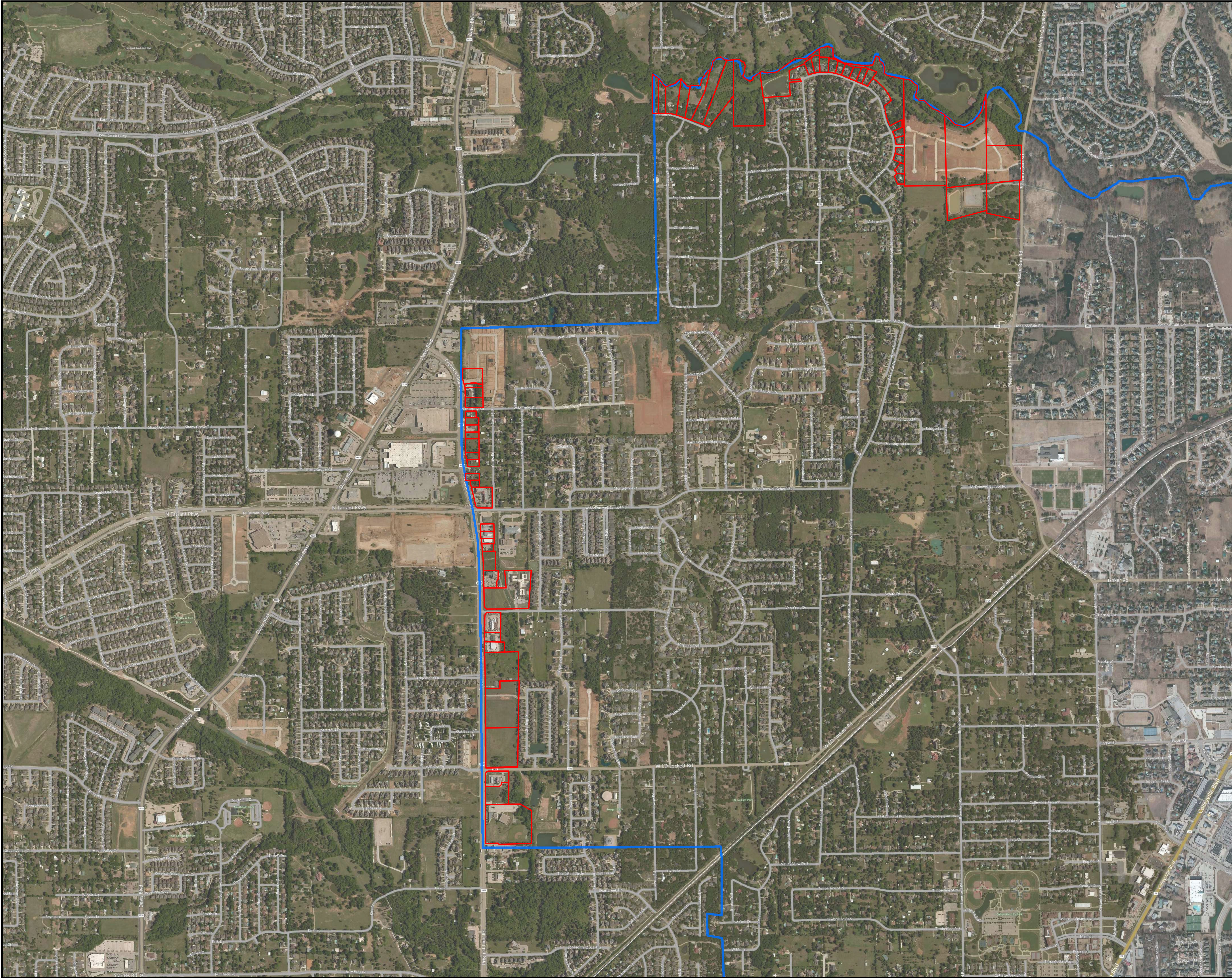
Pipeline Permit Requirements

- Operator must obtain easements from City through right-of-way
 - Five locations pipe will cross City right-of-way
 - City can negotiate terms of an easement
- Equipped with automated pressure monitoring system that shuts down the line if a leak is detected
- \$15,000 fund maintained during pipeline operation
- Operator will notice all habitable structures within 1,000 feet at least 72 hours prior to construction beginning

Pipeline Permit Requirements

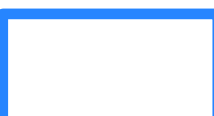
- Operator must file an annual safety report
- Operator must have an emergency response plan and incident reporting
 - Annually reviewed with Fire Marshal
- Operator must notice businesses and residences within 500 feet 5 days prior to maintenance work requiring excavation
- Insurance required during term of permit
- Permit can be terminated for violations of permit requiring cessation of operations

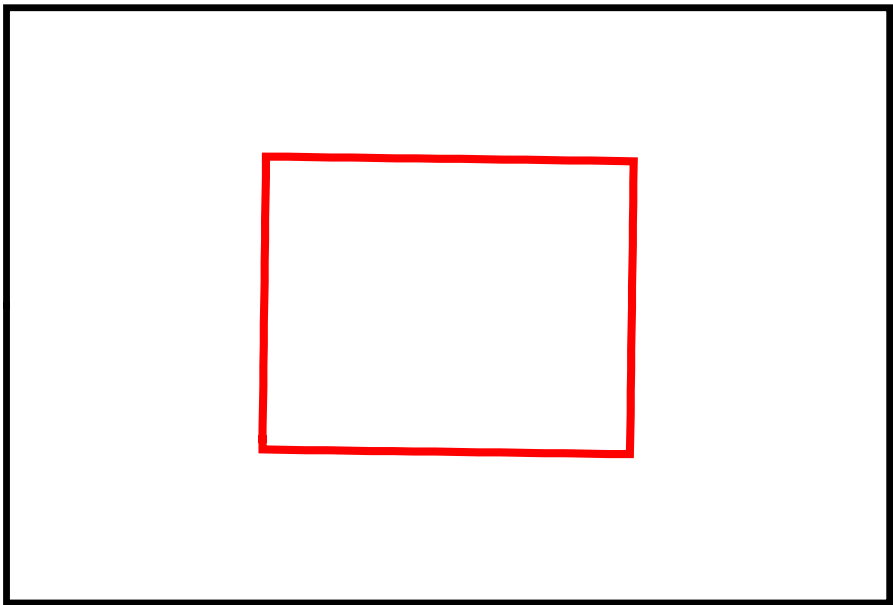
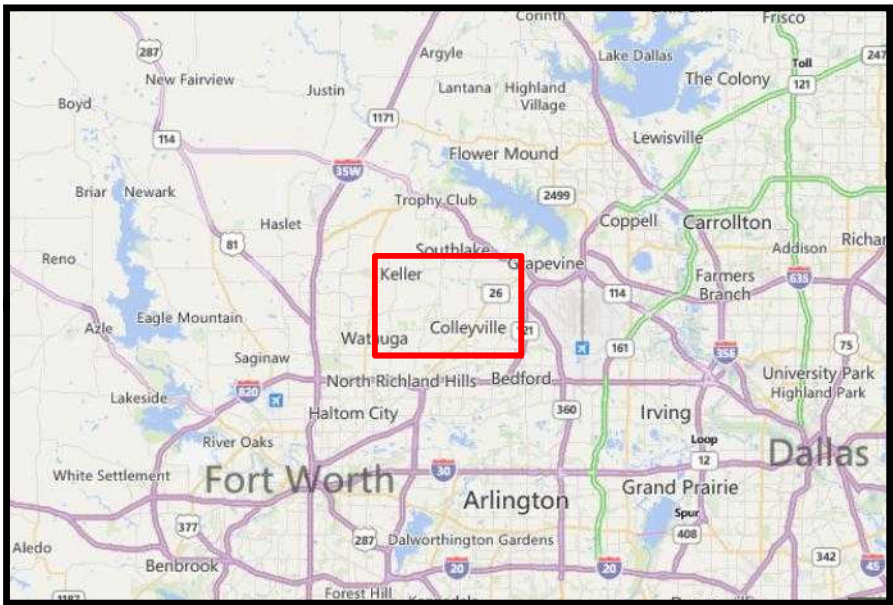
Questions and Discussion



Atlas Colleyville Affected Tracts

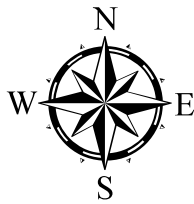
Date: 1/6/2015

-  City of Colleyville Tracts
-  City of Colleyville



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ORDINANCE O-10-1779

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AS HERETOFORE AMENDED; BY AMENDING THE OFFICIAL ZONING MAP BY AUTHORIZING A SPECIAL USE PERMIT FOR A GAS WELL ON 13.2 ACRES LOCATED IN THE WILLIAM E. CROOKS SURVEY, ABSTRACT NUMBER 295 AND LOT 1, BLOCK 1, PARK PLACE ESTATES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a Special Use Permit under Case No. ZC10-022; and

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

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

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

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

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in

the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by amending the official zoning map by authorizing a Special Use Permit for a Gas Well on 13.2 acres located in the William E. Crooks Survey, Abstract Number 295 and the Lot 1, Block 1, Park Place Estates, shown on Exhibit "A" and described in Exhibit "B".
- Sec. 3. THAT the above described tract of land shown on Exhibit "A" and described in Exhibit "B" shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended and as amended herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. General

- a. This Special Use Permit (SUP) shall be for a gas well to include drilling and production as described in Exhibit "C".
- b. The gas well authorized by this SUP shall meet all requirements of the Land Development Code except where amended herein. Additionally, the gas well shall meet all related regulatory requirements of the State of Texas and the Federal Government.
- c. Effective on the approval date of this ordinance, all provisions of Chapter 3.1-Oil and Gas Well Drilling and Production in the Land Development Code as they exist on said date are hereby adopted by reference through the passage of this ordinance.
- d. All wells approved by this ordinance shall be drilled no later than five years from the date of approval of this ordinance.

2. Site Plan

- a. The layout of all equipment, tanks and access roads shall be consistent with the site plans labeled as Exhibits "D" and "E".
- b. The well drilling and production site shall contain no more than 2 acres as shown on Exhibits "D" and "E".

3. Drilling Activities

- a. The primary drilling apparatus shall not exceed 160 feet in height.
- c. A 1.4 acre fresh water pit shall be installed during the drilling process and shall be stocked with fish in order to mitigate for any mosquito breeding.
- d. Prior to the commencement of drilling activities, the existing six (6) inch water line that services the property shall be upgraded to a minimum eight (8) inch water line. In lieu of installation, funds equaling the cost of installation may be placed into escrow with the City for future installation.
- e. Any equipment or well leaks shall be reported to the administrative officer immediately and shall be posted on the City's website within 24 hours.
- f. The Fire Marshal shall be provided with any state of the art equipment necessary in order to determine equipment leakage; either airborne or waterborne.

4. Production

- a. The production pad shall contain no more than 14 water storage tanks. The tanks shall be no larger than 16 feet in diameter and eight (8) feet in height. The production site shall generally be laid out per Exhibits "D" and "E".

5. Access and Transportation

- a. The truck transportation route for all trucks over one-ton that will access this site be as follows: Southbound State Highway 26 to Tinker Road, thence west on Tinker Road to Pleasant Run Road, thence north on Pleasant Run Road to the site entrance. The route exiting the site shall follow the route to the site in reverse.
- b. During drilling operations there shall be no more than 35 truckloads over

a three-day period between the hours of 7:00 a.m. and 7:00 p.m. with an average of 1.5 trucks per hour for both move-in and move-out. Otherwise, there shall be no more than ten personal vehicles entering and leaving the site for 10 workers on a daily basis.

- c. During the fracturing (completion) process, there shall be no more than 20 truckloads per day over a maximum 11-day period between the hours of 7:00 a.m. and 7:00 p.m. with an average of 1.5 trucks per hour.
- d. During the production phase, there shall be no more than 0.5 trucks per day per well.
- e. The access road to the well site shall be composed of an all-weather, 25 foot wide, concrete surface. There shall be adequate space provided for emergency vehicles to turnaround on the pad site at all times. The turnaround dimensions shall meet the minimum requirements of the Land Development Code.
- f. The gate for the site shall be composed of decorative wrought iron and shall be located 85 feet back from Pleasant Run Road. At a minimum the gate shall meet the minimum requirements for gates in Chapter 14-Engineering Design of the Land Development Code.

6. Landscaping

- a. All landscaping shall be installed as shown and described in the attached Exhibit "F" and as required in Chapter 3.1 of the Land Development Code prior to the commencement of any well production.

7. Lighting

- a. All site lighting shall illuminate onto the site and shall not directly illuminate onto any surrounding properties or onto the property owner's residence. Drilling rig lighting shall not be a nuisance and shall illuminate at the minimum level of lighting allowed by the State of Texas for drilling rigs.

8. Environmental Impact

- a. All erosion control shall, at a minimum, meet the erosion control plan attached as Exhibit "G". Additionally, all stormwater run-off from the pad site shall contain no pollutants. There shall, at a minimum, be spill berms and containment rings surrounding all drilling and production equipment in order to mitigate point-source pollution from all surrounding watersheds.

- b. At a minimum, airborne emissions of pollutants shall be mitigated per the emission control plan described in Exhibit "H".
 - c. In order to insure compliance with all state and federal air quality standards an independent, third-party air quality inspection company shall perform periodic air-quality inspections, including measurements of airborne volatile organic compounds, at the site area prior to drilling operation and during all phases of drilling and production operations. The determination of measurement points, compounds to be measured, the frequency of inspections, threshold limits, as well as baseline measurements of pre-drilling ambient air quality shall be performed by the inspection company. The company shall be chosen and contracted by the City of Colleyville. The gas well operator shall reimburse the City of Colleyville for said contracted services upon receipt of invoice from the City of Colleyville. At a minimum, in the event that a measurement exceeds an established threshold, the appropriate state and/or federal air-quality enforcement agency shall be notified of the measurement within 24 hours of the observation.
 - d. There shall be no mud or dirt laid upon any City street as a result of the activity authorized by this SUP. Any mud or dirt created shall be removed by the operator from streets immediately.
9. Pipeline. The planned pipeline route is shown on Exhibit "I". Changes to the portion of the route within the City's corporate limits will be addressed through the pipeline permitting process, and shall not require an amendment to this ordinance. The portion of the pipeline within the City's corporate limits will be regulated by the City's pipeline ordinance and other applicable local, state, and federal regulations in effect at the time the pipeline operator files an administratively complete application for a pipeline permit. Approval of this ordinance confers no vested rights or other rights on the pipeline operator with respect to the construction of the pipeline. If changes are proposed to the portion of the pipeline within the City's corporate limits, the gas well operator will cooperate with the City and the pipeline operator, if requested, to assist in selecting a mutually acceptable route within the City's corporate limits.
10. Waivers. The well bore setback requirements for all structures within 1,000 feet of the gas well bores approved by this ordinance are hereby waived. This waiver shall only apply to all structures existing as of the date of approval of this ordinance.

- Sec. 5. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 6. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 7. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 8. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

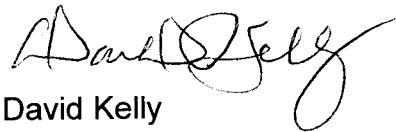
AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of November 2010.

The second reading and public hearing being conducted on the 16th day of November 2010.

ATTEST:

Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit A - Zoning and Location Map

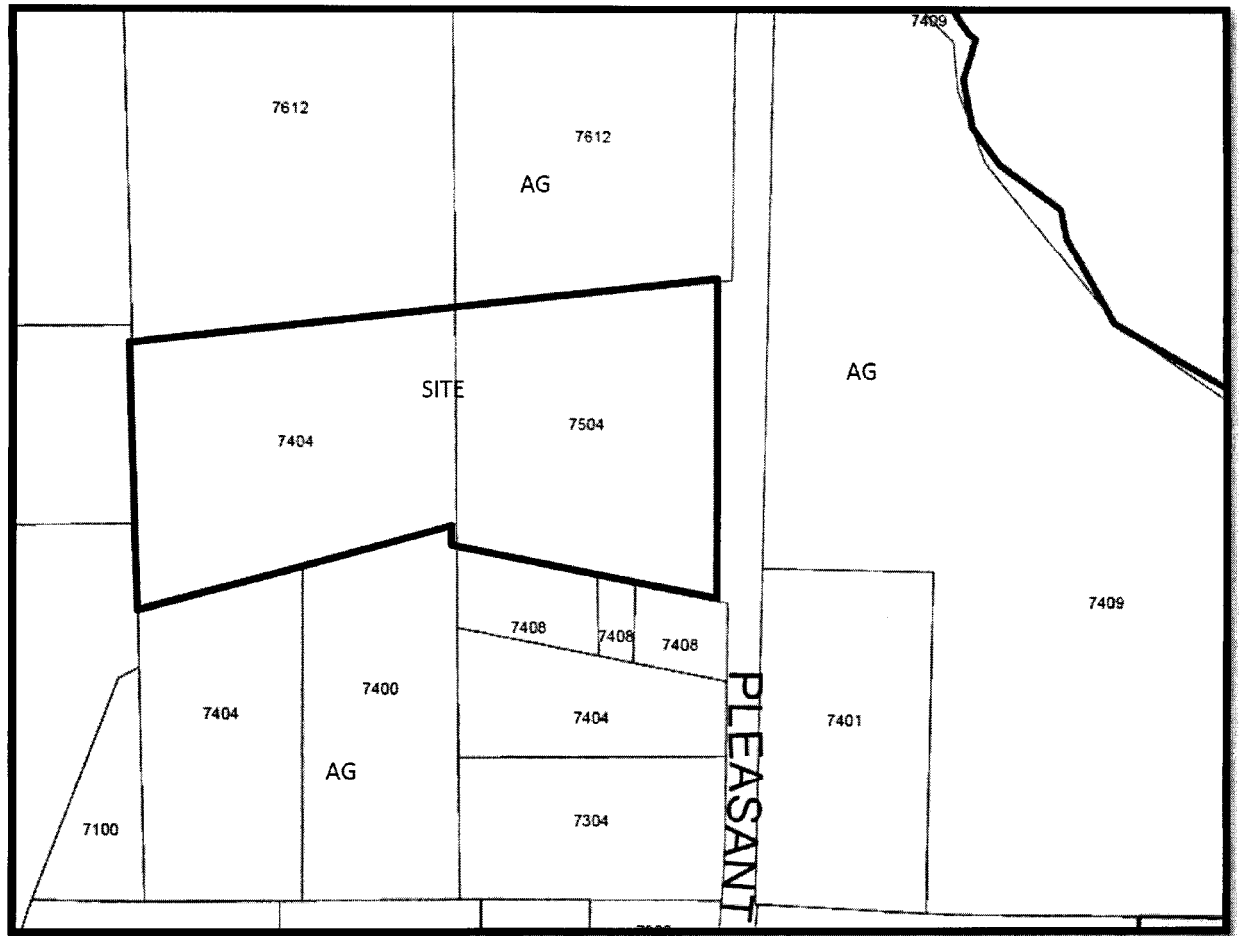


Exhibit B – Legal Description

TRACT 1

BEING all of Lot 1, Block 1, Park Place Estates, as recorded in Volume 388-176, Page 14, Plat Records, Tarrant County, Texas and being 275.081 square feet, or 6.315 acres of land more or less.

TRACT 2

BEING a tract of land situated in the W.E. Crooks Survey, Abstract Number 295, Tarrant County, Texas, and being a portion of that certain tract of land described by deed to Trinity Christian Center of Santa Ana, Inc., as recorded in Volume 9325, Page 1004, County Records, Tarrant County, Texas, and being more particularly described by the metes and bounds as follows:

BEGINNING at a 3/8 inch iron rod found at the northwest corner of said Trinity Christian Center Tract:

THENCE N 84 deg. 38 min. 58 sec. E, 651.64 feet;

THENCE S 00 deg. 43 min. 21 sec. E, 416.52 feet;

THENCE S 75 deg. 43 min. 33 sec. W, 657.74 feet;

THENCE N 01 deg. 50 min. 17 sec. W, 518.16 feet to the **POINT OF BEGINNING**, and containing 301,676 square feet, or 6.926 acres of land more or less.

Total Area= Tract 1 and 2: 13.241 Acres of land more or less.

Exhibit C – Statement of Planning Objectives

STATEMENT OF PLANNING OBJECTIVES

TITAN OPERATING, LLC TCC SUP

PLANNING OBJECTIVE

The purpose of this SUP is to establish a well site, a frac pond, and access road for the drilling, completion, and operating of multiple gas wells within the areas designated by the SUP Site Plan.

WELL SITE LOCATION

The well site location for the Titan TCC wells is identified on the SUP Site Plan. Titan will drill multiple horizontal wells from the proposed well site to develop approximately 1300 acres of Titan leases. The proposed gas development will focus on the Barnett Shale, encountered at subsurface depths at approximately 8,900 feet.

VEHICULAR ACCESS TO THE WELL SITE LOCATION

Vehicular access to the well site will be from SH 26, west on Tinker, north on Pleasant Run Road, to the well site entrance.

The drive approach from Pleasant Run Road will be constructed of concrete. At the entry, a double gate will be recessed into the property to accommodate truck movements from the roadway onto the lease road. Fire access will be provided and the road will be maintained in accordance with all local, state and federal requirements.

DEVELOPMENT PHASING

Titan Operating anticipates the initial construction on the TCC pad site to begin January, 2011. After construction of the pad site Titan anticipates the drilling of 3 wells; each of which will take approximately 30 days. After the initial test Titan anticipates drilling a total of approximately 14 wells off the site over the next 5 to 7 years. All producing wells will be plugged at the end of their economic life. All plugging will be in accordance with applicable Texas Railroad Commission regulations.

ACCESSORY STRUCTURES

Accessory uses for the proposed gas development will include well heads, storage tanks, separation facilities, and other uses necessary and customary to gas development.

During drilling operations, all equipment will be secured by a chain link fence with a secured entrance gate. A reflective sign will be posted at the drill site and operations site identifying the entrance to the site and include the well names and numbers, name of the operator, emergency 911 number, and the telephone numbers for 24 hour emergency contacts.

No refining, except for gas dehydrating and physical phase separation will take place on this site. Temporary diesel fuel tanks, generators, construction trailers, steel mud pits, pipe racks, and drilling rig will be located within the drilling pad site. The drilling rig and associated drilling

Exhibit C – Statement of Planning Objectives (Cont.)

equipment shall be removed from the well site as soon as practical after completion of the well or drilling activities.

WATER CONSUMPTION

Once well permits have been obtained from the Texas Railroad Commission and the road and drill site are constructed, drilling can commence. The drilling of each well will require approximately 420,000 gallons of water over a three (3) week period.

Once a well has been drilled and determined to have the potential for commercial production, the completion process will begin. In order for the Barnett Shale to be commercially productive it must be fracture stimulated. This involves pumping a large amount of water at high pressure into the formation to create a fracture in the rock. A small amount of sand is mixed with the water to hold the fracture open once the procedure is complete. This permits the gas to flow more easily from the rock into the well bore. Each fracture stimulation requires approximately 4.2 million gallons of water. Once the water is in place, the actual stimulation process will take approximately eight (8) hours.

Water for the drilling, as well as the fracture stimulation, will come from a proposed frac pond of approximately 1.4 acres to be constructed by the operator, with water purchased from the City or well water. The water stored in this pond will service multiple wells.

WASTE CONTROL

Water and drilling mud utilized during the drilling of the wells will be initially stored in closed-loop drilling fluid systems located on the pad site. Ultimately, the water and drilling mud will be removed by truck and disposed of in accordance with the requirements of the Texas Railroad Commission.

Produced water from gas production will be stored in 250 – barrel (bbl) tanks within the well site location. The tanks will be located within a secondary containment ring with a non-permeable berm or liner capable of holding one and one-half (1-1/2) times the capacity of the largest tank. Drip pots will be located at pump out connections to contain the liquids from the storage tank. The tanks will also be equipped with a sensing device that will shut off the well should the tank become full. The contents of the tank will be emptied by a commercial operator and disposed of in accordance with the requirements of the Texas Railroad Commission.

FIRE PROTECTION

All fire suppression and prevention equipment required by an applicable federal state or local law will be provided and maintained by the Operator.

All contractors will have portable fire extinguishers at the drill site and fire extinguishers will be located at various locations at the drill site.

The tank battery facility will be equipped with a remote foam line utilizing a two and one-half (2.5) inch National Standard Hose Thread female inlet connection in locations approved by the Fire Department.

A lightning arrestor system will be installed according to the most current edition of the National Electrical Code.

At any gate enclosure, the City Fire Marshal will be provided a knox box with a key for emergency access.

Exhibit C – Statement of Planning Objectives (Cont.)

DRAINAGE

Well-heads, meters, storage tanks, separation facilities, or other post drilling and completion permanent above ground facilities will be located on a drill site that is graded in such a manner to be elevated above the 100-year floodplain. Erosion control shall comply with the erosion control plan approved by the City.

ENVIRONMENTAL

The proposed gas development will be in compliance with all state and federal environmental regulations and will not adversely affect the floodplain, drainage patterns, or water quality.

Damage to public thoroughfares adjacent to this lease area directly caused by the proposed gas development will be restored to city standards, as applicable, as each well is completed. Any damage that poses a safety hazard will be repaired immediately. Any substantial accumulations of dirt, dust, or other debris deposited on public thoroughfares by gas development will be removed. Dust, if significant, will be suppressed by using water or other dust suppressants.

Drilling and production operations shall be conducted in a manner to minimize noise levels. Noise from drilling, completion and rework operations are limited in time from a few days to a few weeks. Noise from drilling activities will not exceed sixty five (65) decibels at any point three hundred (300) feet from the boundary of the drill site. Noise from fracturing operations will not exceed eighty five (85) decibels at any point three hundred (300) feet from the boundary of the drill site. Noise from the operation site will not exceed fifty five (55) decibels beyond the boundaries shown on the associated site plan.

Lighting will be shielded and directional toward the well site so that it will not disturb, be a nuisance, or safety hazard to adjacent properties, residential areas, or public thoroughfares.

SCREENING

Per City ordinance, the equipment on the operation site will be screened from public view by a combination of screening shrubs that will be installed completely around the well site and the required screen fence. Irrigation will be installed as necessary. All plant material will be kept in an attractive state and in good condition.

Exhibit C – Statement of Planning Objectives (Cont.)

DEVELOPMENT SCHEDULE

Titan Operating anticipates the initial construction on the TCC pad site to begin the 4th quarter of 2010. After construction of the pad site Titan anticipates the drilling of 2 to 4 wells; each of which will take approximately 30 days. After the initial test Titan anticipates drilling a total of approximately 14 wells off the site over the next 5 to 7 years.

ECONOMIC DEVELOPMENT INFORMATION

Titan Operating has spent approximately \$108,300,000 in lease bonus dollars in the City of Colleyville to date. Titan has also donated approximately \$300,000 to local charities. Titan estimates that a typical well drilled off the pad site will generate approximately \$230,000 per well in ad valorem taxes for the city over a 15 year period.

Exhibit D – Site Plan A

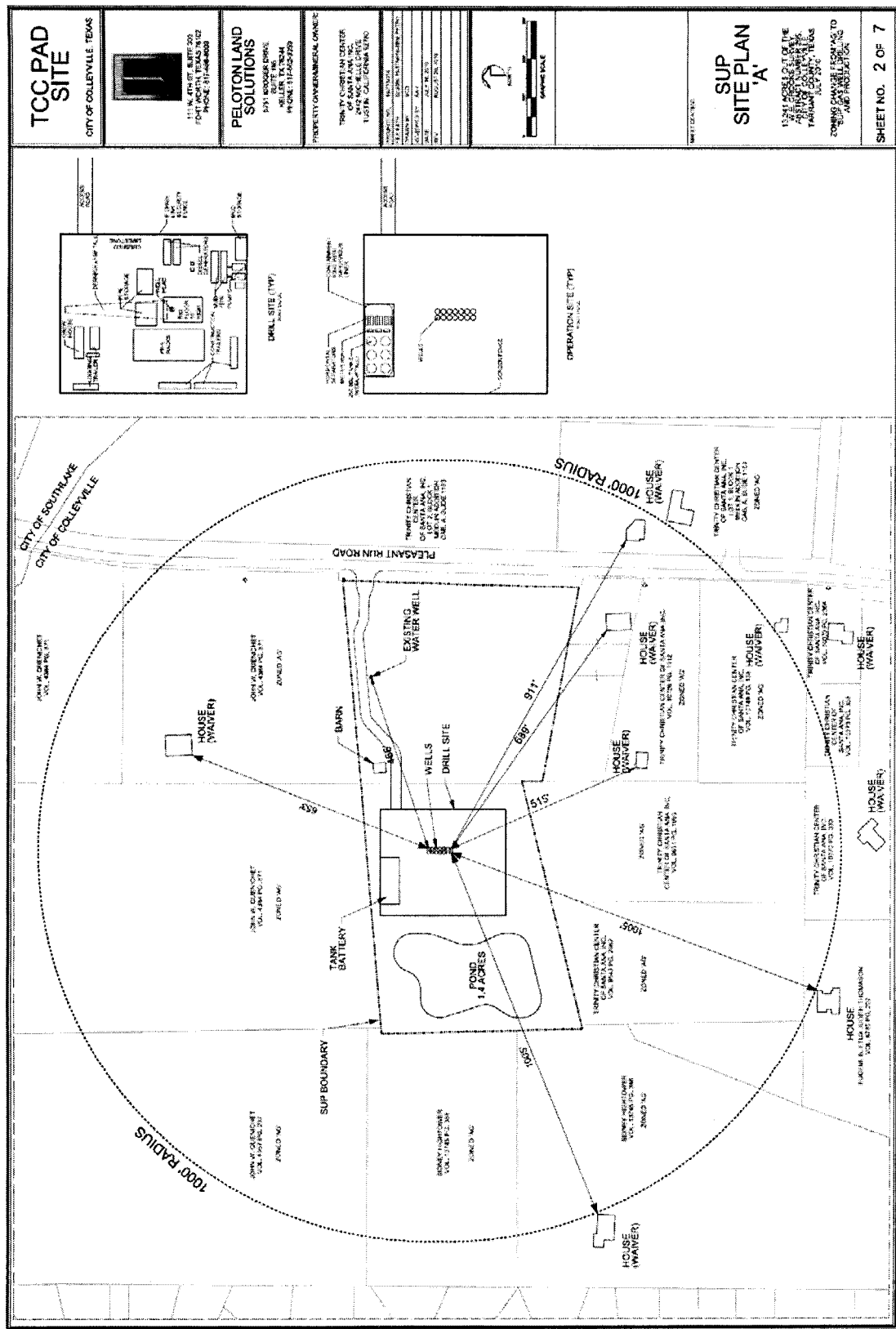
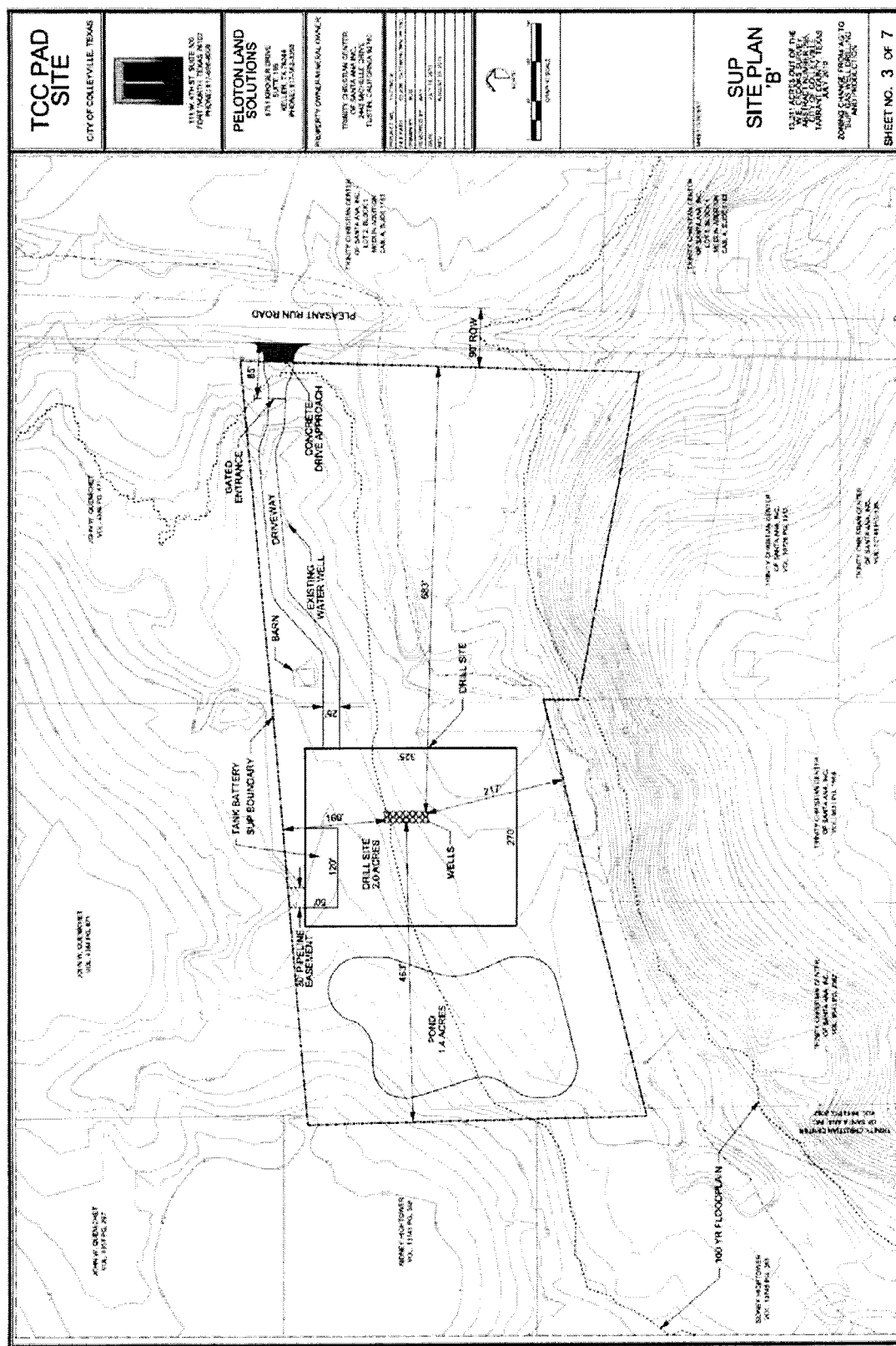


Exhibit E – Site Plan B



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Exhibit G – Grading and Erosion Control Plan

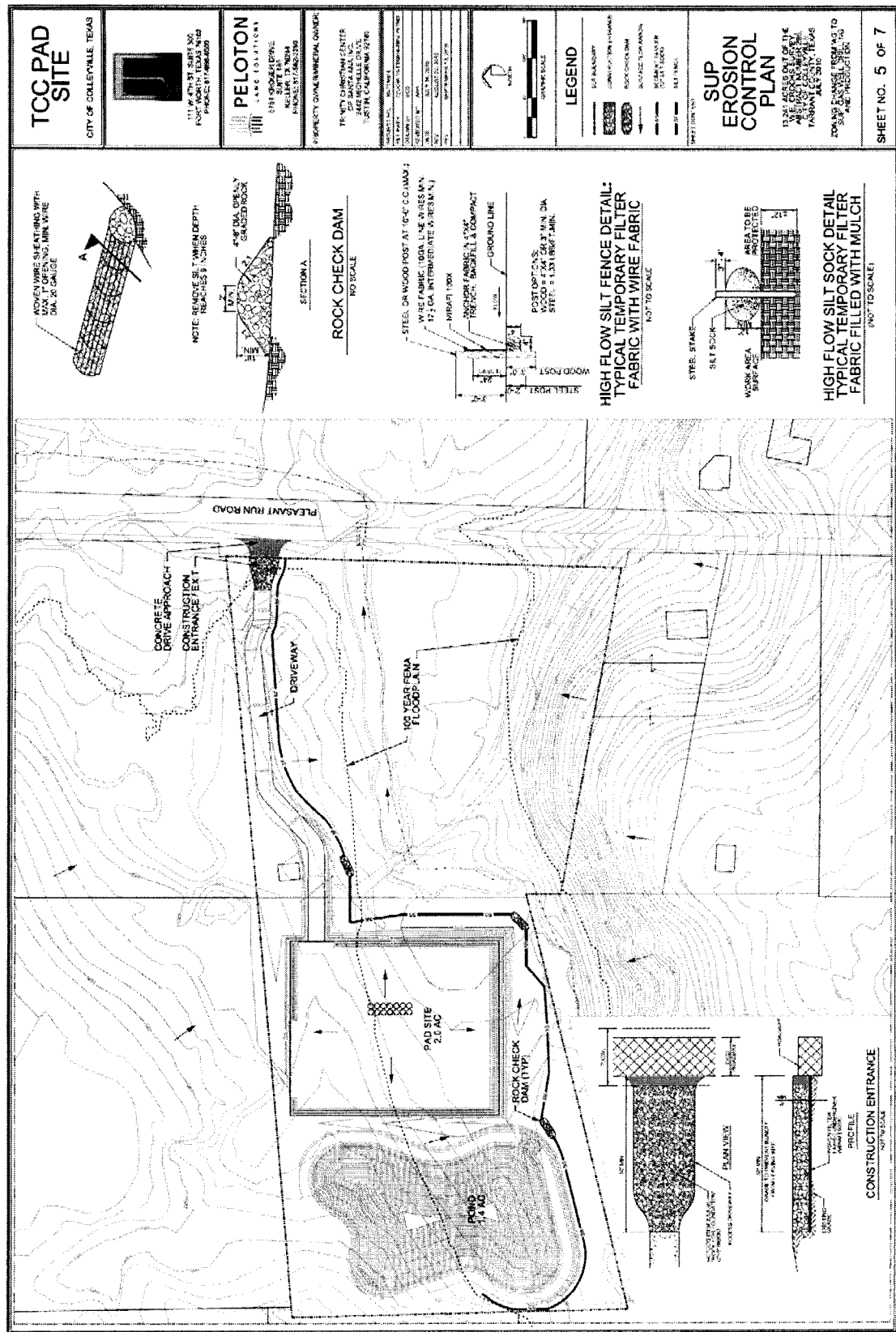


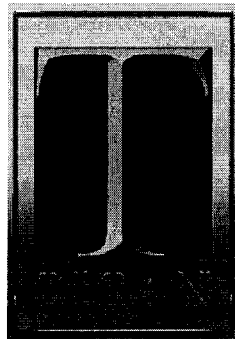
Exhibit H – Emission Control Plan

BREITLING CONSULTING, LLC
IN COOPERATION WITH PELOTON LAND SOLUTIONS, LLLP

EMISSION REDUCTION / CONTROL PLAN

**TCC WELL PAD
COLLEYVILLE, TARRANT COUNTY, TEXAS**

PREPARED FOR:



**TITAN OPERATING, LLC.
111 W. 4TH STREET, SUITE 300
FORT WORTH, TEXAS 76102-3951**

9/29/2010

P.O. BOX 969 BURLESON, TEXAS 76097 · 817-680-6956 · WWW.BREITLINGCONSULTING.COM

Exhibit H – Emission Control Plan (Cont.)

Facility

Trinity Christian Center (TCC) Well Pad
Colleyville, Tarrant County, Texas

Operator

Titan Operating, LLC. (Titan)
111 W. 4th Street, Suite 300
Fort Worth, Texas 76102-3951

Well #1-H – 3H

Latitude: 32.916991

Longitude: -97.160009

Production Phase Equipment – assuming 3 wells

6 Produced Water Tanks-250 bbl capacity

1 Mobile Frac Tank-500 bbl capacity

3 Horizontal Separators

1.0 Best Management Practices

Emissions sources at the TCC Well Pad include the equipment listed in *Section 1.0* as well as fugitive components. The following Best Management Practices (BMPs) will be implemented in order to minimize emissions to a level that is technically feasible and economically reasonable. Every practical effort will be made to monitor equipment for leaks, implement reliable pollution prevention work practices, and reduce emissions.

Operations

- Operate all equipment with the potential to emit air contaminants at least 50 feet from the nearest property line or the nearest receptor (whichever is closer), excluding any valve that is used for isolation and or safety purposes.
- Each open-ended valve or line will be equipped with a cap, blind flange, plug, or a second valve to seal the line so that no leakage of emissions occurs unless otherwise required to maintain safe operations in a vessel or pipeline.
- Tank hatches, not designed to be completely sealed, will remain closed (but not completely sealed in order to maintain safe design functionality) except for sampling or planned maintenance activities.
- The site will be visited daily by operations personnel who will conduct visual equipment checks.
- The site will be equipped with a remotely monitored alarm system that will automatically shutdown key equipment if significant leaks or operational problems occur.
- All equipment with the potential to emit air contaminants will be maintained in good working order and operated properly.
- All seals and gaskets will be installed, checked, and properly maintained to prevent leaking.

Maintenance

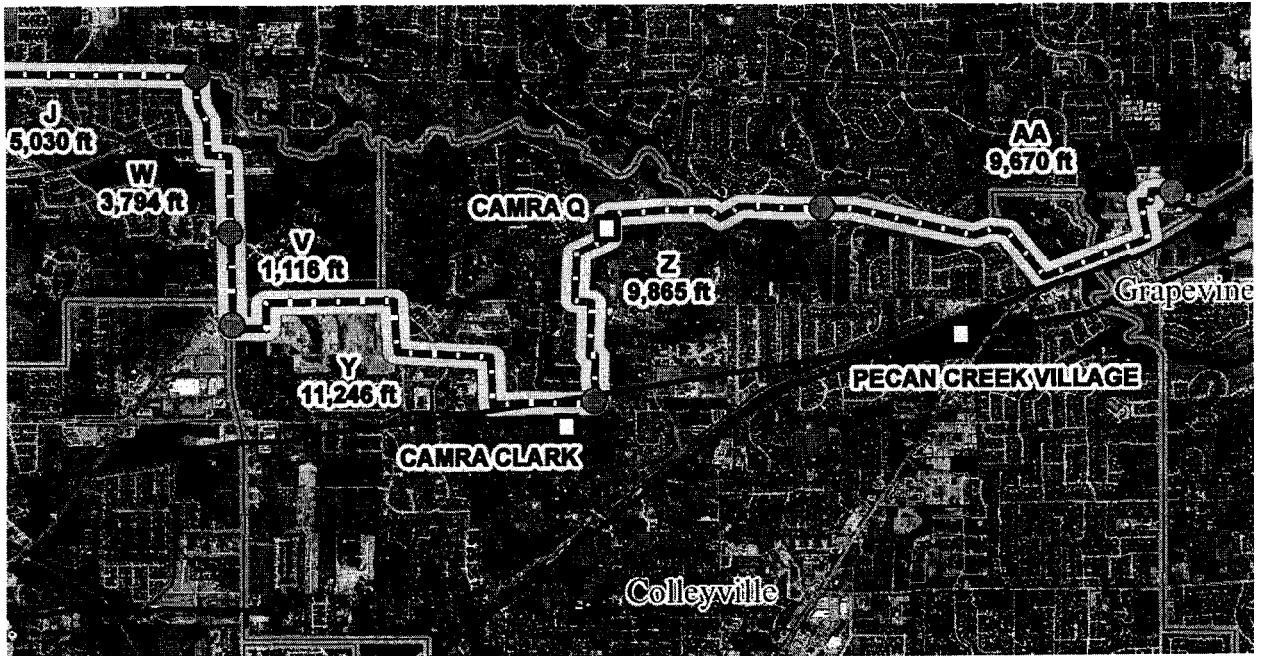
Exhibit H – Emission Control Plan (Cont.)

- A program to replace, repair, and/or maintain equipment to keep them in good working order will be established and maintained, including: (1) manufacturer's specifications and recommended programs applicable to equipment performance and effect on emissions; (2) cleaning and inspection of all equipment; and (3) replacement and repair of equipment on schedules which prevent equipment failures and maintain performance.
- During planned downtime of any capture, recovery, or control device, gas streams will be redirected to another control or recovery device.
- Every reasonable effort will be made to repair a leaking component. Initial action will be to isolate the leaking component and conduct the repair within 48 hours. If the leaking component cannot be isolated or the repair cannot be made within 48 hours, then the well will be shut in until repairs can be made. If the repair of a component would require a unit shutdown, which would create more emissions than the repair would eliminate, the repair will be delayed until the next planned shutdown.
- To the extent that good engineering practices will permit, new and reworked valves and piping connections will be located in a place that is reasonably accessible for leak checking during well operations.

Voluntary Leak Detection and Repair (LDAR) Program

- All fugitive components will be inspected by audio, visual, and olfactory (AVO) observation, at intervals not exceeding 15 months, but at least once each calendar year. Such inspections will also include monitoring for leaking components using either (1) the EPA Test Method 21 using a portable analyzer set at 10,000 ppmv leak detection limit or (2) the Alternative Work Practice for monitoring equipment for leaks found in 40 CFR §60.18(g)-(i) using an optical gas imaging instrument with a detection sensitivity level of no greater than 60 grams per hour.
- Damaged or leaking valves, connectors, pumps, compressors, and agitator seals found to be emitting VOCs in excess of 10,000 ppmv as determined using a portable analyzer, found by AVO inspection to be leaking (e.g., dripping process fluids), or found leaking using the AWP will be tagged and replaced or repaired.

EXHIBIT I - PLANNED PIPELINE ROUTE





City of Colleyville City Council Agenda Briefing

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

Agenda Number PC-3

Agenda Date 01/20/2015

Type Pre Council

Department City Secretary

Title

Discussion of the January 20, 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 01/20/2015

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 551.087 - 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-15-3834

**A RESOLUTION APPROVING COUNCIL ACTION
REGARDING EXECUTIVE SESSION ITEMS AT THE REGULAR
CITY COUNCIL MEETING OF
JANUARY 20, 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 20TH 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 4

Agenda Date 01/20/2015

Type Announcements, Proclamations, and Presentations

Department Economic Development

Title

Proclamation in recognition of Sam Stacy, Mayor for a Day - Mayor David Kelly

Proclamation declaring January 23, 2015, "Thank a Teacher Day" at Colleyville Elementary School - Colleyville Elementary School Principal Shelia Shimmick - Mayor for a Day Sam Stacy

Proclamation recognizing the Grapevine Colleyville Youth Football Association's MP Black Team and their achievements - Mayor for a Day Sam Stacy and Mayor Kelly

In recognition of Colleyville's featured business -Ruggeri's - 32 Village Lane, Suite 100 - Mayor David Kelly and Economic Development Director Marty Wieder

Attachments

1. Proclamation in recognition of Sam Stacy, Mayor for a Day
2. Proclamation declaring January 23, 2015, "Thank a Teacher Day" at Colleyville Elementary School
3. Proclamation in recognition of MP Black Football Team

Proclamation

CITY OF

Colleyville,
Texas

WHEREAS: Sam Stacy submitted the winning essay in the 2014 City of Colleyville "Mayor for a Day" contest; and

WHEREAS, Sam Stacy is 10 years old and attends fifth grade at Colleyville Elementary School; and

WHEREAS, Sam's winning essay included the gift of giving back by establishing a charity gift tree to be put at the city hall at Christmastime with ornaments to be taken by Colleyville citizens of a list of things to give to the less fortunate; and

WHEREAS, Sam would like to have a day riding with a police officer to give out special tickets for doing the right thing instead of speeding tickets or tickets for doing something wrong; and

WHEREAS, Sam also suggested that a day is set aside to invite students from the elementary schools in Colleyville to take part in city government and hold a pretend city council meeting for students to learn about and understand the role of local government; and

WHEREAS, Sam Stacy's essay exemplifies outstanding citizenry and a desire to contribute to his community.

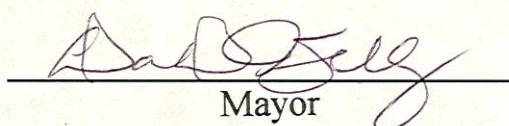
NOW, THEREFORE, I, DAVID KELLY, MAYOR OF THE CITY OF COLLEYVILLE, TEXAS, on behalf of the Colleyville City Council and citizens of Colleyville, do hereby proclaim

SAM STACY

as Mayor for a Day in the City of Colleyville, and encourage citizens to recognize the abilities and desires of today's youth to become leaders in their community.

IN WITNESS WHEREOF, I do hereby set my hand and seal of the City of Colleyville, Texas, affixed this 20th day of January 2015.




Mayor



Proclamation

CITY OF

Colleyville,
Texas

WHEREAS: I, Sam Stacy, submitted the winning essay in the 2014 City of Colleyville "Mayor for a Day" contest; and

WHEREAS, being a student at Colleyville Elementary School, I recognize the great contribution of our teachers in the education process; and

WHEREAS, teachers at Colleyville Elementary School consistently display the highest standards of the education system; and

WHEREAS, teachers play a tremendous role in shaping the future of all generations.

NOW, THEREFORE, I, SAM STACY, MAYOR FOR A DAY OF THE CITY OF COLLEYVILLE, TEXAS, do hereby proclaim Friday, January 23, 2015

THANK A TEACHER DAY AT COLLEYVILLE ELEMENTARY SCHOOL

and encourage all students to express appreciation to our teachers for their efforts by writing them a note, taking a moment to say thanks, or any expression of appreciation for their valuable efforts.

IN WITNESS WHEREOF, I do hereby set my hand and seal of the City of Colleyville, Texas, affixed this 20th day of January 2015.



SAM STACY – Mayor for a Day



Proclamation

CITY OF

Colleyville,
Texas

WHEREAS: the MP Black 6th Grade Football Team has compiled a record of 23-0, over the past two years; and

WHEREAS, the MP Black team has exemplified the Grapevine Colleyville Youth Football Association's objective of promoting the ideals of good sportsmanship, personal integrity, and team cooperation; and

WHEREAS, Coach Jason Shawver, has led a staff of volunteer coaches who have taught young men in our community leadership skills, the value of hard work, and have emphasized the important role every member of a team plays; and

WHEREAS, the MP Black team was undefeated in league play over the past two years, winning the 5th Grade Division Championship in 2013 and the 6th Grade Division Championship in 2014; and

WHEREAS, the MP Black team entered and won the 2014 McKinney Sports Connections Winter Classic Football Tournament in a snow storm on November 16, 2014; defeating teams from McKinney, Prosper, and Union Farms, Louisiana.

NOW, THEREFORE, I, SAM STACY, MAYOR FOR A DAY OF THE CITY OF COLLEYVILLE, TEXAS, on behalf of the City Council and the citizens of Colleyville, do hereby extend congratulations to the

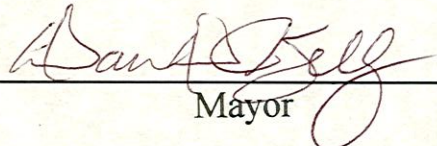
MP BLACK FOOTBALL TEAM

and encourage all area citizens to join in congratulating the players and coaches on this great accomplishment.

IN WITNESS WHEREOF, I do hereby set my hand and seal of the City of Colleyville, Texas, affixed this 20th day of January 2015.



SAM STACY – Mayor for a Day


Mayor



RESOLUTION R-15-3835

**A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER
CONSENT ITEMS AT THE REGULAR CITY COUNCIL MEETING OF
JANUARY 20, 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 January 6, 2015
 - b. Approval of the minutes of the City Council worksession of January 13, 2015
 - c. Approval of the use of Voluntary Park Funds for a playground at Pleasant Run Park, in an amount not to exceed \$55,000

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _____ AYES, _____ NAYS, AND _____
ABSTENTIONS ON THIS THE 20TH 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, January 6, 2015

City Council Chambers

Mayor David Kelly called the Pre Council meeting of the Colleyville City Council to order on January 6, 2015, at 5:43 p.m.

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

ABSENT: Councilmember Chris Putnam

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, Lieutenant Hillary Wreay, 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, Project Engineer Adam Marsh, Finance Manager Karen Hines, Community Development Director Ron Ruthven, Communications and Marketing Director Mona Gandy, Strategic Services Manager Adrienne Lothery, Information Systems Manager Chris Pena, City Attorney Matthew Boyle, and City Secretary Amy Shelley.

PC-1 Discussion and overview of Code Enforcement

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

Councilmember Mogged questioned staff regarding if the updates in the fencing regulations have been well received. Chief Holder replied yes, but fencing issues are not one of the common code violations. He stated the updates have helped in keeping the fences in good order.

Mayor Pro Tem Taylor questioned staff regarding if businesses are treated differently relative to code enforcement. Chief Holder replied there are no differences, unless there are different ordinances specific to those properties, such as a PUD (Planned Unit Development). He stated they are consistent and fair across the board.

Mayor Pro Tem Taylor questioned staff regarding if other departments work together to ensure ordinances are followed. Chief Holder replied yes, and added that the police department is active in the development review process, and has been since 2010. He used the example of the police department's role in the review process of a package store zoning application.

Mayor Pro Tem Taylor questioned staff regarding if some of the code violation notifications are called in by citizens, in other words, these instances are citizen driven. Chief Holder replied yes, Colleyville has an active citizenry, and the police department strives to have great relationships with them too.

Mayor Kelly encouraged citizens to call in, anytime something does not seem right, since there is only one code enforcement officer to cover the entire City.

Councilmember Hart questioned staff regarding if the online requests go to some email box within the City. Chief Holder and Lieutenant Wreay replied there is an online system in which all requests are tracked for code enforcement.

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

Economic Development Director Marty Wieder presented this item and briefed the City Council.

Councilmember Wollin questioned staff regarding if two businesses, located next to each other, would have to contribute twice the amount in the grant. Director Wieder replied no, but they would have to be in agreement before bringing in the application. He added City Council can certainly consider other funding amounts in those situations, if they deemed it necessary.

Mayor Kelly concurred, there would need to be some coordination done within the businesses.

Councilmember Mogged stated the smaller facilities will benefit from this the most. He stated having the City pay up to a certain amount, and then split the cost, may help to encourage the smaller businesses, which may solve most of the potential mobility problems.

Mayor Kelly stated we should be proactive before the roadway construction begins. Director Wieder concurred, and explained the meetings that have been held with Public Works, Economic Development, and business owners relative to the options for this grant and others.

Mayor Kelly stated this would be a guideline; however, there may be special circumstances to consider. Councilmember Hart stated it could be a win-win situation.

Mayor Kelly stated there are some who may not understand the current situations; however, City staff does understand some of those potential issues and may have a way in which to address it.

Councilmember Short stated this is a great idea, and getting out prior to roadway construction is even better.

Mayor Pro Tem Taylor questioned staff regarding if we would be doing this work before the roadway construction begins. Director Wieder replied yes, that could be the case. He added the shared access would be created before the roadway construction would take place.

Mayor Kelly stated there would be nothing done that would need to be torn up, or out, due to the roadway construction.

Mayor Pro Tem Taylor stated this may help alleviate the median issues, connectivity, or circulation. He then questioned staff regarding if City Council will have final say. Director Wieder replied yes.

City Manager Jennifer Fadden explained this would be outside of the right-of-way.

Mayor Kelly stated staff is working through some problematic areas where this might help to relieve those issues. Mayor Pro Tem Taylor stated there are points where this will help keep traffic moving.

Mayor Pro Tem Taylor stated he had initial concerns about having something done, and then it be torn out during the roadway construction. Director Wieder replied that was not the plan.

Councilmembers concurred with the proposed guidelines.

PC-3 Discussion of the January 6, 2015, City Council regular agenda items

Mayor Kelly stated agenda item 5b has asked for a continuance. He stated agenda items 7a, 7b, and 7c are all related and interconnected.

Mayor Kelly adjourned the Pre Council meeting at 6:21 p.m.

The regular meeting of the Colleyville City Council was called to order by Mayor Kelly at 7:33 p.m.

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

ABSENT: Councilmember Chris Putnam

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, Communications and Marketing Director Mona Gandy, Strategic Services Manager Adrienne Lothery, Information Systems Manager Chris Pena, City Attorney Matthew Boyle, and City Secretary Amy Shelley.

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

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

Section 551.071 - Legal - Consultation with attorney 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

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, Section 551.074 Personnel, 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 6:21 p.m. and reconvened at 6:22 p.m.

The regular meeting was adjourned at 11:02 p.m. The Executive Session was reconvened at 11:06 p.m., and adjourned at 11:19 p.m.

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

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 encouraged citizens to participate in the annual Colleyville Police Academy. He explained the applications are being accepted from now until Friday, January 16, 2015, for the 12-week class which runs on Thursday evenings, beginning February 5 through April 23, 2015. He added the interactive program offers demonstrations in various police operations, including building searches, traffic enforcement, and forensic evidence. He further added a police ride-along is part of the curriculum.

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

Mayor Kelly recognized Alan Greer, Suzanne Hughes, and Carel Tornes for their service to a City board, commission, or committee. All expressed their appreciation for the acknowledgement of their service.

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

Mayor Kelly presented Randy Bright, with a proclamation recognizing him as the 2014 Employee of the Year.

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

Mayor Kelly read Resolution R-15-3829 in its entirety.

Mayor Kelly opened the public hearing at 7:44 p.m.

There was no one present wishing to speak and Mayor Kelly closed the public hearing at 7:44 p.m.

Mayor Pro Tem Taylor moved to approve Resolution R-15-3829. 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 Carol Wollin, Chuck Mogged, Jody Short, and Tom Hart

Absent: 1 – Councilmember Chris Putnam

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

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 stated he would like to clarify that the applicant has not proposed a shared parking agreement with the adjacent high school for City Council to consider.

Mayor Kelly opened the public hearing at 7:48 p.m.

Santos Martinez, representing Icon Lodging, applicant, presented this item and briefed the City Council.

David Medlin, 605 Montreux, Colleyville, spoke in opposition of this request expressing concerns for the height of the building.

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

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

Elizabeth Zeitlin, 1800 Glade Road, Colleyville, spoke in opposition to this request with concerns for this particular request on this piece of property, and stated having further concerns the hotel will have issues staying open.

Jeff Lowery, 5250 Highway 121, La Hacienda Restaurant Colleyville, spoke in opposition to this request with concerns for height of the building, parking, and traffic.

Bruce Williams, 5250 Highway 121, La Hacienda Restaurant Colleyville, spoke in opposition to this request with concerns for the location of the hotel next to the school, especially with the noise from the band when it is practicing, parking, the proposed location, and the possibility of failure of the hotel brand.

Tom Whelan, 121 Compadres Ltd., La Hacienda Restaurant Colleyville, spoke in opposition to this request with concerns for the height and size of the building, parking, and fencing adjacent to the restaurant. He added the applicant should have to finish out the access drive to the north.

Alexis Georgiadis, 5250 Highway 121, La Hacienda Restaurant, Colleyville, spoke in opposition to this request with concerns for this particular use and the effect it will have on his business; safety of the children; and the size of the proposed building. He stated that he felt all members of the City Council should be present for the voting of this request.

Tim Kenney, 2902 Highgrove Court, Colleyville, spoke in opposition to this request with concerns for the height of the building, traffic, increase in crime, and safety of the children in proximity to the proposed request.

Bobby Lindamood, 4913 Jim Mitchell Trail W., Colleyville, spoke in opposition to this request with concerns for the hotel use, the building height, the waivers that are being requested, and parking. He stated this is not the right spot for a hotel.

Kristin Shawver, 4105 Beacon Hill Court, Grapevine, spoke in opposition to this request with concerns for the hotel use on this property, and for the safety of the children who attend the high school.

Julie Glenn, 2901 Highgrove Court, Colleyville, spoke in opposition to this request with concerns for the windows on the building that face the ball fields and parking lot; safety and crime; traffic; access to the hotel; waiver requests being proposed; and height of the building.

Carolyn Ann Walgren, 1925 Waterford Drive, Grapevine, spoke in opposition to this request with concerns for parking, safety for the students at the high school, increased traffic, and increased crime.

Dallas Cothrum, 900 Jackson Street, Dallas, spoke in support of this request.

Louis Miller, 7802 Tillman Hill Court, Colleyville, stated he was not speaking in support of or against this item. He stated the citizens of Colleyville want to keep their taxes low; and, commercial businesses help keep those taxes low. He stated

if a hotel is not approved, there may not be an opportunity to have a hotel locate in Colleyville.

The following persons did not wish to speak, but did wish to register their opposition: Tom and Maryann McDonald, 705 Sabel Ridge Lane, Grapevine; Susan and Jason Baum, 2302 Danbury Drive, Colleyville; Mary Mills, 1931 Stafford Road, Grapevine; Cali Franks, 1933 Stafford Road, Grapevine; Deborah Ryan, 2305 Danbury Drive, Colleyville; Stacey M. Brewer, 3008 Meadowview Court, Colleyville; Mary B. Shipferling, 4300 Pembroke Parkway, Colleyville; David Frazier, 3405 Fox Meadows Drive, Colleyville; Pete Wurst, 3402 Huntington Drive, Colleyville; Barry and Rachel Lane, 5105 Heatherdale Drive, Grapevine; and Angie Losack, 2712 Whitley Lane, Grapevine.

The following persons did not wish to speak, but did wish to register their support: Matthew J. Money, 2803 Shenandoah Place, Colleyville; and Kathy Hadley, 204 N. Timberline, Colleyville.

There were no others wishing to speak and Mayor Kelly closed the public hearing at 9:07 p.m.

Mayor Kelly questioned staff regarding the CC-2 zoning district, asking if by right, in this zoning district, is a hotel allowed and can it be a maximum of four stories in height. Director Ruthven replied yes.

Mayor Kelly further questioned if the CC-2 zoning required buildings with windows to have a 15-foot side yard setback, but buildings without windows may be placed at the property line. Director Ruthven replied yes.

Mayor Kelly questioned staff regarding if the minimum front setback is 40 feet. Director Ruthven replied yes.

Mayor Kelly questioned staff regarding if there is a 20 percent landscape requirement. Director Ruthven replied yes.

Mayor Kelly questioned staff regarding if screening or fencing is required. Director Ruthven replied no.

Mayor Kelly questioned staff regarding if the quality of construction material requirements of the Land Development Code must be followed. Director Ruthven replied yes.

Mayor Kelly questioned staff, for clarification, that the applicant's variance requests are: (1) the height of the building, to 66 feet, five stories; (2) removal of the required restaurant outlined by the Land Development Code; and (3) the 50 percent tree canopy of the tree preservation requirements. Director Ruthven replied yes.

Mayor Kelly questioned staff regarding if the side setback of 39 feet would be codified in the ordinance. Director Ruthven replied it would not be codified in the ordinance, since the fire lanes are a requirement of the fire code. He stated it would have to be consistent with the site plan.

Mayor Kelly questioned staff regarding if the site plan indicates an 82 foot setback. Director Ruthven replied yes. Mayor Kelly stated the code only require a 66 foot setback. Director Ruthven concurred.

Mayor Kelly questioned staff if the applicant is proposing to place an eight foot decorative screening fence along the western property line, and a six foot wrought iron fence, with an emergency opticom gate, along the south property line. Director Ruthven replied yes.

Mayor Kelly questioned staff regarding if the applicant has requested any waivers to any quality standards listed in the Land Development Code. Director Ruthven replied the only additional waiver request is to the open space requirement to have 50 percent of the open space in the front street yard. Mayor Kelly clarified that this is similar to the property with the adjacent restaurant.

Mayor Pro Tem Taylor questioned staff regarding how four stories can be achieved in a 35 foot tall commercial building. Director Ruthven replied the Land Development Code allows four stories; however, it caps the maximum height of the building at 35 feet.

Mayor Kelly stated it is at the discretion of City Council to grant a waiver to the height requirement.

Mayor Kelly questioned staff regarding the height of the adjacent school. Director Ruthven replied there is a part of the high school that reaches 60 feet in height; however, the average height of the school buildings is 48 feet.

Mayor Kelly questioned staff regarding if the school was required to request a variance to the height. Director Ruthven replied no, institutional uses are allowed a higher height on the buildings.

Councilmember Wollin stated Colleyville does need a hotel and would benefit by having one. She stated she is very pleased with the Hampton Inn brand. She stated the applicants are experienced. She stated it is much easier to walk to eat at a restaurant. She stated parking can become a problem, but with the decrease in the number of rooms, there are enough parking spaces to meet the code requirements. She stated she is struggling with the location and height of the building; therefore, she could not give a 100 percent positive approval at this time.

Mayor Kelly questioned Mr. Santos regarding the parking, specifically for large truck and trailer parking. Mr. Santos replied they have an agreement with the owner of the vacant Mac's restaurant to park oversized vehicles on their lot and shuttle their guests back to the hotel.

Councilmember Short questioned Mr. Santos regarding the practicing of the band, and whether it would be an issue. Mr. Santos replied they feel confident their design allows for the mitigation of noise, such as the high school band and highway traffic. He added there are no rooms against the rear of the building, adjacent to the school parking lot.

Mayor Kelly stated although a hotel is allowed by right with the current zoning district; this request does allow City Council to have an input in the design of the proposed site.

Mayor Kelly stated having some concerns about being next to the school; however, the eight foot masonry wall does help block access to the school. He stated there are additional concerns for additional crime or criminal mischief; however, there are some preventive measures being put in place to mitigate these concerns.

Councilmember Hart stated having concerns about the location and height of the building.

Mayor Pro Tem Taylor stated this is the best location for a hotel since it is off of the freeway. He stated not having an issue with the height of the building. He stated the proposed hotel brand works. He stated having a concern for a lower quality brand being built, by right, without any approval. He stated the restaurants in the area will benefit from the customers of this hotel. He stated if there were criminal elements associated with this hotel, it would kill the brand name. He stated the price point itself will keep the criminal element away. He stated the greater threat of criminal activity is the freeway itself.

Mayor Kelly asked Mr. Martinez if they are willing to reduce the height of the building. Mr. Martinez replied the footprint and design is at the tightest it can be for the Hilton/Hampton Inn brand. He stated there are quality valued features they have in place in the design, such as fresh air; therefore, the mechanical equipment cannot be put on the ground. He stated they believe they could lose another foot in the design, without compromising the quality and features. He stated the actual guest rooms are actually lower in height than the high school, as the roof of the hotel would be at 58 feet, but the required screening of the mechanical equipment goes to 66 feet. He stated they had discussions with the La Hacienda; however, the meetings were not productive.

Mayor Kelly questioned staff regarding if the high school has mechanical units on the top of their buildings. Director Ruthven replied he did not know.

Mayor Kelly questioned staff regarding if there are other buildings that have non-screened mechanical units on top of the buildings. Director Ruthven replied only buildings constructed before that standard was put in place. He stated that in the case of the building that houses Whole Foods, the mechanical was not required to be screened; however, since the remodel for Whole Foods, the mechanical units were required to be screened.

Mayor Kelly questioned staff regarding the purpose for the screening of the mechanical units. Director Ruthven cited the specific language from the Land Development Code, "All roof mounted mechanical equipment and parapet wall structural supports shall be screened from view." He stated the code has been enforced by what can be viewed from the road.

Mayor Kelly questioned staff regarding if screening can be a fence around each unit versus the entire building perimeter. Director Ruthven replied staff required a masonry screening element for the Whole Foods building. He stated there is specific language in the Land Development Code for buildings over 40,000 square feet in size that requires the screening elements mirror the architectural elements of the building itself.

Mayor Kelly asked City Council about the height concern. Councilmember Wollin stated it is much higher than the surrounding buildings, even if the topography is lower for the high school. She stated since this item requires a supermajority vote, she would like to continue this item until all City Councilmembers are present.

Mayor Kelly questioned Mr. Lowery regarding if there is an opportunity to work with this applicant to make this a win-win situation. Mr. Lowery replied he believed so. He stated they would prefer the building be moved 20 feet north, and have a sound-proof wall installed between the two properties.

Mayor Kelly questioned Mr. Lowery regarding if they would be willing to work with this applicant and the proposed fire lane, maybe to share the fire lanes. Mr. Lowery stated he would not be willing to say, at this time.

Mr. Georgiadis stated he would not be willing to give up part of La Hacienda's property. He stated there was an option, with the neighbor to the north, to create a fire lane on that property. Mayor Kelly stated there have been numerous meetings with that property owner; however, she is not willing to sell any of her property.

Councilmember Mogged questioned Mr. Georgiadis regarding what difference it makes to this restaurant if there is a four or five story building. Mr. Georgiadis stated the height of the building will dampen the ambiance of the restaurant. He stated the parking lot lighting, and headlights will have an effect on that as well.

He stated the visibility of the restaurant will be impacted as well due to any future landscaping.

Councilmember Mogged questioned Mr. Georgiadis regarding the bar or patio areas. Mr. Georgiadis stated the bar area would not be visible; however, the dining room seating will be effected by the light pollution from the hotel traffic.

Councilmember Mogged questioned Mr. Georgiadis regarding if foliage would provide adequate screening. Mr. Georgiadis replied it would be better; however, part of the issue is sound. He stated we should have a masonry wall.

Mayor Kelly stated if a restaurant were adjacent to the existing restaurant, there may be parking pointing directly into that dining room area. Mr. Georgiadis stated they would screen it at that point. Mayor Kelly stated they will not have to screen it now. Mr. Georgiadis stated he understands this conversation would not be taking place had the applicant not been requesting variances.

Mayor Kelly questioned Mr. Georgiadis regarding what if a hotel is constructed that meets the City's code, but it is not a higher quality brand. Mr. Georgiadis stated the City does have to issue an operator license. Mayor Kelly stated the City cannot control the brand. Mr. Georgiadis stated being willing to take that risk. He stated he does not believe the owner of the property will put in a lower grade hotel.

Mayor Kelly stated he understood that La Hacienda currently uses the vacant restaurant parking lot to the south for their overflow parking. Mr. Georgiadis stated they have always had an understanding with the property owner. He added, in general, they do not have truck and trailer parking at the restaurant.

Mayor Kelly stated a codified parking agreement could come at a later time. Mr. Georgiadis stated there are details that are still missing.

Mayor Kelly questioned Mr. Georgiadis regarding if there is a willingness to work with the applicant. Mr. Georgiadis stated they originally had a willingness to work with the applicant; however, the applicant has not approached them recently. He added he hoped City Council would not approve this request.

Mayor Pro Tem Taylor questioned Mr. Georgiadis regarding why he has an issue with the customers of the hotel using his restaurant. Mr. Georgiadis stated not having an issue with the customers; however, the overwhelming height of the building dwarfs his restaurant.

Mayor Pro Tem Taylor stated lighting issues can be addressed. Mr. Georgiadis stated 66 feet in height is still too high. He stated a building, more than twice the size of the adjacent property, dwarfs the existing buildings.

Mayor Kelly questioned staff regarding if there are light shielding standards. Director Ruthven replied not in the Land Development Code or in this ordinance; however, there have been other ordinances in which lighting standards have been addressed.

Mayor Pro Tem Taylor questioned Mr. Cothrum regarding if the ground floor is the only thing lit at night. Mr. Cothrum replied a photometric plan can be done, but they have to have enough light for safety. He stated there could be some more site planning done for lighting to work with this neighbor.

Mayor Pro Tem Taylor questioned Mr. Cothrum regarding why a lower, in height, building cannot be built, and still have a high quality hotel. Mr. Cothrum replied without the number of rooms, Hilton/Hampton Inn will not let the number of rooms decrease. He stated they could have done lower with a different layout; however, the property does not allow for such.

Mayor Pro Tem Taylor questioned Mr. Cothrum regarding why they are limiting themselves to the Hampton Inn brand. Mr. Cothrum replied the market studies are dictating the brand.

Mayor Kelly questioned staff regarding if there is an opportunity to work with making the fire lane to the north similar to the restaurant fire lane. Director Ruthven replied the 24-foot fire lane must surround the building, given the height of the building. Fire Chief Brian Riley concurred.

Mayor Kelly stated this item may be continued, so that the applicant and property owners can meet. Councilmember Short stated it appears there are issues the property owners are willing to work through. Councilmember Wollin stated she would like all Councilmembers to be present.

Mayor Kelly questioned Mr. Santos regarding if another month would benefit the applicant to meet with the adjacent property owner to work through some of these issues. Mr. Santos stated being happy to continue this conversation; however, he feels confident in their design, given there have been several revisions to the original request. He stated the ultimate goal is to start this project off on the right foot.

Mayor Pro Tem Taylor asked City Council why they want to continue this in a month. He stated wanting to move forward with this at the next meeting. Mayor Kelly stated he thought he heard someone wanted to give them another month. Mr. Santos stated being good with having this come back at the next meeting.

Mayor Kelly moved to continue Ordinance O-14-1942 to the January 20, 2015 City Council meeting with a public hearing. Councilmember Hart seconded the motion.

The motion to continue carried by the following vote:

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

Absent: 1 – Councilmember Chris Putnam

Mayor Kelly recessed the meeting at 10:19 p.m.

Mayor Kelly reconvened the meeting at 10:30 p.m.

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

Mayor Kelly explained the applicant has requested this item be continued to the January 20, 2015 meeting.

Although this item was continued to the January 20, 2015 meeting, and a public hearing was not held during this meeting, the following persons filled out speaker cards. In support: Brian Luker, 5204 Fox Trail Lane. In opposition: Keenan Roach, 3504 Fox Meadows Drive; Richard Bangs, 3509 Fox Meadows Drive; Pete Wurst, 3402 Huntington Drive; Shirly Thompson Gillaspie, 3511 Fox Meadows Drive; Gary Evans, 5201 Bugle Lane; Lorraine Evans, 5201 Bugle Lane; Julie Sullins, 3304 Fox Glen; Doris M. King, 3506 Fox Meadows Drive; David Frazier, 3405 Fox Meadows Drive; Armida R. Wilson, 3404 Fox Meadows Drive; Raymond and Christine Andrae, 3510 Fox Meadows Drive; and William Munsell, 3302 Fox Glen Drive.

Mayor Kelly moved to continue Ordinance O-14-1943 to the January 20, 2015 City Council meeting. Mayor Pro Tem Taylor seconded the motion.

The motion to continue carried by the following vote:

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

Absent: 1 – Councilmember Chris Putnam

**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

Mayor Kelly read the caption of Ordinance O-15-1946.

Public Works Director Bob Lowry presented this item and briefed the City Council.

Mayor Kelly opened the public hearing at 10:34 p.m.

There was no one present wishing to speak and Mayor Kelly closed the public hearing at 10:34 p.m.

Councilmember Mogged questioned staff, for clarity, regarding Stage 2 watering restrictions. Director Lowry replied Stage 2 allows one day a week watering, with there being four, no watering days, with this stage.

Councilmember Mogged questioned staff regarding how the communication plan will be given to the citizenry. Director Lowry replied he will be working with Communications and Marketing Director Mona Gandy to ensure all methods of communication are used, with the February newsletter going out in the water bills as the primary document to notify the citizens.

Councilmember Wollin stated she would like to see something similar to the previous, very effective, and memorable, marketing campaign. Directors Lowry and Gandy replied yes.

This was a first reading; therefore, City Council did not take any action.

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

Mayor Kelly read Resolution R-15-3830 in its entirety.

Parks Manager James Hubbard presented this item and briefed the City Council.

Mayor Kelly opened the public hearing at 10:42 p.m.

Kosse Maycus, applicant and developer, presented this item and briefed the City Council.

There was no one present wishing to speak and Mayor Kelly closed the public hearing at 10:45 p.m.

Councilmember Wollin stated she liked the preservation of trees and the meandering of the trail through the trees.

Councilmember Mogged concurred, and stated there are sidewalks throughout the development.

Councilmember Wollin moved to approve Resolution R-15-3830, Councilmember Mogged seconded the motion.

Mayor Pro Tem Taylor questioned staff, for clarification, regarding the trail width. Manager Hubbard replied the Covington Addition trail, to the south, was amended to be six feet; however, the open space lot contains an eight foot trail. He stated The Legacy subdivision trail will only be six feet in width.

The motion to approve carried by the following vote:

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

Absent: 1 – Councilmember Chris Putnam

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

Mayor Kelly read Resolution R-15-3831 in its entirety.

Development Engineer Adam Marsh presented this item and briefed the City Council.

Mayor Kelly opened the public hearing at 10:51 p.m.

Kosse Maycus, applicant and developer, presented this item and briefed the City Council.

There was no one present wishing to speak and Mayor Kelly closed the public hearing at 10:52 p.m.

Mayor Kelly asked staff if this is the appropriate thing to do, even though staff's recommendation is denial. Engineer Marsh replied yes.

Councilmember Short questioned Mr. Maycus regarding the sidewalks along the entry into the subdivision, asking if they are necessary given the trail access to Lavaca Trail? Mr. Maycus replied he would prefer to eliminate those sections, given the subdivision will be gated. He stated there will be public access through the fencing for the trail.

Mayor Kelly questioned staff regarding if the removal of the sidewalk would be staff's recommendation. Engineer Marsh replied yes.

Councilmember Short moved to approve Resolution R-15-3831 with the amendment to the omission of the four foot sidewalk along both sides of the entrance to the subdivision. 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 Carol Wollin, Chuck Mogged, Jody Short, and Tom Hart

Absent: 1 – Councilmember Chris Putnam

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

Mayor Kelly read Resolution R-15-3832 in its entirety.

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

Mayor Kelly opened the public hearing at 10:58 p.m.

There was no one present wishing to speak and Mayor Kelly closed the public hearing at 10:58 p.m.

Mayor Pro Tem Taylor asked staff if the approval of this plat is amended per the approval of the previous two resolutions. Director Ruthven replied no, the plat already has a reduced trail easement.

Mayor Kelly stated the plat does not contain the trails, only easements. Director Ruthven concurred.

Mayor Kelly moved to approve Resolution R-15-3832, 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 Carol Wollin, Chuck Mogged, Jody Short, and Tom Hart

Absent: 1 – Councilmember Chris Putnam

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

Bobby Lindamood, Jr., 4913 Jim Mitchell Trail W., stated the citizens do care about their City. He stated having concerns for the proposed truck and trailer parking at the former Mac's restaurant. He stated there are a lot of hotels in the area that are two and three stories in height and that are successful.

Kathy Hadley, 204 N. Timberline, filled out a speaker card for this item, but left the meeting prior to this item.

9. REPORTS

Architectural Review Commission Meeting Minutes - May 5, 2014

There was no discussion regarding this item.

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

This resolution was not needed.

11. ADJOURNMENT

There being no further business before the City Council, Mayor Kelly moved to adjourn, and Mayor Pro Tem Taylor seconded the motion.

The motion to adjourn carried by the following vote:

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

Absent: 1 – Councilmember Chris Putnam

Mayor Kelly adjourned the City Council meeting at 11:02 p.m., and reconvened the Executive Session at 11:06 p.m.

APPROVED BY A VOTE OF ___ AYES, ___ NAYS, AND ___ ABSTENTIONS ON THIS THE 20TH DAY OF JANUARY 2015.

Minutes taken and prepared by:

*Amy Shelley, TRMC
City Secretary*



City of Colleyville

City Council Worksession

Minutes - Draft

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

Tuesday, January 13, 2015
6:00 p.m.

Executive Conference Room
Third Floor – City Hall

Mayor David Kelly called the Colleyville City Council Worksession to order on January 13, 2015, at 6:03 p.m.

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

Absent: Councilmembers Chris Putnam and Tom Hart

City Manager Jennifer Fadden, Assistant City Manager and Chief Financial Officer Terry Leake, Executive Director of Development and Infrastructure Chris Fuller, Public Works Director Bob Lowry, City Engineer Jeremy Hutt, Construction Engineer Craig Knight, Parks Manager James Hubbard, Communications and Marketing Director Mona Gandy, Strategic Services Manager Adrienne Lothery, Information Systems Manager Chris Pena, and City Secretary Amy Shelley

2. PRESENTATION AND DISCUSSION

2a Discussion and update on Street Infrastructure

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

Councilmember Mogged questioned staff regarding if the standards referenced are relative to City codes, or other codes such as safety handbooks, or information from TxDOT. Engineer Hutt replied it is a combination of all, such as the guidelines for traffic as outlined by other agencies like TxDOT.

Councilmember Mogged questioned staff regarding if the City standards will be updated if the other agencies update their standards. Engineer Hutt replied yes, such as the amendments we have made throughout the years. He stated the Master Thoroughfare Plan is currently being updated with the comprehensive plan update.

Councilmember Mogged asked staff if it would be fair to state that roundabouts are now the standard rather than the exception. Engineer Hutt replied the standards have not been updated to reflect such; however, it is something in which City Council has the discretion to choose.

Mayor Pro Tem Taylor questioned staff regarding if traffic counts are being indexed or taken into consideration with the lifespan of mill and overlay. Engineer Hutt replied with small variations in traffic counts there is not much of a difference in the life span, especially with a residential roadway that experiences only 100 trips per day. He added even with traffic counts in the multiple thousand counts, it really does not differ much from say 8,000 to 10,000 trips per day, the capacity of the roadway is exceeded at that point; therefore, the roadway begins to fail very quickly.

Mayor Pro Tem Taylor stated mill and overlay seemed to be the norm, and it seemed to last forever. He stated it seems something is changing in the patterns that are wearing on those surfaces. Engineer Hutt concurred, and added the lifespan of a mill and overlay street did last longer, 30 years ago; however, the increase in traffic does have an impact on the wear of the street.

Mayor Kelly stated he is leaning toward the third option, "maintain all streets in their current configuration and reconstruct only street sections as determined by the Capital Improvement Program (CIP), based on a recommended technical methodology that considers PCI, traffic volumes, safety concerns, traffic capacity, or other triggers" with a caveat, prioritization, or focus on the reconstruction towards the non-local streets. Councilmember Wollin concurred. Councilmember Mogged stated he also concurred; however, he is concerned with making sure safety is taken into consideration, and done proactively and explicitly with the long-term plans. He stated he would like a list of top five or ten most dangerous areas, such as intersections or roadways, something like top safety concerns.

Mayor Pro Tem Taylor concurred with Councilmember Mogged, and then questioned staff regarding the mill and overlay options, and why there is not a three-inch option. Engineer Hutt stated the mill and overlay is a tool in the tool box, and that a three-inch option can be done. He stated there are times when a 1½ inch mill and overlay option will work best.

Mayor Pro Tem Taylor stated it really depends on the sub-base in which the overlay is on. Engineer Hutt concurred, or what needs to be accomplished.

Councilmember Wollin stated she supports the third option, especially since it allows for more public input regarding the roadway. She stated she also concurred with Councilmember Mogged's safety concerns.

Councilmember Short concurred with the third option. He added the industry is doing a better job at looking at things systematically. He stated Colleyville is a very small sample size. He stated there is a national level initiative, "Driving to Zero," in which the industry is addressing the number of fatalities.

Mayor Kelly stated the community will always have issues with roadways, and with trying to make things safe.

Councilmember Short stated there are roadway designs being developed to make the roadway systems safer.

Mayor Kelly stated it makes no sense to reconstruct a neighborhood with only 50 cars a day versus a street with 17,000 cars a day.

Councilmember Wollin stated being in favor of full depth reclamation, where it makes sense. Engineer Hutt replied staff is taking a more strategic approach to recommendations with the maintenance projects. He stated there has to be a way to get the streets to last longer than they are lasting today.

Councilmember Short asked staff if there was cost sharing with the County with the previous two inch mill and overlay projects. Engineer Hutt replied the County completed the two inch mill and overlay, and there was a third party contractor as well. He stated staff focused on the County completing projects for more cost savings. He added staff has identified full depth reclamation projects for the County.

Councilmember Short asked staff if the costs presented for these methods include both City and County costs. Engineer Hutt replied no, the costs are for third party costs; however, there is significant savings when using the County.

Mayor Kelly stated only so much can be done per year. Engineer Hutt concurred, and added we are limited on the amount of time the County is available for Colleyville.

Councilmember Wollin questioned staff regarding the Bedford Road retaining wall replacement and the status of the roundabout at Bedford Road and Cheek-Sparger Road. Engineer Hutt replied the roundabout construction may begin this summer, and the retaining wall replacement will be coordinated with the construction of the roundabout. He added the wall replacement may happen prior to the roundabout construction, dependent on the developer's timing.

Councilmember Mogged questioned staff regarding how the \$1.5 million in the 2015 Street Maintenance budget it is used. Engineer Hutt explained some projects had fallen behind, and the budget allows for some one-time costs, and an annual renewal for the pavement markings.

Mayor Pro Tem Taylor stated reconstruction is the best, long-term option, and it includes the amenities, such as sidewalks and drainage. Mayor Kelly stated full depth reclamation may not address any safety issues or concerns.

Councilmember Mogged questioned staff regarding if L.D. Lockett Road to John McCain Road will be a two or four inch mill and overlay. Engineer Hutt replied it will likely be a three-inch mill and overlay.

Mayor Kelly asked staff if subgrade stabilization will be needed. Engineer Hutt replied it may be necessary; however, a determination has not been made.

Mayor Pro Tem Taylor questioned staff regarding if this is part of the gas well site route. Engineer Hutt replied yes, the gas well operator paid a road remediation fee.

Mayor Pro Tem Taylor questioned staff regarding if the road repairs are beyond the damage from the gas well site. Engineer Hutt replied yes.

Councilmember Short questioned staff regarding if mill and overlay will address some of those issues. Engineer Hutt replied the mill and overlay will not address the damage to the edges. He added they would work with the assessments made relative to methods to repair the roadway. He further explained the subgrade may be in decent condition, and the repair will be made so that we are confident the roadway will last four or five years.

Councilmember Short questioned staff regarding if the cost estimates will cover the repair. Engineer Hutt replied this is a conservative estimate, most likely based on a four inch pricing.

Mayor Kelly questioned staff regarding if the school will participate in the cost to repair the section from Brown Trail to Bedford Road. Engineer Hutt replied this section will need site specific details completed. He stated the school was required to build the turn lanes; however, not sure if they will be willing to participate further.

Mayor Kelly stated enforcing improper queuing is a problem. Engineer Hutt replied there may be some opportunities for improvements with striping and maybe to accommodate some traffic in this section of the roadway.

Councilmember Mogged questioned staff regarding if there were additional funding, what other projects are lined up when the top five projects are completed. Engineer Hutt replied sections of L.D. Lockett Road, and sections of Glade Road, such as Bedford Road to Montclair Drive.

Mayor Kelly asked staff if there may be reserves for contingency funds for the failing sections on Glade Road. Engineer Hutt replied yes, these estimates are conservative, given the methods to repair will be site specific.

Councilmember Short stated Roberts Road is an ongoing issue, but there may be an opportunity for a developer agreement, which could be made for those improvements. Mayor Kelly concurred.

Councilmember Short asked staff if Roberts Road will fit in this funding. City Manager Jennifer Fadden replied Roberts Road would not fit within this funding. Engineer Hutt stated Roberts Road, in its entirety, would cost \$1.5 million to reconstruct.

Mayor Pro Tem Taylor asked staff if this includes any excess revenues to roads. City Manager Jennifer Fadden replied yes, it includes the \$1 million dollar draw down from fund balance.

Councilmember Short asked staff if impact fees are included. City Manager Jennifer Fadden replied it does not include impact fees, since they can only be used for capacity improvements to a facility.

Councilmember Mogged stated full depth reclamation does not include capacity improvements so impact fees could not be used for such. City Manager Jennifer Fadden concurred.

Councilmember Mogged questioned staff regarding how many of the non-red category streets will become red category streets next year. Engineer Hutt replied 18 percent of the network is within the yellow category, and if we continue to move forward, like what was completed in 2014, we will be making some progress.

Councilmember Mogged stated it appears progress is being made, at least in the short term. Mayor Kelly stated a large infusion of capital would need to be made in order to be completely out of the red zone. Councilmember Short stated we will never completely out of the red zone. Mayor Kelly concurred, and added we can make steps every year to move forward.

Councilmember Mogged stated if anything impacts safety, obviously we are past that point.

Mayor Kelly stated this is the first time in which a well-thought out method of attack has been considered relative to a plan for streets, and is something future City Councils can use and consider.

Mayor Pro Tem Taylor stated these projects have to address the traffic. Mayor Kelly agreed.

Councilmember Wollin expressed her appreciation for there being projects both in the north and south sections of the City.

Councilmember Mogged stated the plan is to complete these top five projects in 2015 rather than moving into 2016. Engineer Hutt concurred, and added site assessments will be made, with some assessments being completed in-house, such as evaluating the sub-grade. He stated this process will begin quickly.

Mayor Pro Tem Taylor asked staff if this will need formal approval. City Manager Jennifer Fadden replied it will not need formal approval.

Engineer Hutt replied staff will want to complete the Cheek-Sparger Road at Jackson Road section so that construction is finished prior to the completion of the roundabout.

Mayor Pro Tem Taylor questioned staff regarding the 2012 pavement condition assessment. Engineer Hutt replied the third party contractor will complete a pavement condition assessment, and then will provide staff a rating system. He added the actual reports were created in-house because the contractor provided the raw data.

Councilmember Mogged stated he would like a safety process recommendation, which includes analytics to help guide City Council when making decisions relative to safety implications on the roadways.

Mayor Kelly stated the recommendations may include industry standards and features that may have safety impacts. Councilmember Mogged stated he would like something to help in being proactive to address those problematic areas.

3. ADJOURNMENT

There being no further business before the City Council, Mayor Pro Tem Taylor moved to adjourn, and Mayor Kelly seconded the motion.

The motion to approve carried by the following vote:

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

Absent: 2 – Councilmembers Chris Putnam and Tom Hart

Mayor Kelly adjourned the worksession at 7:35 p.m.

APPROVED BY A VOTE OF ___ AYES, ___ NAYS, AND ___ ABSTENTIONS ON THIS THE 20TH 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 5c

Agenda Date 01/20/2015

Number

Type Resolution

Department Parks and Recreation

Title

Approval of the use of Voluntary Park Funds for a playground at Pleasant Run Park, in an amount not to exceed \$55,000

Explanation

Reading and Public Hearing

At the meeting on May 6, 2014, the City Council approved attached Resolution R-14-3744 approving the use of \$200,000 of Park Land Dedication Fund monies for improvements at Pleasant Run Park. The funds were dedicated to the replacement of the fencing around the athletic fields and the irrigation system, both of which were original to the park in 1994. Additionally, \$75,000 of the funding was allocated for the installation of a new playground at the park, which was identified as a need in the 2011 Parks, Recreation and Open Space Master Plan.

Over the past seven months staff has been working with a playground consultant on the design of a playground for the park. Per standards developed by the American Society for Testing and Materials (ASTM) and the U.S. Consumer Product Safety Commission (CPSC), playgrounds are designed for two primary age groups; children ages 2-5 years and children ages 5-12 years, with the age of 5 years serving as an overlap age. Similar to the playground at Sparger Park, staff, along with the playground consultant, feel a playground targeting both age groups would be the best fit for Pleasant Run Park.

Staff has received a quote from Recreation Consultants of Texas, a Buy Board vendor, for the turn-key installation of a playground for children ages 2-5 years and children ages 5-12 years in the amount of \$124,593.00. The attachment titled "Proposed Rendering" is a conceptual rendering of the proposed playground. The site of the proposed playground can be seen in the attached "Playground Location Site Map".

While it is feasible to design a playground to the original budget, due to the cost of site preparation and drainage work (approximately \$40,000), the remaining balance available for play elements would be less than desirable. Staff believes this would lead to a future project to install additional equipment. Such project would lead to additional freight, mobilization costs, and inconvenience to park patrons.

In addition to the previously approved Park Land Dedication Fund monies, staff is seeking approval to use \$55,000 of Voluntary Park Fund monies for the installation of

the aforementioned playground. As the attached financial status shows, the current fund balance for the Voluntary Park Fund is \$669,013, and funding is requested for the current fiscal year (FY 2015). If approved, staff will bring forth a contract for the playground and installation at a future City Council meeting. It is anticipated construction will be completed during summer 2015.

At the January 5, 2015 Parks and Recreation Advisory Board meeting, the Board unanimously approved the recommendation to City Council to use the Voluntary Park Funds is an amount not to exceed \$55,000 for a playground at Pleasant Run Park.

Financial Impact

Funds are available in the Voluntary Park. The current available fund balance, as of December 31, 2014, is \$669,013.

Recommendation

Approve

Attachments

1. Resolution R-14-3744
2. Proposed Rendering
3. Playground Location Site Map
4. Financial status of the Voluntary Park Fund - December 31, 2014

RESOLUTION R-14-3744

A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER CONSENT ITEMS AT THE REGULAR CITY COUNCIL MEETING OF MAY 6, 2014

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

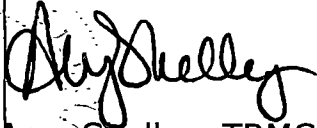
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

- 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 April 15, 2014
 - b. Approval of the minutes of the City Council Worksession of April 16, 2014
 - c. Approval of a Facility Naming Policy
 - d. Approval of a change order to the engineering services agreement with CTC, Inc., for the design of railroad quiet zones at Bransford Road, Pleasant Run Road, and John McCain Road, and authorize the city manager to execute the agreement
 - e. Approval of a construction contract with Saber Development, for Colleyville Boulevard (SH26) Water and Sanitary Sewer Relocations – Phase 3, in an amount not to exceed \$3,269,859.75, and authorize the city manager to execute the contract
 - f. Approval of an agreement between CTC, Inc. and the City of Colleyville to provide maintenance services on the active warning and advance pre-emption equipment installed at the Fort Worth and Western Railroad crossings at Bransford Road, Pleasant Run Road, and John McCain Road, and authorize the city manager to execute the agreement
 - g. Approval of the use of Park Land Dedication Fund monies for the Pleasant Run Soccer Field improvements

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF 6 AYES, 0 NAYS, AND 0 ABSTENTIONS
ON THIS THE 6TH DAY OF MAY 2014.

ATTEST:



Amy Shelley, TRMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor

Proposed Rendering



landscape
structures



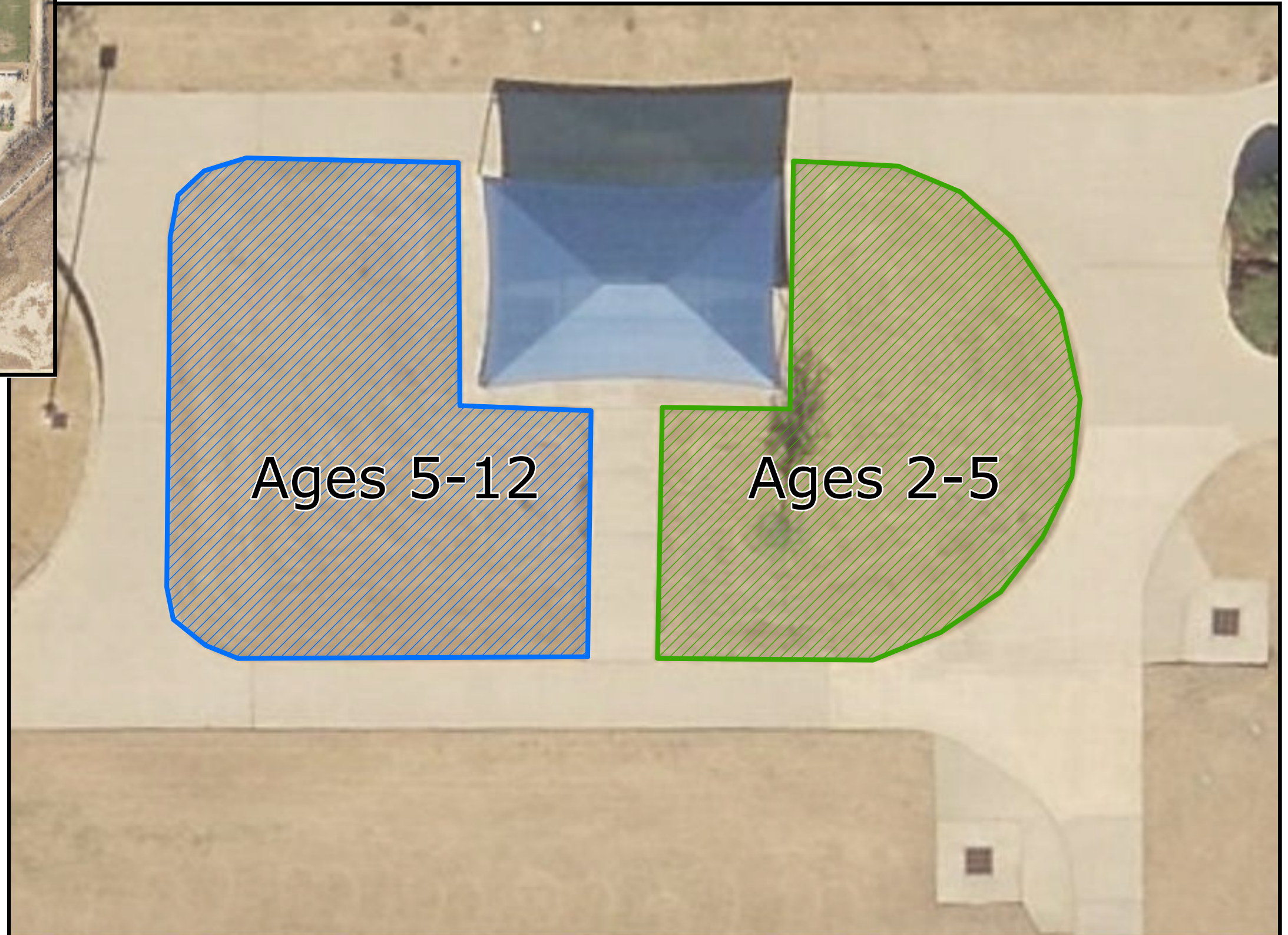
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Jane Anne Sellars





Pleasant Run Park Playground Site Location Map



FINANCIAL STATUS OF VOLUNTARY PARK FUND AT 12-31-2014

FUND BALANCE AT 9-30-2014: \$761,544

FY 2015 REVENUE

Donations:	PROJECTED	ACTUAL
October	\$13,151	\$13,293
November	\$11,901	\$11,901
December	\$14,843	\$14,843
January	\$14,853	\$0
February	\$14,863	\$0
March	\$14,873	\$0
April	\$14,883	\$0
May	\$14,893	\$0
June	\$14,903	\$0
July	\$14,913	\$0
August	\$14,923	\$0
September	\$14,933	\$0
Total Donations	\$173,934	\$40,037
Interest income Received	\$500	\$450
TOTAL	\$174,434	\$40,487

FY 2015 EXPENDITURES

	RECOMMENDED (PARKS BOARD)	APPROVED (COUNCIL)	EXPENDED YEAR-TO-DATE
BALANCE OF COTTONBELT TRAIL PHASE III ~~	\$44,954	\$44,954	\$0
BALANCE OF MCPHERSON - PHASE II <<	\$28,708	\$28,708	\$0
BALANCE OF FY 2014 LASER LEVELING OF BASEBALL FIELDS ##	\$4,355	\$4,355	\$0
REPLACEMENT OF SHADE PANELS - PHASE II **	\$0	\$25,000	\$0
LASER LEVELING OF SOFTBALL FIELDS **	\$30,000	\$30,000	\$0
TOTAL	\$108,018	\$133,018	\$0

UNENCUMBERED FUND BALANCE AT 12-31-2014 (COUNCIL APPROVED) \$669,013

PROJECTED FUND BALANCE AT 9-30-2015 \$802,959

EXPENDITURE KEY:

EXPENDITURE KEY:

~~ FY 2015 PROJECT/APPROVED JUNE 2001

<< FY 2015 PROJECT/APPROVED JAN 2006

FY 2015 PROJECT/APPROVED NOV 2013

** FY 2015 PROJECT/APPROVED OCT 2014



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6a

Agenda Date 01/20/2015

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 January 6, 2015 meeting, the City Council voted to continue this item to the January 20, 2015 meeting.

At the January 6, 2015 City Council meeting, there were 11 speakers who spoke in opposition; three speakers who spoke in support; and one speaker who spoke neither in opposition nor support of this request. There were 14 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 11 letters of opposition and seven letters of support during the meeting. All speaker cards and letters are attached to this briefing.

The applicant has informed staff they do not seek to amend the current height exhibit and site plan related to this zoning case. The applicant is requesting two items be revised: the fence along the southern property line and the addition of shielded lighting on the subject property. Currently, the fence along the southern property line is shown on the site plan as a six (6) foot wrought iron fence. The applicant has indicated they are negotiating with the adjacent property owner to the south, and the fence height and material may be revised prior to the City Council meeting. To date, the applicant has not submitted any additional detailed information. The applicant has agreed to include language in the ordinance stating all site lighting shall be shielded and not oriented toward the southern property line. The language regarding the lighting has been included in the proposed ordinance. The applicant has provided this information in a letter attached to this briefing entitled Updated Letter from Applicant.

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.

i. All site lighting shall be shielded and not oriented towards the southern property line.

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.

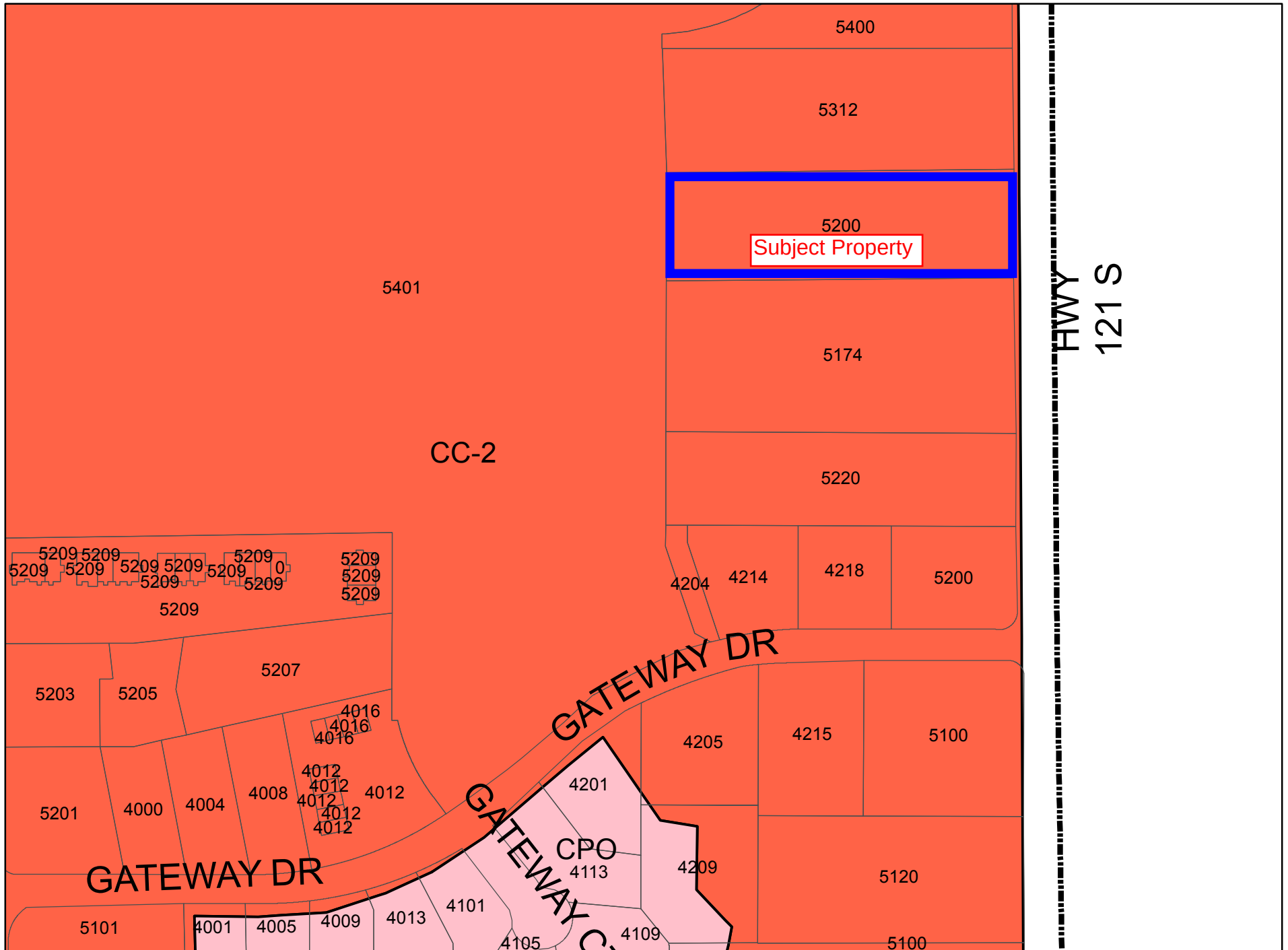
f. Outdoor recreational facilities such as swimming pools, sports courts, and playgrounds shall be located behind the building, or if located on the side of the building shall not be forward of the front building elevation that is closest to the street. The facility must be screened from view of public 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.

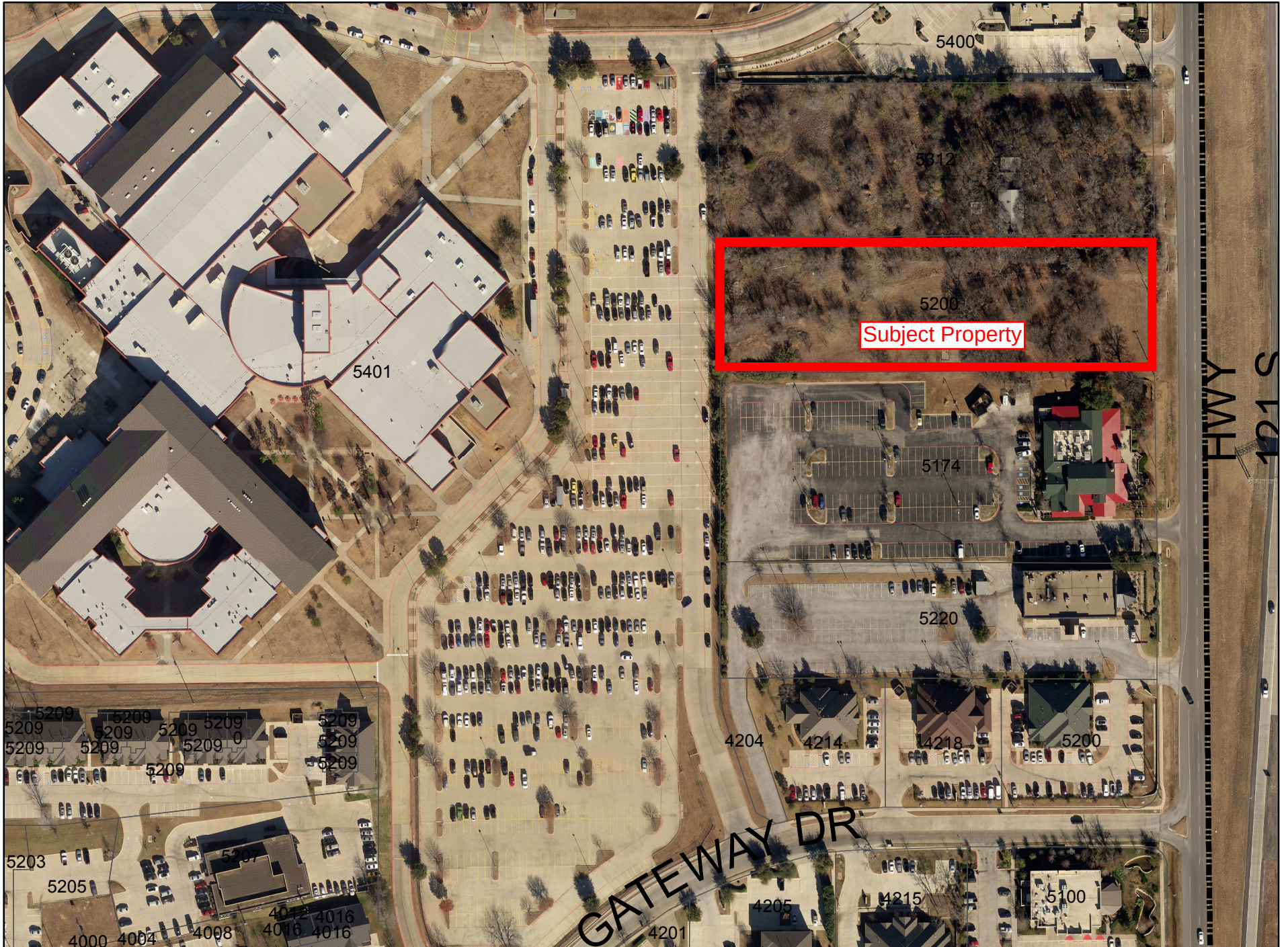
Attachments

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. Updated Letter from Applicant
10. Revised Statement of Planning Objectives 1/6/2015
11. Revised Site Plan - 1/6/2015
12. Revised Landscape Plan - 1/6/2015
13. Revised Building Elevations - 1/6/2015
14. Icon Lodging Company Information
15. Select City Hotel Off-Street Parking Requirements - 12/10/2014
16. Parking Information Provided by the Applicant
17. Revised Site Plan
18. Revised Landscape Plan
19. 3D Hotel Renderings
20. Examples of Proposed Wrought Iron Fence
21. Statement of Planning Objectives
22. Original Site Plan
23. Building Elevations
24. Original Landscape Plan
25. Pole Sign Detail
26. First Floor Plan
27. Upper Floor Plans
28. Ordinance O-98-1088
29. Ordinance O-14-1942

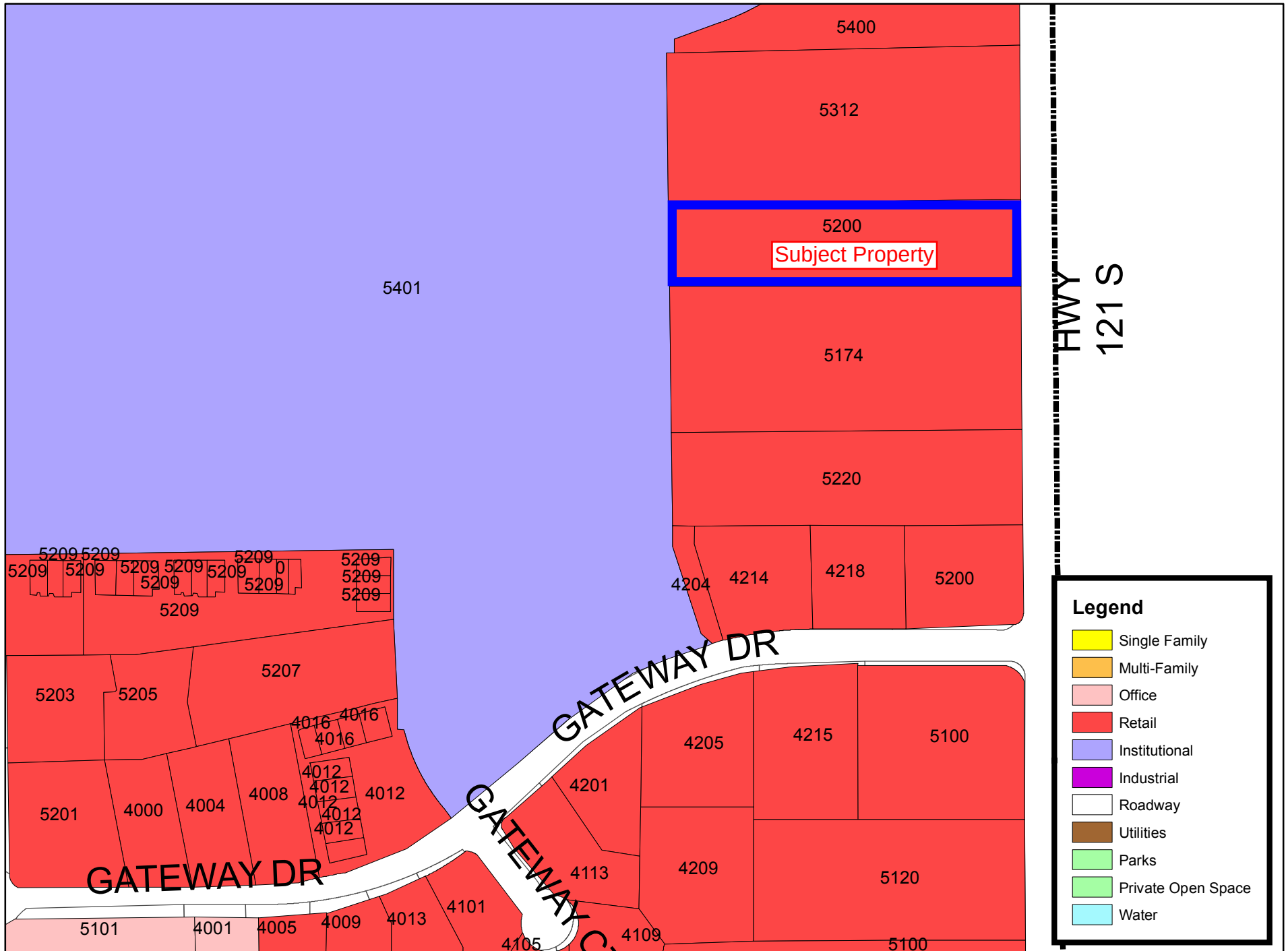
Location and Zoning Map



Aerial



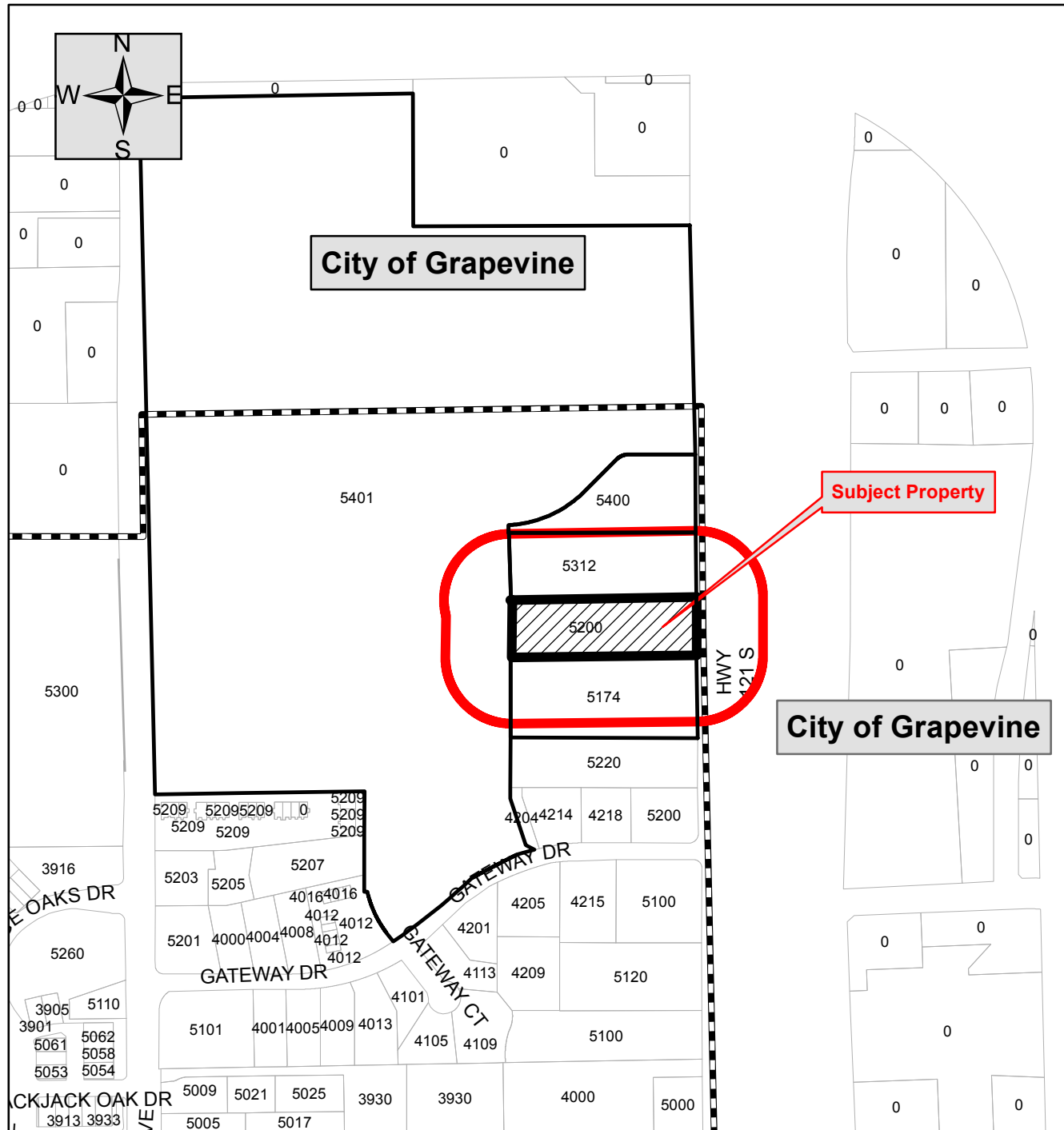
Future Land Use Map



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: Proposed Hampton Inn hotel on highway 121

From: Stubblefield, Becky

Sent: Wednesday, January 7, 2015 8:04 AM

To: Marty Wieder; Mike Taylor; Carol Wollin; Chuck Mogged; Chris Putnam; Jody Short; thrt@colleyville.com; Jennifer Fadden; Amy Shelley; Christine Loven

Subject: Proposed Hampton Inn hotel on highway 121

Good afternoon.

I would like to let you know that I am **very opposed** to the prospective Hampton Inn hotel being built on the access road of Highway 121 (next door to La Hacienda Ranch and just behind the Colleyville Heritage High School student parking lot). After reading the article in the Star-Telegram, it seems like Colleyville is willing to waive quite a few of the requirements for this prospective hotel to be built in this location including not enough parking spots (97 not 98), reducing the required amount of landscape to the area to just 18%, a five-story hotel instead of four-story height limit, and waiving the requirement for a restaurant in the hotel. I am very concerned that the CHHS student parking lot (I have a 2014 CHHS graduate and a current Sophomore at CHHS) will be directly behind this hotel. Having a hotel in such close proximity to over 2,000 high school kids is very concerning for me. I understand that the Hampton Inn line of hotels is a well-established, upper-class hotel line. However, what if, in a couple of years, Hampton decides to sell this hotel/location? The citizens of Colleyville will have no say in who might purchase this hotel or that the new owners will have the same high standards as Hampton Inn.

I truly appreciate you taking the time to review my email. I know you are a busy person (as we all are these days). We have lived in Colleyville for 13 ½ yrs. now, and have been very happy with the city and changes that have been made in Colleyville. However, building a hotel in this location, so close to Colleyville Heritage High School and with all the waivers this establishment is asking for is very concerning to me. I am against this business in this location and wanted to let you know my concerns.

Sincerely-

Becky Stubblefield

NOTICE: This email and any attachments are for the exclusive and confidential use of the intended recipient(s). If you are not an intended recipient, please do not read, distribute, or take action in reliance upon this message. If you have received this in error, please notify me immediately by return email and promptly delete this message and its attachments from your computer.

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Colleyville Hotel

From: Drew Gadoci

Sent: Tuesday, January 6, 2015 10:40 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: Colleyville Hotel

To whom it concerns,

I would like to bend your ear about the proposed hotel addition to the CHHS campus. I generally consider myself a rational individual but for the life of me I can not deduce how this addition would positively impact our community. I am a Colleyville Heritage High School alumni as well as a small business owner in Colleyville. So, obviously this proposed project hits close to home. My wife and I own CrossFit Gallant, a small strength and conditioning gym located off of 121 and glade (directly south of the proposed construction site).

The surrounding metroplex is saturated with hotels, most of which already have a geographical advantage to the airport. I would like to hear the proposed sales pitch for building a hotel in my back yard. In my opinion, and according to the information I have been able to ascertain, the list of cons by far out weighs the pros. Please explain to me what I am missing.

Drew

Co-owner/Head Coach CrossFit Gallant

817-707-0465

"You can only control two things, attitude and effort." -Dan Bailey

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: ((Spam::Alert)) Hotel in Colleyville

Importance: Low

From: Marla Rice

Sent: Tuesday, January 6, 2015 9:19 PM

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

Subject: ((Spam::Alert)) Hotel in Colleyville

Importance: Low

Dear Colleyville City Council members,

I apologize for the late email. I am hearing about the proposed hotel by CHHS. We live close to the Heritage Schools and have four children ranging from 13-4. It seems there are many reasons as others have probably shared with you why this should not happen. The first and main reason I thought of that will cause problems is sex offenders will not be allowed to stay at this hotel, hopefully. I am sure there are other offenders that are banned from being that close to the schools as well. Who would be in charge of monitoring or doing a check on every occupant? I believe this is a serious issue! I believe it is against the law to be that close to a school, but the offenders probably have a sickness that they will get past the loopholes in even very secure systems in place. Would you trust a minimum wage worker to verify everyone's correct identification and make sure they are abiding by the law?

I think it is too much of a risk!

I would not want anything to happen to our children because I signed the go ahead for this hotel to be built in that location or did not do everything in my power to stop this from happening. Three schools that close to a hotel. I would not want my children to go to those schools and would not feel safe at any time of the day.

This summer on Father's Day and my son's 4th birthday we went to Pleasant Glade Pool for 2 hours. My dark purse was hidden under the seat of our vehicle. Our van window was smashed and my purse was stolen. This has been happening more often in our community. Another car was broken into during a rec volleyball game at HMS in the daylight as well. Those games are only one hour with many in and out of the building.

People that break the law are going to find it easier to do what they want with this hotel being there. I think it is too scary to add more of a threat to Colleyville and neighboring communities by adding this hotel.

Please if you have one reason of hesitancy do not allow this hotel to be built that close to a school!

Sincerely,

Marla Rice and Aaron Rice

Sent from my iPhone

I apologize for the quick email without much proofreading.

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: proposed hotel in Colleyville - Opposed

From: Carla Atwal

Sent: Tuesday, January 6, 2015 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: proposed hotel in Colleyville - Opposed

City of Colleyville,

We would like to voice our opinion on the proposed hotel in Colleyville. We are opposed to the hotel. Our daughter attends CHHS and we live just between Hall Johnson and Glade Road.

We have 2 major concerns.

The first is the well being of students with strangers coming in and out of the area, just bordering the high school. This does not sit well with us as parents. We are concerned for their safety and privacy.

The second is the amount of traffic in this area. As the high school releases, there are already too many cars and not enough road as you sit in long lines. This is also true already in rush hour traffic. Adding a hotel will only add to the problem in this highly congested area.

Thank you.

Carla Atwal & Joe Atwal
Grapevine Residents
817-300-7196 cell

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Proposed hotel

From: Kevin Liedel

Sent: Tuesday, January 6, 2015 5:12 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: Proposed hotel

Dear council members,

We wanted to take a moment to make our opposition to the proposed hotel known. While the hotel does have the potential offer some upside, as leaders of Colleyville, we are looking to you to see past possible short term benefits during the current strong (and always cyclical) economic growth period, and hold the overall impact to the type of community we all moved to Colleyville to have in higher regard. Please vote no.

Thank you,

Kevin and Amy Liedel
5004 Westgrove Ln
Colleyville, TX

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Proposed Hotel near Heritage High

From: megan tiemeier cooper

Sent: Tuesday, January 6, 2015 5:09 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: Proposed Hotel near Heritage High

Good afternoon,

I'm writing to encourage you all to vote "no" on the proposition to build a hotel near Colleyville Heritage High School. The risks of having a hotel so close to our children far out weight any benefits. Furthermore, the fact that the hotel is already requesting to waive so many of the minimum requirements indicates their lack of desire to maintain the high standards that the City of Colleyville maintains.

Thank you,
Megan Cooper

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Hampton Inn Proposal

From: Jessica Miles

Sent: Tuesday, January 6, 2015 5:05 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

To City of Colleyville Administrators,

I am writing today in opposition to the proposed hotel going in as a neighbor to CHHS. This is a school where our student's park, practice, and leave school after hours during extracurricular events. I am not comfortable with a transient based clientele being that close to a school, my children's school.

You represent the citizens of our great town. Please represent us in a responsible manner and vote NO on the proposed hotel.

Sincerely,

Jessica Miles

512 Coventry Dr

Grapevine, TX 76051

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Against - case ZC14-024 Hampton inn

From: Susan Baum

Sent: Tuesday, January 6, 2015 4:50 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: Against - case ZC14-024 Hampton inn

My husband and I are strongly against the building of a Hampton inn in the current proposed location. Please do not allow this to be approved. Please vote against.

Please do not allow such a low end hotel to be built with so many waivers against our current high standards and zoning rules. Colleyville deserves better.

This is not the right fit for Colleyville. Please protect our city!

Susan & Jason Baum

2303 Danbury Dr

Colleyville, TX

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Hotel Proposal by Colleyville High School - Opposed

From: Chris Sugg

Sent: Tuesday, January 6, 2015 4:48 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: Hotel Proposal by Colleyville High School - Opposed

All, 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 parent 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.

Thanks,
Chris Sugg and Laura Sugg
Saybrook Subdivision

Letters and Speaker Cards of Opposition

Amy Shelley

Subject: FW: Opposition to Hotel Construction

From: Jessica

Sent: Tuesday, January 6, 2015 6:04 PM

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

Subject: Fwd: Opposition to Hotel Construction

Please consider our opposition and your voters' legitimate concerns.

Thank you,
Jessica S. Jackson

Begin forwarded message:

From: Jessica

Date: January 6, 2015 at 3:45:18 PM CST

To: "ashelley@colleyville.com" <ashelley@colleyville.com>

Subject: Opposition to Hotel Construction

Thank you for taking my call. Because of work and children commitments, my husband and I are unable to attend the city council meeting tonight. However, we want our voices to be heard. We are strongly opposed to the proposed hotel construction by Heritage High School. We moved to Colleyville from Bedford for a number of reasons, to wit: property values and schools. Building a hotel that backs up to a high school our children will attend is unacceptable. Please be mindful that younger families are moving into Colleyville and their children will be attending Heritage Elementary, Middle school and Heritage High School. We currently live in Woodland Hills, Colleyville's largest subdivision. It would be unfortunate if our property values were lowered due to a poor decision by the City Council to earn more revenue by allowing the construction of a hotel bordering our high school. I would hate to move to another suburb and enroll my children in private school.

Thank you for your time and consideration,
Jessica S. Jackson
3102 Scarborough Ln W
Colleyville 76034
817-917-7986

Letters and Speaker Cards of Opposition

BEFORE THE
ZONING BOARD OF ADJUSTMENT
CITY OF COLLEYVILLE

CASE NUMBER: ZC14-024

A REQUEST FOR A CHANGE FROM THE EXISTING CC-2 SHOPPING CENTER ZONING DISTRICT TO A
PUDC – PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING AND VARIANCES TO ADJUST
HEIGHT RESTRICTIONS

REGARDING THE CONSTRUCTION OF A 5-STORY HOTEL AT 5200 STATE HIGHWAY 121

COMMENTS OF
STACEY M. BREWER
3008 MEADOWVIEW CT.
COLLEYVILLE, TEXAS

Stacey M. Brewer, a property owner residing at 3008 Meadowview Court, submits the following comments in opposition to the request for a zoning change and a variance request from the regulations of the Colleyville Land Development Code for the construction of a 5-story hotel on the 1.94 acres located at 5200 State Highway 121. In my review, I cannot locate the Planning and Zoning Commission Minutes from the November 10, 2014 meeting where this case was scheduled to be heard. I would request that these minutes be made available on the website for perusal of all concerned citizens.

Opposition is based upon 3 factors

- Safety
- Going Concern
- Precedent

Letters and Speaker Cards of Opposition

Safety

The 121 service road up to the Glade/121 intersection is a heavily traveled street. The service road is used for business traffic along with the ingress and egress point to Colleyville Heritage High School. Drivers frequently pay little attention to the yield signs for the exit ramp from 121 onto the service road and the Glade/121 intersection has numerous accidents occurring frequently. The proposed construction of a 5-story hotel would only serve to increase this traffic and introduce more opportunities for traffic accidents with people unfamiliar to the surroundings and unaware of the traffic patterns in the area.

Foot traffic walking along a service road to frequent a restaurant along the pathway could also serve to be a hazard for pedestrians and drivers alike.

Due to the proximity of the proposed construction site to a high school and the potential for nefarious events occurring that come with transient clientele this could serve to place students and faculty into an untenable position. The safety of our students, residents of our city, should be first and foremost in mind before allowing any substantive allowances or variances to the development code.

Going Concern

Permitting construction of a 5-story hotel that encroaches over the urban planned development code will damage the surrounding businesses. Businesses that rely upon a small town country feel and the atmosphere that such ambiance provokes. A looming building with lighting projected down into those businesses and parking for large recreational vehicles could impact the success of those current businesses.

A hotel needs clientele and at \$140/night for a room, how many customers will repeatedly choose to stay at a hotel that abuts a parking lot that is used ~ 1/2 of each year to hold band practice at 6 a.m. all the way into the evening hours? How long will it be before the hotel chain or management requests that the high school band find an alternate location to practice as they're losing clientele and it is impacting their business? The school, regardless of questions on where or why it was built at its present location, was and is there. That isn't likely to change, but credence should be given to the first come, first served tenant.

If rates are reduced to attract clientele and the business still fails, the hotel chain and owners aren't the ones left impacted by the eye sore that befalls the site. Financially they are hurt; however, they don't have to live with the consequences of the aesthetics of a failed venture.

Letters and Speaker Cards of Opposition

Precedent

Granting the petition for variance and rezoning at 5200 State Highway 121 would potentially set a precedent for other property owners to petition to encroach over existing development code, further damaging the quality of our town.

Crucial among the purposes of the Colleyville Land Development Code is to maintain the structural and environmental integrity of our city and to protect the rights of property owners. Granting the petition for variance would cause unintended, irreversible, consequences that create a safety hazard, a question regarding the ability for a sustained going concern, and sets a dangerous precedent. It is for these reasons that I respectfully request your opposition to the petition.

Sincerely,

A handwritten signature in cursive script that reads "Stacey M. Brewer". The signature is written in dark ink and is positioned above the printed name and address.

Stacey M. Brewer

3008 Meadowview Court

Colleyville, TX 76034

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;

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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.

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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

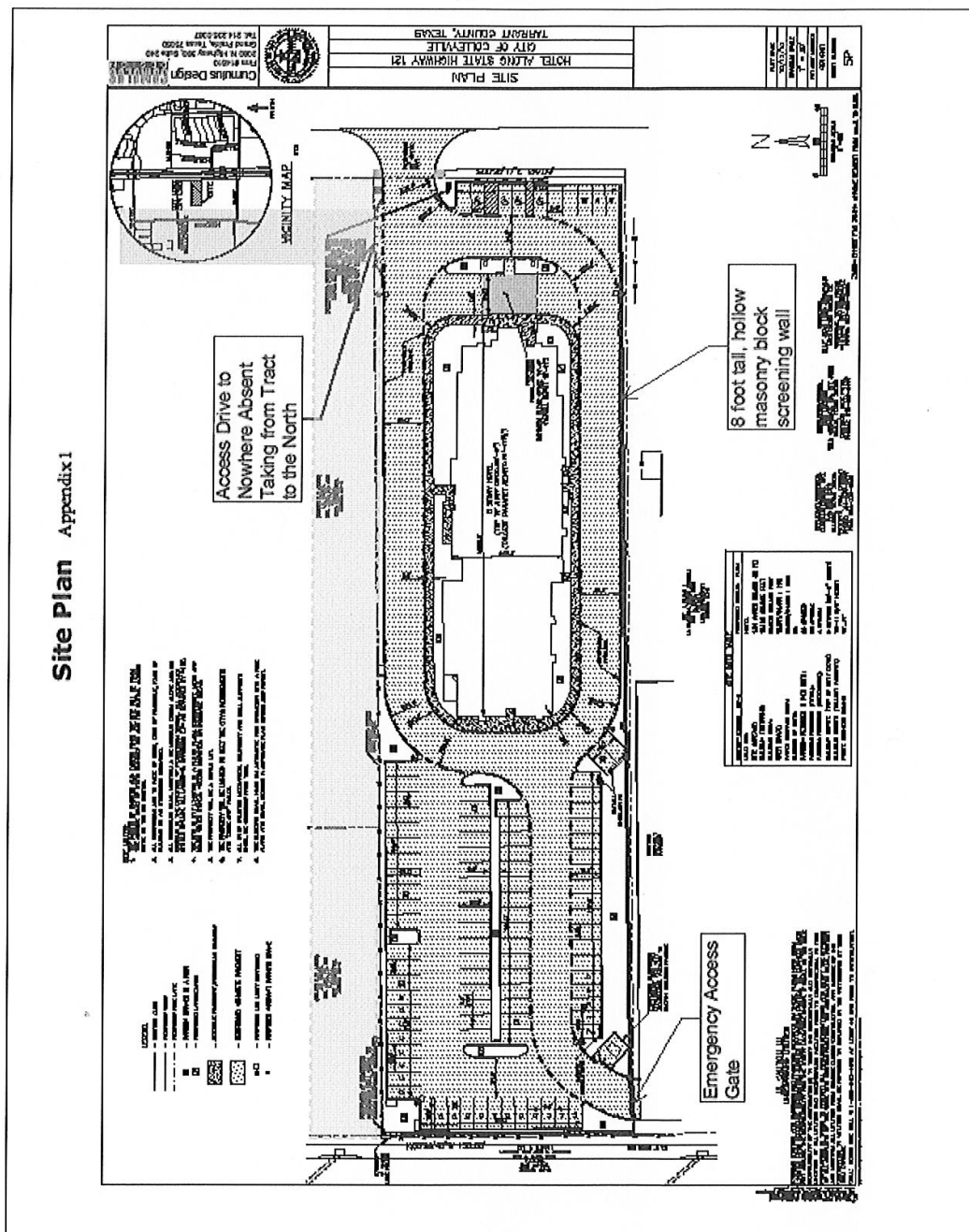
Zoning Case No. ZC14-024; *City Council Meeting: Tuesday, December 16, 2014 @ 7:30*

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.

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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,%22synonyms%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: Hampon 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,



Jeff Lowery
Proprietor

Letters and Speaker Cards of Opposition

Zoning Case No. ZC14-024

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

I. Zoning Case No. ZC14-024

A. Application

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

B. Scheduled Hearings

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

II. Applicant's Proposal

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

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

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

Letters and Speaker Cards of Opposition

Zoning Case No. ZC14-024

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

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

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

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

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

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

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Zoning Case No. ZC14-024

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

required for common spaces in Section 3.23.J. The proposed hotel project is not superior from the perspective of Compadres, as an adjacent property owner, to a less dense hotel development in a low rise building not more than 35' in height under existing CC-2 Zoning District standards. The proposed hotel project imposes special burdens on adjacent property owners associated with the far more intensive hotel uses contemplated in Applicant's proposal.

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

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Zoning Case No. ZC14-024

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

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

Letters and Speaker Cards of Opposition

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

Mayor and Members of the Council:

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

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

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

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

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

Letters and Speaker Cards of Opposition

Zoning Case No. ZC14-024

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

A. Application

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

B. Scheduled Hearings

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

II. SUMMARY OF APPLICANT'S PROPOSAL

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

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

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

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

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

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

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

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

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

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

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

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

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

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substitute for the want of evidence in the public record.

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

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

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Zoning Case No. ZC14-024

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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Zoning Case No. ZC14-024

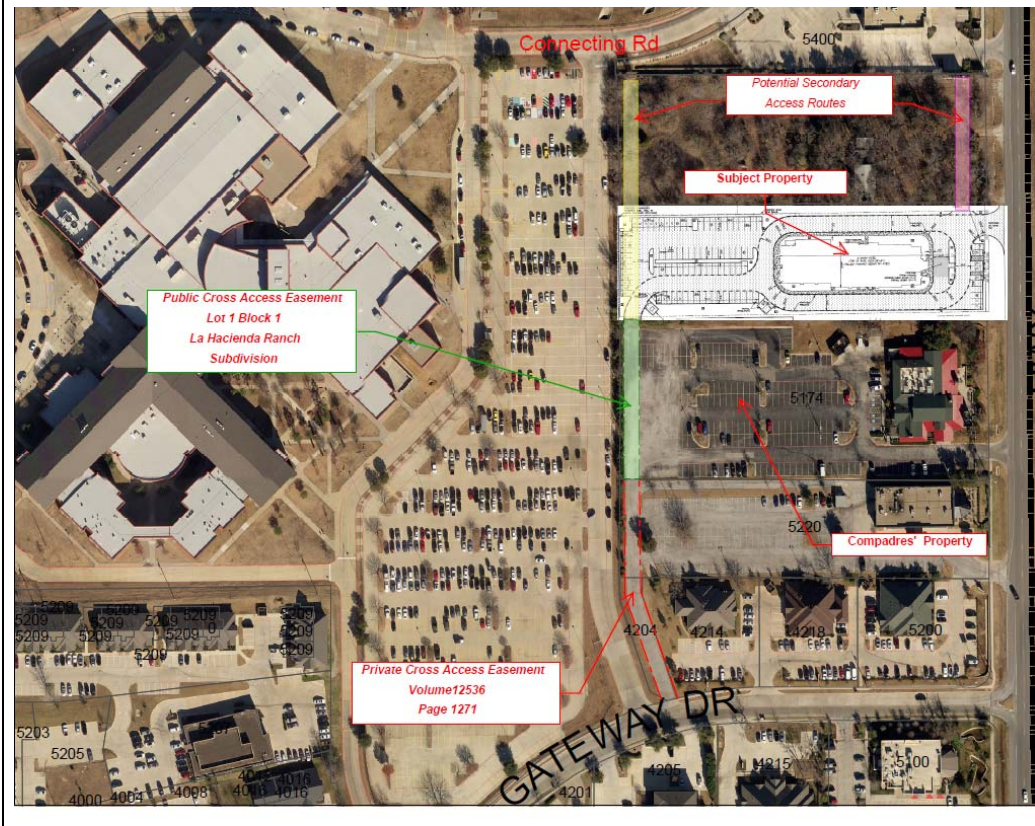
meeting space.

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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Zoning Case No. ZC14-024

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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Zoning Case No. ZC14-024

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

Letters and Speaker Cards of Opposition

Zoning Case No. ZC14-024

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.

Letters and Speaker Cards of Opposition

Zoning Case No. ZC14-024

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

Letters and Speaker Cards of Opposition

Zoning Case No. ZC14-024

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

SPEAKER CARD

Date: 1/6/15

Agenda Item Number: 5A

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

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

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

Name: ELIZABETH ZEITUN

Address: 1800 GLADE ROAD

City: COVEYVILLE

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Signed: _____



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SPEAKER CARD

by Docinda
Date: 1-6-15

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

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

11611e

City:

Colleyville

Address:

525 W. 1st Co. 11

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Signed:



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SPEAKER CARD

he [unclear]
Date: _____

Agenda Item Number: 5a

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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: Bruce Williams

Address: 5250 Hwy 121 City: Colleyville

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Signed: _____

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1-6/16/14

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SPEAKER CARD

Date: 1/6/14

Agenda Item Number: 5A

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

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

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

Name: THOMAS M. WHELAN for K1 COMPANIES LTD.

Address: 2501 N. HARWOOD City: DALLAS

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Signed: Thomas M. Whelan

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Letters and Speaker Cards of Opposition
SPEAKER CARD

he heard
Date: 11/6/14

Agenda Item Number: 5A

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

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

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

Name: Alexs Georgiadis

Address: 5250th 121 City: Collegville

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Signed: _____

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SPEAKER CARD

Date: 1/6/15

Agenda Item Number: 5A

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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: Tim Kenney

Address: 2902 Highgrove Ct.

City: Colleyville

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Signed: Tim Kenney

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SPEAKER CARD

Date:

10/15

Agenda Item Number: 5A

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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:

Bobby Lindemann

Address:

4912 Jim Mitchell Trl SE

City:

Collegeville

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Signed:

Bobby Lindemann

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SPEAKER CARD

Date: 1/6/15

Agenda Item Number: 5A

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

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

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

Name: Kristen Shawver

Address: 4105 Beacon Hill Ct

City: Grapevine

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Signed: Kristen Shawver

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Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: 11/6/15

Agenda Item Number: 5A

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

_____ I will speak **In Support** of this item. X 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 City: Collegeville

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Signed: Julie Glenn

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Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: 1

Agenda Item Number: 5A

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

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

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

Name: Carolynn Ann Walgren

Address: 1925 Waterford Dr

City: Grapevine

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Signed: Carolynn Ann Walgren

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Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: 1/6/15

Agenda Item Number: 5a

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

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

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

Name: Stacey M. Brewer

Address: 3008 Meadowview Ct.

City: Colleyville

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Signed: _____



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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

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]

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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

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Signed: Jeff Lowery

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Letters and Speaker Cards of Opposition

Ly/Mcinda

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

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

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.

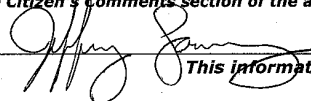
_____ I do not wish to speak, but please record my: _____ **support** _____ **opposition**

Name: JEFF Lowery

Address: 5250 Hwy 121 City: Colleyville

For
Idorick

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

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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SPEAKER CARD

Date: 2014.12.10

Agenda Item Number: 5C

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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: BONIE WILLIAMS

Address: 5250 Hwy 21

City: Colleyville

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

Signed: _____

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La Williams

Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: COAG. 11.5.02

(4)

Agenda Item Number: 5c

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

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

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

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

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

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

Signed: Thomas M. Whelan

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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

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]

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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: RONGER 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: _____

Ronger De Sarno

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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: CAROLYN ANN WALGREN

Address: 1925 WATERFORD DR City: GRAPEVINE

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

Signed: Carolyn Ann Walgren
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Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: 12-10-2014

Agenda Item Number: 5C

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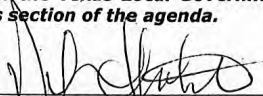
_____ I will speak **In Support** of this item. ✓ I will speak **In Opposition** to this item.

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

Name: Nelson Thibodeaux

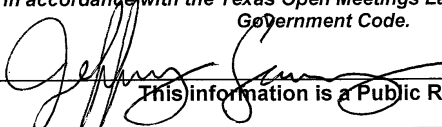
Address: Sp12 Coventry CT City: Coleman, TX 76034

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

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.

Date:

1/6/15

Letters and Speaker Cards of Opposition

Agenda Item Number: 5a.

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

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

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

Name: TOM McDONALD

Address: 705 SABEL RIDGE LN

City: GRAPEVINE

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Signed:

Tom McDonald

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SPEAKER CARD

Date: 1/4/15 **Letters and Speaker Cards of Opposition**

Agenda Item Number: 5A

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

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

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

Name: Susan + Jason Baum

Address: 2302 Danbury Dr City: Colleyville

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Signed: 

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Letters and Speaker Cards of Opposition

Date: 1/6/15

Agenda Item Number: 5a.

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

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

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

Name: MARYANN McDONALD

Address: 705 SABEL RIDGE LANE City: GRAPEVINE

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Signed: Maryann R. McDonald
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Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: 1/6/14

Agenda Item Number: 5A

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

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

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

Name: Coli Franks

Address: 1933 Stafford Rd City: Grapevine

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Signed: Coli Franks

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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

SPEAKER CARD

Date: 1/6/15

Agenda Item Number: 5A

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

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

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

Name: MARY Mills

Address: 1931 STALLARD Rd

City: Grapevine

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Signed: Mary V Mills

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Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: January 6, 2015

Agenda Item Number: 5A

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 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: Deborah Ryan

Address: 2305 Danbury Drive 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: _____

Deborah Ryan

This Information is a Public Record

Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: 1/6/15

Agenda Item Number: 5a

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

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

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

Name: Stacey M. Brewer

Address: 3008 Meadowview 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: Stacey M. Brewer

This information is a Public Record

Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: 1-6-15

Agenda Item Number:

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

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

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

Name: Mary B. Shipferling

Address: 4300 Pembroke Parkway 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: Mary B Shipferling

This information is a Public Record

Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: 1/6/15

Agenda Item Number: 5a

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

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

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

Name: David Frazier

Address: 3405 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: _____

This information is a Public Record

Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: JAN 6, 2015

Agenda Item Number: 5a → Ordinance 0-14-1942

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: Pete Wurst

Address: 3402 Huntington Drive

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: 1/6/15

Agenda Item Number: 5a

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

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

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

Name: Rachel Lane

Address: 5105 Heatherdale Dr.

City: Grapevine

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

Signed: Rachel Lane

This information is a Public Record

Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: 1-6-15

Agenda Item Number: 5A

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

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

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

Name: Barry Lane

Address: 5105 Heatherdale City: Cogevine

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: 1-6-15

Agenda Item Number: 5A

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

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

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

Name: Angie Losack

Address: 2912 Whitley Ln City: GV

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: Angie Losack

This information is a Public Record

Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: 1/06/15
Agenda Item Number: 5A

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

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

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

Name: Lewis Miller

Address: 7802 Tillman Hill 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: [Signature]

This information is a Public Record

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: 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

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 Opposition



CITY OF COLLEYVILLE CITY COUNCIL MEETING

WELCOME

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

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THANK YOU FOR YOUR COOPERATION.

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

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: Janet Borgman

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)**

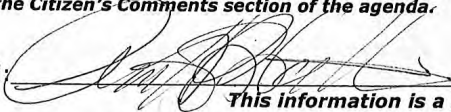
_____ I will speak **In Support** of this item. _____ I will speak **In Opposition** to this item.

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: 

This information is a Public Record

Letters and Speaker Cards of Support

Adam Marsh

From: David Garcia
Sent: Wednesday, January 07, 2015 1:33 PM
To: Ron Ruthven
Subject: Fw: Brian Luker
Attachments: image001.jpg; image002.jpg

On Tuesday, January 6, 2015 4:17 PM, Brian E. Luker

wrote:

5204 Fox Trail Lane, Colleyville, TX 76034

Yes without delay we need this hotel.

Brian Luker

Senior Vice President

[Facebook](#) | [Twitter](#) | [UpdateDallas](#) | [YouTube](#)

www.EnjoyTheMove.com

Letters and Speaker Cards of Support

Adam Marsh

From: David Garcia
Sent: Wednesday, January 07, 2015 1:32 PM
To: Ron Ruthven
Subject: Fw:

On Tuesday, January 6, 2015 4:43 PM, Cindy Mitchell wrote:

My name is Cynthia Mitchell and my husband's name is William Mitchell. We have been residents of Colleyville for 35 years. We have been very active in the community and absolutely support the building of the new hotel!

Thank you,
Cynthia Mitchell

Sent from AOL Mobile Mail

Letters and Speaker Cards of Support

Adam Marsh

From: David Garcia
Sent: Wednesday, January 07, 2015 1:32 PM
To: Ron Ruthven
Subject: Fw: Hotel/Vote Yes!

On Tuesday, January 6, 2015 5:20 PM, Lisa Miller

wrote:

Writing to state that we at Bob Moore's Sports Center support the hotel project currently being considered in Colleyville.

We hope to see this Hampton Inn and Suites by Hilton continue to bring additional businesses to our city and continue to bring tax dollars into Colleyville!

To our council, vote yes.

Respectfully,
Lisa M Miller and Bobby Moore, owners

Lisa M Miller
Bob Moore's Sports Center, inc
6113 Colleyville Blvd
Colleyville, Texas 76034

817-481-5237 shop

Family owned and operated
since 1983

Letters and Speaker Cards of Support

Adam Marsh

From: David Garcia
Sent: Wednesday, January 07, 2015 1:32 PM
To: Ron Ruthven
Subject: Fw:

On Tuesday, January 6, 2015 4:45 PM, Cindy Mitchell wrote:

This is Cynthia Mitchell and I failed to send you my address as I am supporting the building of the new hotel.

1108 Plantation Drive South
Colleyville, TX
76034

Sent from AOL Mobile Mail

Letters and Speaker Cards of Support

Adam Marsh

From: David Garcia
Sent: Wednesday, January 07, 2015 1:32 PM
To: Ron Ruthven
Subject: Fw: Proposed Hotel
Attachments: image001.jpg

On Tuesday, January 6, 2015 4:26 PM, Nina Davenport

wrote:

I work and live near the proposed site for the new Hotel and support it being there.

Thank you,

Nina Davenport~

Escrow Assistant

Have we earned your next contract?

J.P. Barth Law Firm, PLLC
Texas Title
4215 Gateway Drive, Suite 101
Colleyville, TX 76034
Tele: 817-358-9500
Fax: 817-358-9501

HOUSTON

5100 Westheimer, Suite 200
Houston, TX 77056
Tele: 713-588-4360

PLANO

4975 Preston Park Blvd. Ste 780
Plano, TX 75093
Tele: 469-209-0823

SAN ANTONIO

8000 IH-10 West, Suite 600
San Antonio, TX 78230
Tele: 210-525-7985

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Letters and Speaker Cards of Support

Adam Marsh

From: David Garcia
Sent: Wednesday, January 07, 2015 1:32 PM
To: Ron Ruthven
Subject: Fw: Proposed New Hilton in Colleyville
Attachments: image001.jpg; image002.png

On Tuesday, January 6, 2015 5:10 PM, Rita Morrison wrote:

This appears to me on a personal level to be a positive addition to the city of Colleyville.

Rita Morrison
Escrow Officer

4101 William D. Tate Ave. #210 | Grapevine, TX 76051
office (817) 329-7300

Confidentiality Note: This email may contain confidential and/or private information. If you received this email in error please delete and notify sender.

Letters and Speaker Cards of Support

Adam Marsh

From: David Garcia
Sent: Wednesday, January 07, 2015 1:33 PM
To: Ron Ruthven
Subject: Fw: support for nice hotel

On Tuesday, January 6, 2015 4:19 PM, Uton Dellosso

wrote:

It's important that our city leaders attract and support professional high quality business. Today, Colleyville looks like a run down forgotten about city. Telephone polls leaning, wires exposed, curb-less streets..., Really shameful. We don't need to be like Southlake but we could at least build a city that is pretty and attractive with a lot more class then what we have today. We are not a farm town.

I'm in support of the Hilton hotel.

Yours truly,
Uton Dellosso
Colleyhood

Letters 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

Letters and Speaker Cards of Support

Date:

1-6-15

Agenda Item Number:

5a

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

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

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

Name:

Aaron Siddique

Address:

1502 Royal Lane

City:

Colleyville

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Signed:

Aaron Siddique

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Letters and Speaker Cards of Support

Date:

1-6-15

Agenda Item Number:

5a

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

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

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

Name:

Julia Barth

Address:

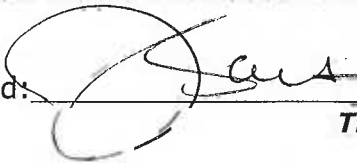
4810 Shadywood Ln

City:

Colleyville TX

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Signed:



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Letters and Speaker Cards of Support

SPEAKER CARD

Date: 6 Jan

Agenda Item Number: _____

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

X I will speak **In Support** of this item. (51) I will speak **In Opposition** to this item.

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

Name: Dallas Cochran

Address: 2825 900 Jackson City: DD TX 75202

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]

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Letters and Speaker Cards of Support

If he opens back up...

SPEAKER CARD

Date: 1-6-15

Agenda Item Number: 5

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: Kathy Hadley

Address: 204 N. Timberline

City: Collegeville

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Signed: Kathy Hadley

This information is a Public Record

Letters and Speaker Cards of Support

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: Julia Barth

Address: 4810 Shadywood Ln 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: 

This information is a Public Record

Letters and Speaker Cards of Support

SPEAKER CARD

Date: _____

Agenda Item Number: _____

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: Louis Miller 5C

Address: 7802 Tillman Hill 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: [Signature]

This information is a Public Record

Letters and Speaker Cards of Support

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.

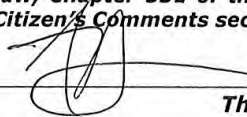
☐ I do not wish to speak, but please record my: ☐ **support** ☐ **opposition**

Name: Aaron Siddique

Address: 1500 Bayl Lane

City: Colleyville

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Signed: 

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Letters and Speaker Cards of Support

SPEAKER CARD

Date: 1-6-15

Agenda Item Number: 5a

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

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

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

Name: Matthew J. Money

Address: 2803 Shenandoah Pl

City: Colleyville

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Signed: Matthew J. Money

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Letters and Speaker Cards of Support



CITY OF COLLEYVILLE CITY COUNCIL MEETING

WELCOME

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THANK YOU FOR YOUR COOPERATION.

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: Sharon Siddique

Address: 1502 Royal Lane City: Colleyville TX 76034

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Signed: Sharon Siddique

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Letters and Speaker Cards of Support



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: MO SIDDIGUE

Address: 1502 Royal Lane

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 Support

SPEAKER CARD

Date: 1/06/15
Agenda Item Number: 5A

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

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

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

Name: Lewis Miller

Address: 7802 Tillman Hill Ct City: Colleyville

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Signed: [Signature]

This information is a Public Record

Updated Letter from Applicant

From: Santos

Date: January 13, 2015 at 5:26:31 PM CST

To: 'Marty Wieder'

Subject: ZC 14-024

Marty,

I've spoken with Icon Lodging and they confirm the following:

We do not seek to amend the current height exhibit and site plan related to this zoning case. The only item that may be amended is a detail on the site plan related to a fence along the southern property line. Currently, it is shown on the site plan as a 6' wrought iron fence. This fence height and material may change during the course of this week. Otherwise, all other exhibits that have been shared with the council remain the same.

Please let me know if you need any other items in preparing for next week's hearing.

Thanks again for your assistance with this case.

Santos T. Martinez

Senior Consultant

Masterplan

900 Jackson, Suite 640

Dallas, TX 75202

(214)-761-9197

(214)-748-7114 fax

From: Santos

Sent: Wednesday, January 14, 2015 8:16 AM

To: Marty Wieder

Subject: ZC14-024

Marty,

I forgot to mention yesterday that our client is agreeable to including language ensuring that new lights do not shine outward across property lines. If that language can be included in the ordinance, we would appreciate it.

Thanks,

Santos T. Martinez

Senior Consultant

Masterplan

900 Jackson, Suite 640

Dallas, TX 75202

(214)-761-9197

(214)-748-7114 fax

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

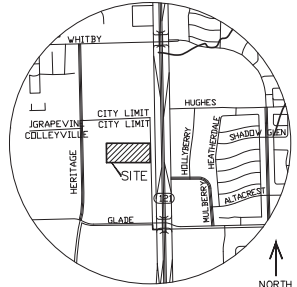
Revised Site Plan - 1/6/2015

LEGEND

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

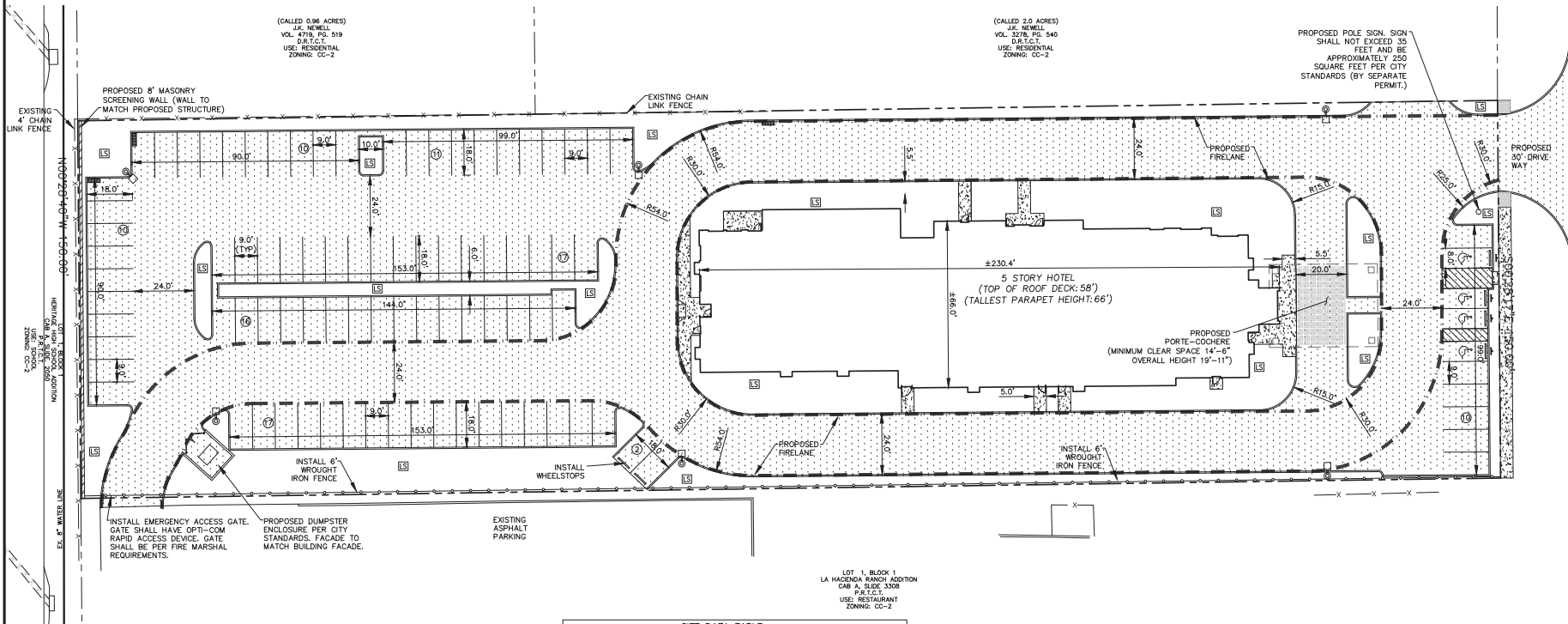


VICINITY MAP
NTS

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

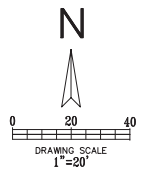


SITE DATA TABLE	
EXISTING ZONING: CC-2	PROPOSED ZONING: PUDC
LAND USE:	HOTEL
SITE ACREAGE:	1.94 ACRES (84,651 SQ FT)
BUILDING FOOTPRINT:	13,800 SQUARE FEET
BUILDING AREA:	67,500 SQUARE FEET
OPEN SPACE:	18,104/84,651 : 21%
PAVED SURFACE AREA:	52,747/84,651 : 62%
NUMBER OF UNITS:	91
PARKING REQUIRED (1 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

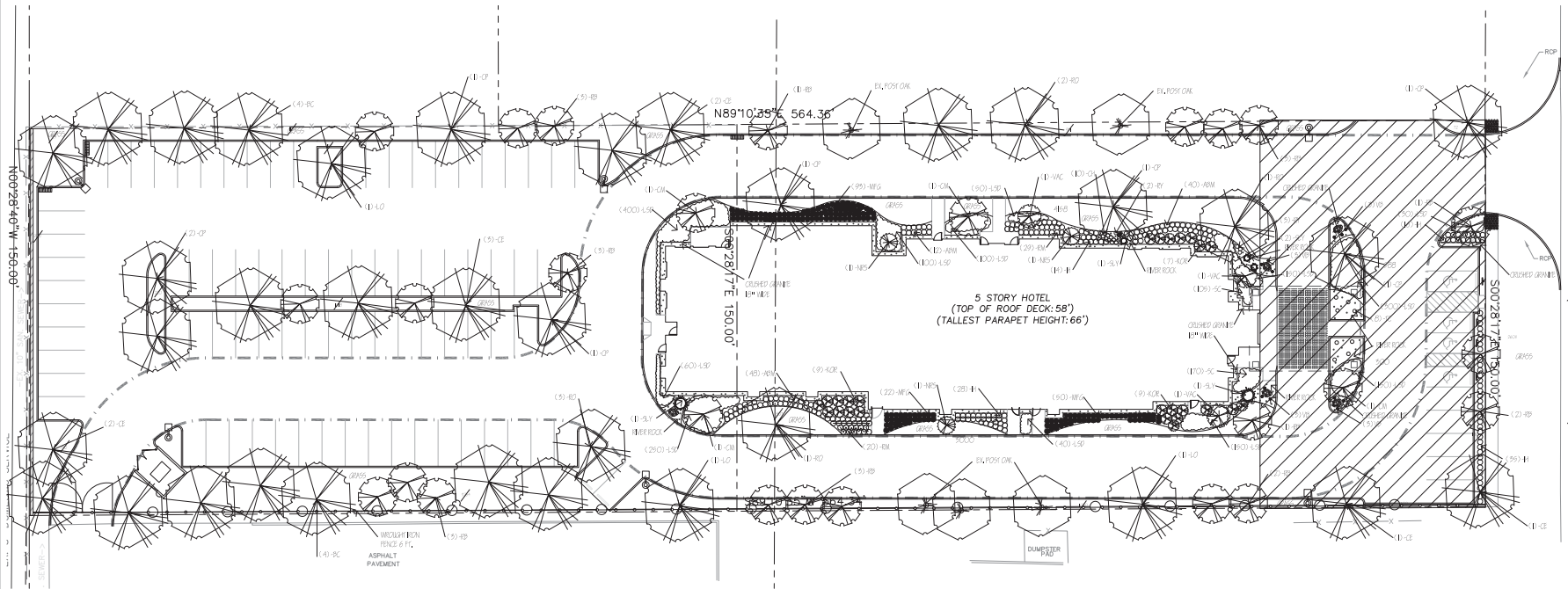
EXISTING UTILITIES AND UNDERGROUND FACILITIES INDICATED ON THESE PLANS HAVE BEEN LOCATED FROM REFERENCE INFORMATION SUPPLIED BY VARIOUS PARTIES. THE ENGINEER DOES NOT ASSUME THE RESPONSIBILITY FOR THE UTILITY LOCATIONS SHOWN. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR(S) TO VERIFY THE HORIZONTALLY 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.

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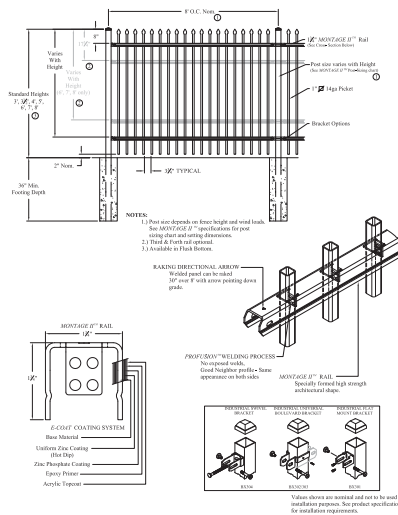
PLOT DATE
12/23/14
DRAWING SCALE
1" = 20'
PROJECT NUMBER
CD14101
SHEET NUMBER
SP

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

COLLEVILLE LANDSCAPE ORDINANCE 04.654 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 VARIATIONS	AUTOMATIC IRRIGATION SYSTEM
LANDSCAPE RET. AREA - AT LEAST 20% OF THE LOT = 10,790 SF. OR 10' X 5,395 SF. OR 10' X 5,395 SF. OR 20%	10,790 SF. OR 10' X 5,395 SF. OR 10' X 5,395 SF. OR 20%
AT LEAST 50% OF THE LANDSCAPE IN THE FRONT YARD = 8,466 SF.	10,790 SF. OR 10' X 5,395 SF. OR 10' X 5,395 SF. OR 20%
LANDSCAPE CREEK - FOR EACH 2 SF. OF LANDSCAPE AREA IN THE ROW = 1 SF. OF CREEK	2,608 SF. OF ROW = 1,304 SF.
LANDSCAPE CREEK - FOR EACH 1 SF. OF SEASONAL COLOR = 2 SF. OF CREEK	109 SF. OF SEASONAL COLOR = 218 SF.
LANDSCAPE CREEK - FOR EACH (5) GAL. SHED 10' HIGHER = 10 SF. OF CREEK	102 (5) GAL. SHEDS = 1,020 SF.
PARKING SPACES - 100 SF. OF LANDSCAPE AREA PER 10 PARKING SPACES AT 91 SPACES = 9,100 SF.	6,102 SF.
PLANTING TREES	SEE SHEET FOR INFORMATION



KEY	QUANTITY	TREES	SIZE
BC	6	YANONIA BUCKLEYANA	7" CAL. MIN. 4' SPREAD, MIN. 30 FT.
CE	8	MAIA CRASSICOLA	7" CAL. MIN. 4' SPREAD, MIN. 30 FT.
OP	8	POSTONIA CHIMENSE	7" CAL. MIN. 4' SPREAD, MIN. 30 FT.
OM	6	QUERCUS VIRGINIANA	7" CAL. MIN. 4' SPREAD, MIN. 30 FT., 10' X 5' SPREAD, MIN. 30 FT.
LD	8	QUERCUS VIRGINIANA	7" CAL. MIN. 4' SPREAD, MIN. 30 FT., 10' X 5' SPREAD, MIN. 30 FT.
RR	22	QUERCUS VIRGINIANA	7" CAL. MIN. 4' SPREAD, MIN. 30 FT., 10' X 5' SPREAD, MIN. 30 FT.
RO	7	QUERCUS VIRGINIANA	7" CAL. MIN. 4' SPREAD, MIN. 30 FT., 10' X 5' SPREAD, MIN. 30 FT.
VAC	8	YANONIA BUCKLEYANA	7" CAL. MIN. 4' SPREAD, MIN. 30 FT.
KEY	QUANTITY	SHRUBS	SIZE
OH	10	YANONIA BUCKLEYANA	3 GAL. MIN. 12" HT., 10' D.C.
IH	10	YANONIA BUCKLEYANA	3 GAL. MIN. 12" HT., 10' D.C.
NMS	8	YANONIA BUCKLEYANA	3 GAL. MIN. 12" HT., 10' D.C.
RY	5	YANONIA BUCKLEYANA	3 GAL. MIN. 12" HT., 10' D.C.
SLY	5	YANONIA BUCKLEYANA	3 GAL. MIN. 12" HT., 10' D.C.
RM	40	YANONIA BUCKLEYANA	3 GAL. MIN. 12" HT., 10' D.C.
KOR	25	YANONIA BUCKLEYANA	3 GAL. MIN. 12" HT., 10' D.C.
KEY	QUANTITY	GROUND COVER	SIZE
LSD	LSD	YANONIA BUCKLEYANA	4" POT. FULL PLANT 30" D.C.
KEY	QUANTITY	BLOOMING COLOR	SIZE
SC	205	SELECTION BY CHAIR	4" POT. FULL PLANT 30" D.C.
YC	8	SELECTION BY CHAIR	3 GAL. MIN. 12" HT., 10' D.C.
VB	22	SELECTION BY CHAIR	3 GAL. MIN. 12" HT., 10' D.C.
KEY	QUANTITY	ORNAMENTAL GRASSES	SIZE
MFG	107	SELECTION BY CHAIR	3 GAL. FULL PLANT 30" D.C.
ARM	130	SELECTION BY CHAIR	3 GAL. FULL PLANT 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. HILL STREET, SUITE 200
DALLAS, TEXAS 75201
(214) 741-1111

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**

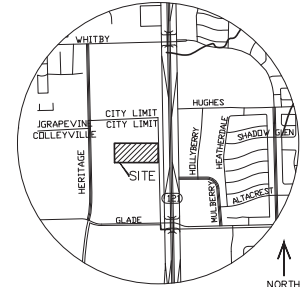
Revised Site Plan

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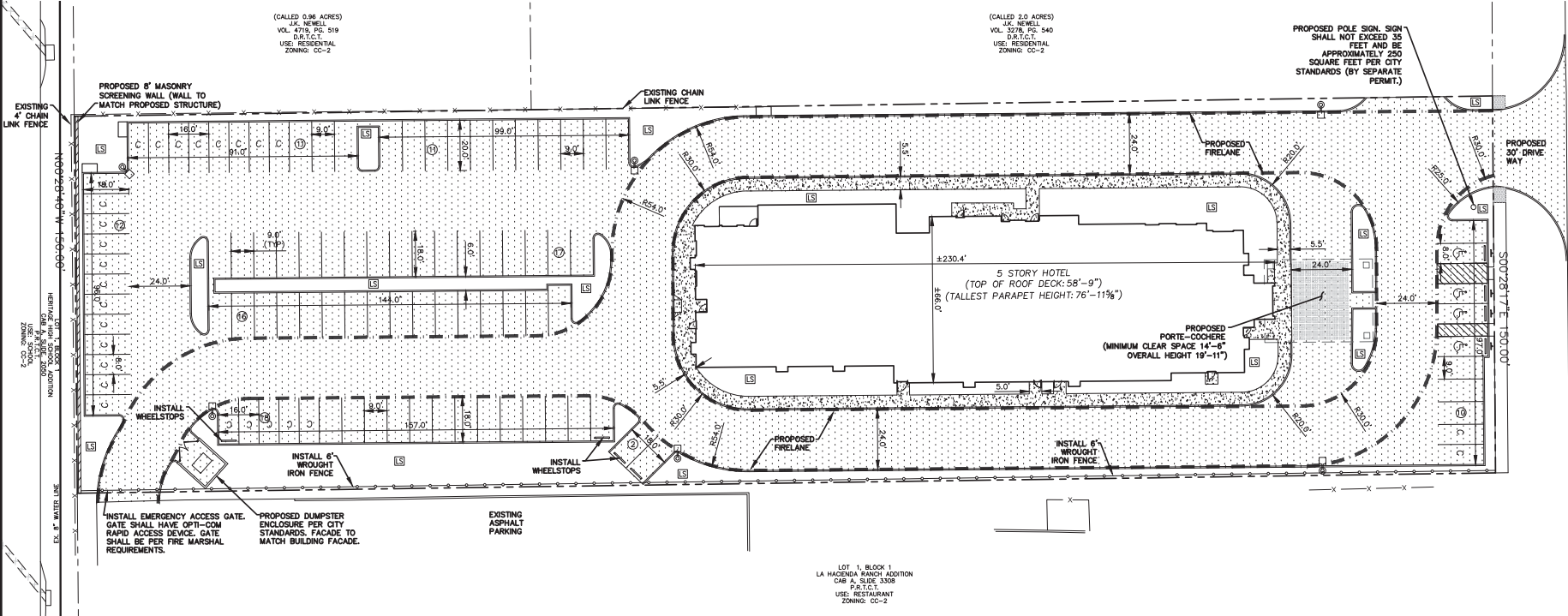


VICINITY MAP

NORTH

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF PAUL CRAGUN, P.E. NO. 112767 ON 12/09/14.

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



LOT 1, BLOCK 1
LA HACIENDA PARK ADDITION
CAB A, SUITE 3308
P.O. BOX 2119
EULESS, TEXAS 76039
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" HEIGHT)
MAXIMUM 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:
IRON 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.

III. CAUTION III UNDERGROUND UTILITIES

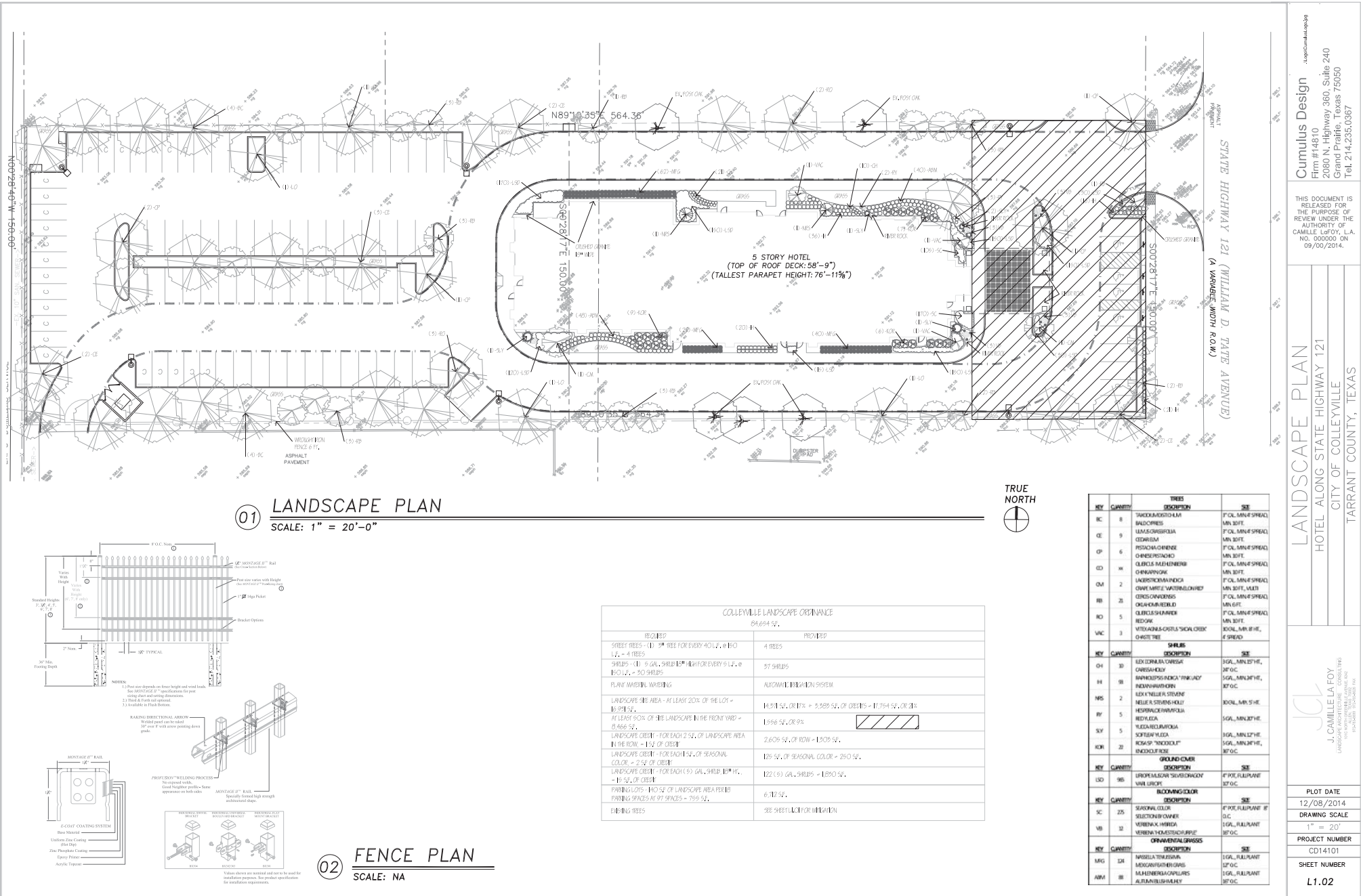
EXISTING UTILITIES AND UNDERGROUND FACILITIES INDICATED ON THESE PLANS HAVE BEEN LOCATED FROM REFERENCE INFORMATION SUPPLIED BY VARIOUS PARTIES. THE ENGINEER DOES NOT ASSUME THE RESPONSIBILITY FOR THE UTILITY LOCATIONS SHOWN. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR(S) TO VERIFY THE HORIZONTALLY 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.

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

Revised Landscape Plan



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
AMILLE LoFOY, 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 GREENVILLE AVENUE, 1042
ALLEN, TEXAS 75002
972-783-8899 972-263-8026 FAX

PLOT DATE
12/08/2014
DRAWING SCALE
1" = 20'
PROJECT NUMBER
CD14101
SHEET NUMBER
L1.02

3D Hotel Renderings



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

ICON LODGING

1212 Corporate Dr., Ste 350
Irving, TX 76038



**Hampton Inn &
Suites**

5200 State Highway 121
Colleyville, TX 76034

date
12/16/14

sheet

3D FRONT

3D Hotel Renderings



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FRONT

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Hampton Inn & Suites

5200 State Highway 121
Colleyville, TX 76034

date

12/16/14

sheet

REAR

EXAMPLES OF PROPOSED WROUGHT IRON FENCE



Statement of Planning Objectives



Introduction:

Icon Lodging would like to propose constructing a selective service hotel on an existing vacant property located on State Highway 121. Icon Lodging and its affiliates currently own several hotels throughout Texas, Arkansas, and Louisiana. The proposed hotel is located on an existing vacant site that has been unoccupied since 2000. The site is located to the north of the existing La Hacienda Ranch and to the east of Colleyville Heritage High School. The property to the north is currently a single family home but is zoned as CC2—Shopping Center District.

The hotel will be a 5-story structure, with approximately 96 guest rooms and 96 parking spaces on the 1.94 acre site. The building will also have a 500 square foot meeting space that will be wired with the latest technology to cater to both corporate and leisure customer needs. The hotel is strategically located along State Highway 121 where it is ideal to bring corporate business travelers and vacationers into the City of Colleyville. The hotel's prime location will also attract additional customers for the surrounding restaurants and retail stores, further benefiting the City of Colleyville and its tax base. The hotel will also have an influence upon the redevelopment or reuse of some of the currently vacant spaces.

Icon Lodging's focus for this hotel is to provide a state-of-the-art hotel experience to the City of Colleyville and its citizens. The hotel will feature modern décor throughout the common spaces and the guestrooms. Each guest room will provide an exceptional choice of amenities, comfort, and the latest in-room technology. The hotel will feature an expanded fitness area that is very popular with today's travelers and health conscious guests. In addition to the fitness area, the hotel will have a unique interior and exterior swimming pool and spa concept to cater to the needs of families, travelers, and vacationers all year round.

The hotel will also incorporate many "green initiatives" both in its construction and day-to-day operations. Some of the features proposed for the hotel will include LED interior and exterior lighting, water and energy conservation practices in both the guest rooms and overall operations of the hotel. The hotel will provide a guide to encourage water and energy conservation in every guest room. The hotel will have a recycling program available to guests so as to reduce its environmental footprint. This keen focus will provide an environmentally friendly hotel and guest experience and will set a new standard for future hotel developments in the City of Colleyville.

Statement of Planning Objectives

Statement of Planning Objectives:

The proposed hotel for the site consists of a five story building with the façade to meet the City of Colleyville's commercial design standards. The building façade articulation will be varied in order to provide an appealing building and site layout. The building footprint was shortened to provide more room for landscaping and parking on the site. The proposed 5 story building will be 63' 10" from the top of slab to the top of the parapet. The building is designed to provide the same amenities and guestrooms as the larger prototype 4 story building. The 5 story building allows for the site to be used efficiently and meet with City of Colleyville's design standards. The five story configuration is necessary to meet the brand's design standards of a minimum of 90 guestrooms.

The building will have a 500 square foot meeting room to provide space for guests and visitors to use, as well as 96 guestrooms. The site layout includes 96 parking spaces, configured with islands to allow for trees and landscaping in the parking. This will help alleviate the "sea of pavement" problem that often occurs in parking lots. The majority of the parking will be located behind the building, where it will lessen the visual impact from State Highway 121.

The design of the site and the building was done to provide visibility from the frontage road, while maximizing landscaping in the areas in front of the building. The building will have a 50 foot setback from the frontage road and will be centered between the north and south property lines. The building is over 200 feet from the shared property line between the school and the hotel. There is no outdoor storage on the site and is surrounded by CC2 (Shopping Center District) zoning.

The hotel will not have any alcohol sales on site due to the close proximity of Colleyville Heritage High School. The site will meet all public safety requirements including a firelane around the entire building as well as being a fully sprinkled building. The existing driveway to the frontage road of State Highway 121 will be rebuilt to TxDOT Standards and will be the principal point of access to the site. A secondary point of access will be located on the southwest corner of the site, as a continuation of the existing mutually shared drives with the restaurants to the south. There will be no pedestrian or vehicular access to the school site to the west. The site will have a security monitoring system for the safety of guests and staff.

Icon Lodging would like to request that variances be granted for the development of the site as part of the planned use development. As part of the development of the site, many of the existing trees will be removed from the site. While trying to maximize the landscaping areas to meet brand requirements, we would like to ask for a reduction of the required existing tree coverage to be preserved. We request that a reduction to 0% for the required tree coverage to be preserved be granted. During the site layout process, it was attempted to configure the site to save the existing trees as much as possible. With the parking, firelane, building, and access requirements, we are unable to preserve any of the existing trees. Icon Lodging has worked with the building articulation and the landscaping plans to complement the surrounding areas while providing the maximum green space. Icon Lodging's intent with the landscaping and site design is to form a visually aesthetic and pleasing environment for the guests, employees and the City of Colleyville.

The second variance being requested is the requirement that a hotel has a restaurant, as defined in chapter 2 of the land development code. The hotel will have the typical hot breakfast and snack bar area for the guests. Icon Lodging believes that the hotel will complement the surrounding restaurants, which

Statement of Planning Objectives

include J.R.'s Steakhouse, La Hacienda Ranch, and Rio Mambo. This will provide more cliental to the City of Colleyville's restaurants from the hotel guests. There are approximately 4 full service restaurants within 1,000 feet of the proposed hotel as well as other fast food locations a short distance further. These surrounding restaurants will provide the restaurant services that hotel guests will desire while staying in the City of Colleyville. The new hotel may also spur the redevelopment or reuse of the former Mac's and Gator's spaces.

The third variance is from the parking space dimension requirement in chapter 3 of the land development code. Icon Lodging would like to incorporate compact parking spaces into the site. Many of the guests for the hotel will be coming from DFW airport and will either be riding on shuttles and taxis, sharing a car, or driving smaller compact rental vehicles. The request is for the allowance of twenty-five percent of the required parking to be compact parking spots. The compact parking spaces proposed will be 8' wide and 18' deep. The reason for this request is that by utilizing compact spaces on the site, the landscaping areas can be increased. This would benefit the site and the surrounding by allowing more vegetation and lawn areas, as well as reduce the amount of rain runoff from the site.

Another request Icon Lodging would like to make is for a reduction of the required landscape mixture. Due to the site requirements, the site landscaping is 18% of the total land site. The requirement for 20% is found in chapter 4, section 4.6-3. We would request that a variance be granted for the required 50% of the total landscape are to be in the street yard. This requirement is found in chapter 4, section 4.6-3. Per the brand requirement, the hotel is located in the front of the site to provide visibility. There will be landscaping to screen the parking and around the porte-cochere supports. We ask that the requirement is reduced to 5% for the total landscaping in the front yard.

The final request we ask for is regarding chapter 5, section 5.10-A. The existing requirement is that replacement trees shall be planted in order to equal the total diameter inches of trees slated for removal. With the proposed landscaping areas, an equivalent amount of caliper inches cannot be replaced on the site. We request the requirement be reduced to 1/2 inch replacement be required per inch removed.

We would like to thank you for your time to review this application. The city staff has been very helpful and accommodating during this entire process. We are happy to work with the City of Colleyville to address any comments or concerns with regards to the proposed hotel development.

Development Schedule:

The estimated time for commencement of construction: Spring 2015

The estimated time for finishing construction: Summer 2016

Statement of Planning Objectives

Economic Development Information

The employment base in Colleyville will be diversified by the addition of these hospitality jobs. This positive economic impact will not only be for the hotel, but also the accompanying and surrounding businesses.

Total Square Footage of Building:	65,000
Total Number of Guest Rooms:	96
Estimated Sales per Square Foot:	N/A
Average Estimated Room Charge:	\$135.00
Average Occupancy Rate:	68%
Estimated Occupancy Tax for First Year:	\$189,000
Total Estimated Occupancy Taxes for First 5 Years:	\$949,000
Additional Estimated Economic Impact per Year by Guests on City of Colleyville Retail, Food and Beverages, and Gas:	\$150,000
Additional Estimated Economic Impact for 5 Years by Guests on City of Colleyville Retail, Food and Beverage, and Gas:	\$750,000
Estimated Construction Costs:	\$11,000,000
Estimated Number of Full-Time Employees:	20 full time jobs and additional construction related jobs
Estimated Property Taxes paid over 5 Years:	\$875,000
Total Economic Impact on the City of Colleyville over 5 Years:	\$13,574,000

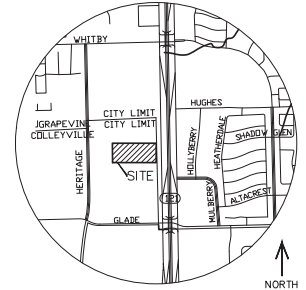
Original Site Plan

LEGEND

- EXISTING CURB
- - - PROPOSED CURB
- - - PROPOSED FIRE LANE
- Ⓢ — PARKING SPACES IN A ROW
- Ⓢ — PROPOSED LANDSCAPING
- ▨ — SIDEWALK PAVEMENT/PEDESTRIAN WALKWAY
- ▨ — REINFORCED CONCRETE PAVEMENT
- Ⓢ — PROPOSED LED LIGHT STANDARD
- C — PROPOSED COMPACT PARKING SPACE

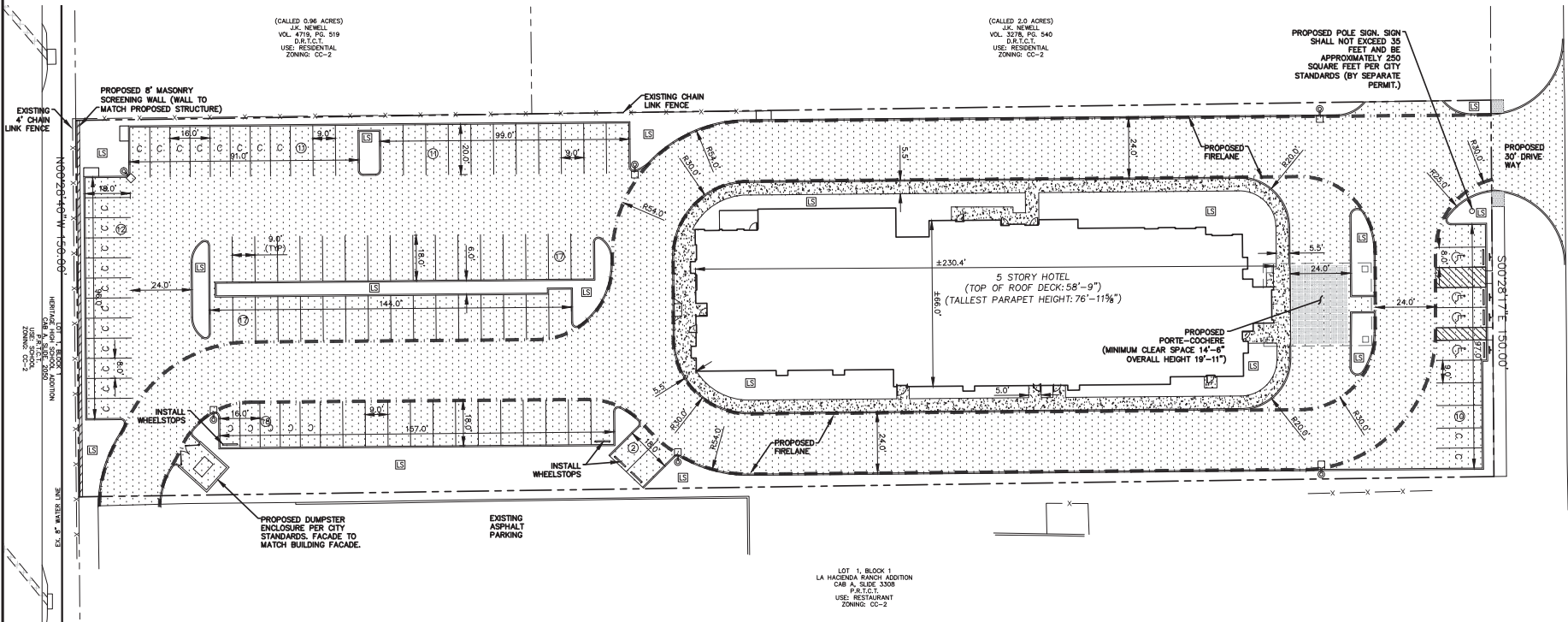
SITE NOTES:

- THE POINTS OF INGRESS AND EGRESS FROM THE SITE WILL BE FROM THE SERVICE ROAD OF STATE HIGHWAY 121 AND THE MUTUAL ACCESS DRIVE ON THE SW CORNER.
- ALL DIMENSIONS ARE TO FACE OF CURB, EDGE OF PAVEMENT, FACE OF BUILDING OR AS OTHERWISE INDICATED.
- ALL SIDEWALKS SHALL MAINTAIN A 2% MAXIMUM CROSS SLOPE AND 5% MAXIMUM IN THE DIRECTION OF PEDESTRIAN TRAVEL. ALL SIDEWALKS SHOULD INCLUDE ALL LANDINGS, MARKINGS, ETC AS REQUIRED BY CODE.
- THE SITE IS NOT LOCATED IN A FLOOD PLAIN, ESCARPMENT, NEAR ANY MAJOR WATER BODIES, CREEKS, MARSHES, OR DRAINAGE AREAS.
- THE PROPERTY WILL BE A SINGLE LOT.
- THE PROPERTY WILL BE LIGHTED TO MEET THE CITY'S REQUIREMENTS AND "DARK SKY" RULES.
- ALL ROOF MOUNTED MECHANICAL EQUIPMENT AND WALL SUPPORTS SHALL BE SCREENED FROM VIEW.
- THE BUILDING SHALL HAVE AN AUTOMATIC FIRE SPRINKLER WITH A FIRE ALARM AND SHALL REQUIRE A SEPARATE PLAN REVIEW AND PERMIT.



VICINITY MAP

NORTH



III. CAUTION !!!

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
EULESSA, TEXAS 76039
CONTACT: PAUL CRAGUN
PHONE: 214-235-0367
FAX: 214-235-0546

DEVELOPER/OWNER:
ICON LODGING
1212 CORPORATE DR., STE #350
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CONTACT: NICK PATEL
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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.

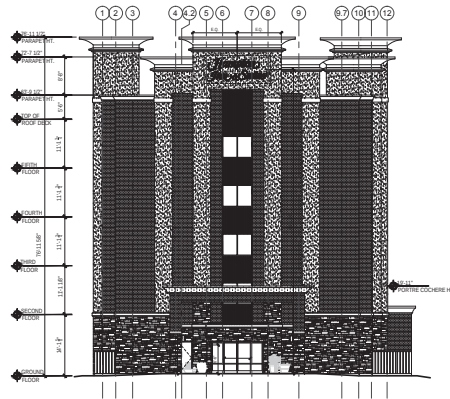
Cumulus Design
Firm #14810
2080 N. Highway 380, Suite 240
Grand Prairie, Texas 75050
Tel. 214.235.0367



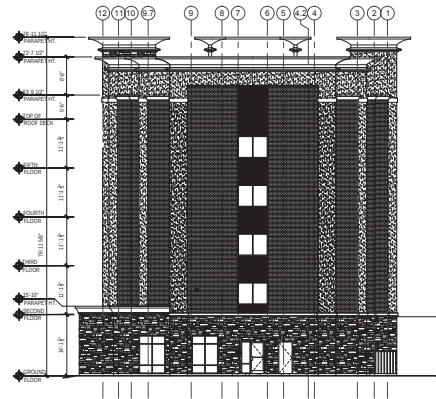
SITE PLAN
HOTEL ALONG STATE HIGHWAY 121
CITY OF COLLETVILLE
TARRANT COUNTY, TEXAS

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

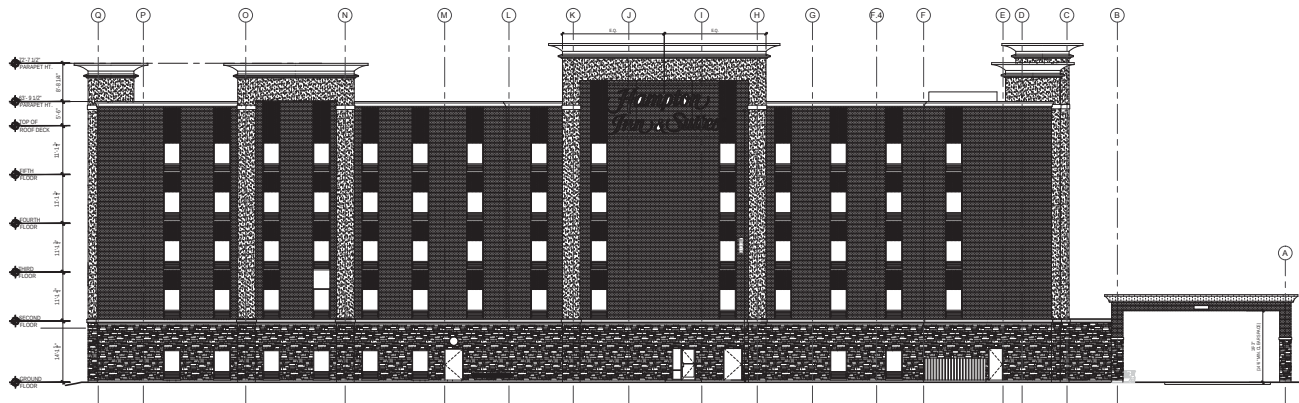
Building Elevations



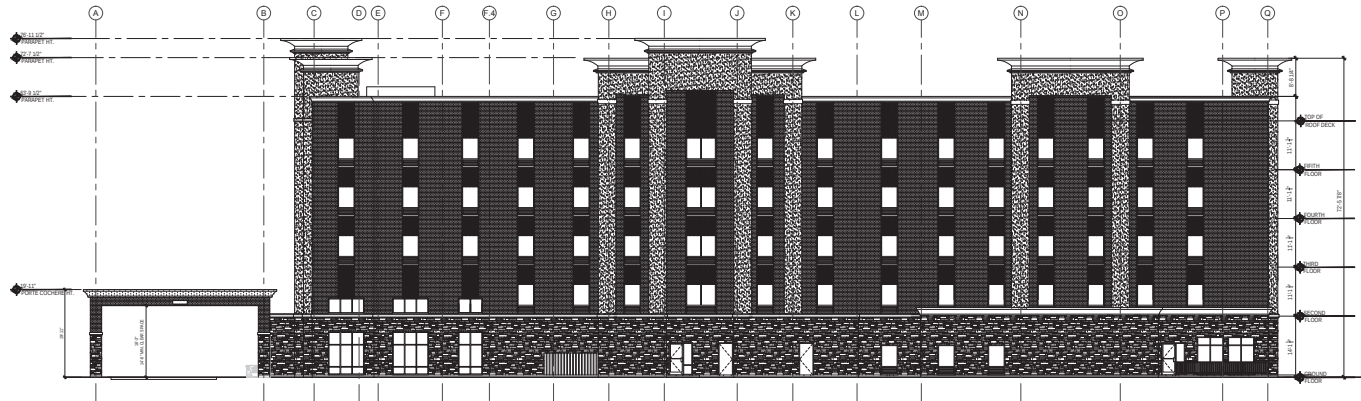
1 WEST ELEVATION
A3.00 SCALE 3/32" = 1'-0"



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



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



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



112 Mill Creek
Suite 116
Fort Worth, TX 76164
phone: 817.483.0132
www.jrkd.com

ICON LODGING

Architect:

Dan Burbine

dan.burbine@jrkd.com

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

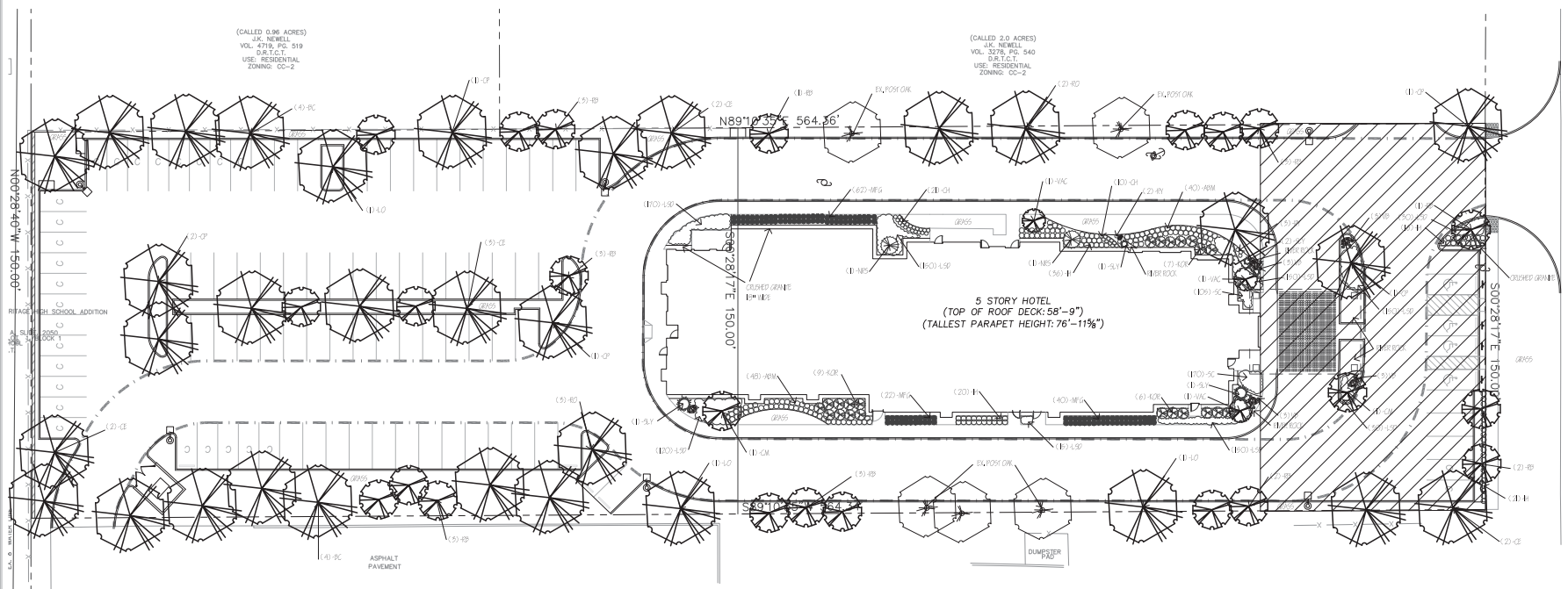
Sheet Description

Exterior
Elevations

A3.00

PRELIMINARY
SET OF
DRAWINGS

Original Landscape Plan



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



COLLEVILLE LANDSCAPE ORDINANCE 04.694 N.C.	
REQUIRED	PROVIDED
SHEET TREES - (1) 3" TREE FOR EVERY 40 L.F. @ 10' L.F. = 4 TREES	4 TREES
SHRUBS - (1) 5 GAL. SHRUB 12" H. FOR EVERY 5 L.F. @ 10' L.F. = 20 SHRUBS	27 SHRUBS
PLANT MATERIAL WASHING	AUTOMATIC IRRIGATION SYSTEM
LANDSCAPE TREE AREA - AT LEAST 20% OF THE LOT = 16,391 SF.	11,511 SF. OR 17% + 3,589 SF. OF CRENS = 17,794 SF. OR 20%
PLANTING 50% OF SITE LANDSCAPE IN THE FRONT YARD = 8,666 SF.	1,556 SF. OR 9%
LANDSCAPE CRENS - FOR EACH 2 SF. OF LANDSCAPE AREA IN THE ROW = 1 SF. OF CRENS	2,809 SF. OF ROW = 1,809 SF.
LANDSCAPE CRENS - FOR EACH 50' OF SEASONAL COLOR = 2 SF. OF CRENS	125 SF. OF SEASONAL COLOR = 250 SF.
LANDSCAPE CRENS - FOR EACH (5) GAL. SHRUB 10" H. = 1 SF. OF CRENS	122 (5) GAL. SHRUBS = 1,830 SF.
PARKING LOTS - 140 SF. OF LANDSCAPE AREA PER 10 PARKING SPACES AT 97 SPACES = 789 SF.	6,112 SF.
EXISTING TREES	SEE SHEET 101 FOR MEASUREMENT

KEY	QUANTITY	TREES DESCRIPTION	SEE
TC	8	TAXODIUM MEDIUM BALCONIES	1" POL. MINE SPREAD
CE	9	ULMUS CRASSIFOLIA	1" POL. MINE SPREAD
CD	6	PROSOPIS ALBICORNE	1" POL. MINE SPREAD
OP	11	QUERCUS LAEVIS	1" POL. MINE SPREAD
OM	2	QUERCUS LAEVIS	1" POL. MINE SPREAD
RB	25	QUERCUS LAEVIS	1" POL. MINE SPREAD
RO	5	QUERCUS LAEVIS	1" POL. MINE SPREAD
VAC	3	VITEX AGRESTIS	1" POL. MINE SPREAD
KEY	QUANTITY	SHRUBS DESCRIPTION	SEE
CH	10	CHENOPodium ALBICORNE	1" POL. MINE SPREAD
HS	18	HELMINTHOCOTYLA	1" POL. MINE SPREAD
NS	2	NEPENThes ALBICORNE	1" POL. MINE SPREAD
RY	5	RYTHMIS ALBICORNE	1" POL. MINE SPREAD
SV	5	SPERDIA ALBICORNE	1" POL. MINE SPREAD
RO	2	ROSA ALBICORNE	1" POL. MINE SPREAD
KEY	QUANTITY	GROUND COVER DESCRIPTION	SEE
UD	165	ULMUS CRASSIFOLIA	1" POL. MINE SPREAD
KEY	QUANTITY	BLOOMING COLOR DESCRIPTION	SEE
SC	25	SPERDIA ALBICORNE	1" POL. MINE SPREAD
VB	12	VIBURNUM ALBICORNE	1" POL. MINE SPREAD
KEY	QUANTITY	ORNAMENTAL GRASSES	SEE
MFG	14	MILLETIA ALBICORNE	1" POL. MINE SPREAD
ARM	8	ARMERIA ALBICORNE	1" POL. MINE SPREAD

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

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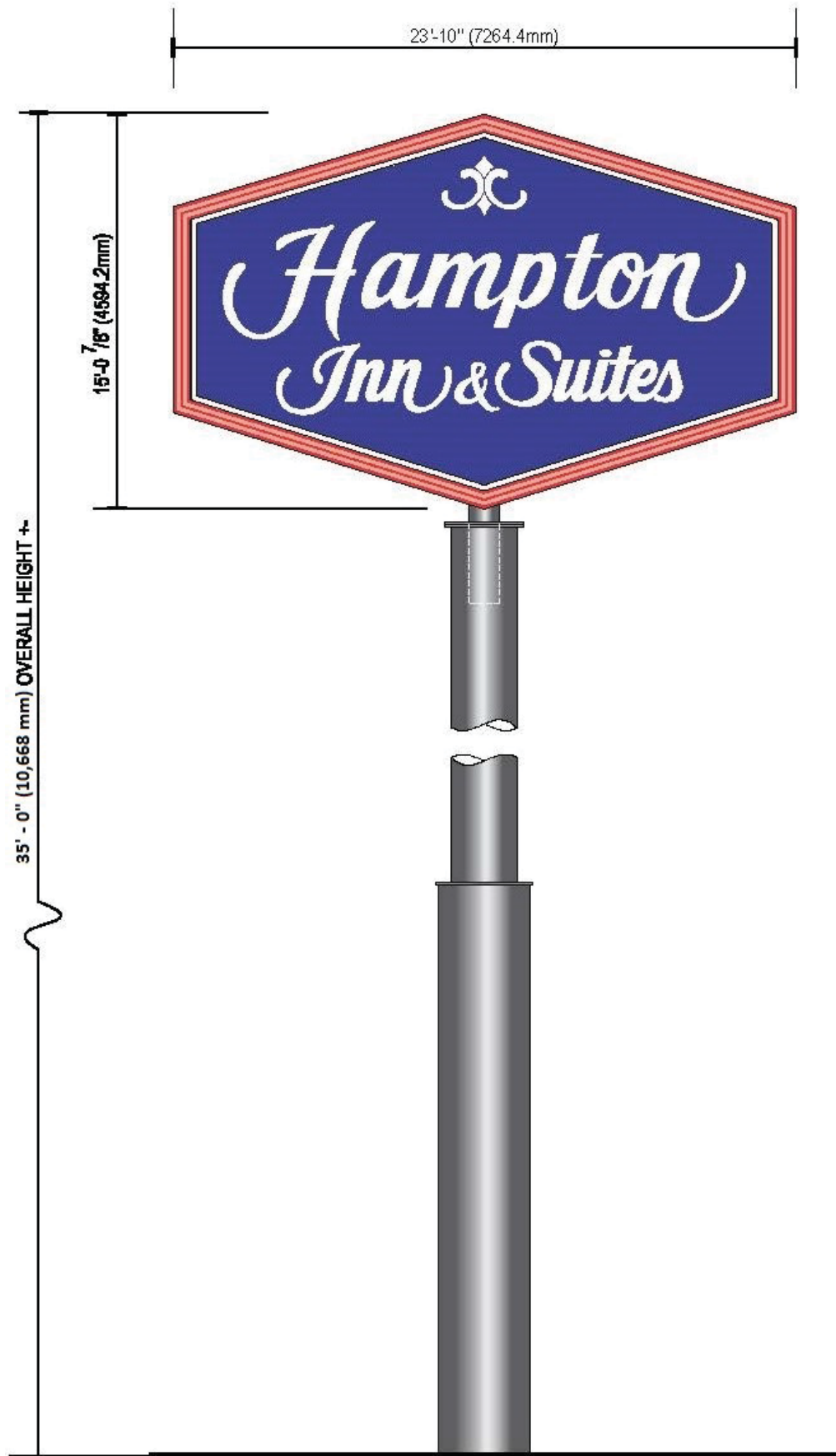
LANDSCAPE PLAN
HOTEL ALONG STATE HIGHWAY 121
CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS

J. CAMILLE LAFOY
LANDSCAPE ARCHITECTURE CONSULTING
10000 W. HILL ROAD, SUITE 200
DALLAS, TEXAS 75243

PLOT DATE
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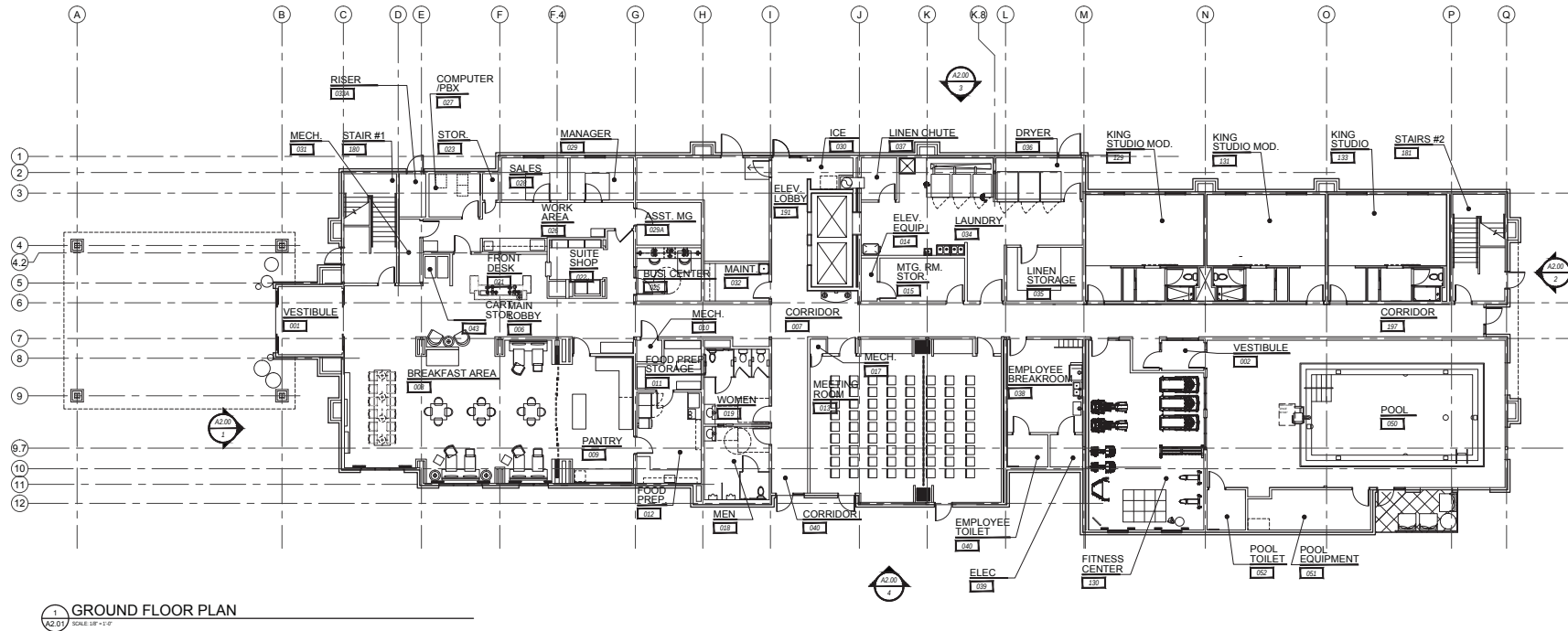
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Pole Sign Detail



D/F HIS-385 HI-RISE PYLON SIGN

First Floor Plan



112 NW 24th
Suite 116
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www.jrkd.com

ICON LODGING

Architect:
Dan Burbine
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Project Manager:
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Revisions

Hampton Inn & Suites
5200 State Highway 121
Colleyville, TX 76034

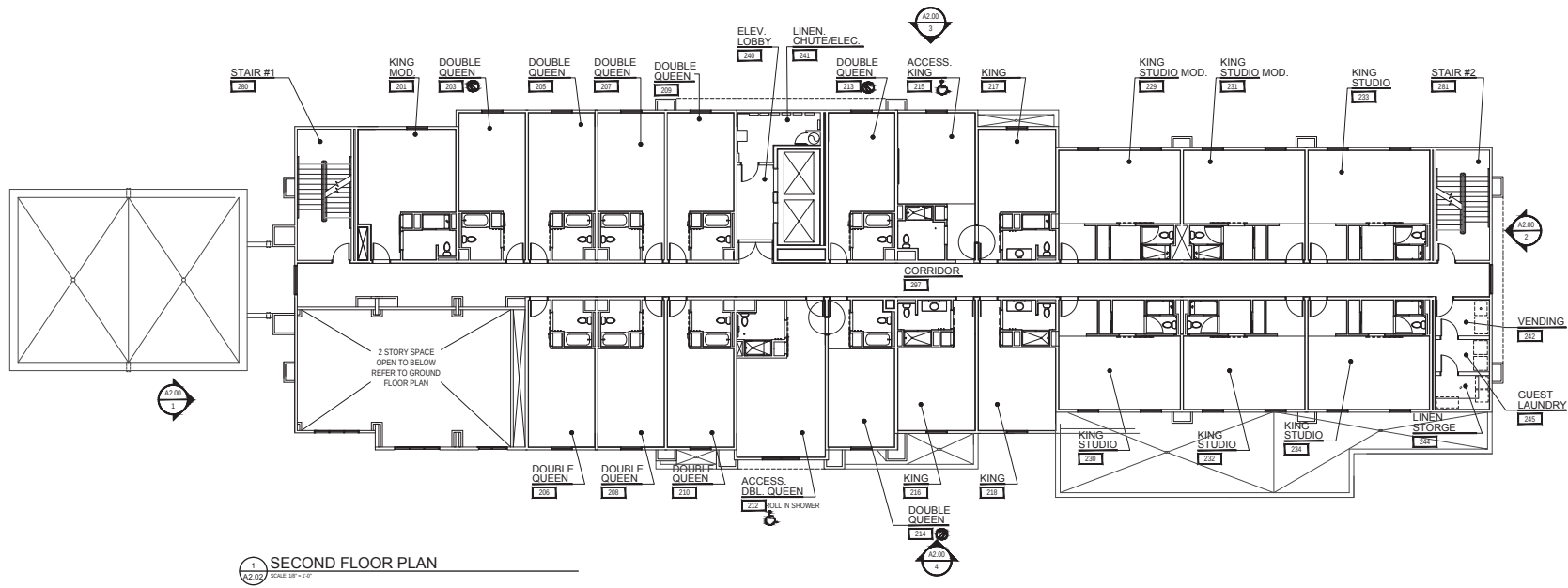
PRELIM SET
10.03.2014
TX-14065

Sheet Description
First Floor Plan

Sheet Number
A2.01

PRELIMINARY
SET OF
DRAWINGS

Upper Floor Plans



112 Mill 24th
Suite 116
Fort Worth, TX 76104
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www.jrkd.com

ICON LODGING

Architect:
Dan Burdine
dan.burdine@jrkd.com
Project Manager:
John Ruckie
john.ruckie@jrkd.com



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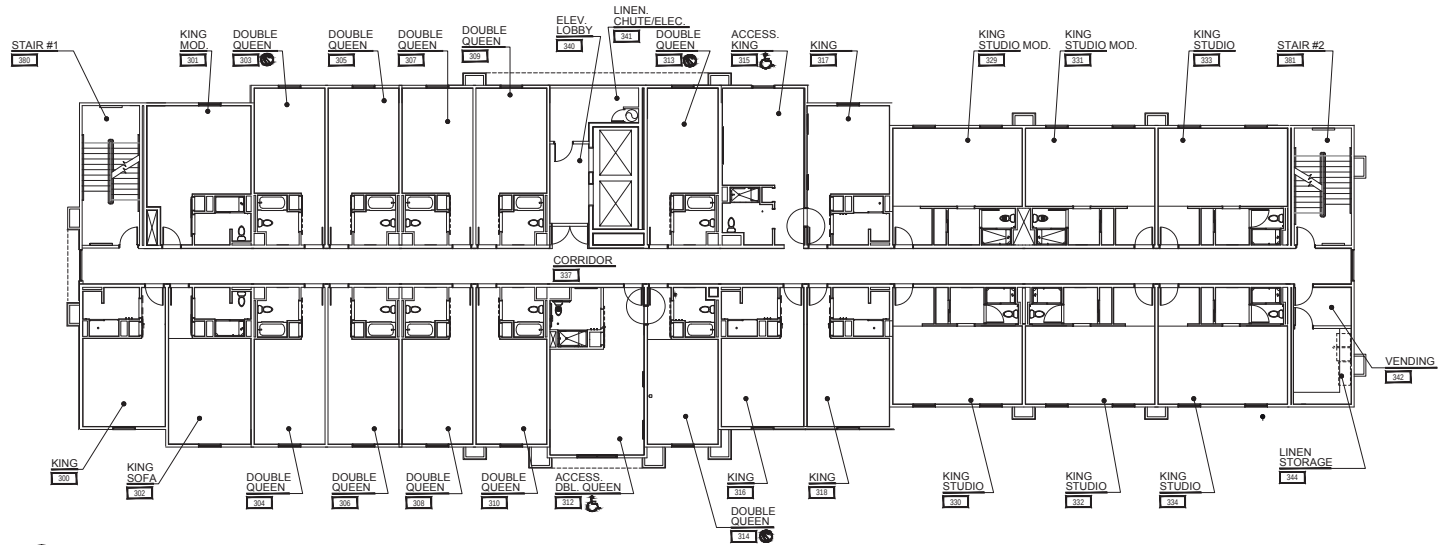
Hampton
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PRELIM SET
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TX-14065

Sheet Description
Second Floor Plan
Sheet Number
A2.02

PRELIMINARY
SET OF
DRAWINGS

Upper Floor Plans



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



112 Mill 24th
Suite 116
Fort Worth, TX 76104
phone: 817.489.9132
www.jrkd.com

ICON LODGING

Architect:
Dan Burdine
dan.burdine@jrkd.com
Project Manager:
John Ruckel
john.ruckel@jrkd.com



Revisions

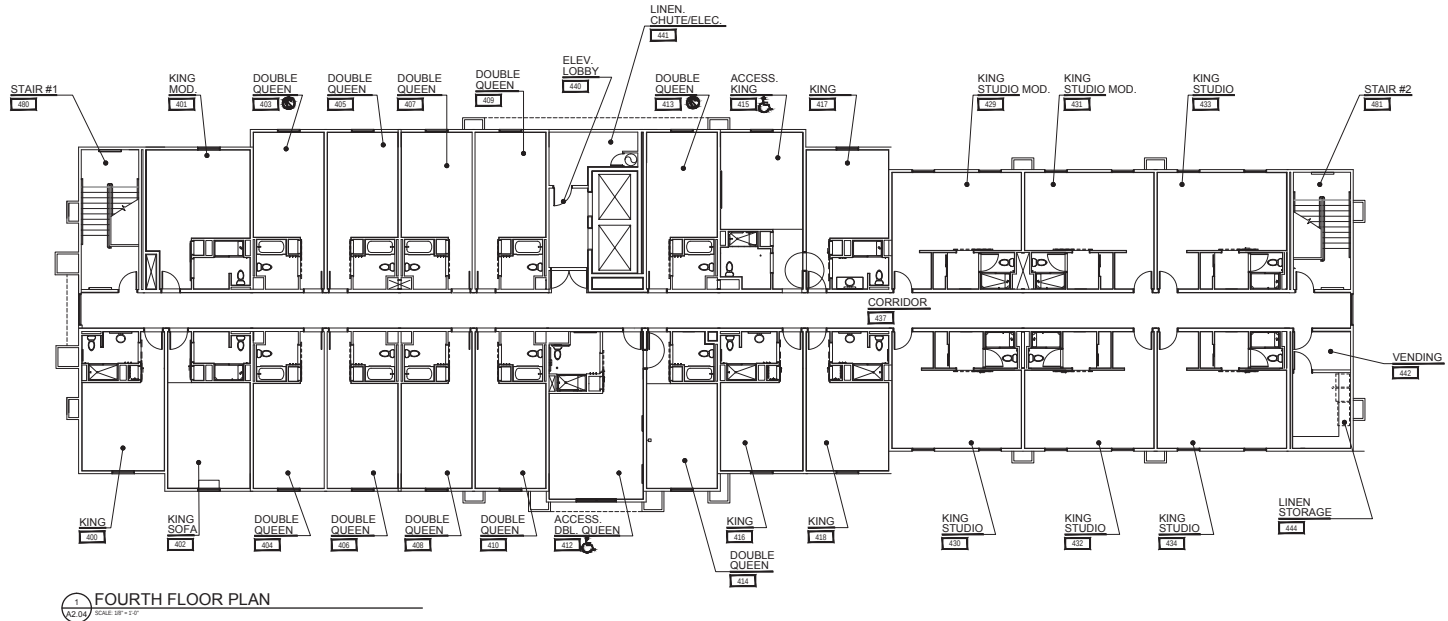
Hampton
Inn & Suites
5200 State
Highway 121
Colleyville, TX 76034

PRELIM SET
10.03.2014
TX-14065

Third Floor
Plan
A2.03

PRELIMINARY
SET OF
DRAWINGS

Upper Floor Plans



112 Mill 24th
Suite 116
Fort Worth, TX 76104
phone: 817.489.9132
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ICON LODGING

Architect:

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Project Manager:

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Revisions

Hampton
Inn & Suites
5200 State
Highway 121
Colleyville, TX 76034

PRELIM SET

10.03.2014

TX-14065

Sheet Description

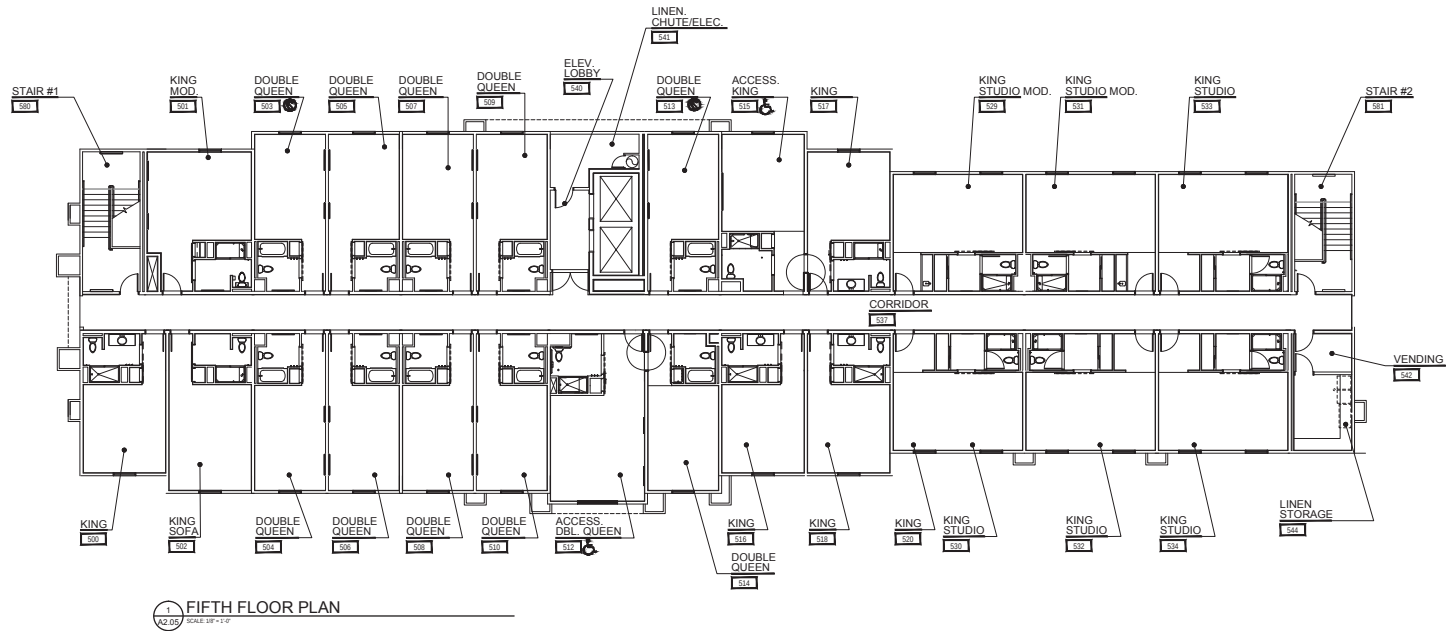
Fourth Floor
Plan

Sheet Number

A2.04

PRELIMINARY
SET OF
DRAWINGS

Upper Floor Plans



112 Mill Creek
Suite 116
Fort Worth, TX 76104
phone: 817.483.0132
www.jrkd.com

ICON LODGING

Architect:

Dan Burbine
dan.burbine@jrkd.com

Project Manager:

John Ruckie
john.ruckie@jrkd.com



Revisions

**Hampton
Inn & Suites**
5200 State
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."

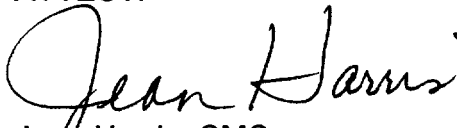
Sec. 2. The City secretary is hereby authorized and directed to cause publication of the descriptive caption and clause hereof as an alternative method of publication provided by law.

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.

- i. All site lighting shall be shielded and not oriented towards the southern property line.

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.

A fourth 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" – Location and Zoning Map

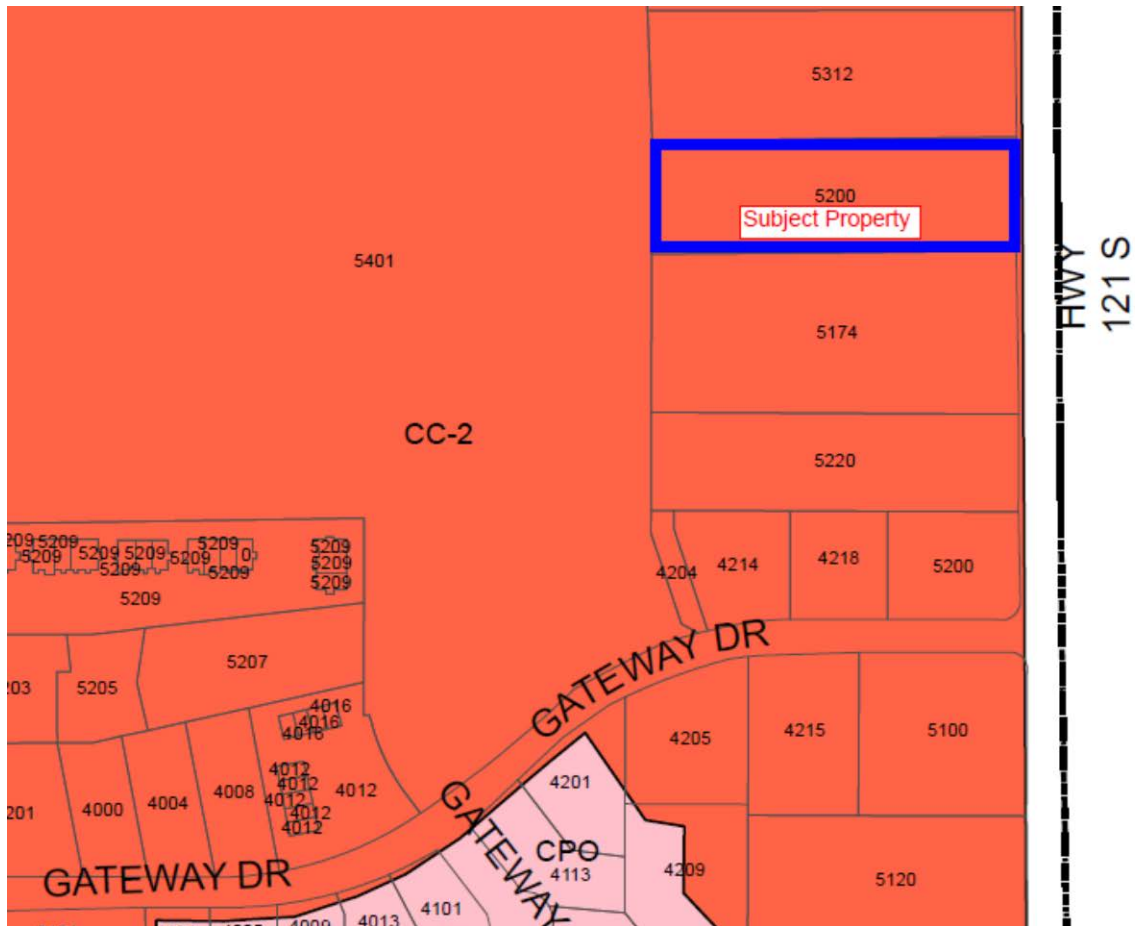


Exhibit B –Legal Description

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 Cont.



Statement of Planning Objectives:

The proposed hotel for the site consists of a five story building with the façade to meet the City of Colleyville's commercial design standards. The building façade articulation will be varied in order to provide an appealing building and site layout. The building footprint was shortened to provide more room for landscaping and parking on the site. The proposed 5 story building will be 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 Cont.



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

[illegible]

Exhibit E – Building Elevations





City of Colleyville City Council Agenda Briefing

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

Agenda Number 6b

Agenda Date 01/20/2015

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 January 6, 2014 meeting, the City Council voted to continue this item to the January 20, 2015 meeting. The applicant requested this continuance 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. At the January 6, 2014 meeting, there were no speakers regarding this item.

At the direction of 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 50; total open space lots have been increased from one to seven lots.

Residential Density: Total residential density has been reduced from 5.4 dwelling units per acre to 4.5 dwelling units per acre based upon the density calculation prescribed by the Master Plan; and 5.8 dwelling units per acre as prescribed by the Land Development Code.

Open Space: Total open space has increased from 1.8 percent of the total development to 20 percent. The open space consists of lots within the development as well as 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

do not meet the dimensional requirements for open space lots described in Section 3.23(J)2c, and were not counted toward the open space calculation.

Drainage: The applicant provided a revised preliminary drainage analysis, which indicates 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, as shown on the attached conceptual development plan.

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 and 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 previous development plan proposed that an eight (8) foot wrought iron fence with masonry columns be constructed along the entire northern, eastern, and southern boundary of the development. The revised plan proposes that a six (6) foot

wrought iron fence with masonry columns, spaced every 20 feet be constructed by the developer, along the entire northern, eastern, and southern boundary of the development, where there is adjacent open space. A six (6) foot board-on-board wood fence will be constructed along the northern portion of the property where proposed residential lots will abut existing residential lots. Open space Lot 7X will continue to have wrought iron fencing on all sides.

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". An additional opposition letter has been received which has increased the opposition by property owners within 200 feet to 21.0%, over the 20% threshold. Due to this opposition in addition to the recommendation of denial by the Planning and Zoning Commission, a minimum of six of seven votes are required in order for the City Council to approve this item.

General Analysis: The alleys on the original submittal have been removed. A preliminary cost estimate was provided, but no plans have been submitted regarding any improvements to Roberts Road and no update has been received on trail connections to the school property located to the east of the proposed development. According to the revised conceptual development plan, 12 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. With the proposed 12 foot right-of-way dedication, it appears the required 37.5 feet is achieved.

As the revisions to the proposed development plans are more in line with Land Development Code standards, staff's recommendation is approval given the reduction of proposed density, and the open space meeting 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.

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 the proposed ordinance.

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

Approval with the following conditions:

1. GENERAL

- a. The purpose of this PUD-R is for a single-family residential development of 50 detached dwelling units, constructed at a gross maximum density of 4.5 dwelling units per acre.
- b. This development shall be generally consistent with the Statement of Planning Objectives, attached as Exhibit "C".
- c. The subject property is subject to all the regulations contained in the Land Development Code, except where amended by this Ordinance.

2. DEVELOPMENT PLAN AND PLATTING

- 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.

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

Single-family residences, detached

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 20.0 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 six (6) 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, a six (6) 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 six (6) foot wrought iron fence with masonry columns spaced every 20 feet shall be constructed by the developer along the northern border adjacent to open space Lot 7X, and the eastern and southern boundary of the development where there is adjacent open space as depicted on Exhibit "E". For all residential lots on the north side of the development, a six (6) foot board-on-board wooden fence shall be built by the builder at the time of new home construction 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.

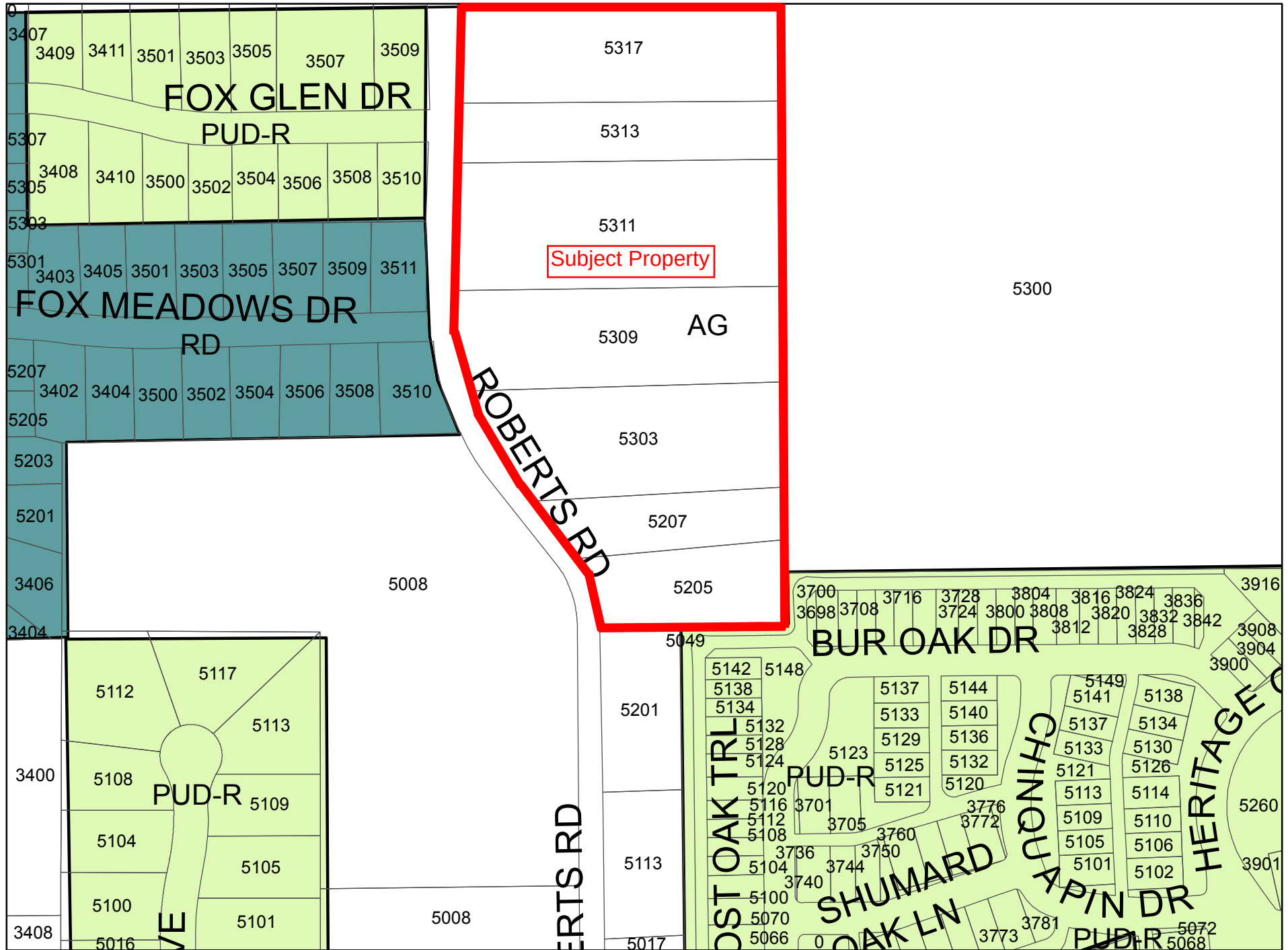
e. Prior to the acceptance of public improvements, a five foot concrete pathway shall be constructed by the developer within the common open space located along the eastern boundary of the development as depicted on Exhibits "D" and "E". Where adjacent to any road rights-of-way, all sidewalks located within open space lots shall be constructed by the developer per the requirements of the Land Development Code.

Attachments

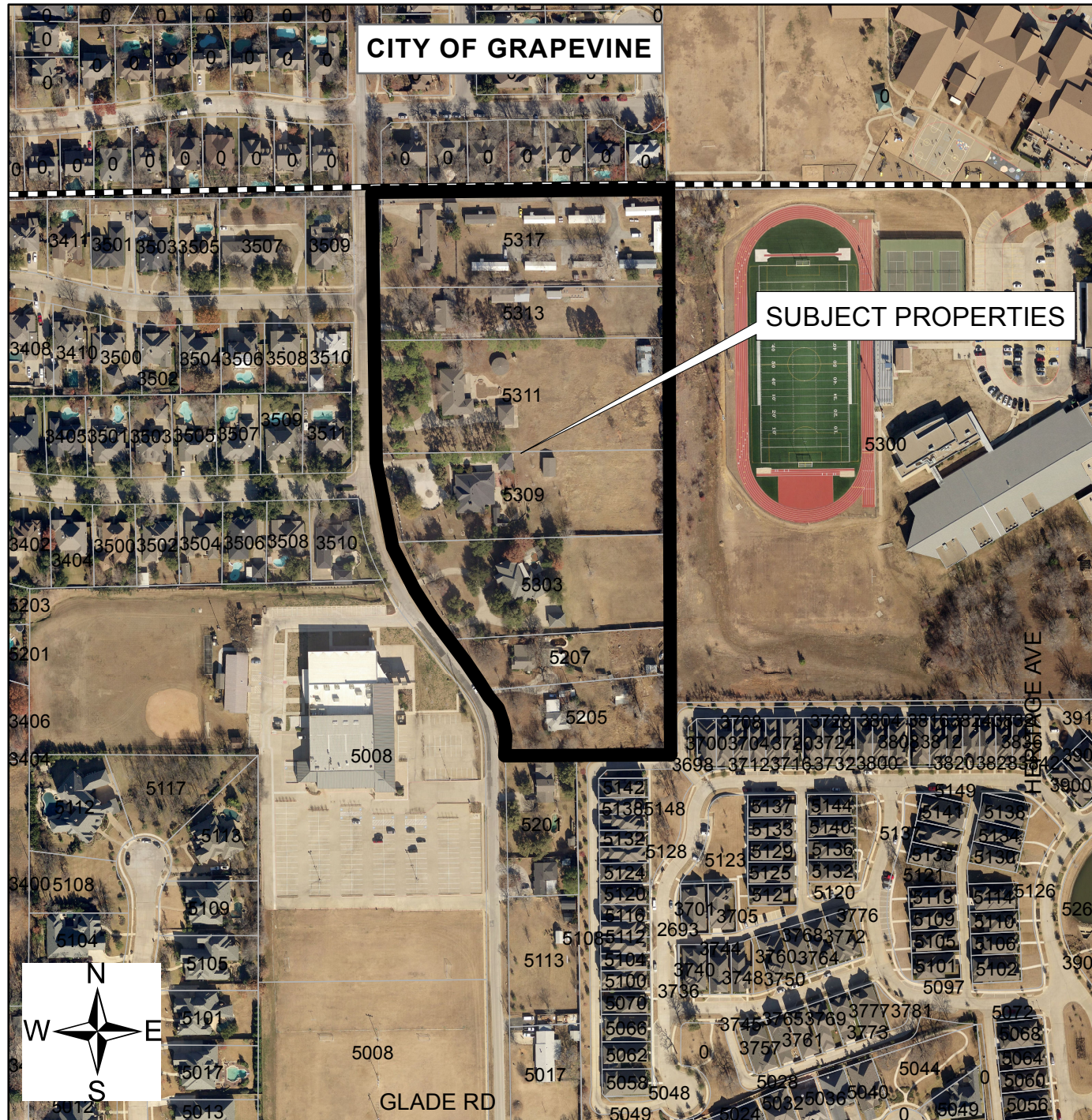
1. Location and Zoning Map
2. Aerial
3. Future Land Use Map
4. Buffer Map
5. Notification List
6. Opposition Map
7. Letters and Speaker Cards of Support
8. Letters and Speaker Cards of Opposition
9. Revised Statement of Planning Objectives
10. Revised Conceptual Development Plan
11. Revised Landscape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

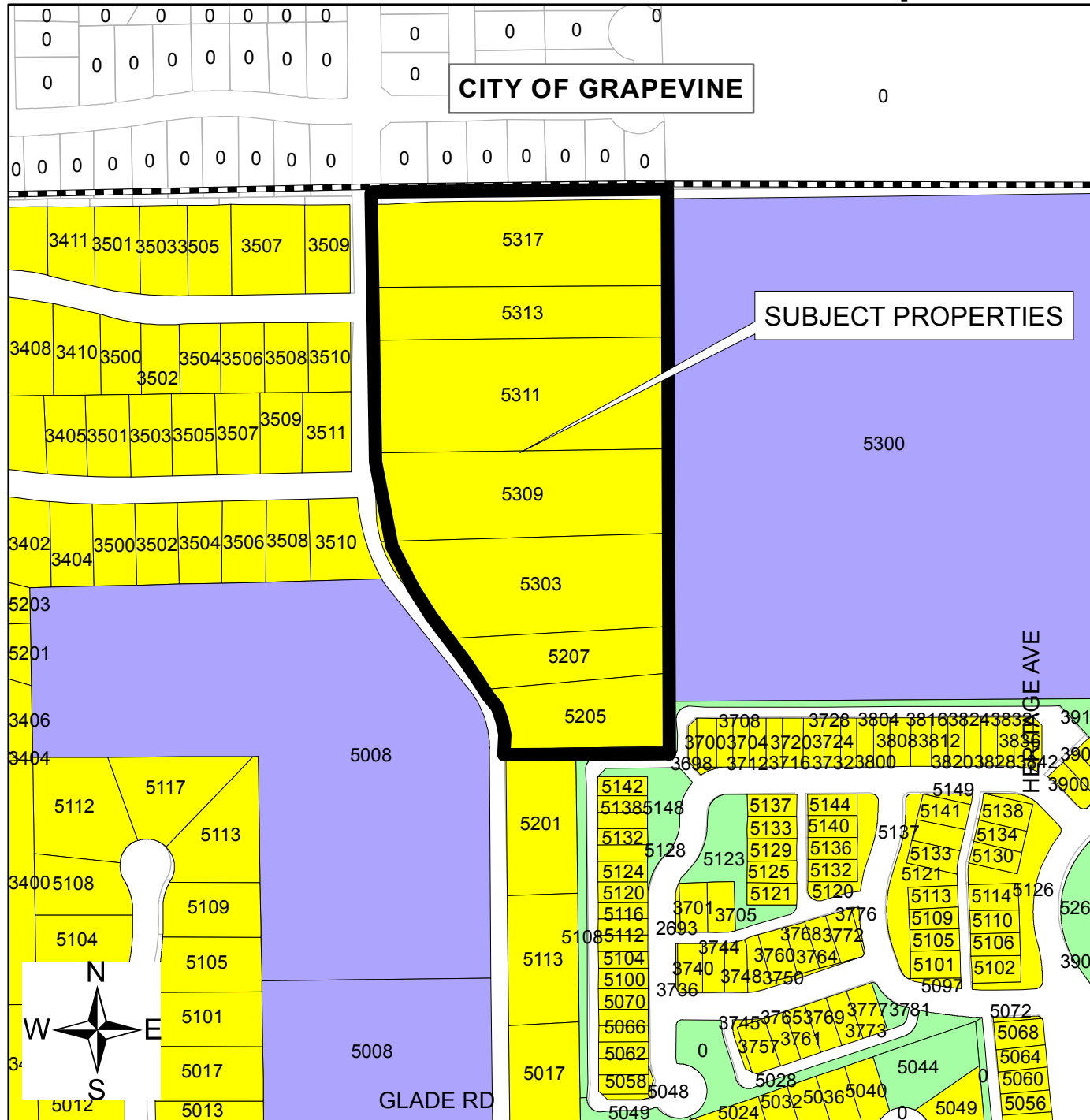
Location and Zoning Map



Aerial



Future Land Use Map



Case ZC14-019

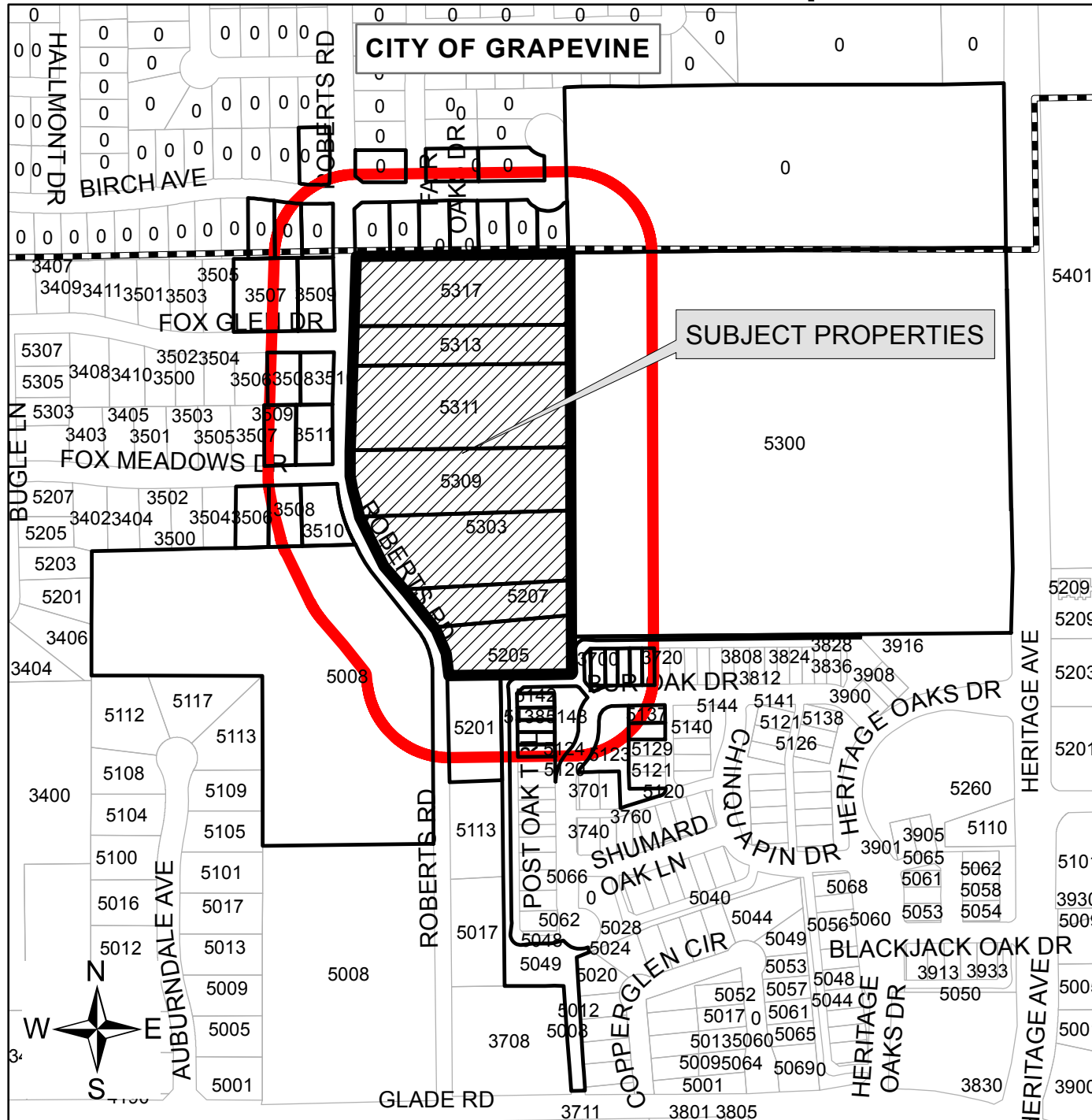
5205, 5207, 5303,
5309, 5311, 5313,
& 5317 Roberts Road

Legend

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



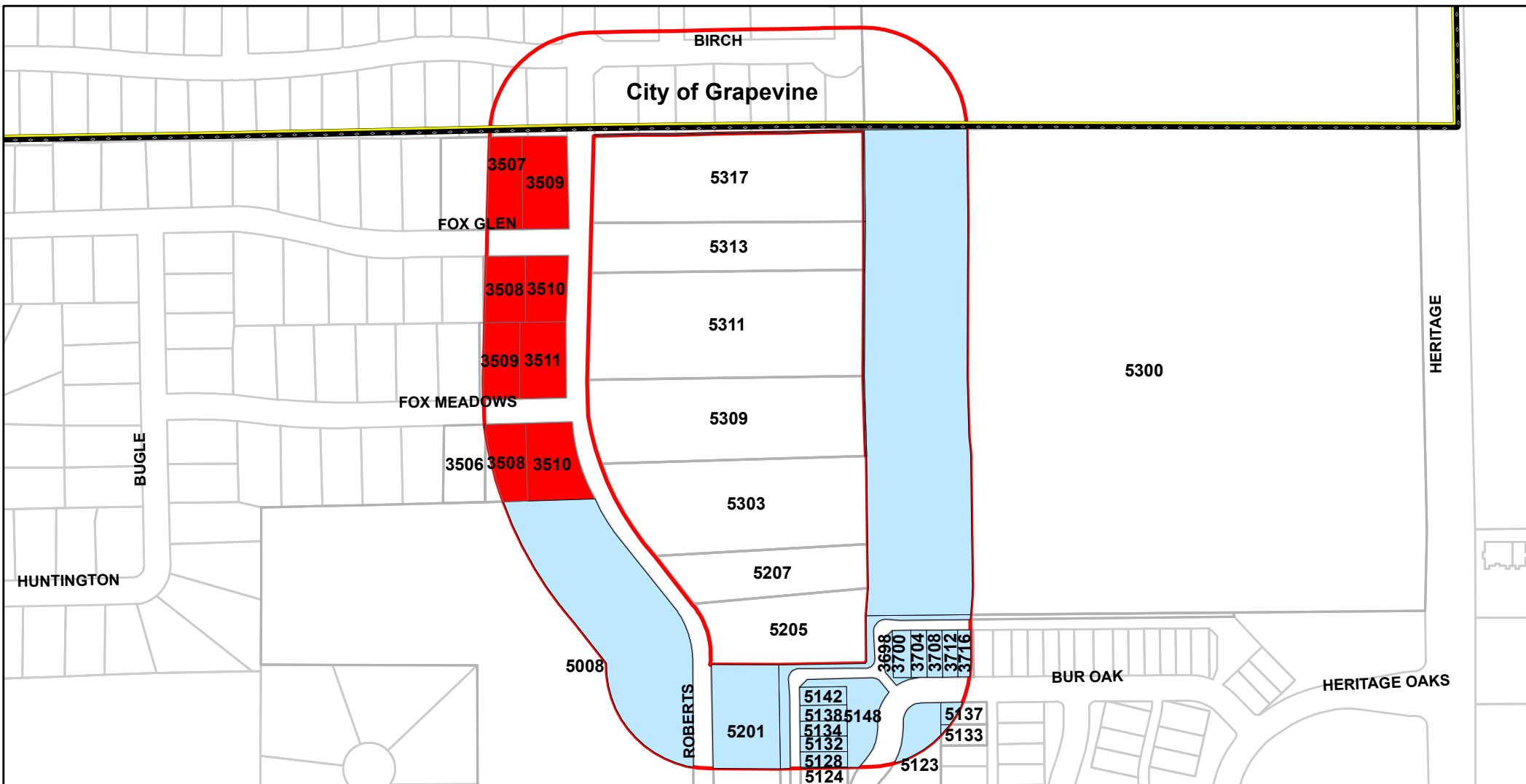
Buffer Map



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



Total Land Area in Buffer (Includes R.O.W): 454316.2319 Sq Ft / 10.4 Total Acres
Total Land Area Opposed (within 200 ft Notice Area): 95770.4101 Sq. Ft 2.19 Total Acres
Percent of Land Opposed (within the 200 ft. Notice Area): 21.0%

Legend

200 ft Buffer

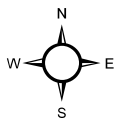
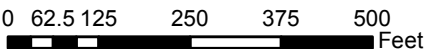
Properties Opposed

Properties within the 200ft Buffer

Parcels

ZC14-019 Opposition Map

Updated 01/15/15



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.

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

Name: Dennis Wiles

Address: 200 Fremont Co 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: [Signature]

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

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. 5d I will speak **In Opposition** to this item.

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

Name: PAT ATKINS TCCI / 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: [Signature]

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)

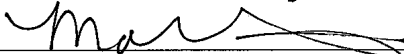
7 I will speak **In Support** of this item. _____ I will speak **In Opposition** to this item.

_____ 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.

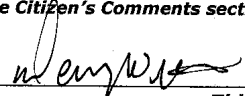
_____ I do not wish to speak, but please record my: _____ **support** _____ **opposition**

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: 

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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)**

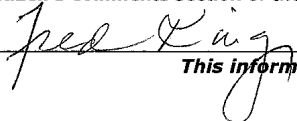
_____ I will speak **In Support** of this item. _____ I will speak **In Opposition** to this item.

_____ 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: 

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

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,

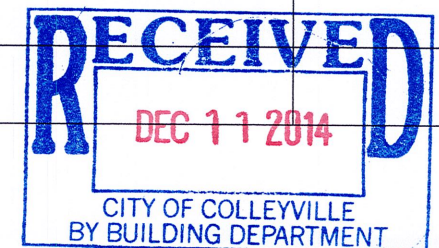
Gary Evans
5201 Bugle Lane (Fox Meadows)
Colleyville, TX 76034
[REDACTED]

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. Andrae Jr	<i>Raymond R. Andrae Jr</i>	3516 Fox Meadows Dr	TRAFFIC	12/7/14
Robert Henry	<i>Robert Henry</i>	3510 Fox Glen Dr.	Ditto	12/10/14



Letters and Speaker Cards of Opposition

From: [Jennifer Fadden](#)
To: [Amy Shelley](#); [Ron Ruthven](#)
Cc: [Chris Fuller](#)
Subject: Fwd: Ordinance O-14-1943
Date: Monday, December 8, 2014 6:06:26 PM

FYI.

Jennifer Fadden
Sent from my iPhone

Begin forwarded message:

From: richard bangs <[REDACTED]>
Date: December 8, 2014 at 5:15:38 PM CST
To: "dkelly@colleyville.com" <dkelly@colleyville.com>, "mtaylor@colleyville.com" <mtaylor@colleyville.com>, "cwollin@colleyville.com" <cwollin@colleyville.com>, "cmogged@colleyville.com" <cmogged@colleyville.com>, "cputnam@colleyville.com" <cputnam@colleyville.com>, "jshort@colleyville.com" <jshort@colleyville.com>, "thart@colleyville.com" <thart@colleyville.com>, "jfadden@colleyville.com" <jfadden@colleyville.com>
Subject: Ordinance O-14-1943
Reply-To: richard bangs <[REDACTED]>

Sirs and Madames:

I am a concerned citizen of Colleyville and am one of the property owners in the Fox Meadows Subdivision who will be directly impacted by this proposed development. We must act to preserve the vision of our city and the planned development that proposes to add 56 units on 11.22 acres does not fit that vision. The housing density along with other significant variances the developer is requesting are well outside the bounds of the Colleyville Land Use Guidelines. Additionally the proposal could significantly affect local school enrollment potentially resulting in redistricting and will definitely impact traffic congestion on Roberts Road. Beyond the obvious safety concerns for children coming and going to school, this traffic increase (approximately 100 vehicles) on a minor, relatively poorly maintained road such as Roberts is not acceptable. The intersection at Glade already is busy enough at work and school travel periods and adding this additional traffic will just exacerbate that situation. There may be possible solutions to this problem but so far the developer has offered none.

We have signatures by all the residences (except one who is out of town) within 200 feet in the Fox Meadows Subdivision on a petition opposing this proposal which will be submitted based on input by the Community Development Department.

Thank you for your kind attention to this matter.

Richard Bangs
3509 Fox Meadows Drive

Letters and Speaker Cards of Opposition

From: [Mona Gandy](#)
To: [Jennifer Fadden](#); [Terry Leake](#)
Cc: [Chris Fuller](#); [Ron Ruthven](#); [Amy Shelley](#)
Subject: FW: City of Colleyville's pending land zoning changes
Date: Monday, December 8, 2014 11:03:37 AM
Attachments: [Land Zoning Changes page 0.pdf](#)

From: Pedro [mailto:[REDACTED]]

Sent: Monday, December 8, 2014 8:17 AM

To: Colleyville

Cc: [REDACTED]
[REDACTED]

Subject: Fwd: City of Colleyville's pending land zoning changes

To the Colleyville City Council:

I strongly urge you to oppose zoning requests ZC14-019 & ZC141-025 in your upcoming council meeting Tuesday, December 16, 2014. Not only has your own Planning and Zoning Commission already unanimously voted (7-0) to deny both requests, the neighbors most affected don't want them. Increased traffic, safety, property values and a continued loss of that "Colleyville feel" are all primary concerns.

Please heed the advice and counsel of your own Planning and Zoning Commission and deny both of these requests.

Respectfully,

Pete Wurst
3402 Huntington Drive
Colleyville, TX 76034
[REDACTED]

Letters and Speaker Cards of Opposition

From: [Mona Gandy](#)
To: [Jennifer Fadden](#); [Terry Leake](#)
Cc: [Ron Ruthven](#); [Chris Fuller](#); [Amy Shelley](#)
Subject: FW: Zoning Issues
Date: Monday, December 8, 2014 4:28:07 PM

From: tim [mailto:t[REDACTED]]
Sent: Monday, December 8, 2014 4:16 PM
To: Colleyville
Subject: Zoning Issues

To the Colleyville City Council:

Please oppose zoning requests ZC14019 and ZC141025 in your December 16th meeting. am a resident of Fox Meadows and do not want these requests to go through.

Please deny both requests.

Sincerely,

Tim Carpenter
3400 Huntington Dr
Colleyville, TX 76034
[REDACTED]

Letters and Speaker Cards of Opposition

- Dear Fox Meadow and Colleyville Neighbor:
- Are you aware of the pending land use zoning change(s) requested for the properties on the east side of Roberts Road in Colleyville?
- There are two (2) separate zoning requests pending before the City Council.
 - Request ZC14-019, calls for the construction of 56 or 60 homes on 11 acres
 - Request ZC141-025, calls for the building of 12 homes on 2.5 acres
- On November 10, 2014, the Colleyville Planning and Zoning Commission voted unanimously (7-0) to deny the requested zoning changes for both cases. City staff also recommended a denial of the zoning change request. This is the first time a zoning change for a Colleyville residential development was ever denied by the P&Z Commission. The reasons for the denial(s) range from public safety to **extreme deviation** from Colleyville's own Land Use Guidelines or normally accepted zoning variances. Both of the land Developers, as is their right, have now appealed the P&Z denial to the City Council. On **Tuesday, December 16** the City Council will meet for the 2nd hearing on the Zoning cases and perhaps vote to override the P&Z recommendations.
- If you are concerned about the building of up to 72 homes on very small lots (~ 5500 sq ft) along Roberts Road, please contact the City Council Members and the City Manager by email. Similar overly aggressive zoning request changes have been modified or withdrawn but your concerns must be communicated to the City Council either in person at the Dec 16 meeting or in writing/mail/email. The City has an excellent web page for information and contacts.
- We all chose to live in Colleyville for its quality of life. While we all want progress for the City, these proposed zoning changes do not seem a positive step for the Fox Meadows or the City.

Letters and Speaker Cards of Opposition

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

Thursday, December 4, 2014

Although we are not against residential development near our subdivision, we do object to the current proposals before the council, Ordinances O-14-1943 and O-14-1944. Our concern is that these proposals will increase traffic significantly on Roberts Road which is not currently designed to support this increase in traffic. Other than the sections directly opposite the Fox Meadows Subdivision, the road is not in particularly good shape.

These two proposals would add 56 and 12(?) additional residential units which could (no particular formula used) add as many as 136 vehicles exiting them onto Roberts Road. In addition to the safety concerns (with the proximity to schools and current traffic exiting Fox Meadows), the increased traffic will certainly impact the longevity of the pavement and increase the cost of maintenance. Currently there are only single family homes exiting onto Roberts and although there is a need for improvements in the pavement in any case, the situation is manageable.

In comparison, the like development off Heritage was developed after that thoroughfare was improved to accommodate the school traffic and does seem to be working well. I am not sure that a similar approach is doable with Roberts. I am not sure what improvements to Roberts can be made to accommodate a similar increase in traffic.

The only alternative appears to be to significantly lower unit count, increase the open space (certainly to the minimum of 20%) and width and quality improvements to Roberts Road.

We have never had a problem with the current residences or the mobile home park (which is not particularly visible for the road) but do understand the desire by some of the residents take advantage of this opportunity. But these proposals as laid out are unacceptable to us.

Regards,

Richard and Moireen Bangs
3509 Fox Meadows Dr
Colleyville, TX 76034

Richard A Bangs
Moireen C. Bangs

RECEIVED

DEC 04 2014

Per

Letters and Speaker Cards of Opposition

From: Anthony Pardini

Sent: Saturday, November 29, 2014 11:55 AM

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

Cc: Jennifer Fadden; Amy Shelley

Subject: Public Hearing: Dec 2 - An Appeal of A Denied Zoning Change Request (Roberts Road); Case ZC14-019

Dear Colleyville Councilors:

This letter concerns an appeal of a unanimous P&Z Board denial of a requested zoning change along Roberts Road. At that 10Nov14 meeting, the P&Z Board correctly concluded that the requested zoning change asked for so many large variances to City norms as to constitute an extremely poorly-posed plan. City staff also recommended denial of the request. As is his right, the developer is now asking for the Council to negate the P&Z vote and staff recommendation. My letter to the P&Z Board concerning that 10Nov14 meeting and remaining City development in general is attached for your reading.

Now on to the applicant appeal at a December 2nd Public Hearing. On 19Nov14, the developer sent to City staff (Mr. Ron Ruthven) a letter formally requesting an appeal of the denial at the Dec 2 Council meeting. In the that letter the developer says he will send, by email, a modified zoning change request along with the appeal request. It is not obvious to me that the the developers modified request for a zoning change is included in the on-line City Council Mtg agenda packet. My question is- did the City staff receive the modified request on Nov 24th and would they have sufficient time to review such a document considering the long Thanksgiving weekend. Without access to the modified zoning request change and in light of the compressed time frame and Holiday, any meaningful Citizen comments on the request would be difficult to prepare.

I am not knowledgeable about the accepted rules governing Public Hearings but I urge the Council not to take any final actions until any revised applicant information is clearly available for a prudent review by all interested parties.

Thank you,

Anthony Pardini
35404 Fox Glen Dr
29Nov2104

Letters and Speaker Cards of Opposition

From: **Anthony Pardini**

Date: Sat, Nov 29, 2014 at 9:54 AM

Subject: Colleyville P&Z - Roberts Road Variance Request

To:

Although I composed this email on November 11, I am just now sending to various parties.

I attended the P&Z meeting on Monday, November 10th. Of particular interest to were agenda items 6a and 6e, the Zoning change requests in the Roberts Road area.

I applaud the Staff recommendation to deny the overly aggressive nature of the zoning request change(s) and the P&Z board for its unanimous vote in denying item 6a. I had to leave the mtg prior to item 6e so I do not know if the P&Z board took any action on that item.

This planned development does not seem worth the few ongoing tax dollars generated (~ \$106,000 annually) by such a poorly posed plan.

I have lived in the City for nearly 20 years (in the Fox Glen subdivision) and in the GCISD for 30 years. All four of my children are graduates from GCISD. My daughter lives in the City and has children in GCISD. I also have a son who lives in Grapevine. In other words we are longtime residents of the City and plan to remain in the area even after I retire. We choose to live in the City for its small town nature in the midst of the ever expanding DFW metro-plex.

As the City is reaching build out, a quality of life perspective needs to be in place when any variances from existing zoning are requested. At this stage of the City's development, growth for growths sake does not maintain the Colleyville life style that we all desire. If I wanted to live in a City like Plano, I would. As I tell my work associates who live in Plano, that Plano was well engineered for cars and not so much for people and now not even the cars can get around.

Getting back to agenda items, 6a and 6e. As I listened to the discussion of merits or mostly lack thereof concerning item 6a, a few related points did not come out in the discussion or just some of my observations.

1) Ingress and egress to Roberts Road from proposed development 6a.

- The north entrance is directly across from Fox Glen Dr. Fox Glen already experiences more traffic than the Colleyville Fox Meadows subdivision alone generates due the connection of a Grapevine neighborhood. Having a new opposing subdivision entrance directly across Roberts road would only add to the difficult conditions on Glade.

- The south entrance is directly across from the Church's new addition parking lot entrance. Also this portion of Roberts Road (the S curve) is narrow and seems to have no taper into the curves (as I was taught as a common feature in a Civil Engineering road design class). I can't tell how many times in this "S" portion of Roberts I have been nearly hit/side swiped as I drive on Roberts. The City must agree with this obvious

Letters and Speaker Cards of Opposition

situation as the original road has been previously widened on the east with some type of low quality material.

2) Question: With the Glade Road traffic constriction and any solution being the most controversial City item (since the Town Center Planning days); do we need to encourage a smaller version of that traffic by allowing an extreme in high density development along Roberts Road? All current Glade Road plans call for virtually no improvements at the Roberts/Glade intersection. The City staff estimated that an additional 700 vehicle trips per day will be generated by 6a and 6e. Should not the developer be required to improve Roberts road or at least a portion of any expense?

3) The developers claim of removing “sub-standard” housing as a valid reason for applying for a zoning variance seems disingenuous and is obviously self serving. In my 20 years of driving/walking by those homes I have never witnessed any issues that would lead me to believe that the people living there were anything but decent people who had nice big yards. Even though the mobile home park is a bit unusual, I have never seen any unsavory actions or unusual police activity.

4) I might think that GCISD would be less than amused to know that a developer was using the concept of unapproved access to the school lands as a “selling” point for their commercial activities. Also the subject of school attendance zones has resurfaced. Does anyone know how this proposed development would impact the GCISD plans?

Thank you for your time in volunteering to the City.

Anthony C Pardini
3504 Fox Glen Dr

Letters and Speaker Cards of Opposition

SPEAKER CARD

Date: 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

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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.

Revised Statement of Planning Objectives



January 12, 2015

Statement of Planning Objectives

The Enclave at Heritage Meadows

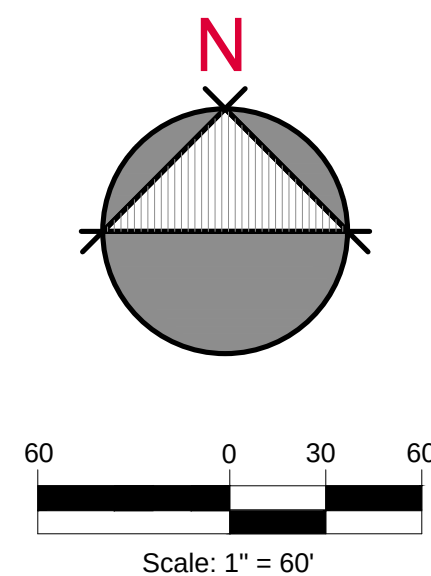
The property consists of 11.6 acres of land, adjacent to Roberts Road A 75' residential collector, west of existing Colleyville Elementary and Middle School. The property is sparsely vegetated with native trees of which a tree preservation plan will be prepared. Development of this property will eliminate 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

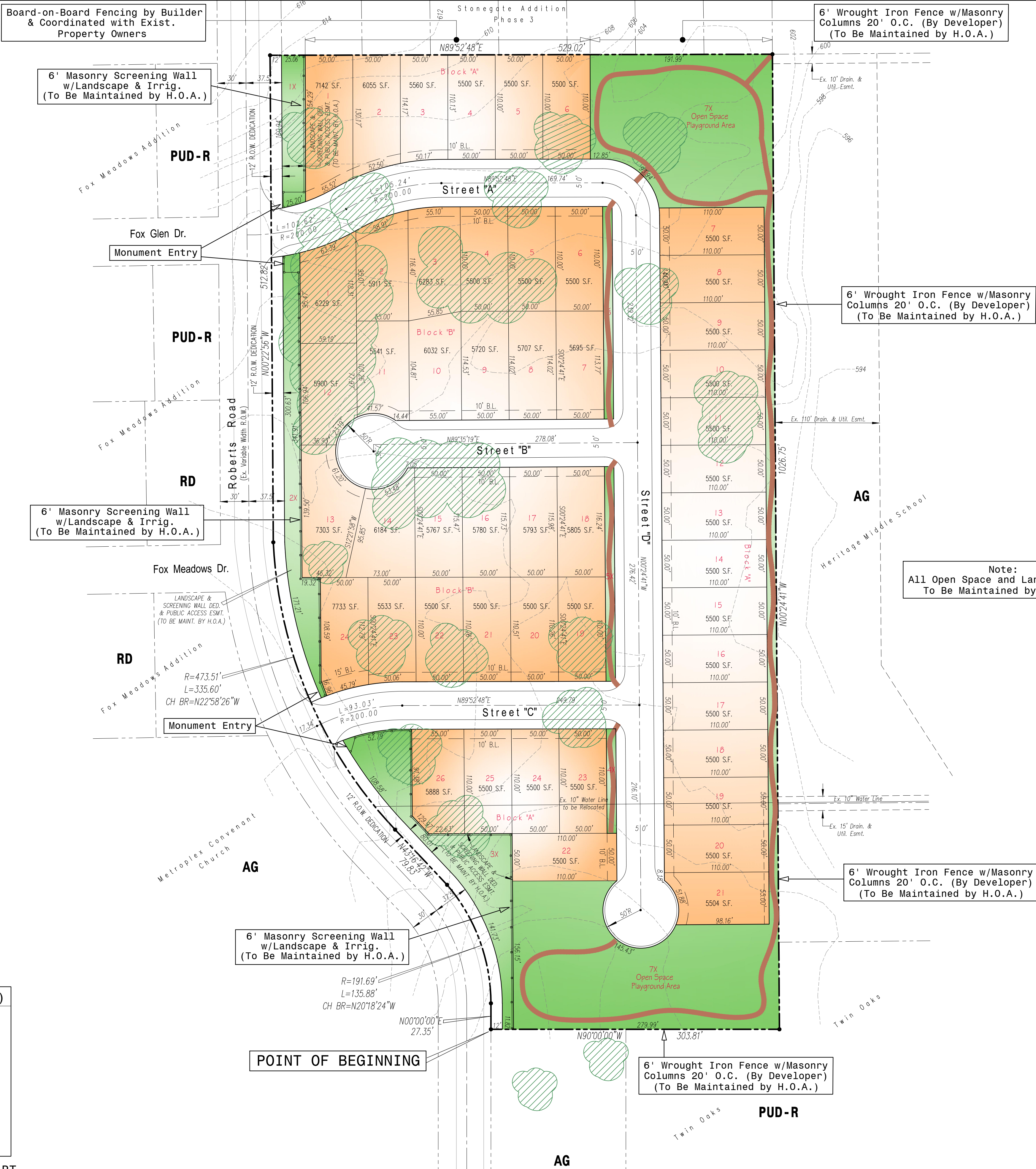
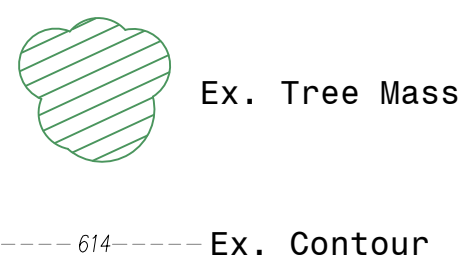
- A. MIN. LOT AREA: 5500 sq ft.
- B. Min Lot Width: 50' @ B.L.
- C. MIN. LOT DEPTH: 90'
- D. FRONT B.L.: 10'
- E. REAR B.L.: 10'
- F. SIDE B.L.: 5'/5' ADJ. TO STREET/ 5' ADJ. to Open Space Lots
- G. MAX. BUILDING HT: 2½ STORIES (35 FEET)
- H. MIN. DWELLING: 2000 sq. ft
- I. LOT COVERAGE: 60%

Thank you,
Pat Atkins
5605 N. MacArthur Suite 1000
Irving, Texas 75038
972-388-6383
kpatatkins@yahoo.com

Revised Conceptual Development Plan



Legend



Vicinity Map
n. t. s.

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.

Open Space - 97,758 SF - 20.2% of Property Area

From Ex. Zoning: AG
To Prop. Zoning: PUD-R

50 Lots
Lots 1X-7X Open Space (Maint. by H.O.A.)
Min. 5,500 SF ~ Min. 50'x110'
4.46 D.U. / Ac.

Site Plan
11.22 ± Ac.

Open Space Data	
Lot No.	Area (S.F.)
1X	3900
2X	8705
3X	12,142
★ 4X	1100
★ 5X	2263
★ 6X	2237
7X	73,011

★-IS NOT INCLUDED AS PART OF OPEN SPACE CALCULATIONS

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

Revised Landscape Plan





THE ENCLAVE AT HERITAGE MEADOWS

Colleyville, Texas

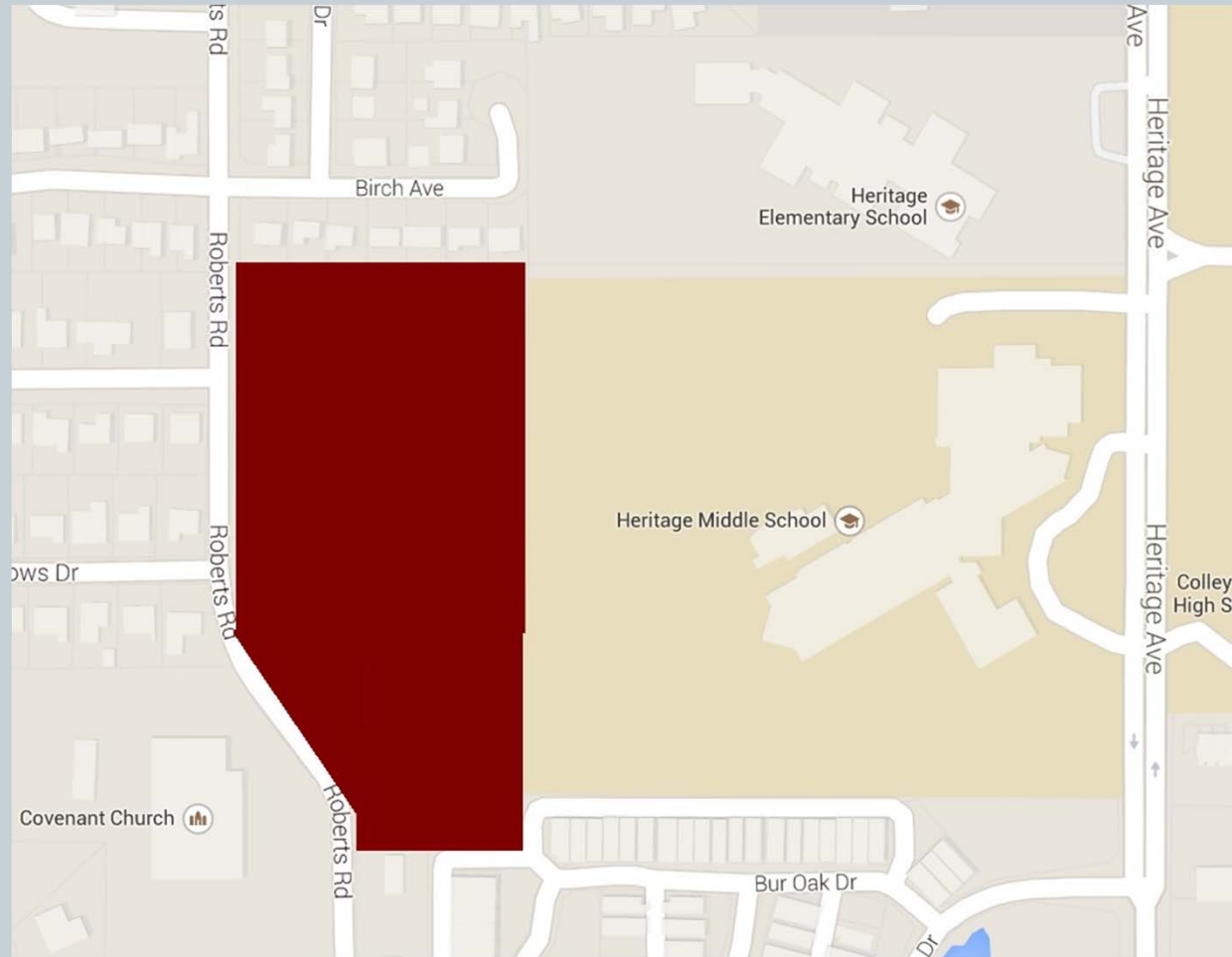
January, 2015

CONTENTS

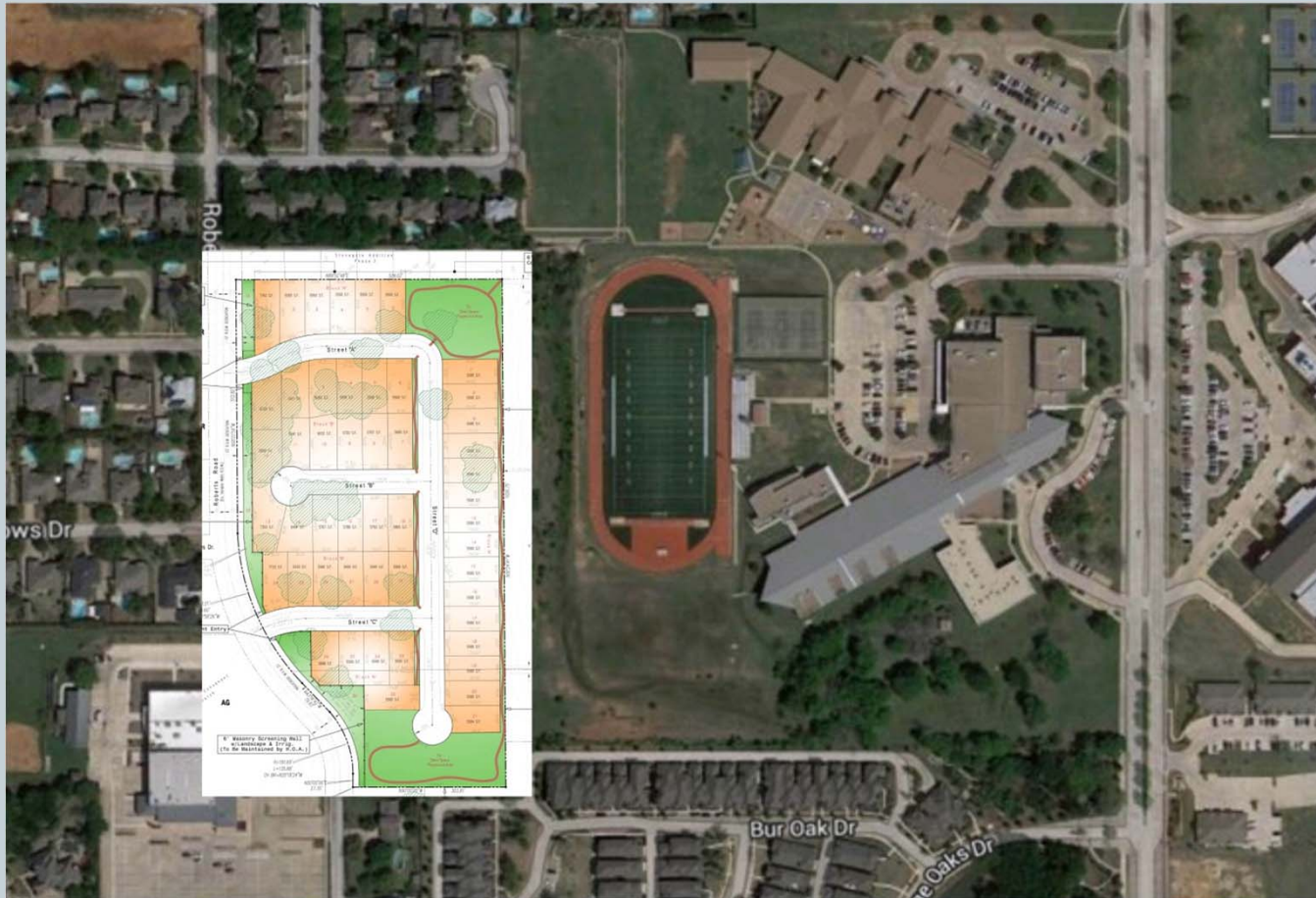


- I. LOCATION
- II. AERIAL OF SITE
- III. PROPERTY DESCRIPTION
- IV. DETAILED DEVELOPMENT PLAN
- V. BUILDING ARCHITECTURAL STANDARDS
- VI. PROPERTY DEVELOPMENT STANDARDS
- VII. PERIMETER SCREENING

I. LOCATION



II. AERIAL OF SITE



III. PROPERTY DESCRIPTION



The property consists of 11.6 acres of land, adjacent to Roberts Road A 75' residential collector, west of existing Colleyville Elementary and Middle School. The property is sparsely vegetated with native trees of which a tree preservation plan will be prepared. Development of this property will eliminate mobile home uses that have been existing for a long period of time. New homes construction will range from \$650K and up. The homes will be marketed towards young families, young professionals and empty nesters lifestyle. Creating an additional 34 million dollars to the City of Colleyville tax base. There will be a Master H.O.A. required within the development of the property. We are excited to bring this upscale residential development to this area which surpasses expectations required in your comprehensive master plan within district one. A master trail system will be implemented which will connect Roberts Road and our development.

III. PROPERTY DESCRIPTION



The density is justified based on elimination of substandard uses on the properties (mobile homes) and creation, with consolidation of properties of an exclusive high end residential neighborhood. This development will provide over 34 million dollars annual tax base to the City of Colleyville. The recently approved residential development to our southeast PUD-R is higher density and has lower property values than our proposal. The 2025 city comprehensive plan identifies this area within neighborhood district 1 being surrounded by public uses. The comprehensive plan is encouraging consolidation of parcels into upscale neighborhoods which we feel we have accomplished with our plan and have exceeded The City of Colleyville's expectations.

IV. DETAILED DEVELOPMENT PLAN



Revised Presentation from Applicant



50 Lots
S i t e P l a n
11.22 ± Ac.

The Enclave at Heritage Meadows

CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

Developer:
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3930 Glade Road, S. 108-322
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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

January 8, 2015

Scale: 1" = 60'

Revised Presentation from Applicant



V. BUILDING ARCHITECTURAL STANDARDS



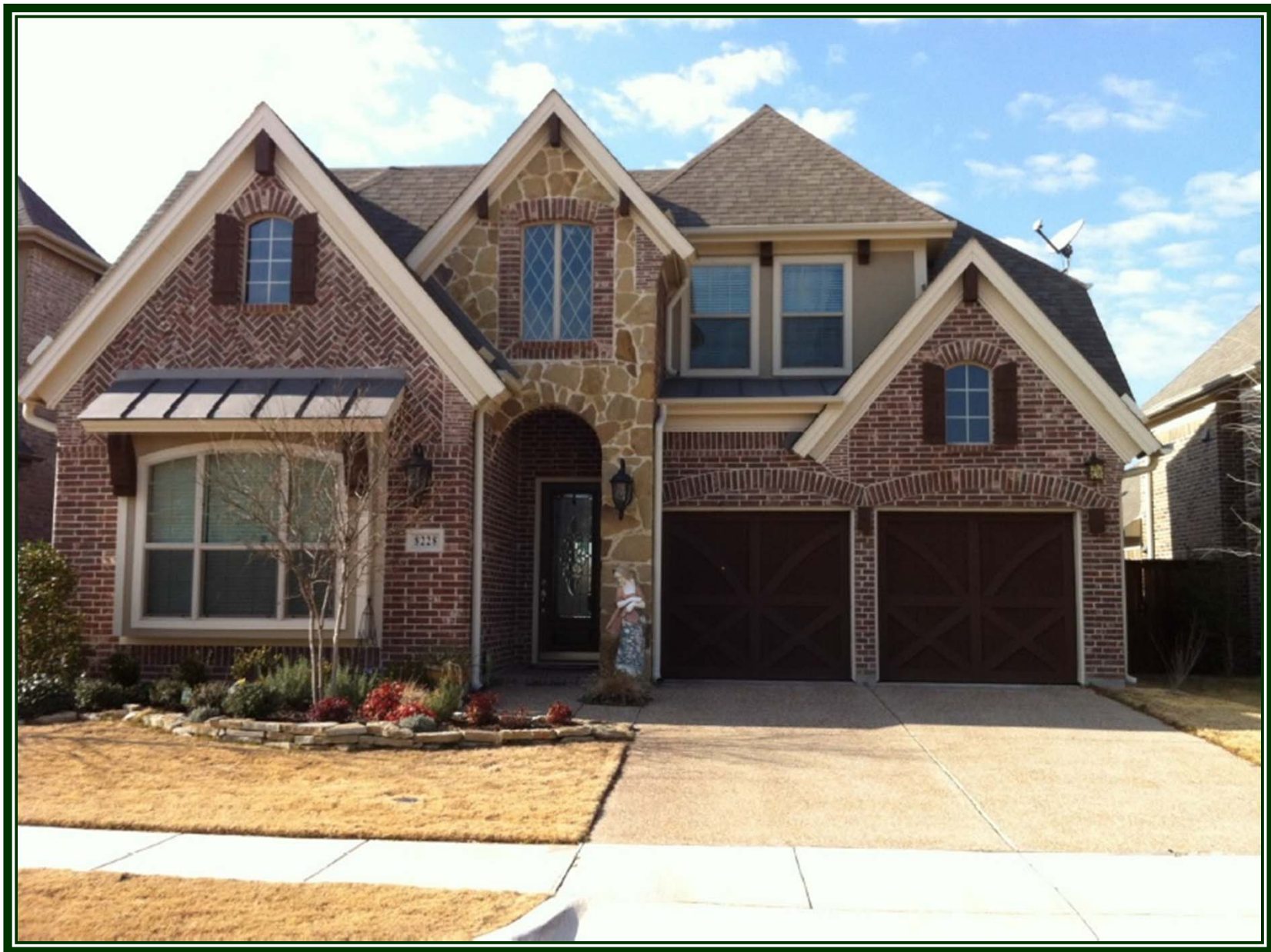
Revised Presentation from Applicant



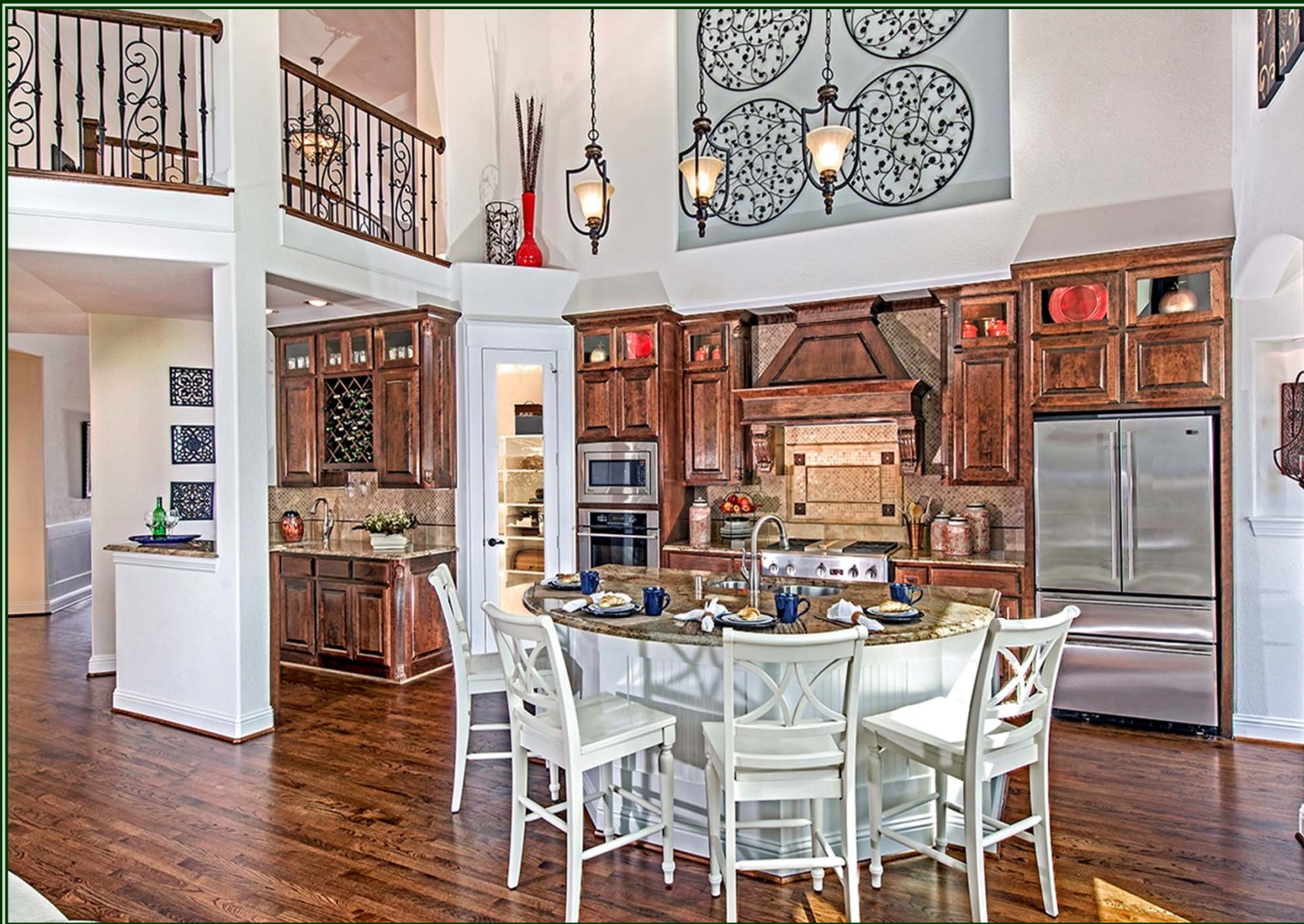
Revised Presentation from Applicant



Revised Presentation from Applicant



Revised Presentation from Applicant



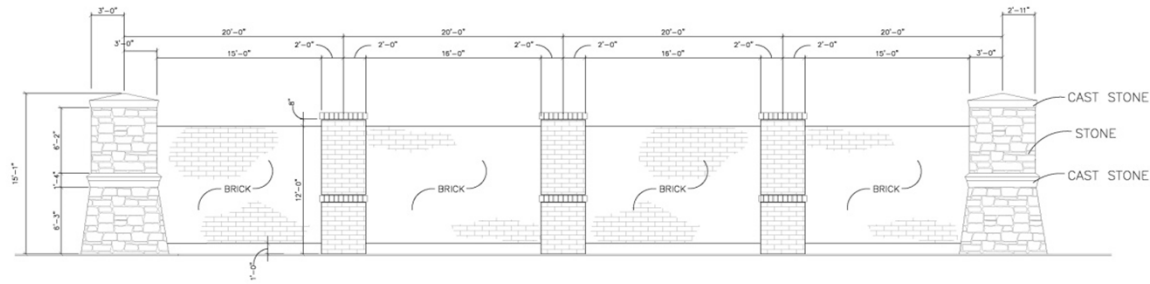
Revised Presentation from Applicant



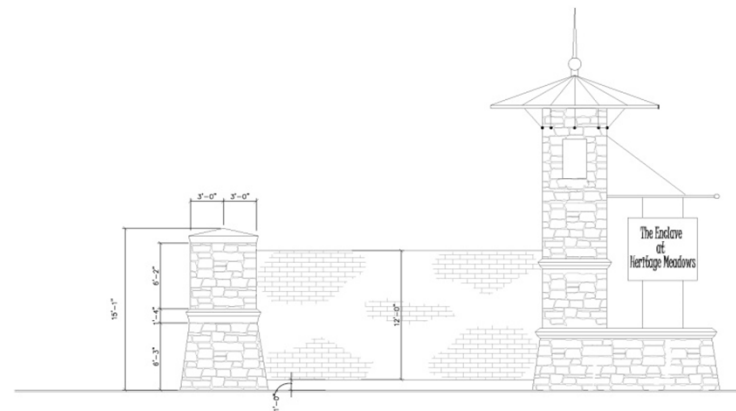
Revised Presentation from Applicant



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
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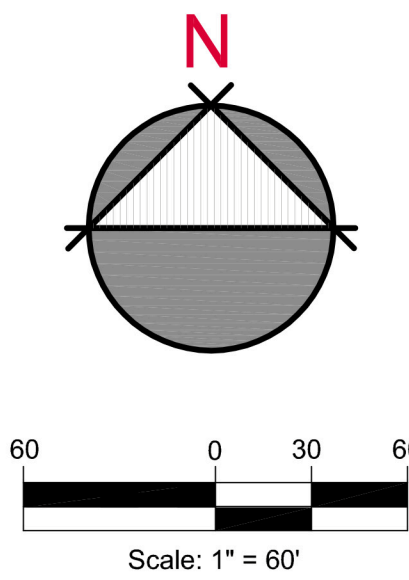
October 28, 2014

Scale: 1" = 60'

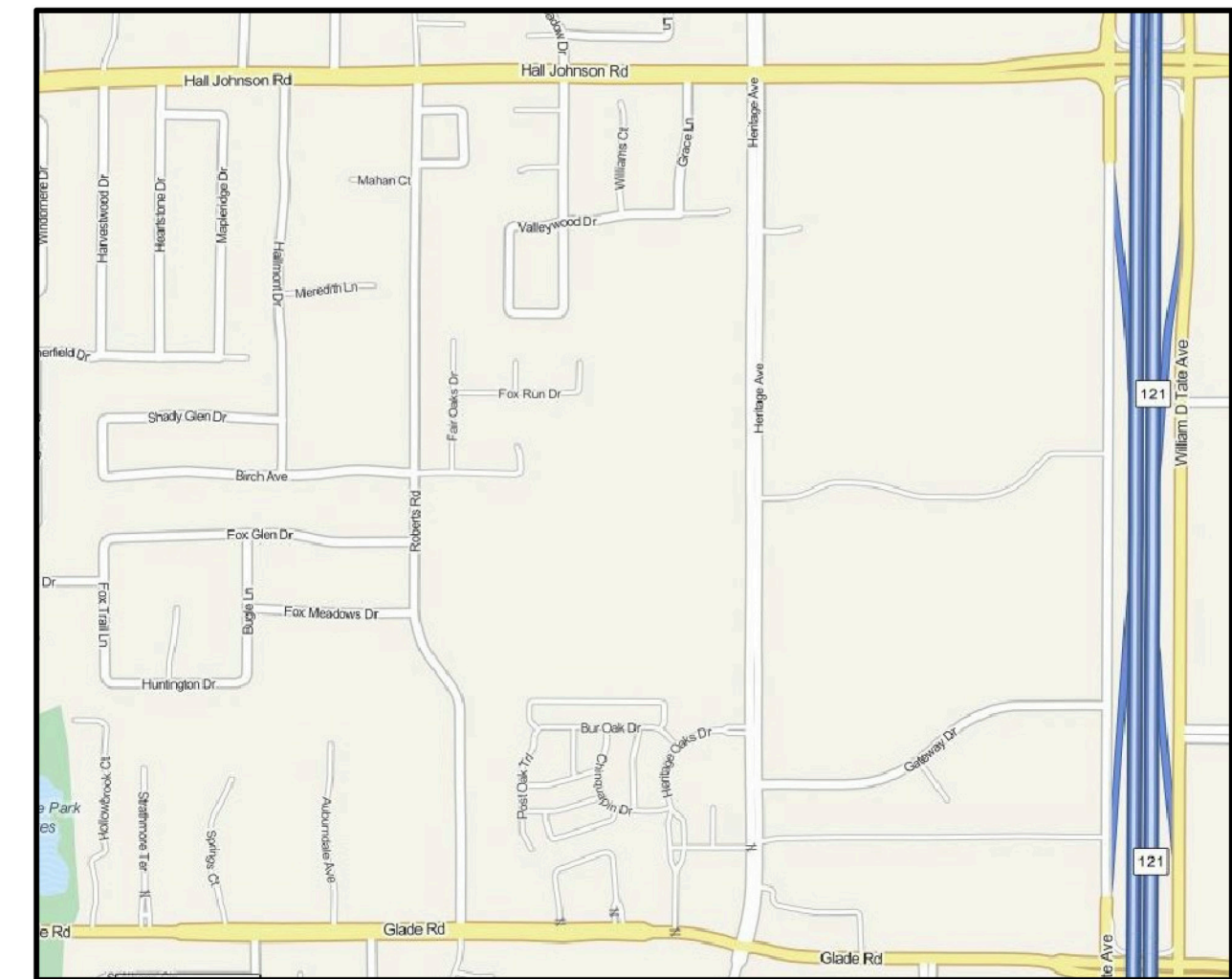
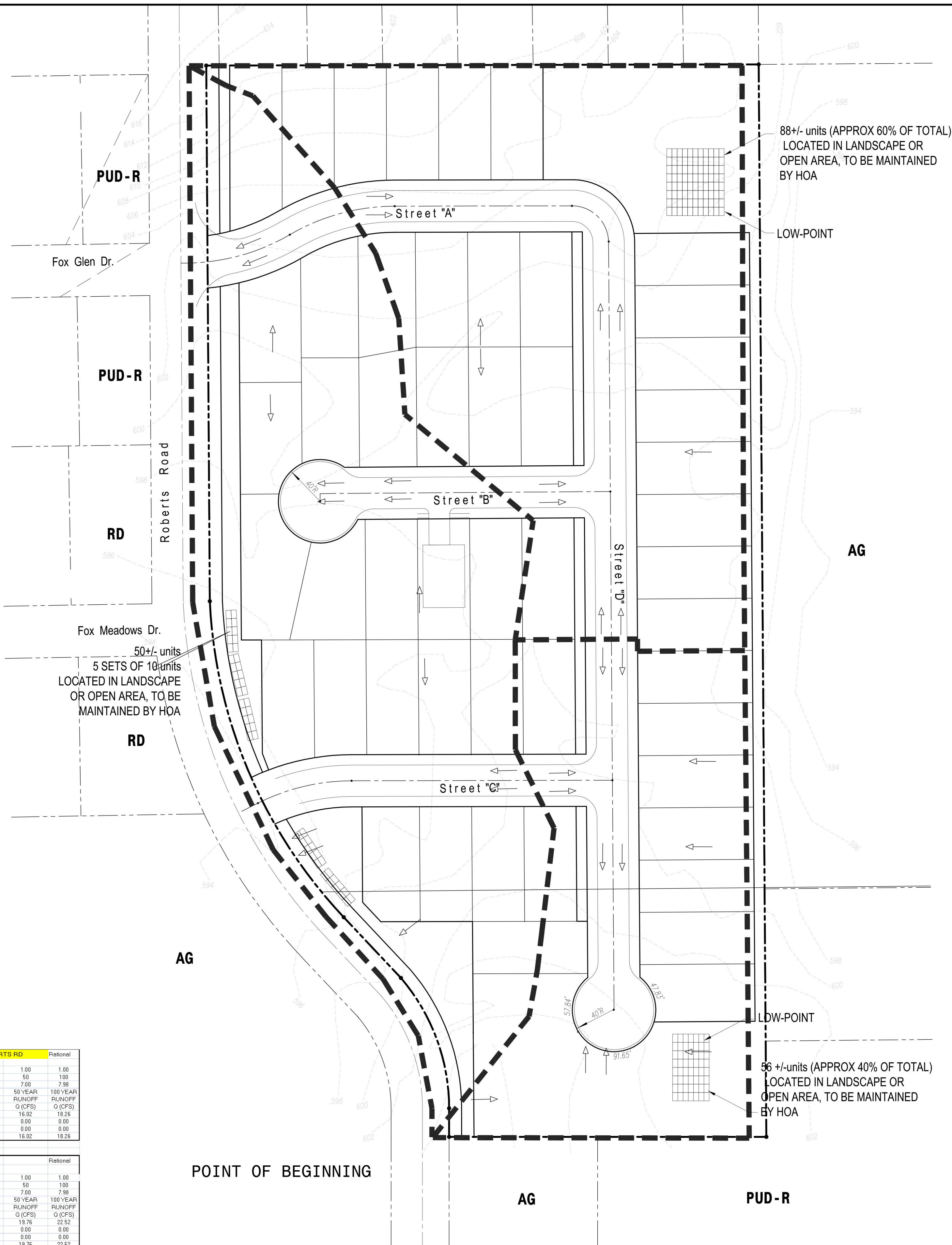
Revised Presentation from Applicant



Revised Preliminary Drainage Analysis



	Project	Colleyville Enclave				
EXISTING CONDITIONS TO WEST						
	Total	IMPROVED	GRASS/LANDSCAPE			
	207691.2	61639	146052.2			
		0.9	0.3			
		55475.10	43815.66			
			Current C Factor			
			0.48			
EXISTING CONDITIONS TO EAST						
	Total	Paved	grass			
	281052	34591	246061			
		0.9	0.3			
		31491.90	23818.30	105310.20		
			Current C Factor	0.37		
PROPOSED SITE 2014-12-05						
ROAD SIDEWALKS						
	Length	width				
ROADWAY	1704	30	51120 SF			
ROBERTS RD SIDEWALK	1090	5	5450			
	3785	4	15140			
	Cul-DE	40	2	10053 SF		
	Houses	60	40	2400		
		22	30	660		
			houses	15660 SF		
				237823 SF		
IMPROVED SURFACE						
	Total	Paved	grass			
	488743	237823	250920			
		0.90	0.30			
		214840.75	75276.04	289316.80		
			DEVELOPED C Factor	0.59		



Vicinity Map
n. t. s.

Legend

- Ex. Contour
- Flow Direction of drainage system
- Drainage Area
- Drainage Divide

Determine total Pre-Development Peak Storm Water Discharge Rates Colleyville Enclave TO SCHOOL Rational									
MINIMUM TIME OF CONCENTRATION 15 Minutes									
PRE-DEVELOPMENT EAST		0.37	YEAR		1.00	1.00	1.00	1.00	1.00
POST-DEVELOPMENT		0.59	IN/HR		2	5	10	25	100
Q-CFCTA			2 YEAR		3.32	4.06	5.53	6.88	7.98
AREA		AREA	COEFF		C x A		2 YEAR	5 YEAR	10 YEAR
Sq Ft		ACRES	C ₁		Q (CFS)		Q (CFS)	Q (CFS)	Q (CFS)
TO SCHOOL		281,052	6.45		0.37		7.93	9.69	13.20
TOTAL		281,052	6.45				7.93	9.69	13.20

Determine total Post-Development Peak Storm Water Discharge Rates Colleyville Enclave FULLY DEVELOPED Rational									
MINIMUM TIME OF CONCENTRATION 15 Minutes									
PRE-DEVELOPMENT EAST		0.37	YEAR		1.00	1.00	1.00	1.00	1.00
POST-DEVELOPMENT		0.591960761	IN/HR		2	5	10	25	100
Q-CFCTA			2 YEAR		3.32	4.06	5.53	6.88	7.98
AREA		AREA	COEFF		C x A		2 YEAR	5 YEAR	10 YEAR
Sq Ft		ACRES	C ₁		Q (CFS)		Q (CFS)	Q (CFS)	Q (CFS)
TO SCHOOL		281,052	6.45		0.59		12.68	15.51	21.12
TOTAL		281,052.00	6.452				12.68	15.51	21.12

Comparison of Pre and Post Development Peak Discharge									
PRE-DEVELOPMENT		2	5	10	25	50	100		
POST-DEVELOPMENT		4.75	9.81	7.92	9.95	10.02	11.43		
Delta									
			60%	60%	60%	60%	60%		

Preliminary Determination of Detention Pond Volume									
15 minutes		2	5	10	25	50	100		
Cubic Feet		4278	5233	7128	8868	9022	10285		
Min Depth		15.00	15.00	15.00	15.00	15.00	15.00		
LXWxH		147	147	147	147	147	147		
CF/Unit		31	31	31	31	31	31		
StormTech SC-310		45.00	45.00	45.00	45.00	45.00	45.00		
StormTech SC-740		60.00	60.00	60.00	60.00	60.00	60.00		
StormTech SC-100		63.00	63.00	63.00	63.00	63.00	63.00		
StormTech MC-350C		84.00	84.00	84.00	84.00	84.00	84.00		

Determine total Pre-Development Peak Storm Water Discharge Rates Colleyville Enclave TO ROBERTS RD Rational									
MINIMUM TIME OF CONCENTRATION 15 Minutes									
PRE-DEVELOPMENT WEST		0.48	YEAR		1.00	1.00	1.00	1.00	1.00
POST-DEVELOPMENT		0.59	IN/HR		2	5	10	25	100
Q-CFCTA			2 YEAR		3.32	4.06	5.53	6.88	7.98
AREA		AREA	COEFF		C x A		2 YEAR	5 YEAR	10 YEAR
Sq Ft		ACRES	C ₁		Q (CFS)		Q (CFS)	Q (CFS)	Q (CFS)
TO WEST		207,691	4.77		0.48		2.29	7.60	9.29
TOTAL		207,691	4.77				7.60	9.29	12.66

Determine total Post-Development Peak Storm Water Discharge Rates Colleyville Enclave FULLY DEVELOPED Rational									
MINIMUM TIME OF CONCENTRATION 15 Minutes									
PRE-DEVELOPMENT WEST		0.48	YEAR		1.00	1.00	1.00	1.00	1.00
POST-DEVELOPMENT		0.591960761	IN/HR		2	5	10	25	100
Q-CFCTA			2 YEAR		3.32	4.06	5.53	6.88	7.98
AREA		AREA	COEFF		C x A		2 YEAR	5 YEAR	10 YEAR
Sq Ft		ACRES	C ₁		Q (CFS)		Q (CFS)	Q (CFS)	Q (CFS)
TO WEST		207,691	4.77		0.59		2.82	9.37	11.46
TOTAL		207,691.00	4.768				9.37	11.46	15.61

Comparison of Pre and Post Development Peak Discharge									
PRE-DEVELOPMENT		2	5	10	25	50	100		
POST-DEVELOPMENT		1.77	2.17	2.95	3.67	3.74	4.26		
Delta									
			23%	23%	23%	23%	23%		

Preliminary Determination of Detention Pond Volume									
15 minutes		2	5	10	25	50	100		
Cubic Feet		1595	1951	2657	3305	3363	3834		
Min Depth		15.00	15.00	15.00	15.00	15.00	15.00		
LXWxH		147	147	147	147	147	147		
CF/Unit		31	31	31	31	31	31		
StormTech SC-310		45.00	45.00	45.00	45.00	45.00	45.00		
StormTech SC-740		60.00	60.00	60.00	60.00	60.00	60.00		
StormTech SC-100		63.00	63.00	63.00	63.00	63.00	63.00		
StormTech MC-350C		84.00	84.00	84.00	84.00	84.00	84.00		

DETENTION FACILITY:
THE FINAL CONFIGURATION AND CAPACITY OF EACH PORTION OF THE DETENTION SYSTEM SHALL BE DETERMINED INCLUDED WITH CONSTRUCTION DOCUMENTS SUBMITTED TO CITY FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION. THE STORM WATER COLLECTION SYSTEM SHALL BE ROUTED TO THE UNDERGROUND DETENTION STRUCTURES PRIOR TO BEING DISCHARGED. EACH DISCHARGE STRUCTURE SHALL BE DESIGNED TO LIMIT THE DISCHARGE RATE TO PRE-CONSTRUCTION CONDITIONS.

50 Lots
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
972.896.6989
Contact: Tommy Tabor, P.E.

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



S i t 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
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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	50	50	90	5,500	5,600	60%	4.5	5.8	11.2	20.0%		
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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 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

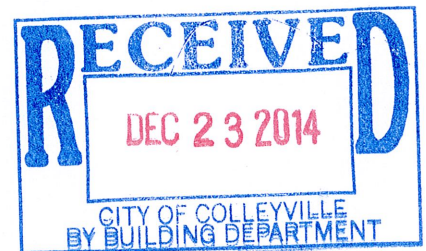
City of Colleyville, 100 Main Street, Colleyville, Texas 76034

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, stylized, light blue oval shape.

Pat Atkins, Director of Land Development and Acquisition



Applicant's Appeal



November 19, 201

To: Ron Ruthven, AICP, Director
Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034

Project Description: Enclave Heritage Meadows Colleyville, Texas Project 14021
Case Number: ZC14-019

Dear Mr. Ron Ruthven,

We are here by formally requesting appeal to the City Council on December 2nd, 2104. Based on action of denial by the Planning and Zoning Commission of November 10th, 2014. This appeal requests will be with modification that will be forwarded to you by email on Monday November 24, 2014.

Thank you,

A handwritten signature in black ink, appearing to read 'Pat Atkins', is written over a large, light-colored, irregular oval shape that serves as a background for the signature.

Pat Atkins

5605 N. MacArthur
Suite 1000
Irving, Texas 75038
972-388-6383

Statement of Planning Objectives

The Enclave at Heritage Meadows

The property consists of 11.16 acres of land adjacent to Roberts Road a 60 foot residential collector west of the existing Colleyville Elementary and Middle School. The property is sparsely vegetated with native trees of which a tree preservation plan will be prepared. Development of this property will eliminate mobile home uses that have been existing for a long period of time. New home construction will range from \$500K and up and will be marketed towards young families and the young professional/empty nester lifestyle. Creating an additional 31 million to the City of Colleyville tax base. There will be a master HOA required within the development of the property. We are excited to bring this upscale residential development to this area which surpasses expectations required in your comprehensive master plan within district one. A master trail system will be implemented which will connect Roberts Road, and our development to the schools and eventually Heritage Parkway. The product we anticipate will be similar to the 40' product of Heritage Cove recently built. With alley service that enhances the front architectural appeal along the residential street.

Development Standards

Min Lot Area 4400 s.f.

Min Lot Width 40' B.L.

Min Lot Depth 90'

Front B.L. 10'

Rear B.L. 10'

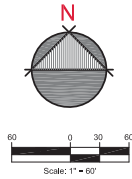
Side B.L. 5' /5' Adj to street.

Max Building Ht 2 Y, Stories (35 ft)

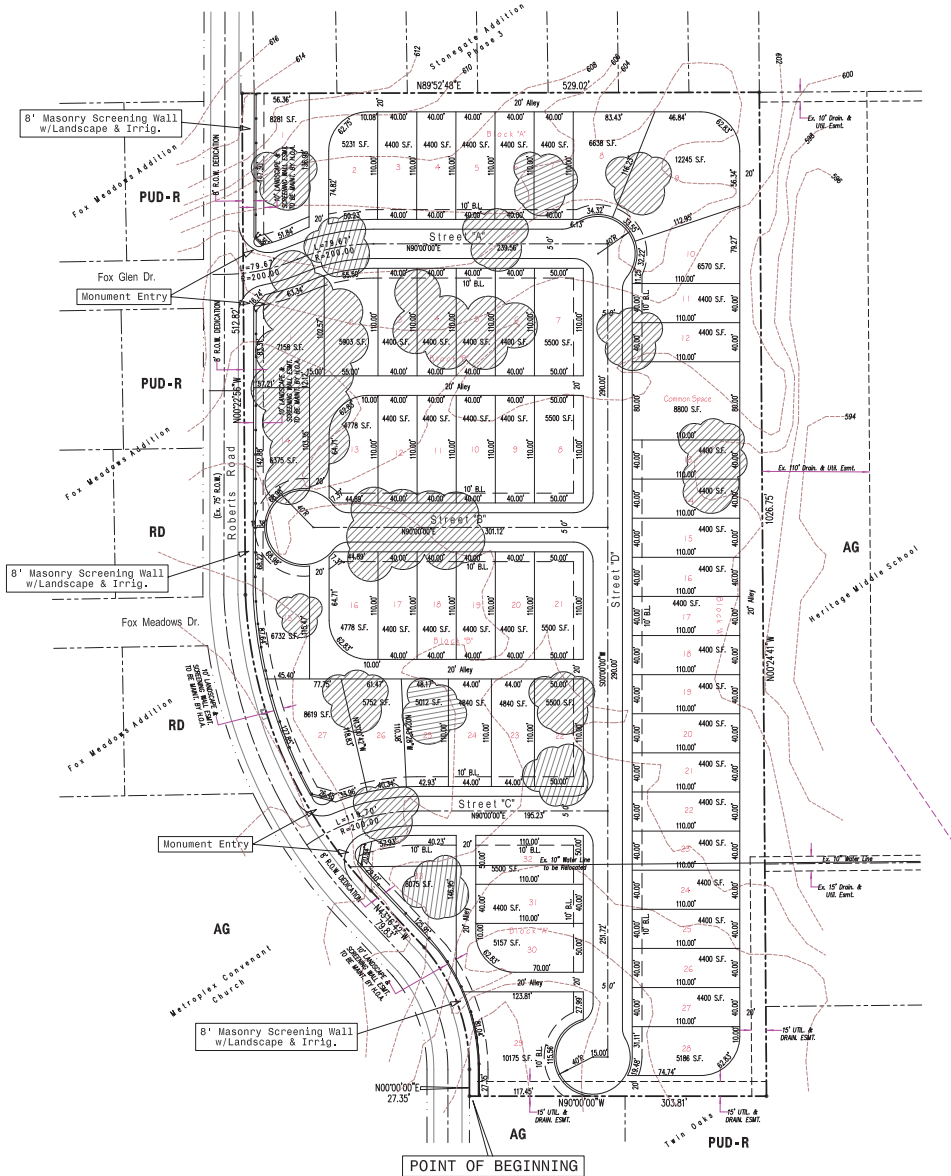
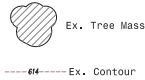
Min Dwelling 2000 s.f.

Lot Coverage 60%

Conceptual Development Plan



Legend



Vicinity Map
n. t. s.

Property Description

BEING a 11.22 acre tract of land situated in the G.W. Winters Survey, Abstract No. 1034, situated in Tarrant County, Texas and being all of the tracts of land described by deed to Bharat V. Patel recorded in Instrument No. 015862444 and Instrument No. 020817886 of the Deed Records of Tarrant County, Texas, all of the tract of land described by deed to Bharat V. Patel and wife, Barbara J. Patel recorded in Volume 7778, Page 304 of the Deed Records of Tarrant County, Texas, and all of the tract of land described by deed to Robert M. Viles recorded in Instrument No. 020814884 of the Deed Records of Tarrant County, Texas and being more particularly described as follows:

BEGINNING at the Southwest corner of said tract said point also being on the easterly Right-of-Way line of Roberts Road (an existing 60' right-of-way);

THENCE North a distance of 27.35 feet to a point for corner;

THENCE a curve to the left having a radius of 191.69 feet and a length of 135.86 feet with a chord bearing of North 20°16'24" West;

THENCE North 43°16'42" West a distance of 79.83 feet to a point for corner;

THENCE a curve to the right having a radius of 473.51 feet and a length of 335.80 feet with a chord bearing of North 22°58'28" 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

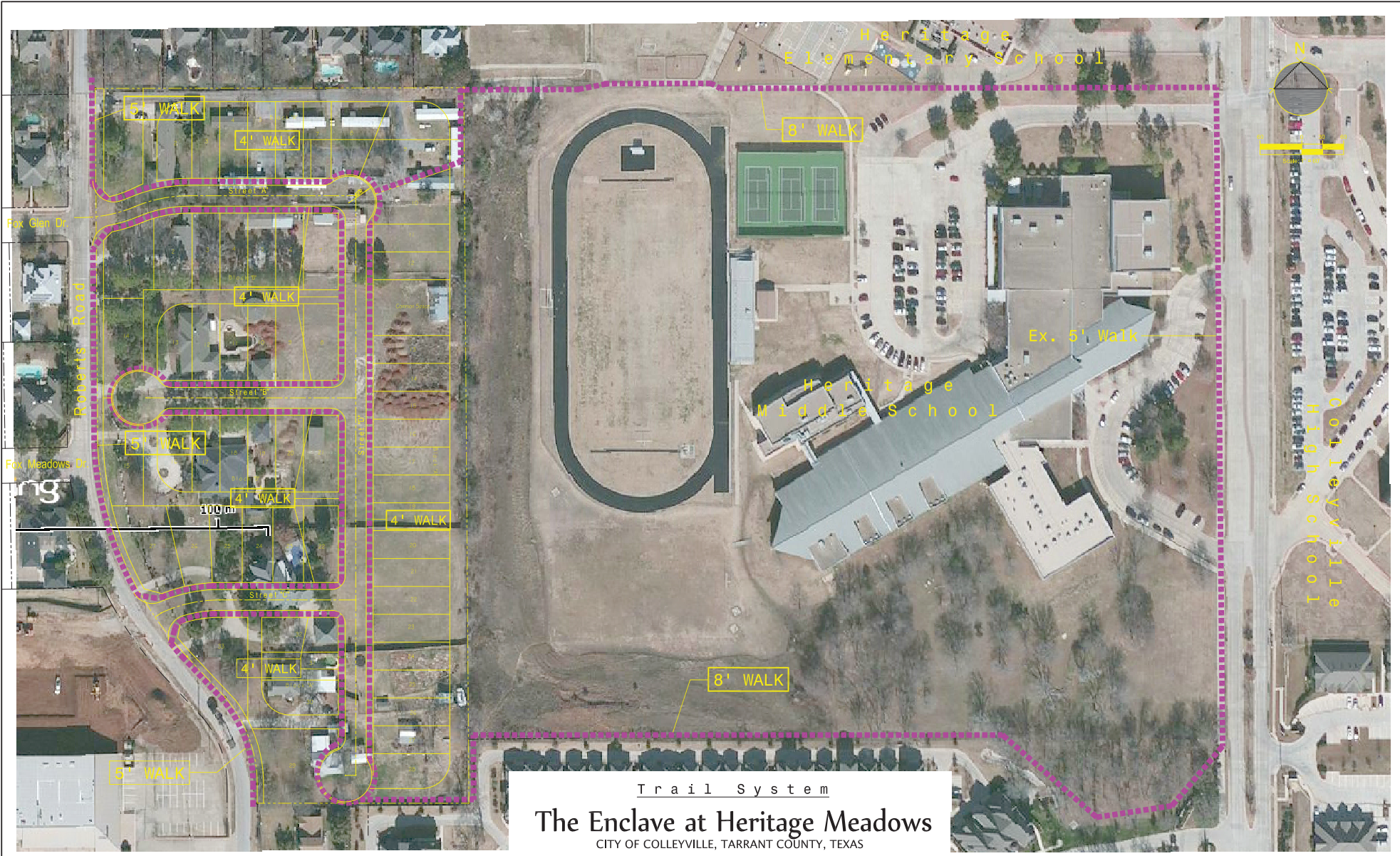
Engineer:
T. TABOR CONSULTING, PLLC
1301 E. Debbie Lane 102-152
Mansfield, Texas 76063
972.896.6989
Contact: Tommy Tabor, P.E.

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

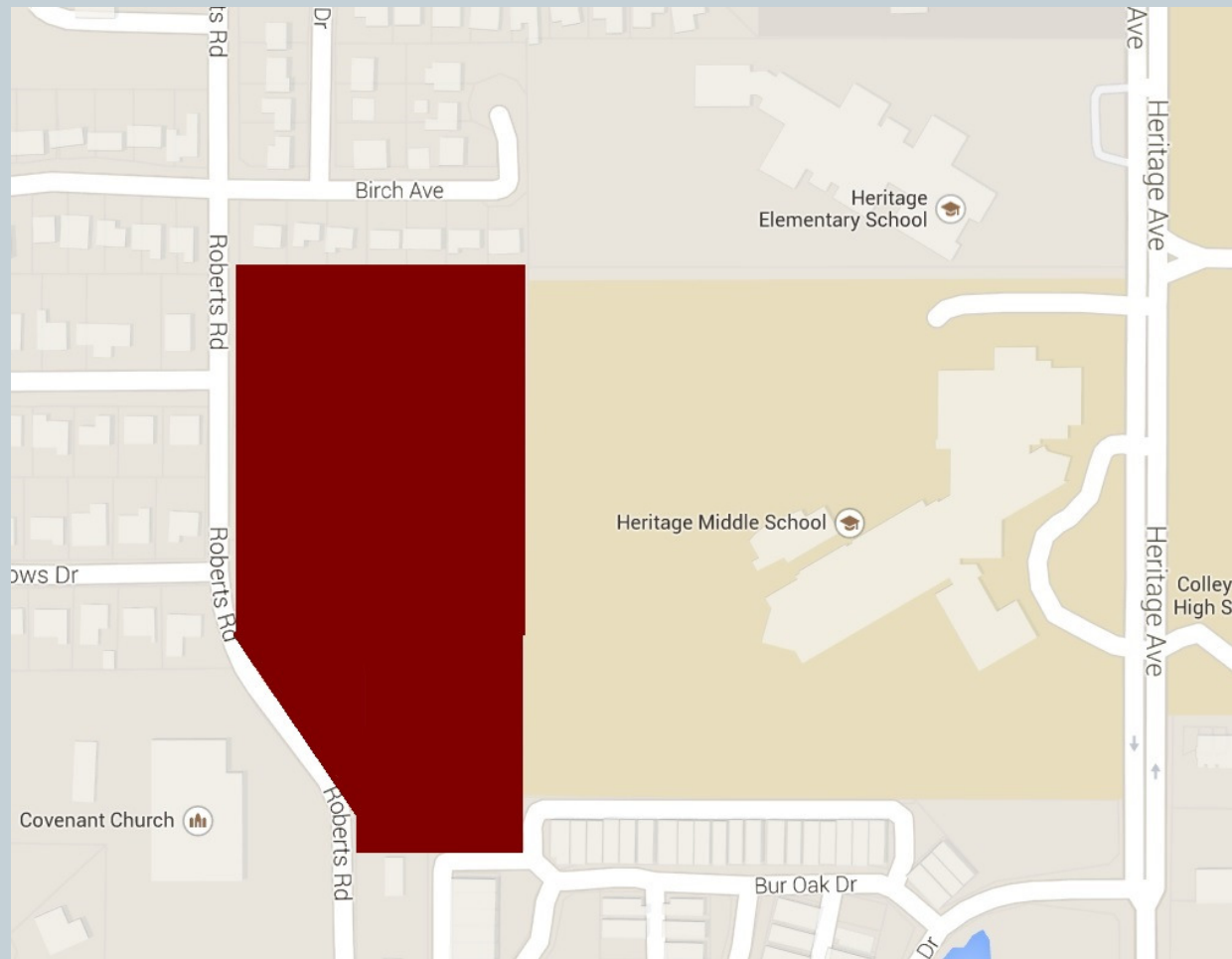
November, 2014

CONTENTS

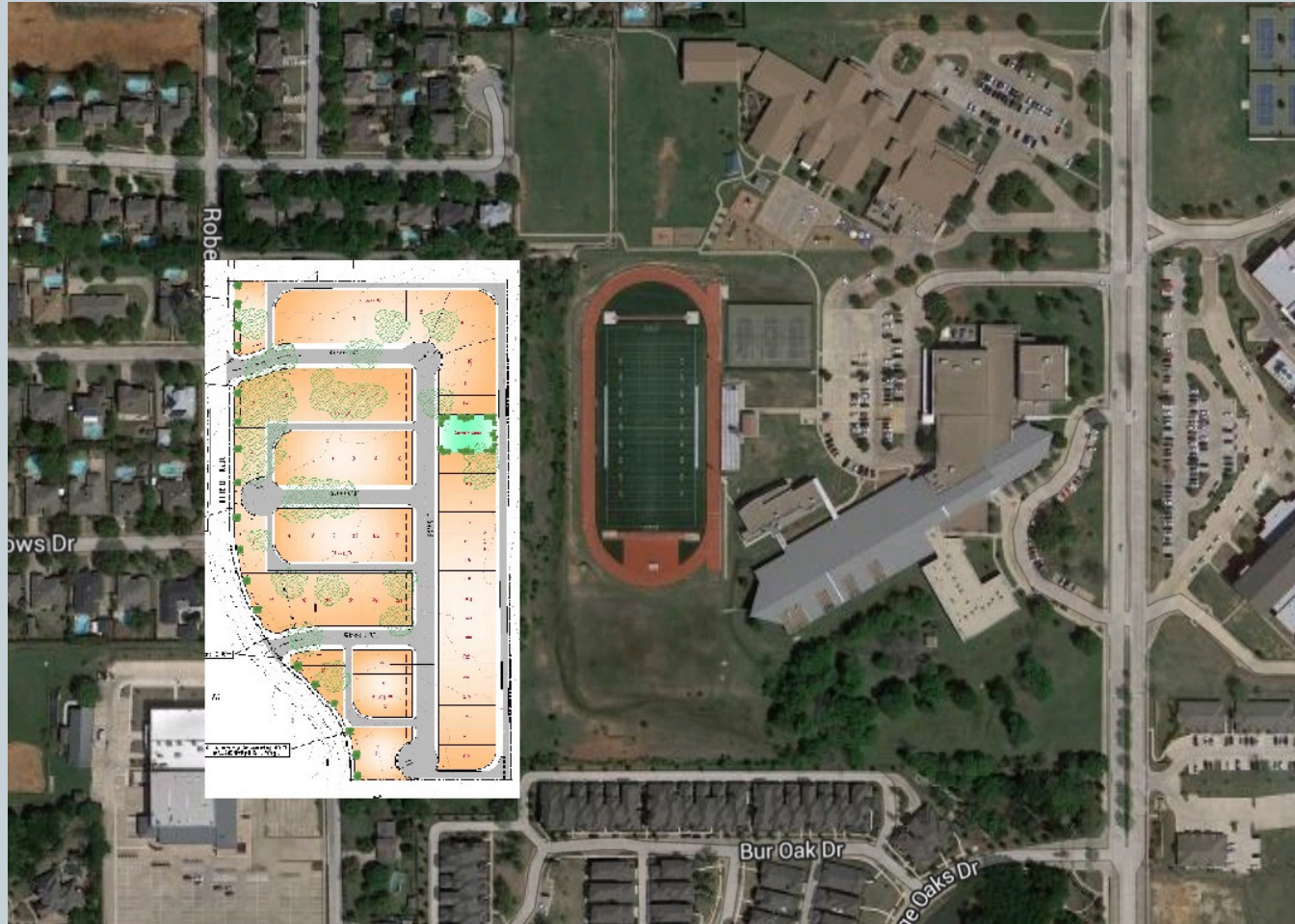


- I. LOCATION
- II. AERIAL OF SITE
- III. PROPERTY DESCRIPTION
- IV. DETAILED DEVELOPMENT PLAN
- V. BUILDING ARCHITECTURAL STANDARDS
- VI. PROPERTY DEVELOPMENT STANDARDS
- VII. PERIMETER SCREENING

I. LOCATION



II. AERIAL OF SITE



III. PROPERTY DESCRIPTION



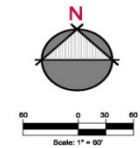
The property consists of 11.6 acres of land, adjacent to Roberts Road A60' residential collector, west of existing Colleyville Elementary and Middle School. The property is sparsely vegetated with native trees of which a tree preservation plan will be prepared. Development of this property will eliminate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

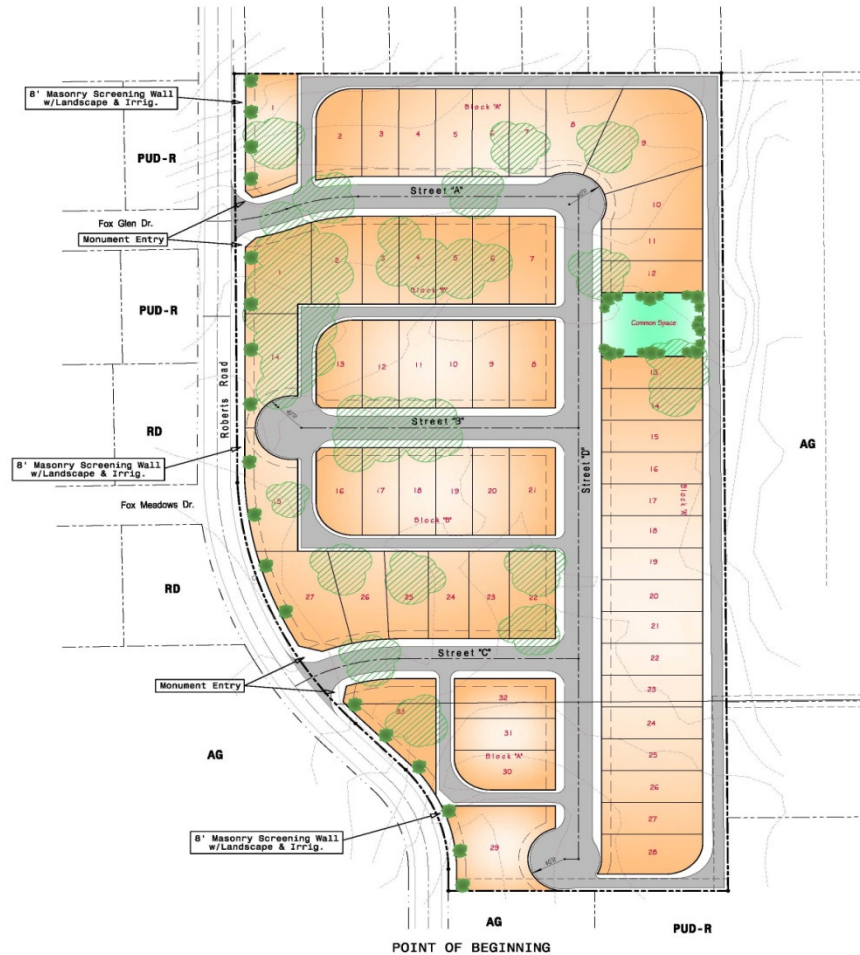


The density is justified based on elimination of substandard uses on the properties (mobile homes) and creation, with consolidation of properties of an exclusive high end residential neighborhood. This development will provide over 30 million dollars annual tax base to the City of Colleyville. The recently 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 11th W. Meridian 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. 020817088 of the Deed Records of Tarrant County, Texas, all of the tract of land described by deed to Franklin Holdings and wife, Barbara J. Holdings recorded in Volume 7278, Page 354 of the Deed Records of Tarrant County, Texas, and all of the tract of land described by deed to Robert M. Hines recorded in Instrument No. 020814804 of the Deed Records of Tarrant County, Texas and being more particularly described as follows:

BEGINNING at the Southwest corner of said tract said point also being on the easterly right-of-way line of Robert's Road (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

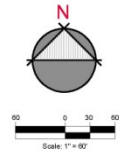
Engineer:
T. TABOR CONSULTING, PLLC
1301 E. Debbie Lane 102-152
Mansfield, Texas 76063
972-896-6989
Contact: Tommy Tabor, P.E.

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

October 28, 2014

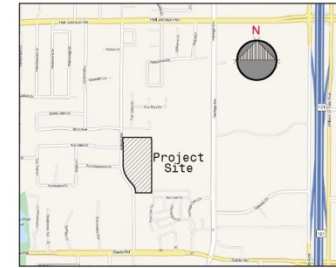
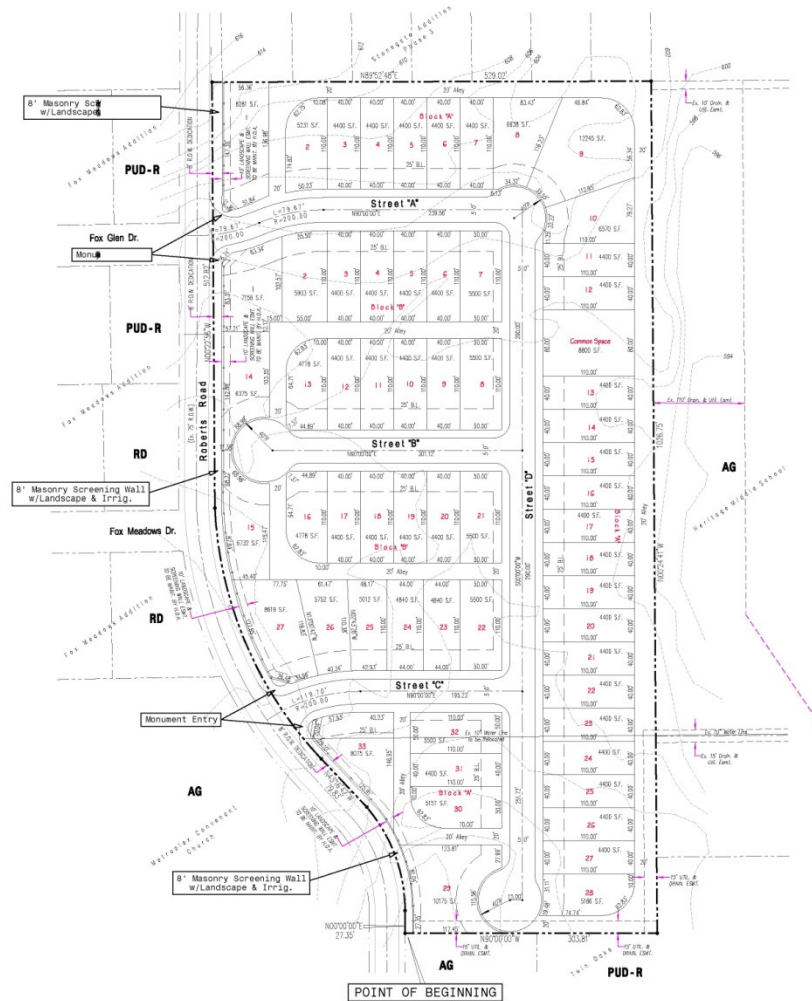
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Presentation from Applicant



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. 020075086 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. 020075086 of the Deed Records of Tarrant County, Texas and being more particularly described as follows:

BEGINNING at the Southwest corner of said tract said point also being on the easterly Right of Way line of Roberts Road (a widening 60' right of way);
 THENCE North a distance of 27.35 feet to a point for corner;
 THENCE a curve to the left having a radius of 191.88 feet and a length of 153.88 feet with a chord bearing of South 27° 02' 28" West;
 THENCE North 47° 16' 42" West a distance of 79.83 feet to a point for corner;
 THENCE a curve to the right having a radius of 473.51 feet and a length of 335.65 feet with a chord bearing of North 22° 06' 29" West;
 THENCE North 17° 22' 56" West a distance of 512.82 feet to a point for corner;
 THENCE North 89° 52' 48" East a distance of 528.32 feet to a point for corner;
 THENCE South 75° 04' 41" East a distance of 1526.75 feet to a point for corner;
 THENCE West a distance of 303.61 feet to the POINT OF BEGINNING and containing 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

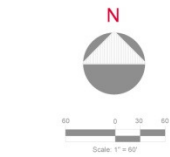
Engineer:
T. TABOR CONSULTING, PLLC
 1301 E. Oakblue Lane 102-152
 Mansfield, Texas 76063
 972.896.6989
 Contact: Tommy Tabor, P.E.

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

Doc #

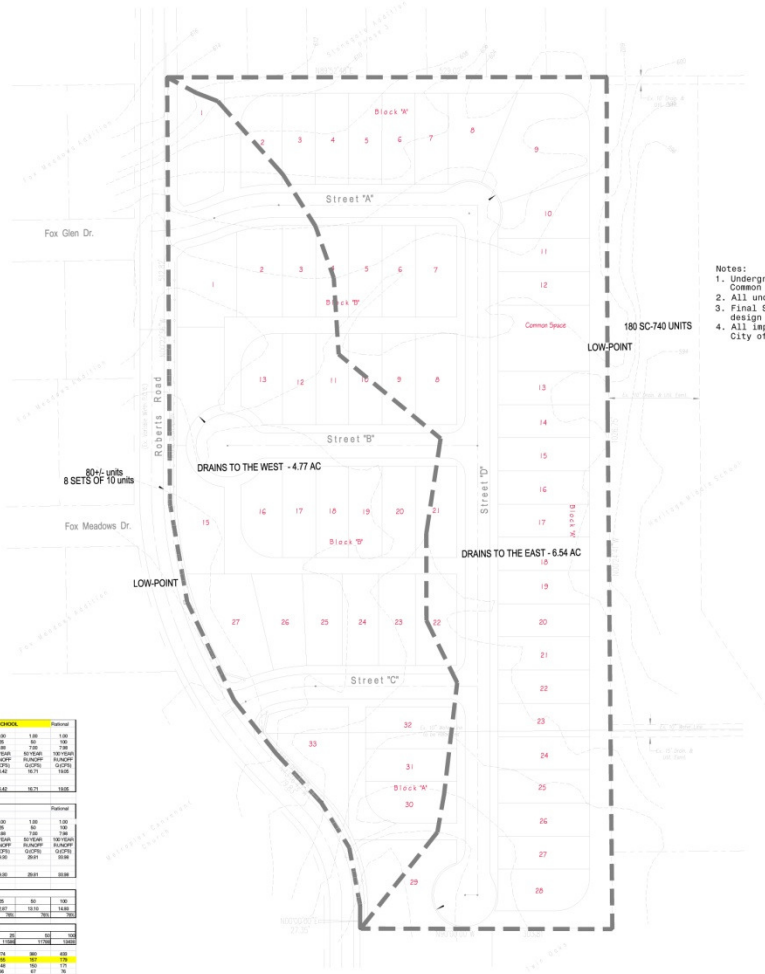
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Presentation from Applicant



Project	Colleyville Enclave
TO WEST	
Top	APPROVED GRASSLANDSCOPE
Bottom	1.00
TO EAST	
Top	APPROVED GRASSLANDSCOPE
Bottom	1.00
TO SOUTH	
Top	APPROVED GRASSLANDSCOPE
Bottom	1.00
TO NORTH	
Top	APPROVED GRASSLANDSCOPE
Bottom	1.00
TO SOUTHWEST	
Top	APPROVED GRASSLANDSCOPE
Bottom	1.00
TO SOUTHEAST	
Top	APPROVED GRASSLANDSCOPE
Bottom	1.00
TO WEST	
Top	APPROVED GRASSLANDSCOPE
Bottom	1.00
TO EAST	
Top	APPROVED GRASSLANDSCOPE
Bottom	1.00
TO SOUTH	
Top	APPROVED GRASSLANDSCOPE
Bottom	1.00
TO NORTH	
Top	APPROVED GRASSLANDSCOPE
Bottom	1.00
TO SOUTHWEST	
Top	APPROVED GRASSLANDSCOPE
Bottom	1.00
TO SOUTHEAST	
Top	APPROVED GRASSLANDSCOPE
Bottom	1.00

Determine Total Post Development Peak Storm Water Discharge Rates Colleyville Enclave TO SCHOOLS																																																																																																																							
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Vicinity Map
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- Notes:
1. Underground storage to be installed in Common Space and/or drainage easements.
 2. All underground storage is to be M.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 Area
- Drainage Divide

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Preliminary Drainage
11.22 ± Ac.

The Enclave at Heritage Meadows

CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

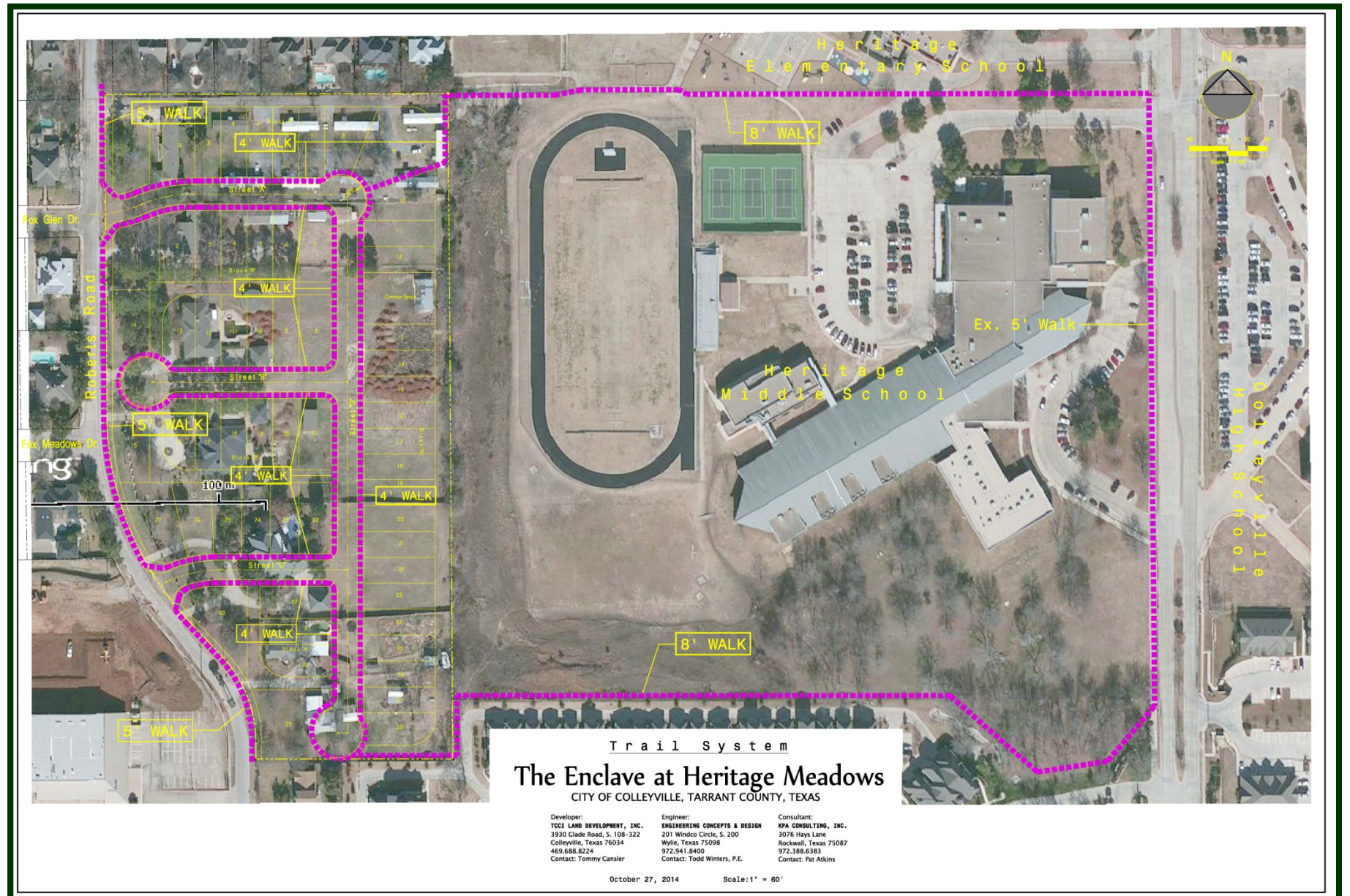
Developer:
TCCI LAND DEVELOPMENT, INC.
3950 Glade Road, S. 108-322
Colleyville, Texas 76034
469.688.8224
Contact: Tommy Candler

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

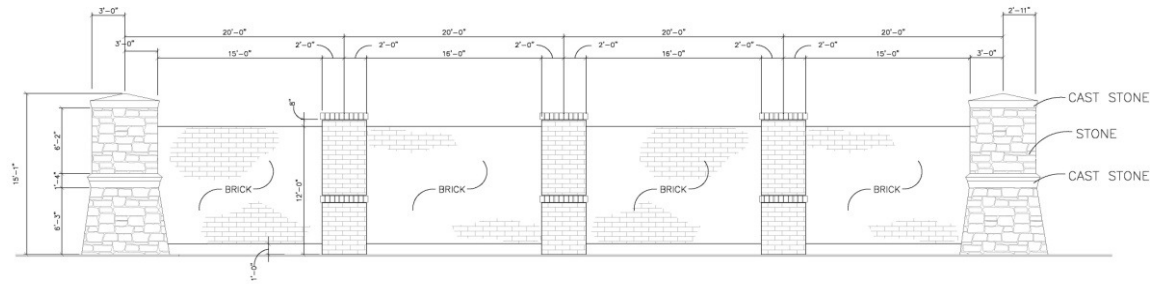


Presentation from Applicant

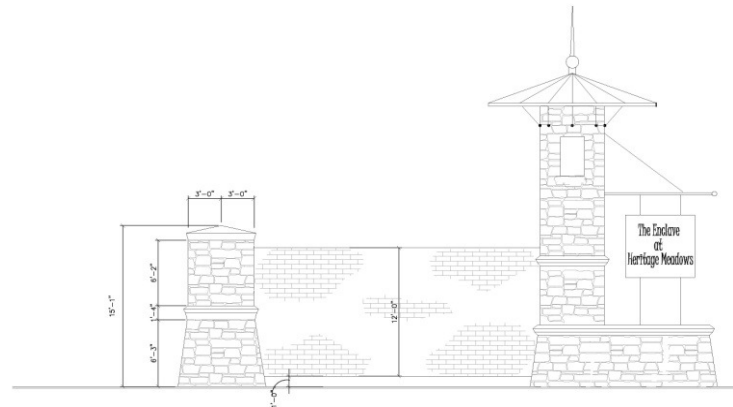


Presentation from Applicant

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

October 28, 2014

Scale: 1" = 60'

Presentation from Applicant

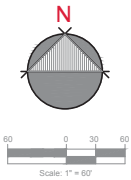


VI. PROPERTY DEVELOPMENT STANDARDS



- A. Min. Lot S.F. –4400 SF
- B. Min. Front Setback –10 Feet
- C. Min. Rear Setback –10 Feet
- D. Min. Side Setback –5 Feet
- E. Min. Side Setback (Adj. to Street) –5 Feet
- F. Min. Dwelling Size –2000 SF

Preliminary Drainage Analysis



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

Project	Calyptus Estates			
EXISTING CONDITIONS				
TO WEST	10000	10000	GRASSLAND	10000
TO EAST	2000	2000	10000	2
	0.2	0.2		
	20475, 13	42015	90267	0.0
		Consent Factor	0.2	
EXISTING CONDITIONS				
TO EAST	2000	2000	10000	2
TO WEST	10000	10000	GRASSLAND	10000
	0.2	0.2		
	20475, 13	42015	90267	0.0
		Consent Factor	0.2	
PROPOSED SITE 40 LOT LOTS 10-20				
ROAD REQUIREMENTS				
TO WEST	10000	10000	GRASSLAND	10000
TO EAST	2000	2000	10000	2
TO WEST	10000	10000	GRASSLAND	10000
	0.2	0.2		
	20475, 13	42015	90267	0.0
		Consent Factor	0.2	
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TO WEST	10000	10000	GRASSLAND	10000
	0.2	0.2		
	20475, 13	42015	90267	0.0
		Consent Factor	0.2	

[illegible]

Determine total First Development Peak Storm Water Discharge Rates: Fully Developed Enclosure													Reference
MINIMUM TIME OF CONCENTRATION = 15 Minutes													Fully DEVELOPED
PRE-DEVELOPMENT EAST													
POST DEVELOPMENT													
		C _o =		1.00		1.00		1.00		1.00		1.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
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AREA		S _o		3.75		3.75		3.75		3.75		3.75	
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AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
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AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
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AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75		3.75		3.75		3.75		3.75	
AREA		N _o		9.02		4.00		9.03		6.00		7.00	
AREA		C _o		2.00		3.00		2.00		3.00		2.00	
AREA		S _o		3.75									

Comparison of Pre and Post Development Peak Discharge						
YEAR	2	5	10	25	50	100
Increase (cfs)	8.21	7.90	10.35	12.67	13.10	14.93
Data	Yes	Yes	Yes	Yes	Yes	Yes

Preliminary Determination of Detention Fund Values			Cabin Post						
Line	15 minutes	YEAR	Cabin Post						
			10/01	04/01	01/01	11/04	01/01	01/01	01/01
Stem/TC-SC-01	40.00 8/04/04	14.7	0	180	221	300	074	980	430
Stem/TC-SC-02	00.00 8/04/04	40.9	0	18	01	124	166	174	174
Stem/TC-SC-03	00.00 8/04/04	40.2	0	0	01	11	144	160	174
Stem/TC-SC-04	00.00 8/04/04	123.2	74.0	0	0	01	00	02	0

Notes:

1. Underground storage to be in stalled in Common Space and/or drainage easements.
2. All underground storage is to be H.O.A. maintained.
3. Final Sizing will be determined during the design phase.
4. All improvements will be in accordance with the City of Colleyville Land Development Code.

Legend

---614---Ex. Contour

Flow Direction

①—Drainage Area

Drainage Divide

[illegible][illegible]

Comparison of Pre and Post-development Peak Discharge										
Year		2		5		10		100		
Period (hr)		2.00	3.00	4.00	5.00	6.00	7.00	8.00	9.00	
Date	Event	Pre	Post	Pre	Post	Pre	Post	Pre	Post	
Preliminary Determination of Detention Pond Volume										
Year		2		5		10		100		
Period (hr)		2.00	3.00	4.00	5.00	6.00	7.00	8.00	9.00	
Date	Event	Pre	Post	Pre	Post	Pre	Post	Pre	Post	
15 minutes										
Site	Use	Pre	Post	Pre	Post	Pre	Post	Pre	Post	
1	Mid-South 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	16.7	10.0	16.7	10.0	16.7	10.0	16.7	10.0	16.7
2	Mid-South 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	16.7	10.0	16.7	10.0	16.7	10.0	16.7	10.0	16.7
3	Mid-South 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	16.7	10.0	16.7	10.0	16.7	10.0	16.7	10.0	16.7
4	Mid-South 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	16.7	10.0	16.7	10.0	16.7	10.0	16.7	10.0	16.7
5	Mid-South 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	16.7	10.0	16.7	10.0	16.7	10.0	16.7	10.0	16.7
6	Mid-South 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	16.7	10.0	16.7	10.0	16.7	10.0	16.7	10.0	16.7
7	Mid-South 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	16.7	10.0	16.7	10.0	16.7	10.0	16.7	10.0	16.7

P r e l i m i n a r y D r a i n a g e

$$11.22 \pm \text{Ac.}$$

The Enclave at Heritage Meadows

CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

Developer:
TCCI LAND DEVELOPMENT, INC.
3930 Glade Road, S. 108-322
Colleyville, Texas 76034
469.688.8224
Contact: Tommy Cansler

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

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

October 20, 2014

Scale: 1" = 60'

ORDINANCE O-14-1943

AMENDING THE ZONING ORDINANCE AND OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 11.22 ACRES IN THE G.W. MINTER SURVEY, ABSTRACT 1034 AND ON LOT 1, BLOCK 1, OF THE HARTLEY ADDITION, AND LOT 1, BLOCK A, OF THE TWIN OAK ESTATES ADDITION, LOCATED AT 5205, 5207, 5303, 5309, 5311, 5313, AND 5317 ROBERTS ROAD FROM THE AG-AGRICULTURAL ZONING DISTRICT TO THE PUD-R-PLANNED UNIT DEVELOPMENT RESIDENTIAL ZONING DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a rezoning under Case No. ZC14-019; and

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

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

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

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

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and state law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices

by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 11.22 acres in the G.W. Minter Survey, Abstract 1034 and on Lot 1, Block 1, of the Hartley Addition, and Lot 1, Block A, of the Twin Oak Estates Addition, located at 5205, 5207, 5303, 5309, 5311, 5313 and 5317 Roberts Road from the AG-Agricultural zoning district to the PUD-R-Planned Unit Development Residential zoning district, as depicted in the attached Exhibit "A" and as legally described in Exhibit "B".
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The purpose of this PUD-R is for a single-family residential development of 50 detached dwelling units, constructed at a gross maximum density of 4.5 dwelling units per acre.
- b. This development shall be generally consistent with the Statement of Planning Objectives, attached as Exhibit "C".
- c. The subject property is subject to all the regulations contained in the Land Development Code, except where amended by this Ordinance.

2. DEVELOPMENT PLAN AND PLATTING

- a. The development shall be generally consistent with Exhibit "D", 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 20.0 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 six (6) 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, a six (6) 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 six (6) foot wrought iron fence with masonry columns spaced every 20 feet shall be constructed by the developer along the northern border adjacent to open space Lot 7X, and the eastern and southern boundary of the development where there is adjacent open space as depicted on Exhibit "E". For all residential lots on the north side of the development, a six (6) foot board-on-board wooden fence shall be built by the builder at the time of new home construction 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.

A third 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" –Location and Zoning Map

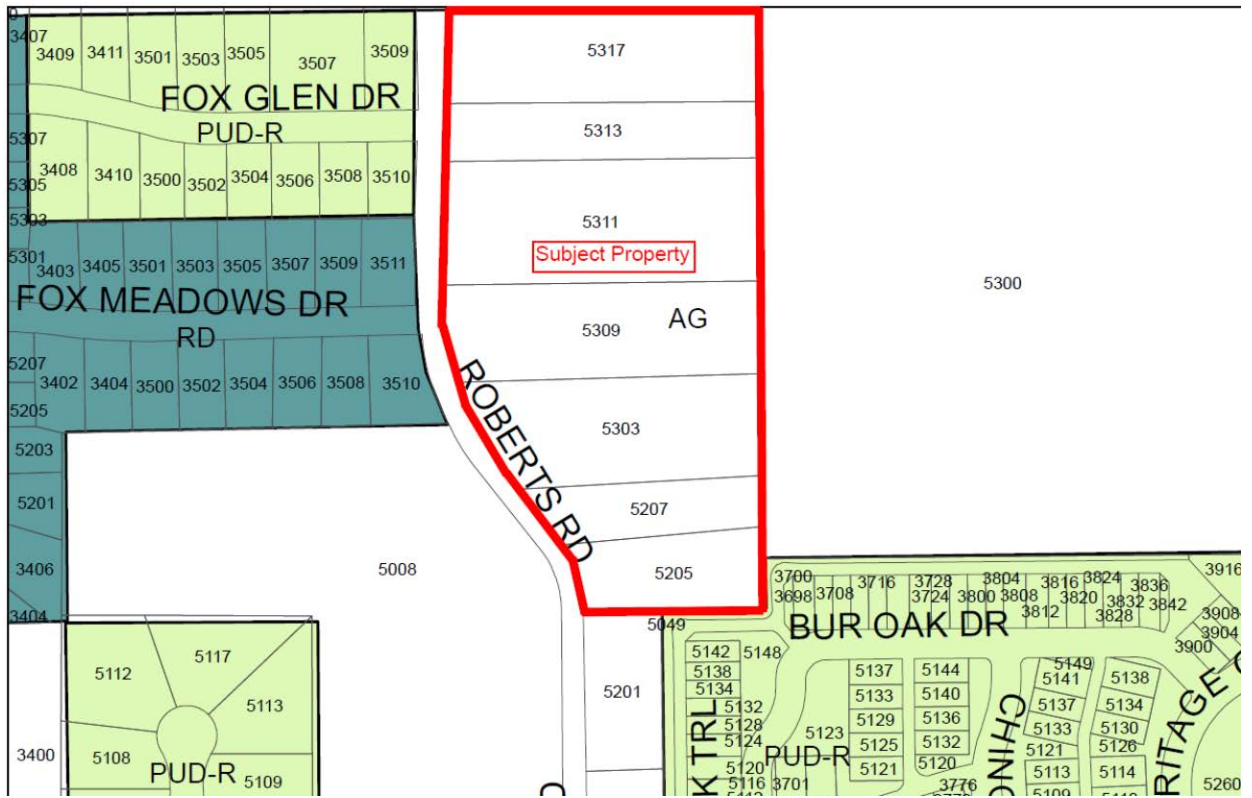


Exhibit "B" – Legal Description

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



January 12, 2015

Statement of Planning Objectives

The Enclave at Heritage Meadows

The property consists of 11.6 acres of land, adjacent to Roberts Road A 75' 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%

Thank you,
Pat Atkins
5605 N. MacArthur Suite 1000
Irving, Texas 75038
972-388-6383
kpatatkins@yahoo.com

[illegible]

Landscape Plan

11.22 ± Ac.

All Landscaping, Planting/Streetside Walls and Open Space Areas to be Maintained by the HOA.

The Enclave at Heritage Meadows

CITY OF COLLEVILLE, TARRANT COUNTY, TEXAS

Design: TOWN & COUNTRY DESIGN, INC.
3070 South Loop East, Suite 100
Houston, Texas 77060
Phone: 281-999-9999
Fax: 281-999-9999
Email: info@townandcountrydesign.com

Client: TOWN & COUNTRY DESIGN, INC.
3070 South Loop East, Suite 100
Houston, Texas 77060
Phone: 281-999-9999
Fax: 281-999-9999
Email: info@townandcountrydesign.com

Date: January 14, 2015

Scale: 1" = 40'



City of Colleyville City Council Agenda Briefing

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

Agenda Number 7a

Agenda Date 01/20/2015

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

Second Reading and Public Hearing

There were no speakers regarding this request at the January 6, 2015 City Council meeting. However, since the first public hearing staff has been notified by TRA the most likely date for implementation of Stage 2 water restrictions (one day a week watering) is March 1, 2015. Therefore, staff is recommending the effective date of the change in watering days be changed to March 1 as well, in order to coincide with the one day a week watering restrictions. The ordinance which was presented at the first reading on January 6, 2015, has been changed to reflect the revised recommended effective date of March 1, 2015. Staff has developed a communications plan to notify our water customers of both the change in watering days and the impending one day a week watering restrictions that includes the following:

Traditional Communication

February newsletter (included in water bills) feature story

Letter to HOAs

TRWD Save Water signage (if available)

Point of purchase displays at Utility Billing Office and Public Library

Promotional bookmarks distributed through the Public Library

Notification to local landscaping companies

City cable

Electronic Communication

City website

CodeRED Alert E-newsletter

Colleyville E-News (repeated insertions)

Digital signage at City facilities

Colleyville CloseBuy

E-Blast to business community

Chamber of Commerce

Social Media

City Facebook

In addition to the above, staff will be replacing the existing red signage reminding residents that two day a week watering restrictions are in place with new signage of a different color stating one day a week watering restrictions are in effect. There are thirteen (13) locations throughout the City at which the new signs will be installed, including the back entrance to City Hall.

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 this 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
(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

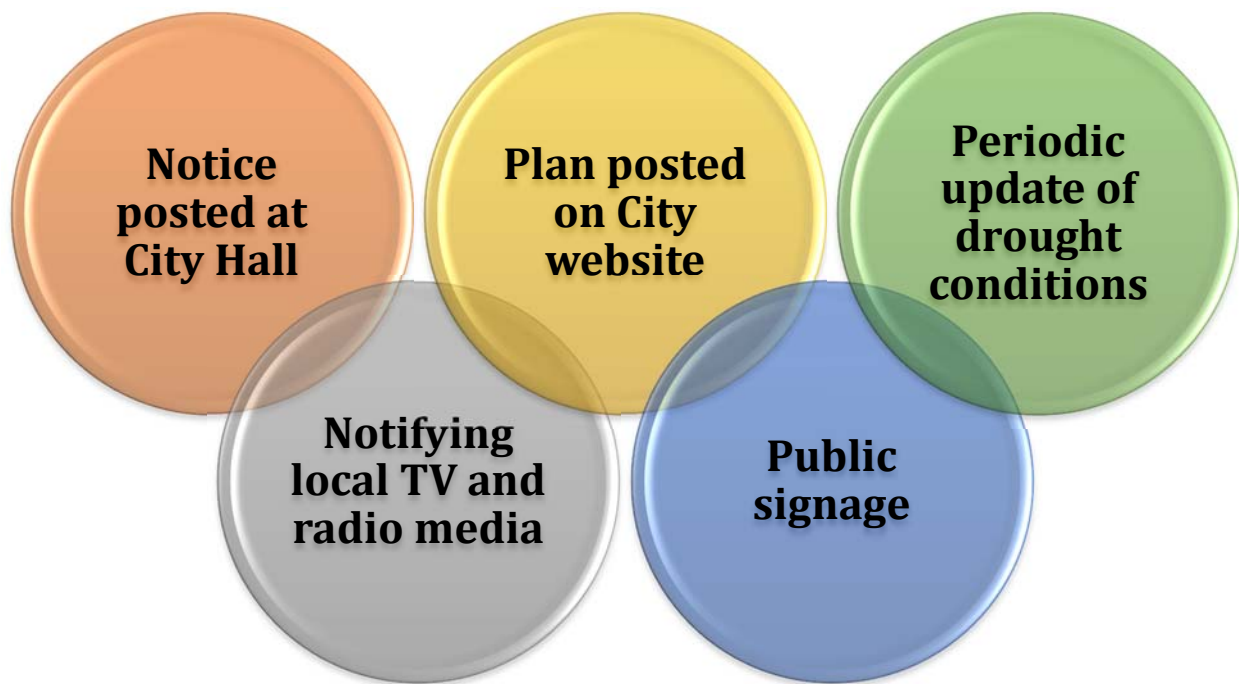
The Texas Water Development Board (TWDB) requires that the City submit a Water Conservation Plan every five years to coincide with the Regional Water Planning Cycle. The TWDB also requires that the City submit the following information annually:

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:

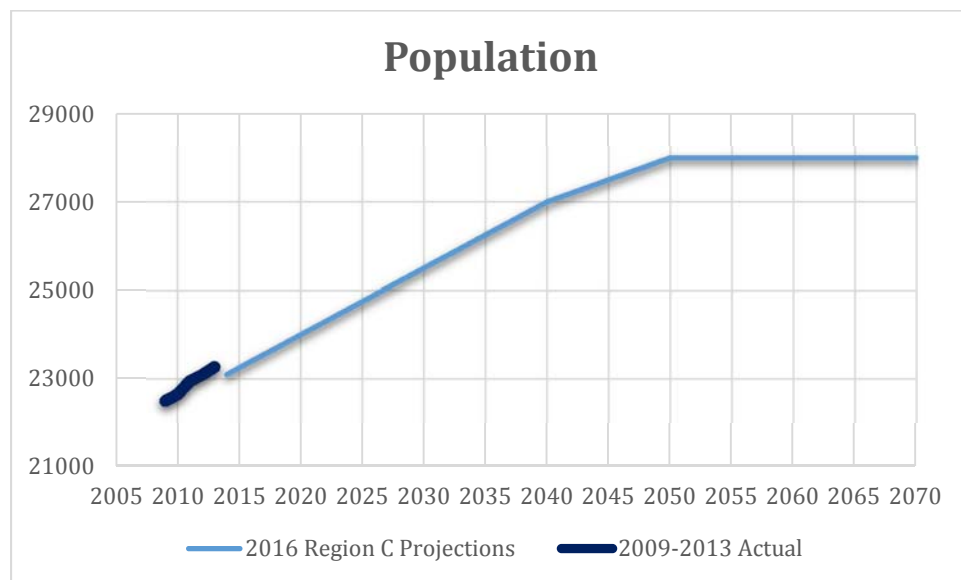
- Irrigation of landscape areas, including parks, athletic fields, and golf courses.
- Use of water to wash any motor vehicle, boat, trailer, airplane, or other vehicle.
- Use of water to wash down any sidewalks, walkways, driveways, parking lots, athletic courts, or other hard surfaced areas.
- Use 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.

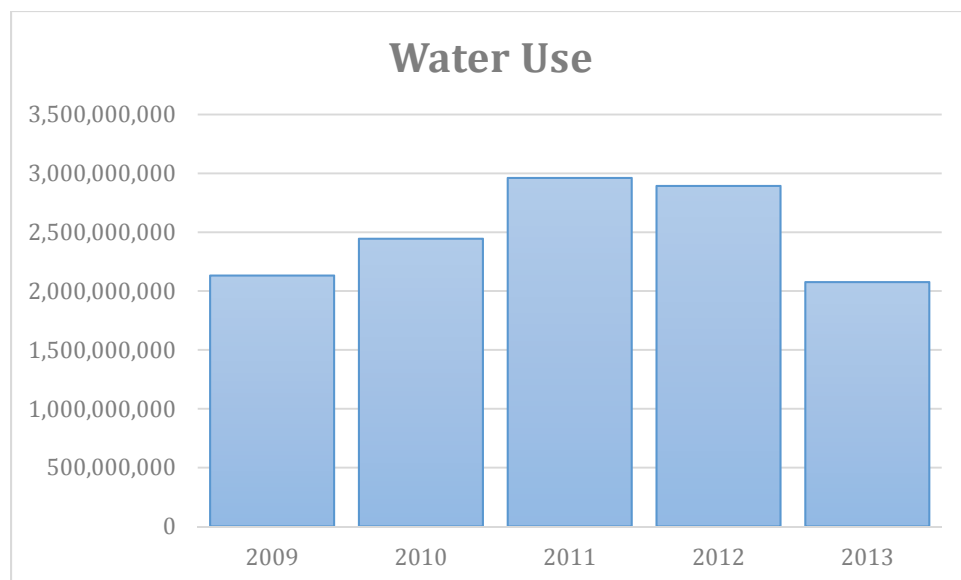
WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

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.

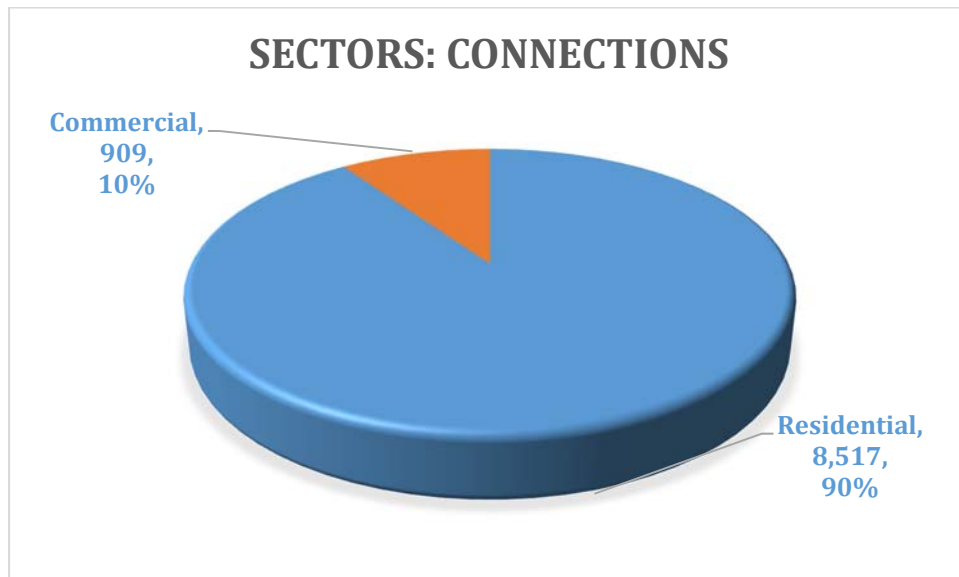
WATER DEMANDS

Over the previous 5 years, the City has averaged 2,501,202,500 gallons (7,676 acre-feet) of water use annually.

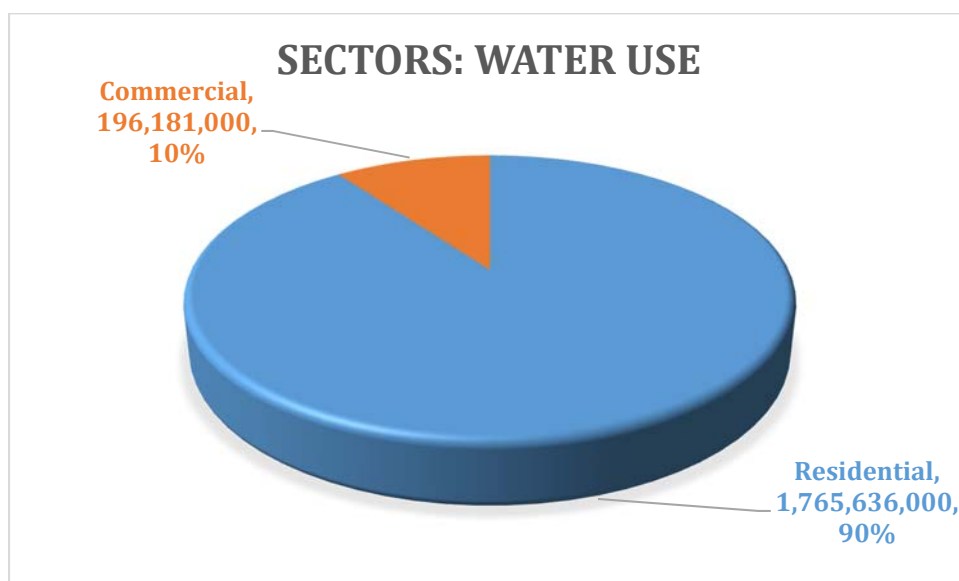


WATER USE SECTORS

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.



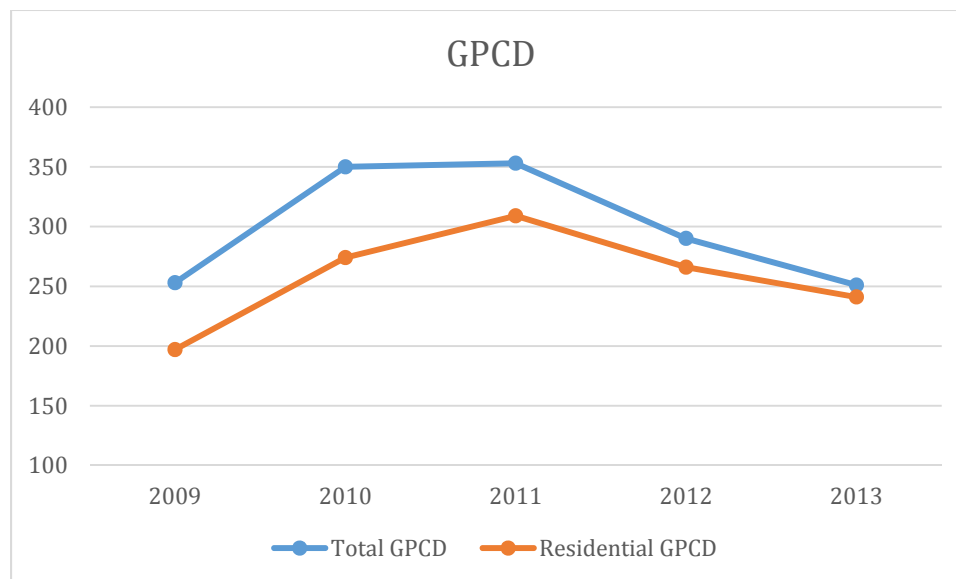
Water use for each sector is shown below.



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.

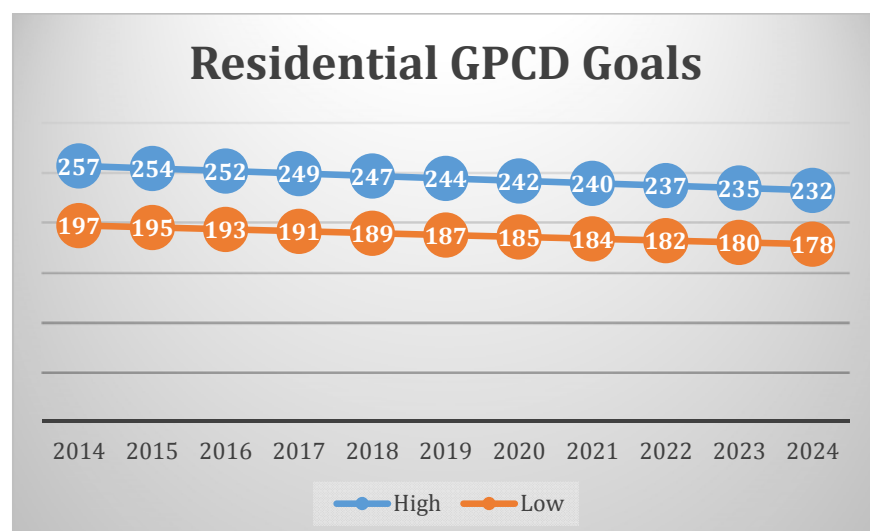
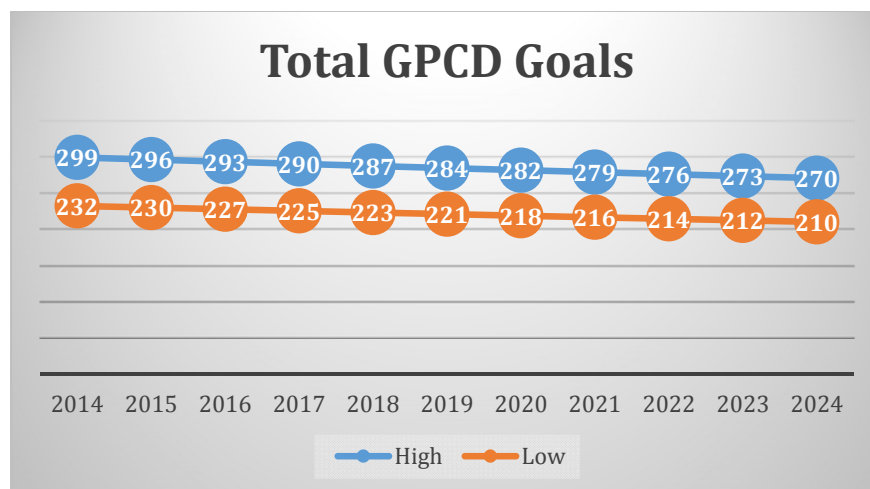
For the previous five years, Total and Residential GPCD for the City are shown below.



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

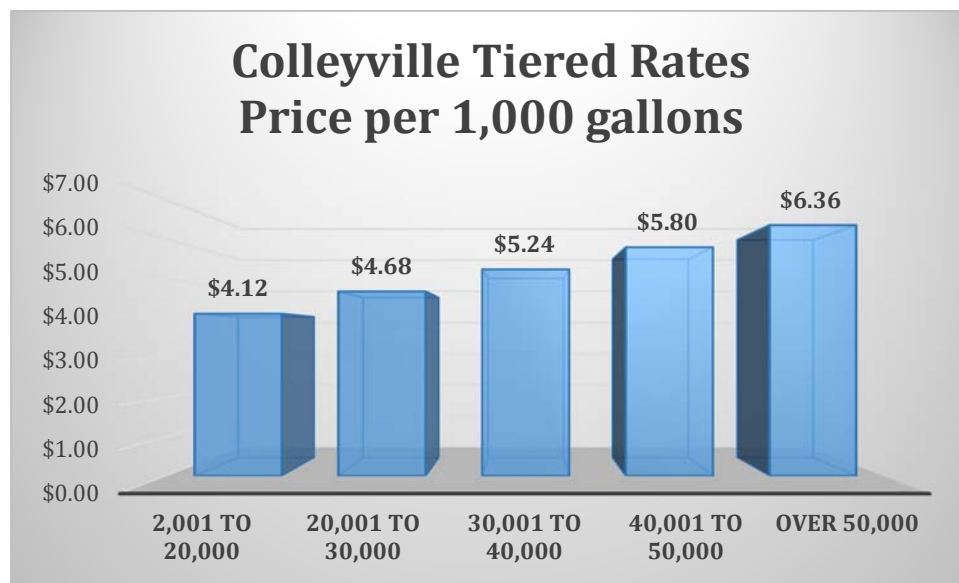
Colleyville has a non-promotional, tiered rate structure for water service that is cost based and discourages the excessive use of water. Tiered rates are designed to reward customers who use less water by charging the lower rates for water used in the lower tiers. The more water a customer uses, the 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:



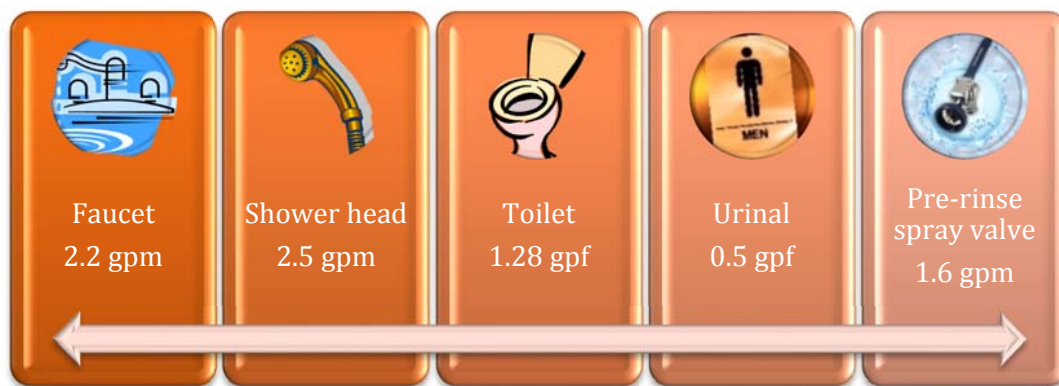
In the progressively tiered system, once usage elevates to the next tier, every 1,000 gallons of water will be charged at the rate for that tier. Water bills will be calculated so that water used in the lower tiers is charged at that tier. Bills will provide a snapshot of the portion of water use from 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

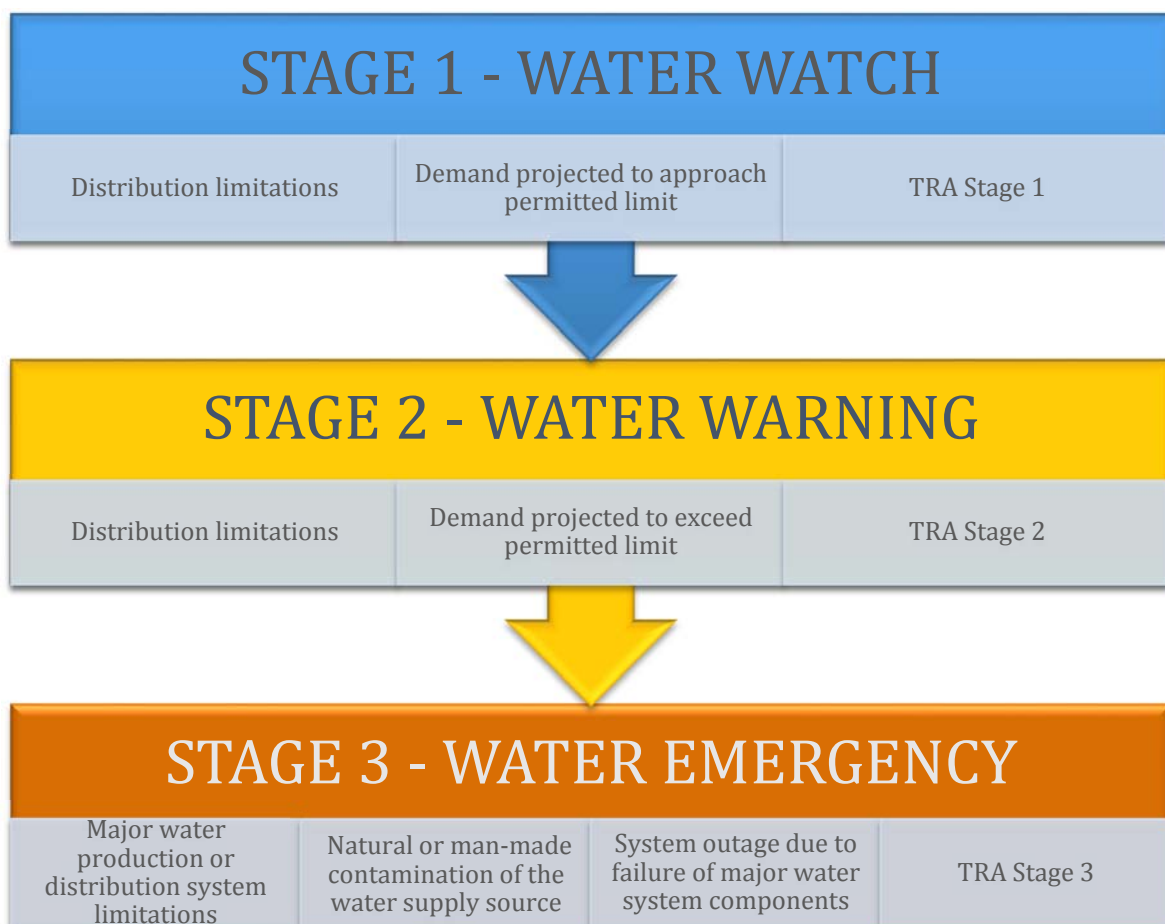
The City will select any combination of the following strategies, in addition to those strategies listed above, if they are necessary to achieve the stated water conservation goals of this Water Conservation Plan. The TCEQ may also require that any of the following strategies be implemented by the City 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

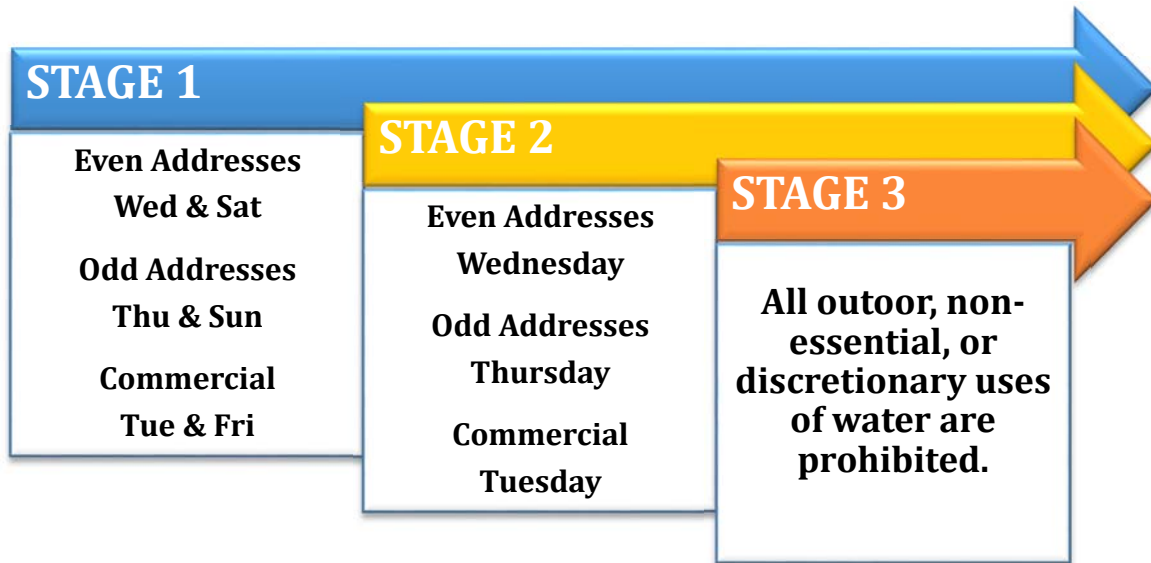
The City Manager will, with the concurrence of the City Council, order the implementation of a drought response stage or water emergency when requested to do so by TRA or when he/she determines that conditions warrant the implementation of the plan. The City is always in Water Awareness stage.

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.

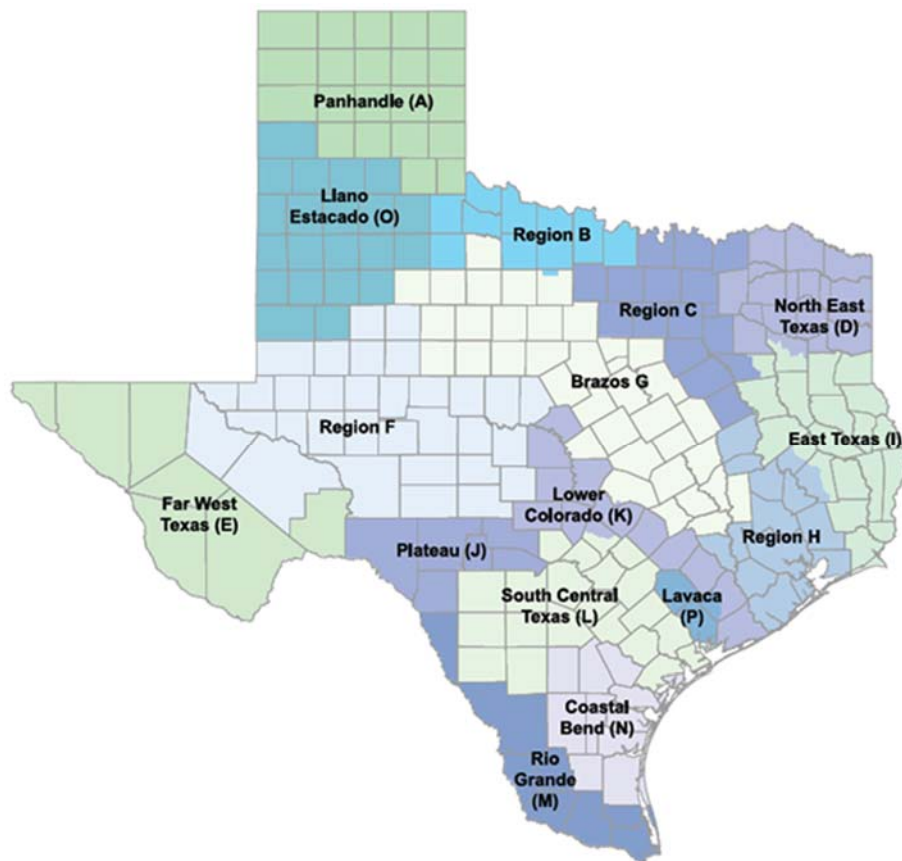
ENFORCEMENT

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.

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

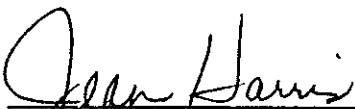
The first reading and public hearing being conducted on the 5th day of April, 1994.

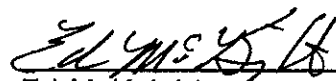
The second reading and public hearing being conducted on the 19th day of April, 1994.

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

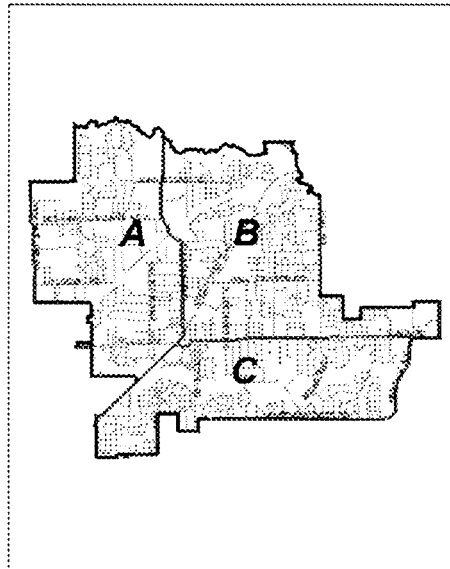
- Begin mandatory water use restrictions as follows:
 - Prohibit the hosing of paved areas, buildings or windows; operation of swimming pool draining followed by refilling, washing or rinsing vehicles by hose; using water in such a manner as to allow runoff or other water wastes.
 - Limit landscape watering 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

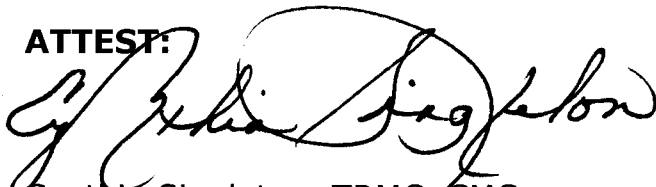
AND IT IS SO ORDERED.

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:

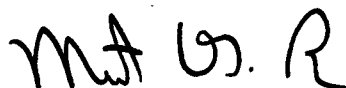

Matthew C. G. Boyle
City Attorney

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.

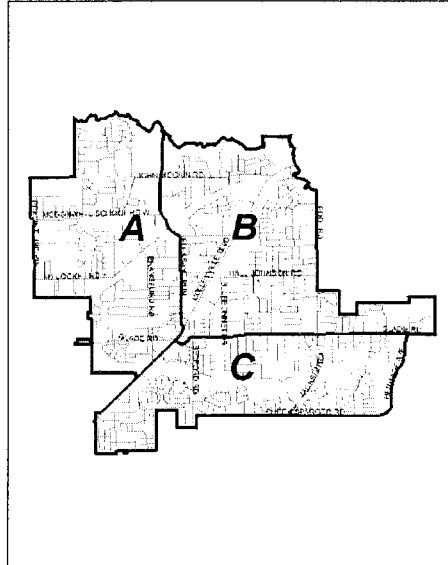
- (b) Prohibit hosing of paved areas, such as sidewalks, driveways, parking lots, tennis courts, or other impervious surfaces, except to alleviate an immediate health or safety hazard.
- (c) Prohibit hosing of buildings or other structures for purposes other than fire protection or surface preparation 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

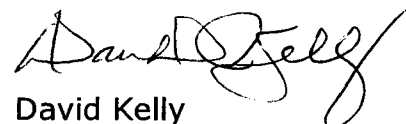
AND IT IS SO RESOLVED.

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.

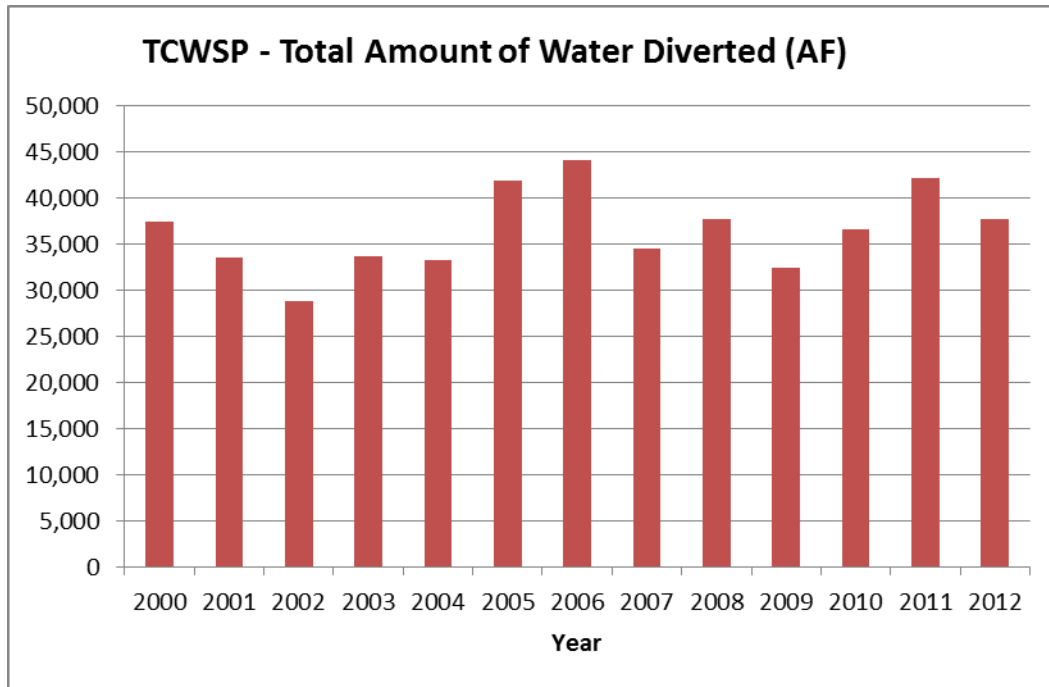


Figure 1. Total amount of water diverted from Lake Arlington by the Tarrant County Water Supply Project. According to the graph, there has been no appreciable increase in water use from 2000 to 2012.

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.

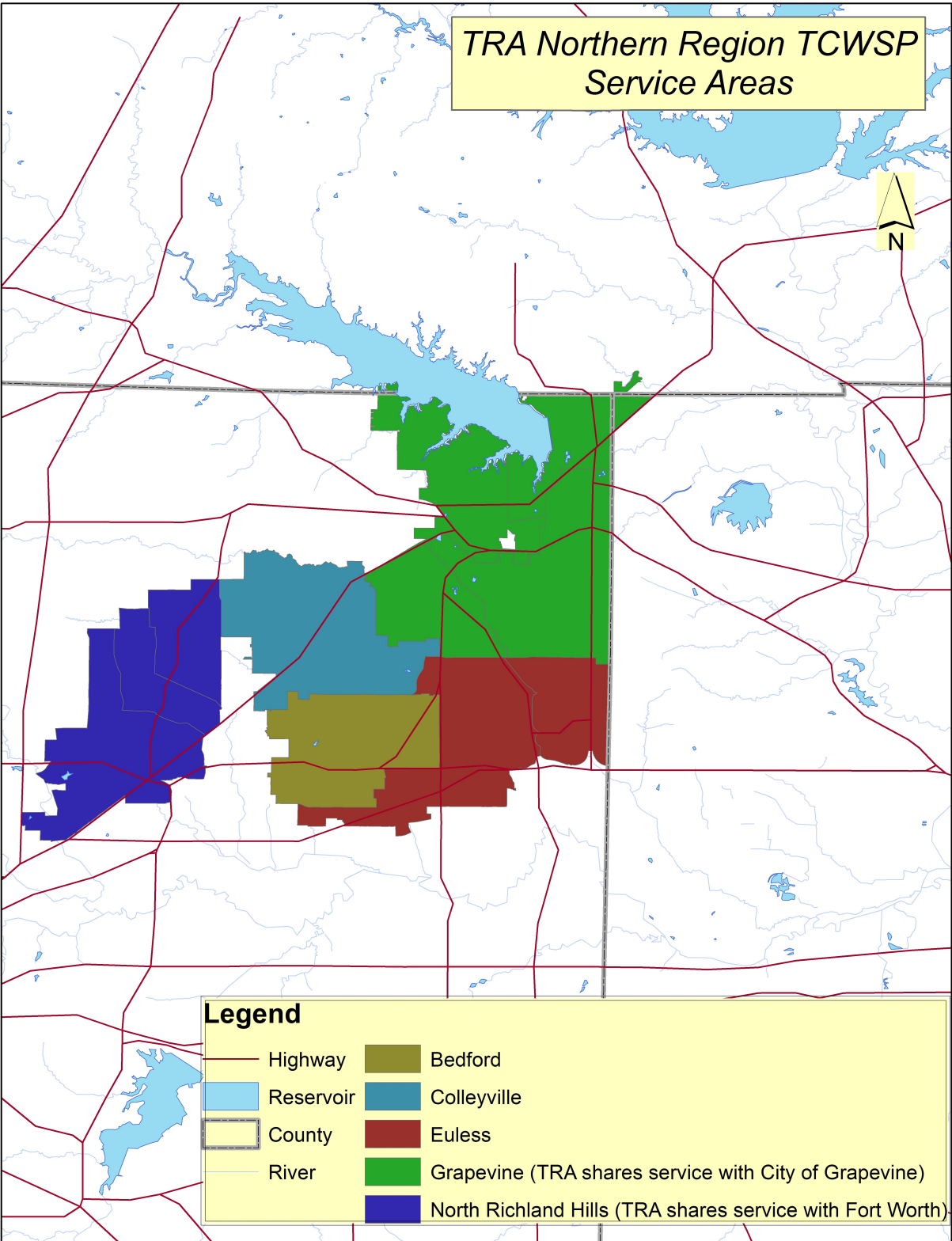
3.11 Severability

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

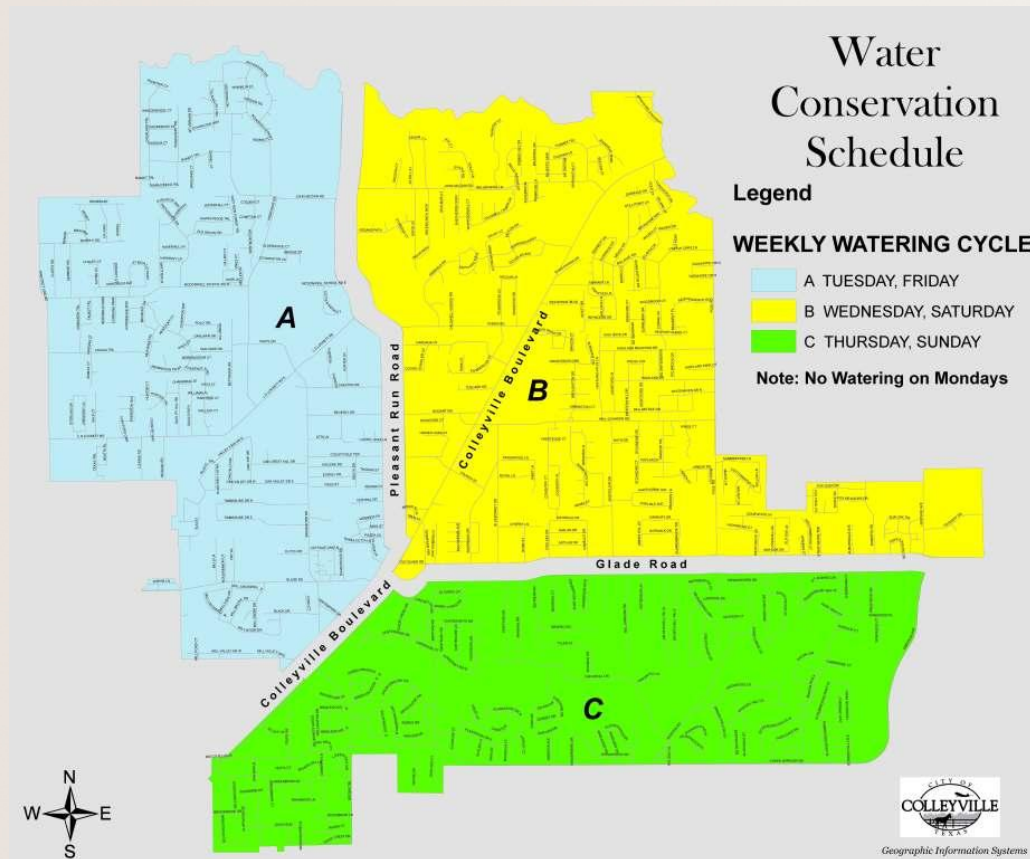
- May 1994 – Adopted Colleyville’s first Water Conservation and Emergency Water Demand Management Plan
- September 2006 – Updated and adopted Colleyville Water Conservation and Drought Contingency Plan
- 2007 – Tarrant Regional Water District (TRWD) and Trinity River Authority (TRA) updated their water 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).

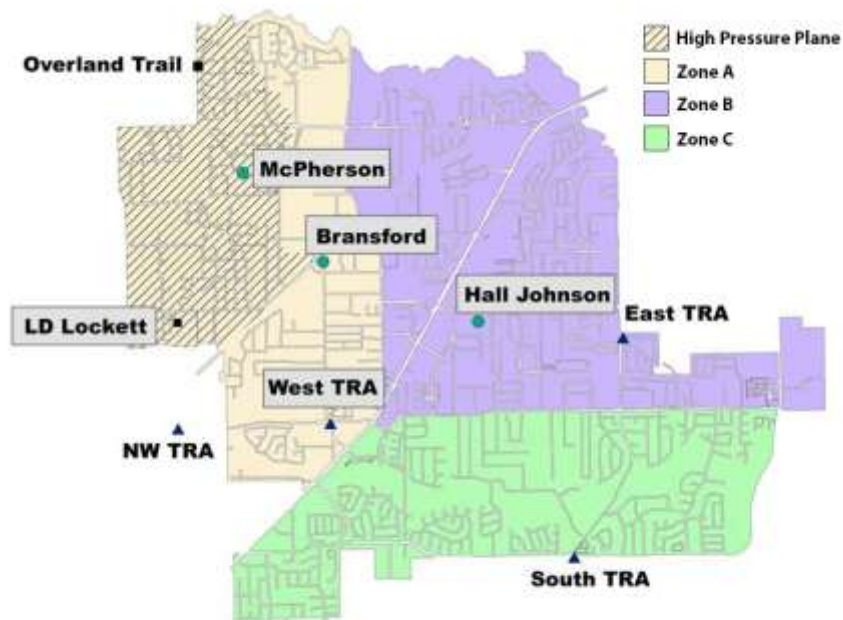


Figure 1 – Pressure Plane Distribution

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.

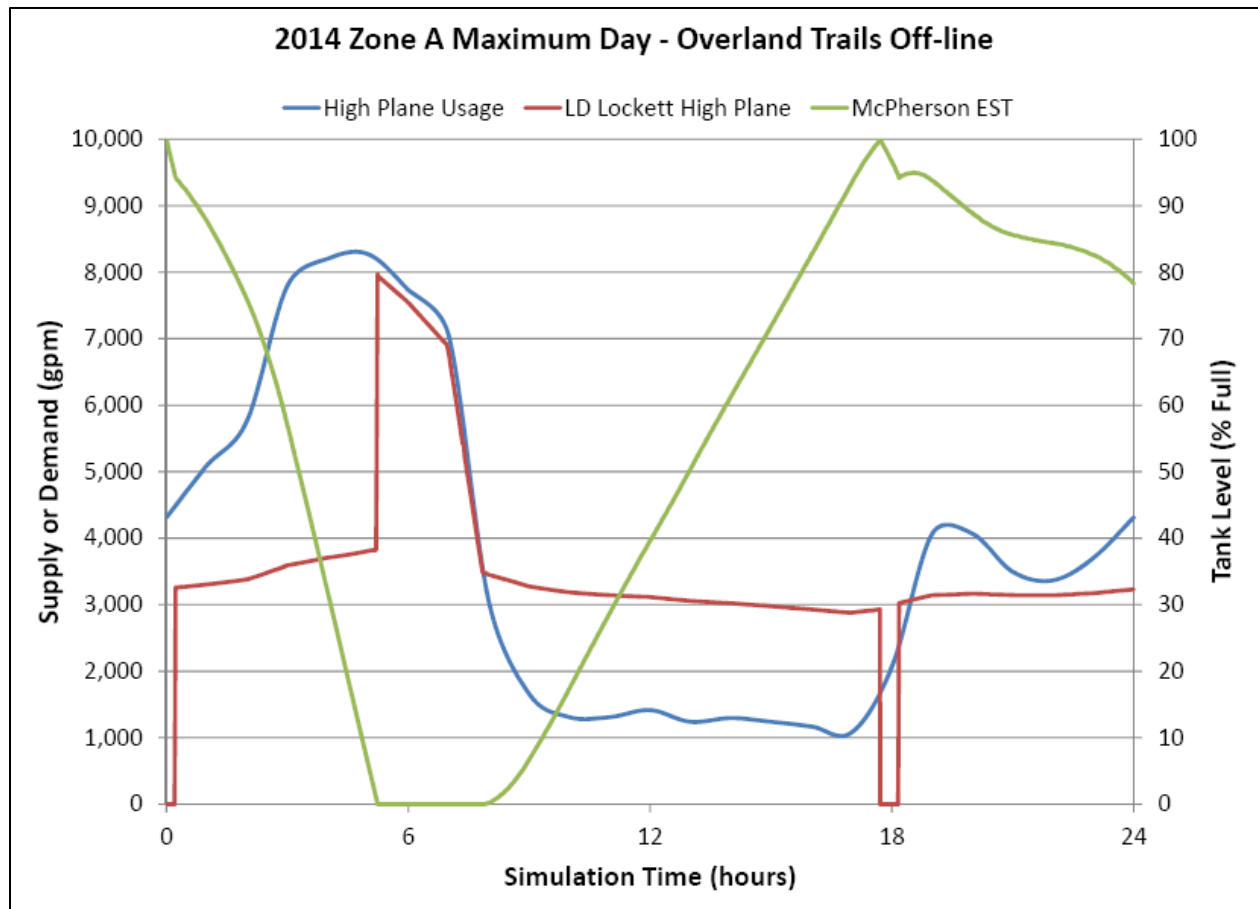


Figure 2 – Simulation with OT off-line

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.

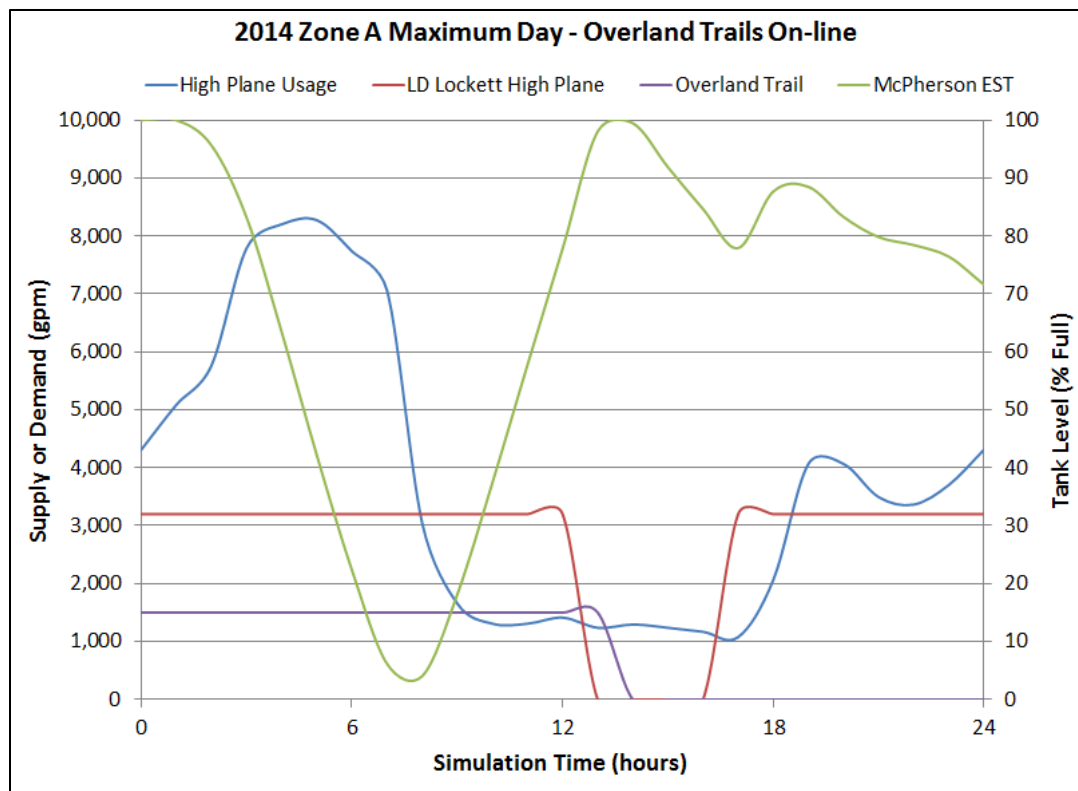


Figure 3 – Simulation with OT on-line

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.

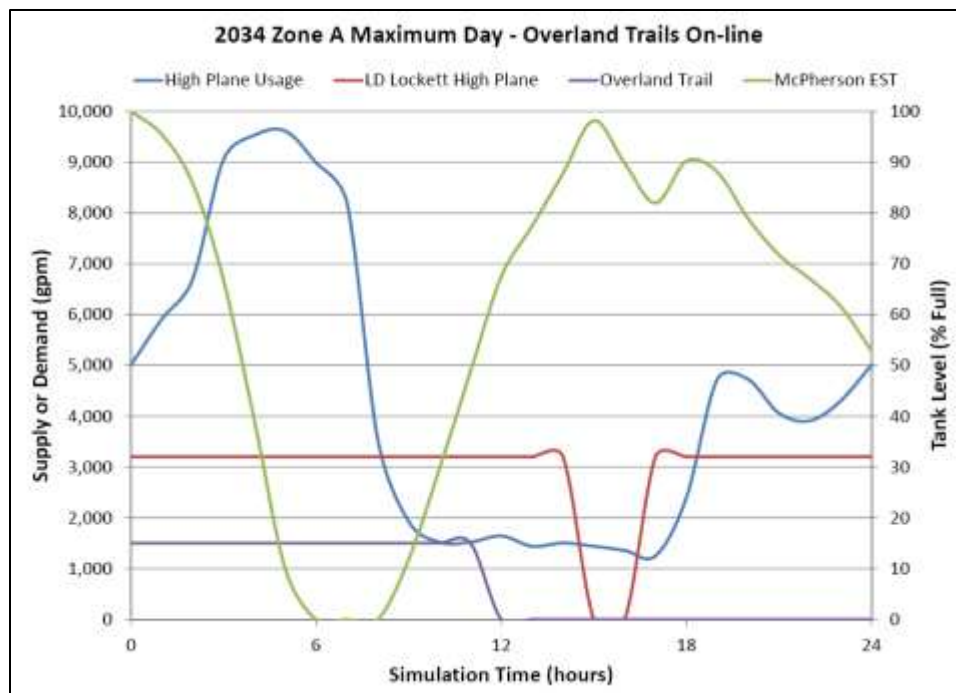


Figure 4 - Future Simulation with OT Online

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 March 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

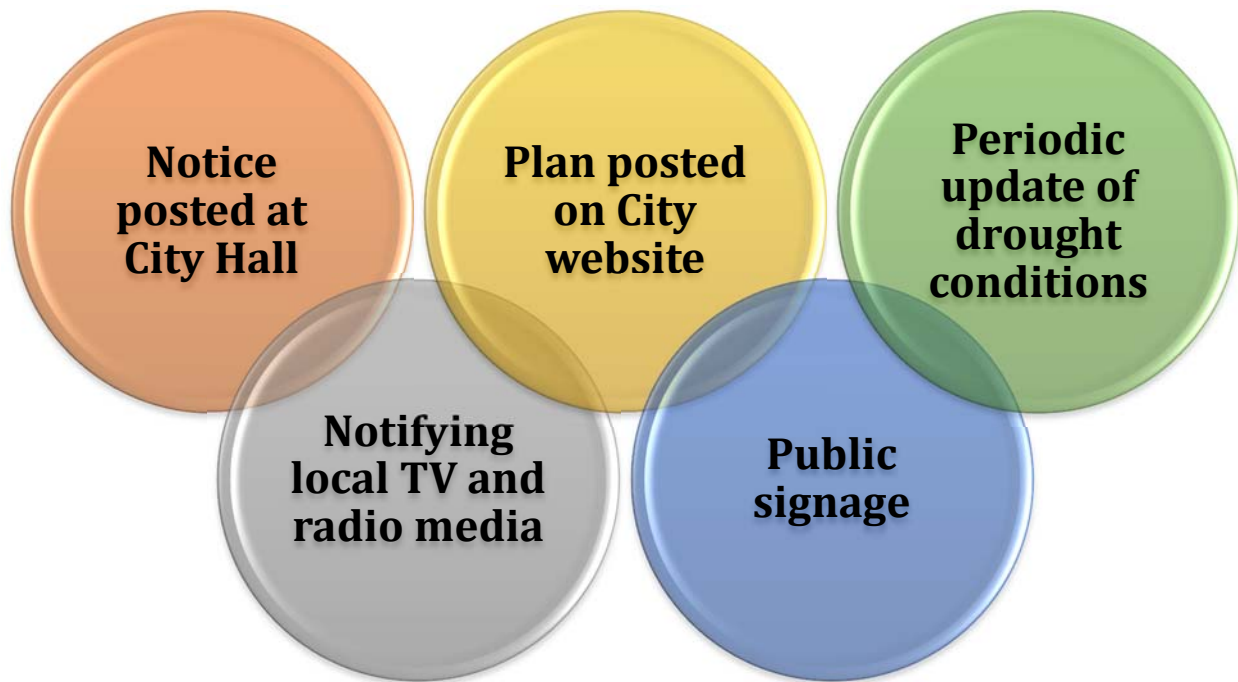
The Texas Water Development Board (TWDB) requires that the City submit a Water Conservation Plan every five years to coincide with the Regional Water Planning Cycle. The TWDB also requires that the City submit the following information annually:

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:

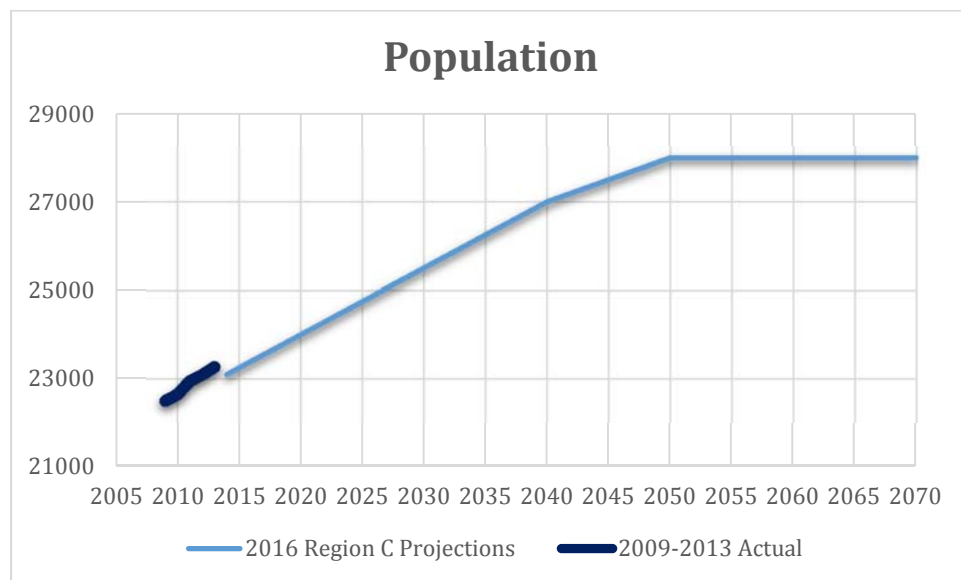
- Irrigation of landscape areas, including parks, athletic fields, and golf courses.
- Use of water to wash any motor vehicle, boat, trailer, airplane, or other vehicle.
- Use of water to wash down any sidewalks, walkways, driveways, parking lots, athletic courts, or other hard surfaced areas.
- Use 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.

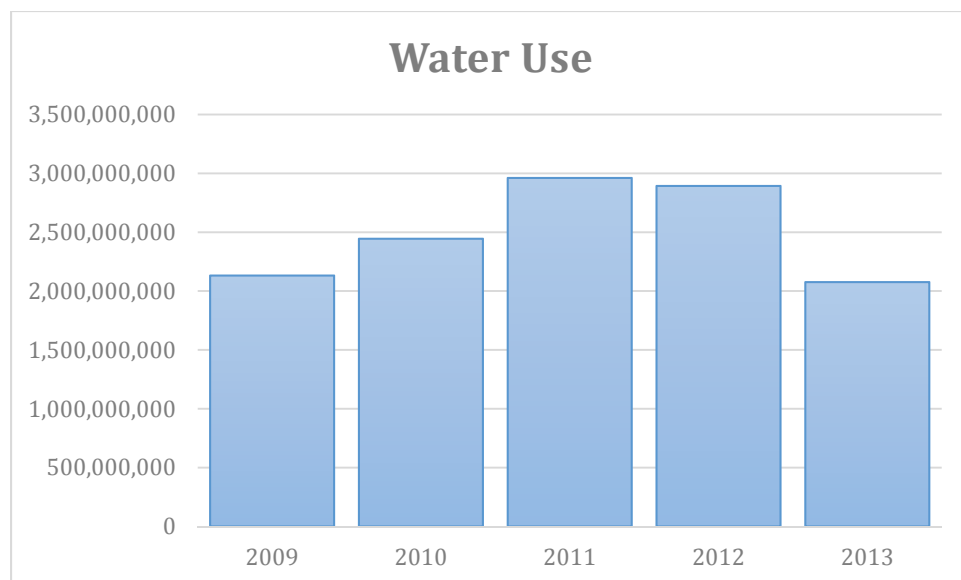
WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

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.

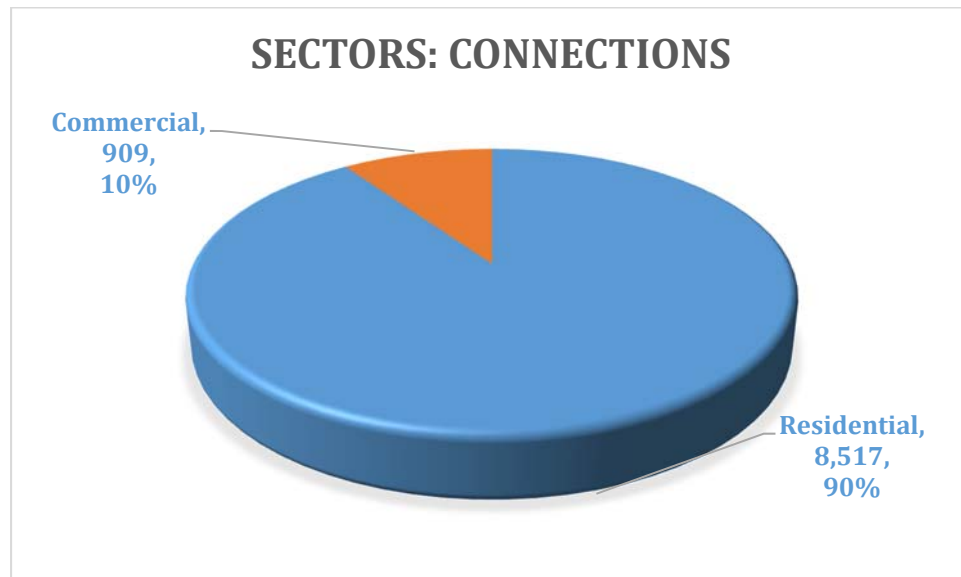
WATER DEMANDS

Over the previous 5 years, the City has averaged 2,501,202,500 gallons (7,676 acre-feet) of water use annually.

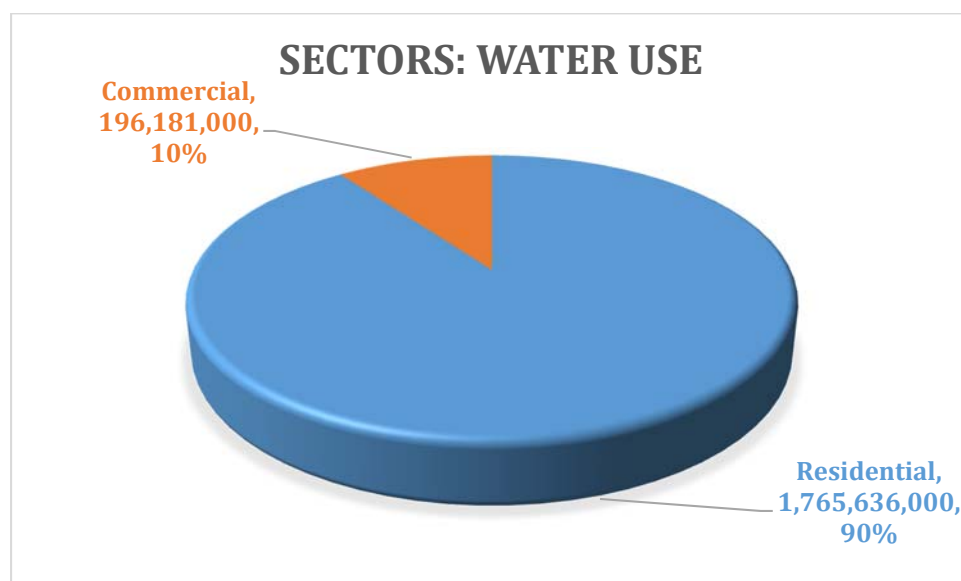


WATER USE SECTORS

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.



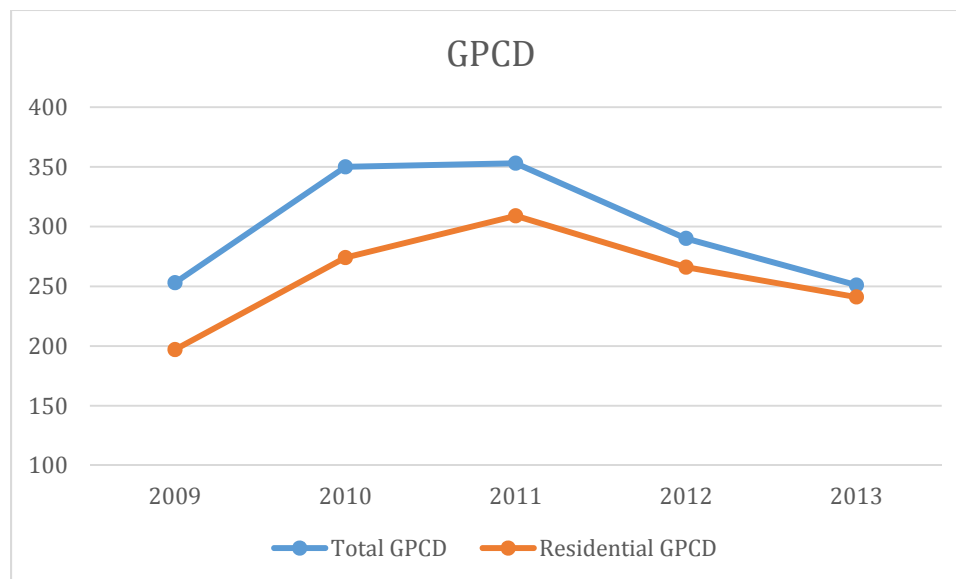
Water use for each sector is shown below.



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.

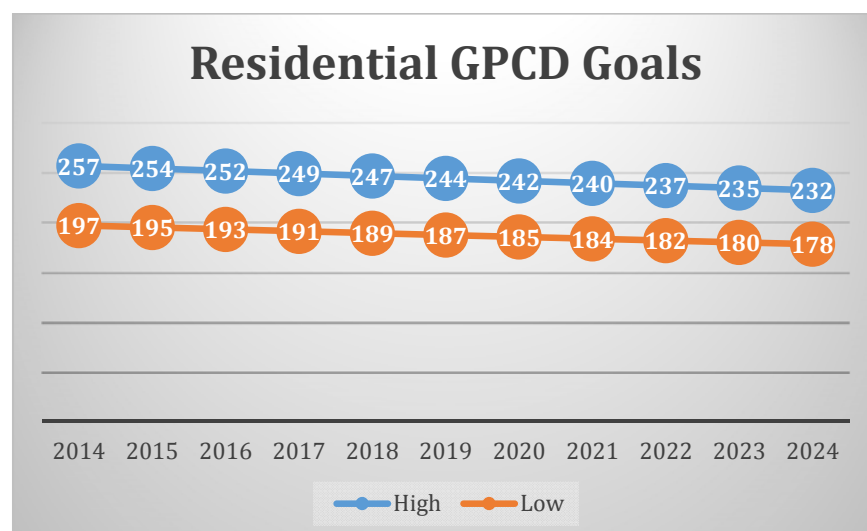
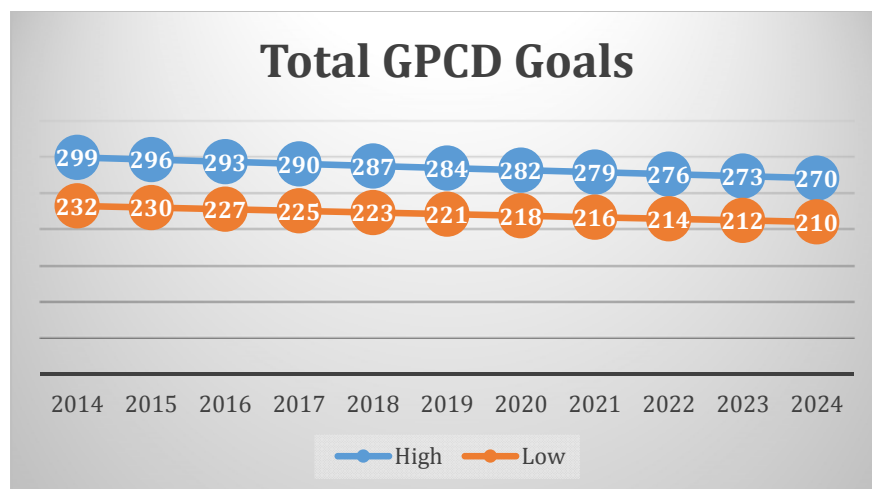
For the previous five years, Total and Residential GPCD for the City are shown below.



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

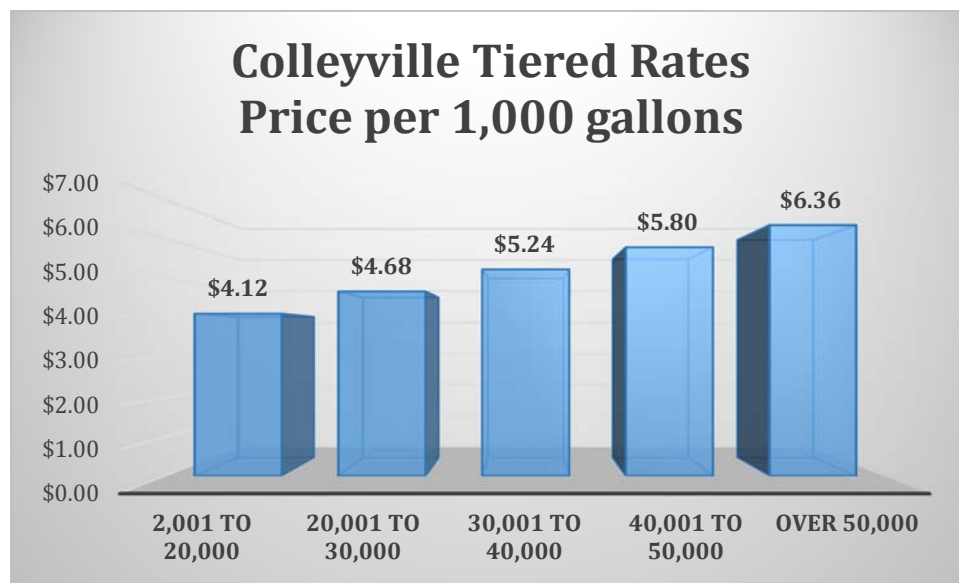
Colleyville has a non-promotional, tiered rate structure for water service that is cost based and discourages the excessive use of water. Tiered rates are designed to reward customers who use less water by charging the lower rates for water used in the lower tiers. The more water a customer uses, the 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:



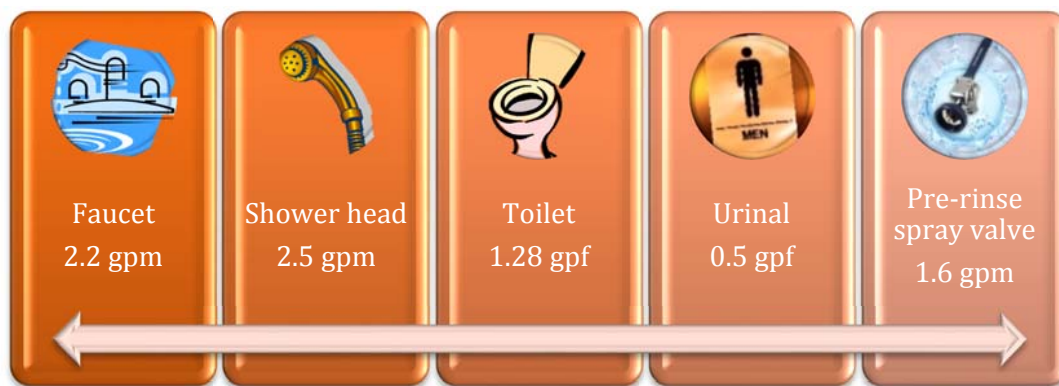
In the progressively tiered system, once usage elevates to the next tier, every 1,000 gallons of water will be charged at the rate for that tier. Water bills will be calculated so that water used in the lower tiers is charged at that tier. Bills will provide a snapshot of the portion of water use from 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

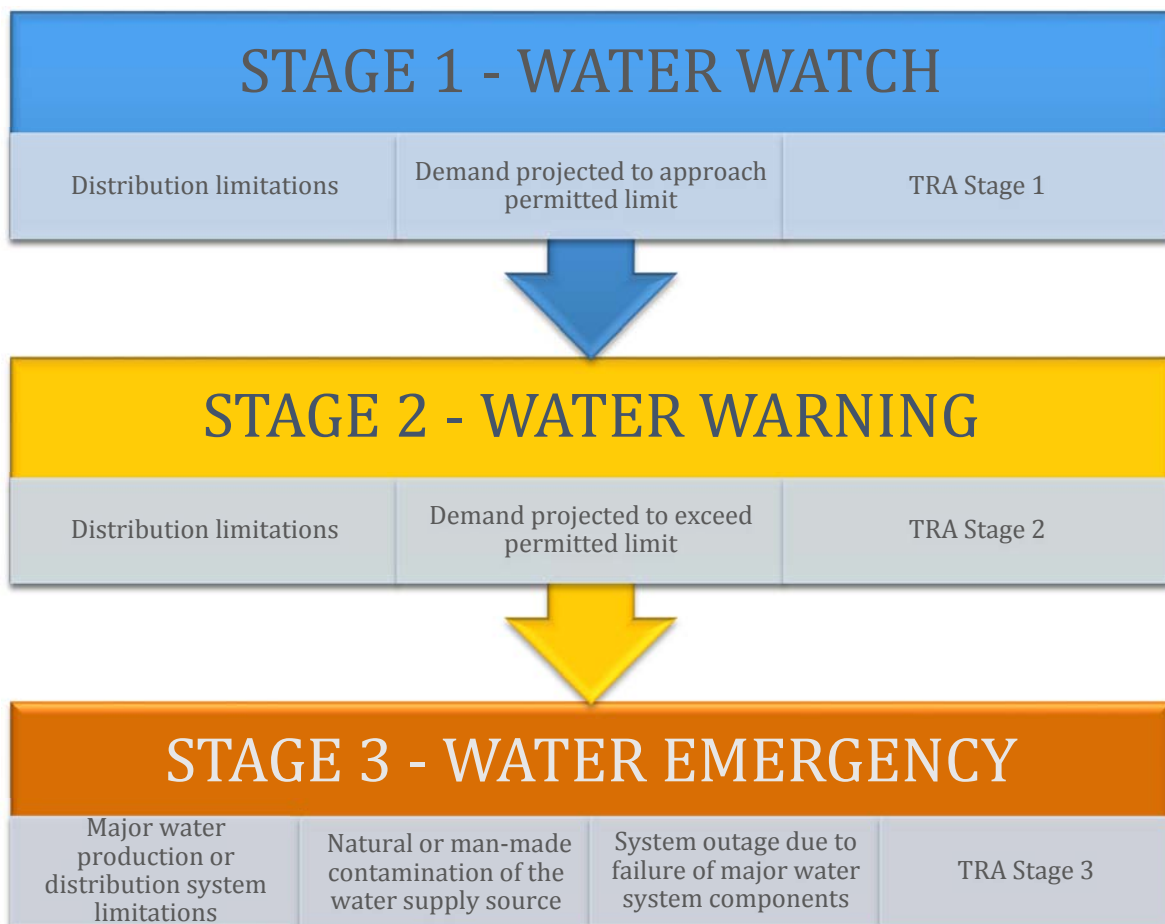
The City will select any combination of the following strategies, in addition to those strategies listed above, if they are necessary to achieve the stated water conservation goals of this Water Conservation Plan. The TCEQ may also require that any of the following strategies be implemented by the City 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

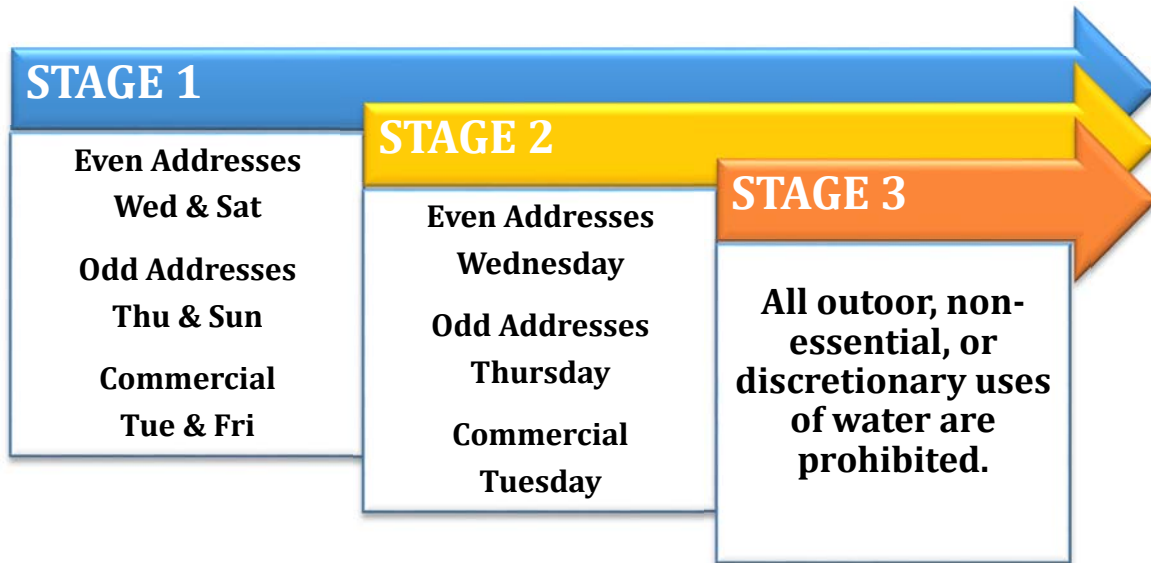
The City Manager will, with the concurrence of the City Council, order the implementation of a drought response stage or water emergency when requested to do so by TRA or when he/she determines that conditions warrant the implementation of the plan. The City is always in Water Awareness stage.

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.

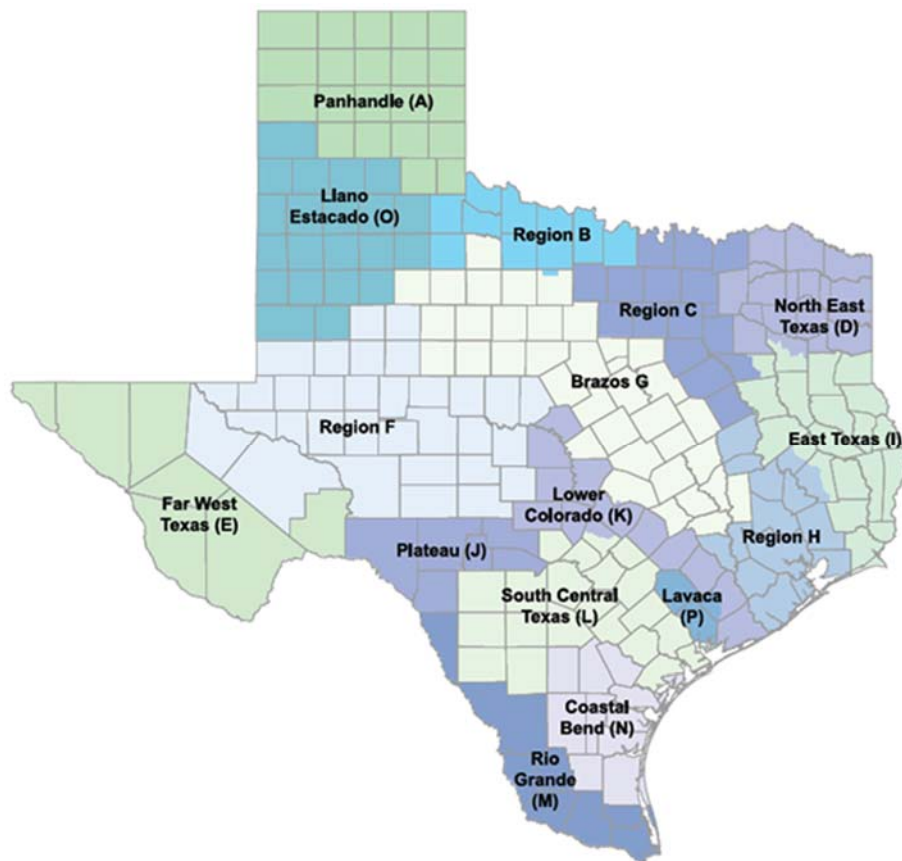
ENFORCEMENT

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 8a

Agenda Date 01/20/2015

Number Resolution R-15-3836

Type Resolution

Department City Secretary

Title

Consideration of appointments to the Colleyville Tree Board

Explanation

Reading and Public Hearing

The Colleyville Tree Board consists of representatives from the Parks and Recreation Advisory Board, the Keep Colleyville Beautiful Committee, and/or the Colleyville Garden Club. The attached Colleyville Tree Board bylaws provides the terms of the board members run concurrent with the member's terms on the Parks and Recreation Advisory Board, Keep Colleyville Beautiful Committee, and/or the Colleyville Garden Club.

The terms of Suzanne Hughes and Carel Tornes, Parks and Recreation Advisory Board representatives, expired December 2014. On January 5, 2015, the Parks and Recreation Advisory Board recommended the appointment of Michelle McGarry and Hillary Schwanbeck to the Colleyville Tree Board, to serve a term concurrent with their terms on the Parks and Recreation Advisory Board; December 2016 and December 2015 respectively.

This item is provided for City Council to consider appointments to the Colleyville Tree Board.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Colleyville Tree Board bylaws
2. Colleyville Tree Board roster
3. Resolution R-15-3836

COLLEYVILLE TREE BOARD BYLAWS

ARTICLE I – Identification and Purpose

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

ARTICLE II – Membership

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

ARTICLE III – Officers

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

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

ARTICLE IV – Meetings

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

ARTICLE V – Duties and Responsibilities

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

ARTICLE VI – Amendments

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

Colleyville Tree Board

Keep Colleyville Beautiful

Representative

Nancy Coplen

4803 Queensbury Way E.

Colleyville, TX 76034

H: (817) 300-8351

coplen2@gmail.com

TERM:Mar 2014 - Dec 2015

Keep Colleyville Beautiful

Representative

Brenda Ritz

6700 Colleyville Boulevard

Colleyville, TX 76034

H: (817) 689-0844

BrendaRitz@me.com

TERM:Mar 2014 - Dec 2015

Parks and Recreation

Representative

Ajit Purandare

1109 Riverwalk Court

Colleyville, TX 76034

W: (202) 361-7674

H: (682) 325-4172

apurandoc@aol.com

TERM:Mar 2014 - Dec 2015

Keep Colleyville Beautiful

Representative

Natalie Genco

1104 John McCain

Colleyville, TX 76034

H: (817) 421-6828

nataliegenco@gmail.com

TERM:Mar 2014 - Dec 2015

Parks and Recreation

Representative

Suzanne Hughes

901 Hardage Lane

Colleyville, TX 76034

H: (817) 329-0076

suzanne-hughes@tx.rr.com

TERM:Jan 2013 - Dec 2014

Parks and Recreation

Representative

Carel Tornes

6712 Hillier Court

Colleyville, TX 76034

H: (817) 788-5611

careltornes@gmail.com

TERM:Jan 2013 - Dec 2014

RESOLUTION R-15-3836

**A RESOLUTION APPOINTING MEMBERS TO THE
COLLEYVILLE TREE BOARD**

WHEREAS, the Colleyville Tree Board consists of representatives from the Parks and Recreation Advisory Board, the Keep Colleyville Beautiful Committee, and/or the Colleyville Garden Club; and

WHEREAS, the Parks and Recreation Advisory Board recommends the appointment of Michelle McGarry and Hillary Schwanbeck.

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

Sec. 1. THAT the City Council hereby appoints Michelle McGarry and Hillary Schwanbeck, representing the Parks and Recreation Advisory Board to serve a term to December 2016 and December 2015 respectively, concurrent with their terms on the Parks and Recreation Advisory Board.

AND IT IS SO RESOLVED.

PASSED BY A VOTE OF ____ AYES, ____ NAYS, AND ____
ABSTENTIONS ON THIS 20TH 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 8b

Agenda Date 01/20/2015

Number Resolution R-15-3837

Type Resolution

Department City Secretary

Title

Consideration of appointments to the Park Land Dedication Committee

Explanation

Reading and Public Hearing

The Park Land Dedication Committee is comprised of two members of the Planning and Zoning Commission and two members of the Parks and Recreation Advisory Board. The attached Park Land Dedication Committee bylaws provides that the City Council shall appoint the members of the Park Land Dedication Committee, and the terms of the members of the Park Land Dedication Committee shall coincide with their respective terms on the Planning and Zoning Commission or the Parks and Recreation Advisory Board.

At the December 16, 2014 City Council meeting, City Council approved the Planning and Zoning Commission appointment to the Park Land Dedication Committee by the attached Resolution R-14-3823.

The term of Parks and Recreation Advisory Board representative Suzanne Hughes, expired December 2014. On January 5, 2015, the Parks and Recreation Advisory Board recommended the appointment of Nancy Coplen, to a term expiring December 2016, to the Park Land Dedication Committee.

This item provides for City Council to consider the appointment to the Park Land Dedication Committee as recommended by the Parks and Recreation Advisory Board.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Park Land Dedication Committee bylaws
2. Park Land Dedication Committee roster
3. Resolution R-14-3823
4. Resolution R-15-3837

PARK LAND DEDICATION COMMITTEE BYLAWS

ARTICLE I – Identification and Purpose

The Park Land Dedication Committee was established by the City Council of Colleyville, Texas, by Ordinance O-91-823 on June 4, 1991 and was amended by Ordinance O-98-1129 on December 15, 1998. The purpose of the Park Land Dedication Committee is to serve in an advisory capacity to the Planning and Zoning Commission and the City Council relating to proposed park land dedication fund expenditures and proposed updates to the Parks and Recreation Master Plan.

ARTICLE II – Membership

- 2.1 The Park Land Dedication Committee shall consist of four (4) members; Two (2) members of the Planning and Zoning Commission and two (2) members of the Parks and Recreation Advisory Board. The Planning and Zoning Commission and Parks and Recreation Advisory Board shall make a recommendation from their respective membership to the City Council. The Park Land Dedication Committee members shall be appointed by the City Council for a term that shall run concurrent with their terms on the Planning and Zoning Commission and the Parks and Recreation Advisory Board.
- 2.2 Members shall serve without compensation and until their successors are appointed.
- 2.3 Members must be residents of Colleyville, Texas unless City Council waives the residency requirement.
- 2.4 Vacancies on the Park Land Dedication Committee shall be reported to the City Secretary. The Planning and Zoning Commission and Parks and Recreation Advisory Board shall make a recommendation from their respective membership to the City Council. The vacancies will filled by appointment of the City Council for the length of the unexpired term.
- 2.5 If a member of the Park Land Dedication Committee fails to maintain a seventy-five percent (75%) attendance record for all regularly scheduled meetings, City staff liaison will notify the City Secretary. City Council may, at its discretion, declare a vacancy, advertise the open position or appoint a replacement without advertising.

ARTICLE III – Meetings

- 3.1 Meetings shall be held on an as needed basis and meeting dates, times and location may be changed as necessary. Meetings must be held in accordance with the provisions of the Texas Open Meetings Act.
- 3.2 Members unable to attend a regular meeting shall notify the staff liaison by noon of the meeting day.
- 3.3 A majority of the voting Park Land Dedication Committee shall constitute a quorum to conduct business of the Park Land Dedication Committee. However, no action shall be approved with less than three affirmative votes of the Park Land Dedication Committee members. The actions of the Park Land Dedication Committee members, present at a meeting, at which a quorum is in attendance, shall constitute the recommendations of the Park Land Dedication Committee.
- 3.4 Meeting agendas will be posted on the City Hall bulletin boards and the City's web site 72 hours prior to a meeting. Meeting agenda packets will be available to the public on the City's website 72 hours prior to a meeting. Approved meeting minutes will be included in City Council agenda packets under Reports.
- 3.5 Meeting agenda packets will be emailed to each committee member 72 hours prior to a meeting.
- 3.6 The City staff liaison shall preside at all meetings.
- 3.7 City staff shall take minutes of the meeting and serve as custodian of Park Land Dedication Committee records.
- 3.8 Special meetings may be called at the request of City Council, City staff liaison, or a Committee member of the Park Land Dedication Committee for the transaction of business. Posting and notification of meeting requirements shall apply to special meetings.
- 3.9 The Park Land Dedication Committee may establish sub committees as deemed appropriate. Such committees will be dissolved upon completion of the charge or task.

ARTICLE IV – Duties and Responsibilities

- 4.1 The Park Land Dedication Committee acts in an advisory capacity to the Planning and Zoning Commission and City Council in all matters pertaining to proposed park land dedication fund expenditures.
- 4.2 The Park Land Dedication Committee shall review the Parks and Recreation Master Plan every three (3) years and make recommendations for modification and alteration.

- 4.3 The Planning and Zoning Commission representatives to the Park Land Dedication Committee shall sign the Acknowledgement Statement in accordance with the Colleyville City Charter, Section 14.02, Personal Financial Interest, Subsection G, Oath, which acknowledges familiarity with the referenced section and Chapter 171 of the Local Government Code pertaining to conflict of interest.
- 4.4 The Planning and Zoning Commission representatives to Park Land Dedication Committee shall meet the filing requirements of the Disclosure Act. The City is required to place all Conflict Disclosure Statements submitted to the City on the City's web site.
- 4.5 The Park Land Dedication Committee member will take the Attorney General Texas Open Meetings Act on-line training course or obtain a dvd of the training course from the City Secretary, and provide a copy of the Certificate of Course Completion to the City Secretary. The training must be completed not later than the 90th day after the date the member takes the oath of office or otherwise assumes responsibilities as a member of the governmental body.

ARTICLE V – Amendments

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

Park Land Dedication Committee

Parks and Recreation

Representative

Leti Carson

4504 Jim Mitchell Trail West

Colleyville, TX 76034

H: (817) 540-1250

leticarson@gmail.com

TERM: Mar 2014 - Dec 2015

Parks and Recreation

Representative

Suzanne Hughes

901 Hardage Lane

Colleyville, TX 76034

H: (817) 329-0076

suzanne-hughes@tx.rr.com

TERM: Mar 2014 - Dec 2014

Planning and Zoning

Representative

Carel Tornes

6712 Hillier Court

Colleyville, TX 76034

H: (817) 788-5611

careltornes@gmail.com

TERM: Nov 2013 - Sep 2015

Planning and Zoning

Representative

David Wheelwright

5701 Reatta Place

Colleyville, TX 76034

H: (817) 875-6082

dwheelwright@me.com

TERM: Dec 2014 - Sep 2016

RESOLUTION R-14-3823

**A RESOLUTION APPOINTING A MEMBER TO THE
PARK LAND DEDICATION COMMITTEE**

WHEREAS, the Park Land Dedication Committee is comprised of two members of the Parks and Recreation Advisory Board and two members of the Planning and Zoning Commission; and

WHEREAS, the Park Land Dedication Committee member terms coincide with the member's terms on the Parks and Recreation Advisory Board and the Planning and Zoning Commission; and

WHEREAS, the Planning and Zoning Commission recommends the appointment of David Wheelwright to the Park Land Dedication Committee.

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

Sec. 1. THAT the City Council hereby appoints David Wheelwright to serve on the Park Land Dedication Committee with a term expiring September 2016.

AND IT IS SO RESOLVED.

PASSED BY A VOTE OF 6 AYES, 0 NAYS, AND 0 ABSTENTIONS ON THIS THE 16TH DAY OF DECEMBER 2014.

ATTEST:


Amy Shelley, TRMC
City Secretary

CITY OF COLLEYVILLE


David Kelly
Mayor

RESOLUTION R-15-3837

**A RESOLUTION APPOINTING A MEMBER TO THE
PARK LAND DEDICATION COMMITTEE**

WHEREAS, the Park Land Dedication Committee is comprised of two members of the Parks and Recreation Advisory Board and two members of the Planning and Zoning Commission; and

WHEREAS, the Park Land Dedication Committee member terms coincide with the member's terms on the Parks and Recreation Advisory Board and the Planning and Zoning Commission; and

WHEREAS, the Parks and Recreation Advisory Board recommends the appointment of Nancy Coplen to the Park Land Dedication Committee.

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

Sec. 1. THAT the City Council hereby appoints to the Park Land Dedication Committee, Nancy Coplen, to serve with a term expiring December 2016.

AND IT IS SO RESOLVED.

PASSED BY A VOTE OF ___ AYES, ___ NAYS, AND ___ ABSTENTIONS ON THIS
THE 20TH 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 10

Agenda Date 01/20/2015

Type Report

Department City Secretary

Title

Planning and Zoning Commission Meeting Minutes - December 8, 2014

Attachments

1. Planning and Zoning Commission Meeting Minutes - December 8, 2014



City of Colleyville Planning and Zoning Commission Minutes

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

Monday, December 8, 2014

City Council Chambers

CALL MEETING TO ORDER

The Planning and Zoning Commission meeting of the City of Colleyville was called to order by Chairman Byerly on December 8, 2015 at 7:05 p.m.

Roll Call

Present: Commissioners Larry Knox, Carel Tornes, David Wheelwright, Jim Gotcher, Don Davis, David Phelps, and Jeff Byerly

Staff Present: Ron Ruthven, Taci Wrisley, Rob McKeown, Marty Wieder, Adam Marsh, Brian Riley, and Matt Butler (City Attorney)

1. SWEARING IN OF NEWLY APPOINTED MEMBER

Taci Wrisley swore in Jim Gotcher to Place 1.

2. APPROVAL OF MINUTES

Commissioner Knox made a motion to approve the minutes as corrected. Commissioner Davis seconded.

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

Aye: 7 – Knox, Tornes, Wheelwright, Gotcher, Davis, Phelps, and Byerly

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

There were no citizen comments/presentations regarding items not on the agenda as a public hearing item.

4. REGULAR AGENDA ITEMS

- 4a** Approval of a replat on Lot 2, Block 1 of the K. I. S. D. Addition, located at 8170 Precinct Line Road, Case PC14-026

Ron Ruthven presented the case and briefed the Commission.

Commissioner Tornes questioned staff regarding whether there was cross access between the subject property to the north and if

not does this create a potential fire safety issue. Ron Ruthven replied there currently is not a cross access easement to the property to the north. He further explained provided all of the fire code requirements were met on the subject property, the lack of a cross access easement would not be an issue.

Mike Stansberry, the applicant, came forward and briefed the Commission.

Commissioner Davis questioned Mr. Stansberry regarding whether there would be a single restaurant for this proposed location or would it be a dual restaurant. Mr. Stansberry replied it would be a single restaurant.

Discussion continued regarding the potential business.

Commissioner Phelps questioned Mr. Stansberry regarding whether their proposed site plan provided for a cross access easement. Mr. Stansberry replied yes.

Commissioner Davis questioned Mr. Stansberry regarding what various size stores they currently have. Mr. Stansberry replied they have three different model sizes.

Commissioner Tornes questioned Mr. Stansberry regarding whether the traffic flow would go around the building and then around the front to exit. Mr. Stansberry replied yes.

Commissioner Tornes questioned Mr. Stansberry regarding the location of the sidewalk. Mr. Stansberry replied the sidewalk would run parallel to Precinct Line Road and to the cross access easement.

Commissioner Phelps questioned staff regarding the sidewalk requirement for this property. Ron Ruthven replied there would be a ten foot (10') trail required for this property that would be placed in the right-of-way.

Discussion continued regarding the required trail.

Commissioner Davis questioned staff regarding why there is a minimum requirement for lot width for commercial. Ron Ruthven he believed it was to ensure adequate access.

Discussion continued regarding commercial lot sizes.

Commissioner Davis questioned staff regarding whether he anticipated any internal circulation issues with the proposed development. Ron Ruthven replied no.

Commissioner Gotcher questioned Mr. Stansberry regarding why the decision was made to go with the reduced lot width. Mr. Stansberry replied they had no use for the additional 30 feet of width.

Commissioner Davis questioned Mr. Stansberry regarding whether they had restaurants smaller than the proposed and were there traffic flow problems with any of them.

Commissioner Tornos questioned Mr. Stansberry regarding if traffic problems did occur on the site, could they contact the Texas Department of Transportation (TxDOT) to modify their entrance and exit. Mr. Stansberry replied they would need to apply with TxDOT to have that modification made.

Commissioner Knox questioned Mr. Stansberry regarding the width of the parking lot. Mr. Stansberry replied the parking spaces were 18 feet in length and 32 feet between the two (2) rows of parking spaces.

Commissioner Phelps made a motion to approve Case PC14-026. Commissioner Davis seconded.

The motion to approve Case PC14-026 carried by the following vote:

Aye: 7 – Knox, Tornos, Wheelwright, Gotcher, Davis, Phelps, and Byerly

- 4b** Approval of a 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

Ron Ruthven presented the case and briefed the Commission.

Kosse Maykus, the developer, came forward and briefed the Commission.

Commissioner Tornes questioned Mr. Maykus regarding whether they planned to connect the trails to the Remington Park Addition trails. Mr. Maykus replied yes.

Commissioner Tornes made a motion to approve Case PC14-025. Commission Wheelwright seconded the motion.

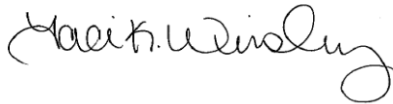
The motion to approve Case PC14-025 carried by the following vote:

Aye: 7 – Knox, Tornes, Wheelwright, Gotcher, Davis, Phelps, and Byerly

5. ADJOURNMENT

The meeting adjourned at 7:33 p.m.

The minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on January 12, 2015 by a vote of 5-0.



City of Colleyville City Council Agenda Briefing

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

Agenda Number 10

Agenda Date 01/20/2015

Type Report

Department Finance

Title

Monthly Financial Report - December 2014

Explanation

General Fund

The percentage of current year taxes collected is slightly behind the percentage collected for December 2013. For the month of December, General Fund sales tax is up 7.472% (\$17,593) from revenues reported for the same time period last year. Per GASB accounting rules, the December 2014 sales tax allocation is the first month of sales tax revenue recorded in Fiscal Year 2015. October 2014 and November 2014 sales tax allocations are reported in the prior fiscal year, as the sales upon which the taxes were collected occurred in August 2014 and September 2014, respectively. This is the ninth consecutive month of increased sales tax revenues as compared to the prior year, and this is the highest December sales tax allocation ever received.

The quarterly Mixed Beverage Tax allocation came in at \$35,820 compared to \$21,291 last fiscal year. This increase is mostly attributable to a legislation change requiring customers to pay sales tax of 8.25% on mixed drinks, effective January 1, 2014.

Five new residential building permits were issued in December compared to seven that were issued in December 2013. Revenues received for licenses and permits exceed current year projections by over 10% year to date. Ambulance collections are behind last year's collections by 33%, partly due to a 10% decrease in hospital transports for the first quarter of this fiscal year, compared to last fiscal year. Recreation revenues are down 32% compared to the same time period last fiscal year, due to a decline in tennis and other class registrations. Engineering and Inspection revenues have exceeded budgeted projections already this fiscal year due to the development plan review and inspection fees received for the Creekside at Colleyville project. Colleyville Center revenues are currently ahead of last year's revenues by 13% and are tracking close to budgeted projections for this fiscal year.

The average amount expended by the General Fund departments at the end of December is 22.12% of the total appropriation versus 22.8%, which was projected to be spent.

Utility Fund

Water usage increased 21.15% as compared to the amount sold through December 2013. For the months of September through November, rainfall totals were 4.28 inches compared to 7.97 inches for the same time period last fiscal year. The average amount expended by the Utility Fund departments at the end of December was 25.99% of the total appropriation, versus 26.44%, which was projected to be spent.

Attachments

1. December 2014 Monthly Financial Report

MONTHLY FINANCIAL REPORT - DECEMBER 2014

GENERAL FUND		RECEIVED	PROJECTED	RECEIPT VS	RECEIVED	PERCENT
REVENUE SOURCE	FY 2015	AS OF	AS OF	PROJECTED	AS OF	CHANGE OVER
	BUDGET	12/31/2014	12/31/2014	INCR (DECR)	12/31/2013	PRIOR YEAR
Current Taxes	\$12,441,254	\$3,653,612	\$3,648,367	0.14%	\$3,536,484	3.31%
Delinquent Taxes	70,000	8,439	7,000	20.55%	19,866	-57.52%
Penalty & Interest	55,000	2,440	1,650	47.88%	7,177	-66.00%
TOTAL AD VALOREM TAXES	\$12,566,254	\$3,664,491	\$3,657,017	0.20%	\$3,563,527	2.83%
Oncor Electric	\$860,000	\$0	\$0	0.00%	\$0	0.00%
Tri-County Electric	105,000	0	0	0.00%	0	0.00%
Atmos Gas	305,000	0	0	0.00%	0	0.00%
AT&T	78,000	18,154	19,500	-6.90%	19,586	-7.31%
Verizon/Others	70,000	18,599	17,500	6.28%	17,412	6.82%
Refuse/Recycling	146,000	35,047	33,501	4.61%	33,455	4.76%
Cable TV	430,000	127,514	107,500	18.62%	117,264	8.74%
TOTAL FRANCHISE TAXES	\$1,994,000	\$199,314	\$178,001	11.97%	\$187,717	6.18%
Sales Tax	\$3,200,000	\$253,111	\$252,142	0.38%	\$235,518	7.47%
Mixed Beverage Tax	70,000	35,820	17,500	104.68%	21,291	68.24%
TOTAL SALES TAX	\$3,270,000	\$288,931	\$269,642	7.15%	\$256,809	12.51%
Building	\$558,000	\$151,155	\$139,500	8.35%	\$213,870	-29.32%
Plumbing	50,000	16,473	12,500	31.78%	14,972	10.02%
Mechanical	30,000	7,862	7,500	4.82%	9,492	-17.18%
Electrical	45,000	12,867	11,250	14.37%	16,727	-23.08%
City License	40,000	7,030	10,000	-29.70%	9,080	-22.58%
Building Plan Review Fee	100,000	28,822	25,000	15.29%	55,744	-48.30%
New Business	4,000	1,034	1,000	3.40%	987	4.76%
Sign Permit	6,000	2,205	1,500	47.00%	2,115	4.26%
Fence Permit	4,000	2,550	1,000	155.00%	2,475	3.03%
Fire Permits	6,500	2,350	1,625	44.62%	1,000	135.00%
Irrigation Permit	13,000	5,105	3,250	57.06%	2,864	78.26%
TOTAL LICENSES & PERMITS	\$856,500	\$237,452	\$214,125	10.89%	\$329,327	-27.90%
Fines	\$735,000	\$182,448	\$183,750	-0.71%	\$161,922	12.68%
Alarm Fees	52,788	16,677	13,197	26.37%	11,884	40.33%
Library Fines	22,500	5,738	5,625	2.00%	5,225	9.82%
TOTAL FINES	\$810,288	\$204,863	\$202,572	1.13%	\$179,031	14.43%

MONTHLY FINANCIAL REPORT - DECEMBER 2014

REVENUE SOURCE	FY 2015 BUDGET	RECEIVED AS OF 12/31/2014	PROJECTED AS OF 12/31/2014	RECEIPT VS PROJECTED INCR (DECR)	RECEIVED AS OF 12/31/2013	PERCENT CHANGE OVER PRIOR YEAR
Re-zoning	\$7,500	\$2,028	\$1,875	8.18%	\$2,415	-16.01%
Plat Fee/Site Plan	5,000	2,338	1,250	87.00%	4,813	-51.43%
Board of Adjustment	1,250	525	313	68.00%	350	100.00%
Sale of Material	100	12	25	-52.00%	473	-97.46%
Weed Mowing	6,500	1,969	1,625	21.17%	505	289.91%
Ambulance	300,000	70,730	75,000	-5.69%	106,171	-33.38%
Recreation Program	160,000	20,797	33,785	-38.45%	30,618	-32.08%
Non-Resident Fee Parks	35,000	16,995	17,500	-2.89%	16,725	1.61%
Field Use Charge	21,000	12,965	10,500	23.48%	9,720	33.38%
Engineering & Inspection	100,000	107,877	25,000	331.51%	122,183	-11.71%
Colleyville Center Rental	257,250	48,888	48,174	1.48%	43,071	13.51%
Lot Drainage Insp Fee	13,000	4,125	3,250	26.92%	3,875	6.45%
TOTAL CHARGES FOR SERVICE	\$906,600	\$289,249	\$218,297	32.50%	\$340,918	-15.16%
SRO Officer Reimb	\$94,282	\$0	\$0	0.00%	\$0	0.00%
Keller Court	217,697	57,852	57,852	0.00%	56,479	2.43%
TOTAL INTERGOVERNMENTAL	\$311,979	\$57,852	\$57,852	0.00%	\$56,479	0.00%
Sale of Surplus Property	\$5,000	\$3,798	\$1,250	203.80%	\$0	100.00%
Interest Income	35,000	507	3,675	-86.20%	0	100.00%
Miscellaneous	55,000	39,625	13,750	188.18%	31,476	25.89%
Use of Available Cash	1,000,000	0	0	0.00%	0	0.00%
Antenna Lease	70,040	31,075	31,075	0.00%	30,345	2.41%
TOTAL MISCELLANEOUS	\$1,165,040	\$75,005	\$49,750	50.76%	\$61,821	21.33%
Transfers-In	\$1,182,919	\$0	\$0	0.00%	\$0	0.00%
TOTAL TRANSFERS	\$1,182,919	\$0	\$0	0.00%	\$0	0.00%
TOTAL GENERAL FUND REVENUES	\$23,063,580	\$5,017,156	\$4,847,256	3.51%	\$4,975,630	0.83%

MONTHLY FINANCIAL REPORT - DECEMBER 2014

	FY 2015 BUDGET	THROUGH 12/31/2014	THROUGH 12/31/2013	TOTAL INCREASE (DECREASE)	PERCENT INCREASE (DECREASE)
% OF CURRENT TAX ROLL COLLECTED	99.5%	62.79%	63.06%	-0.27%	-0.43%
RESIDENTIAL BLDG PERMITS	118	30	28	2	7.14%
COMMERCIAL BLDG PERMITS	6	3	1	2	200.00%
CITATIONS ISSUED	11,500	2,288	2,326	(38)	-1.63%

GENERAL FUND EXPENSES

	FY 2015 BUDGET	EXPENDED THROUGH 12/31/2014	YEAR-TO-DATE PROJECTED EXPENDITURES	% OF BUDGET EXPENDED	BUDGET REMAINING
City Council	\$188,506	\$47,008	\$47,127	24.94%	\$141,498
City Manager	606,286	143,645	151,572	23.69%	462,641
City Secretary	209,919	50,147	52,480	23.89%	159,772
Finance	407,827	124,682	126,957	30.57%	283,145
Legal	130,460	33,745	32,615	25.87%	96,715
Engineering	380,608	104,388	105,152	27.43%	276,220
Economic Development	302,995	46,352	50,749	15.30%	256,643
Building Inspection	281,134	86,588	87,284	30.80%	194,546
Community Development	349,709	45,324	47,427	12.96%	304,385
Fire	4,568,006	1,196,836	1,201,002	26.20%	3,371,170
Police	4,408,293	1,141,783	1,146,073	25.90%	3,266,510
Parks	1,300,258	262,454	265,065	20.18%	1,037,804
Recreation	357,823	55,149	59,456	15.41%	302,674
Street Maintenance	4,083,178	569,502	620,795	13.95%	3,513,676
Library	724,124	179,060	181,031	24.73%	545,064
Communications	168,267	30,999	42,067	18.42%	137,268
Colleyville Center	358,155	78,390	89,539	21.89%	279,765
Human Resources	274,930	35,488	38,733	12.91%	239,442
Municipal Court	399,733	95,083	99,933	23.79%	304,650
Fleet Services	232,003	53,881	58,001	23.22%	178,122
Facility Services	518,004	141,573	149,501	27.33%	376,431
Information Services	1,126,415	364,147	366,604	32.33%	762,268
Non Departmental	925,160	207,726	231,290	22.45%	717,434
Capital Equipment Reserve	542,000	0	0	0.00%	542,000
Compensation Adjustment	184,425	0	0	0.00%	184,425
TOTAL EXPENSES	\$23,028,218	\$5,093,949	\$5,250,448	22.12%	\$17,934,269

MONTHLY FINANCIAL REPORT - DECEMBER 2014

UTILITY FUND						
REVENUE SOURCE	FY 2015 BUDGET	RECEIVED AS OF 12/31/2014	PROJECTED AS OF 12/31/2014	RECEIPT VS PROJECTED INCR (DECR)	RECEIVED AS OF 12/31/2013	PERCENT CHANGE OVER PRIOR YEAR
Water Sales	\$9,820,661	\$2,836,669	\$2,469,896	14.85%	\$2,293,408	23.69%
Sewer Sales	3,053,229	828,283	763,307	8.51%	868,676	-4.65%
Sewer Installation	7,000	3,400	1,750	94.29%	2,700	25.93%
Water Installation	21,000	7,861	5,250	49.72%	6,580	19.46%
Sewer Tie-on Charges	5,000	0	0	0.00%	1,500	-100.00%
Engineering Charges	5,000	56,043	1,250	4383.43%	28,293	98.08%
Penalties	190,112	63,605	47,528	33.83%	64,674	-1.65%
Miscellaneous	13,000	3,751	3,250	15.40%	4,238	-11.49%
TOTAL OPERATING INCOME	\$13,115,002	\$3,799,610	\$3,292,231	15.41%	\$3,270,069	16.19%
Interest Income	\$20,300	\$2,896	\$3,383	-14.42%	\$0	100.00%
Use of Available Cash	250,000	0	0	0.00%	0	0.00%
TOTAL NON-OPERATING INCOME	\$270,300	\$2,896	\$3,383	0.00%	\$0	100.00%
TOTAL INCOME	\$13,385,302	\$3,802,506	\$3,295,615	15.38%	\$3,270,069	16.28%

	THROUGH 12/31/2014	THROUGH 12/31/2013	TOTAL INCREASE (DECREASE)	PERCENT INCREASE (DECREASE)
GALLONS OF WATER SOLD	625,562,800	516,349,400	109,213,400	21.15%
NUMBER OF WATER CUSTOMERS	9,546	9,426	120	1.27%

UTILITY FUND EXPENSES					
	FY 2015 BUDGET	EXPENDED THROUGH 12/31/2014	YEAR-TO-DATE PROJECTED EXPENSES	% OF BUDGET EXPENDED	BUDGET REMAINING
Billing	\$381,081	\$80,351	\$95,270	21.08%	\$300,730
Operations	10,546,206	2,760,879	2,786,552	26.18%	7,785,327
Utility Support	1,101,132	265,176	275,283	24.08%	835,956
Non-Departmental	305,133	64,270	76,283	21.06%	240,863
Debt Service	490,100	469,425	469,425	95.78%	20,675
Compensation Adjustment	21,733	0	0	0.00%	21,733
Transfer to General Fund	1,160,255	0	0	0.00%	1,160,255
TOTAL EXPENSES	\$14,005,640	\$3,640,101	\$3,702,813	25.99%	\$10,365,539

RESOLUTION R-15-3838

**A RESOLUTION APPROVING CITY COUNCIL ACTION
UNDER BUSINESS AT THE REGULAR CITY COUNCIL MEETING OF
JANUARY 20, 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 20TH DAY OF JANUARY 2015.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor