



City of Colleyville City Council Agenda

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

Tuesday, March 8, 2016

City Council Chambers

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

CALL TO ORDER

- PC-1** Update regarding activities and programs from the Colleyville Area Chamber of Commerce
- PC-2** Presentation and discussion of the City's wellness program
- PC-3** Discussion of an electronic voting system for the Council Chambers
- PC-4** Discussion of the March 8, 2016, 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 - Lincoln et al v. City of Colleyville

Section 551.071 - Legal - Consultation with attorney regarding litigation - Jane Doe v. City of Colleyville

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

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: Pastor Ricky Texada, Colleyville Covenant Church

PLEDGE OF ALLEGIANCE: City Attorney Matthew Boyle

2. EXECUTIVE SESSION READING AND PUBLIC HEARING: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - RESOLUTION R-16-3969

3. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

Announcements of civic and charitable events

Presentation of calendar events and updates

Announcements of awards and recognition

Presentation of a donation to the Colleyville Public Library for the 2016 Summer Reading Program from the Robert J. & Helen H. Glaser Family Foundation in the amount of \$10,000 - by the Colleyville Public Library Foundation, Cecilia Monacelli, President

Proclamation in recognition of the Robert J. & Helen H. Glaser Family Foundation – Mayor David Kelly and Library Director Mary Rodne

Recognition of achievement for earning a fifth consecutive Texas Municipal League Institute certificate, Councilmember Carol Wollin - Mayor David Kelly

Recognition for the City of Colleyville earning the Award of Leadership through the Texas Municipal League Institute - Mayor David Kelly and Councilmember Carol Wollin

4. CONSENT: READING AND PUBLIC HEARING- Resolution R-16-3970

4a Approval of the minutes of the regular City Council meeting of February 16, 2016

4b Approval of the Sign Board of Appeals bylaws

5. ORDINANCE(S): SECOND READING AND PUBLIC HEARING**5a Ordinance O-16-1975**

Consideration of a Special Use Permit for alcohol beverage sales (on-premises consumption) on Lot 23, of the Village at Colleyville Addition, located at 62 Main Street, Case ZC16-001

6. ORDINANCE(S): FIRST READING AND PUBLIC HEARING**6a Ordinance O-16-1976**

Consideration of a zoning change from the R-40-Single Family Residential zoning district to the R-30-Single Family Residential zoning district on Lot 1, Block 1, of the Harden Addition, located at 4916 Behrens Road, Case ZC15-021

6b Ordinance O-16-1977

Consideration of a Special Use Permit for a day care center on Lot 3, Block 6R, of the Woodbriar Estates West Addition, located at 300 West Greenbriar Lane, Case ZC15-023

7. RESOLUTION(S): READING AND PUBLIC HEARING**7a Resolution R-16-3971**

Consideration of an appeal to the decision of the Sign Board of Appeals for a variance to certain provisions of Chapter 7 (Sign Regulations) of the Land Development Code, on Lot 3R2, Block A, of the Colleyville Shopping Village Addition, located at 6209 Colleyville Boulevard (The Benefit Link), Case SC15-003

8. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA**9. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR MARCH 8, 2016 - READING AND PUBLIC HEARING - RESOLUTION R-16-3972**

10. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards Friday, March 4, 2016 by 5:00 p.m.

Amy Shelley, TRMC
City Secretary

A quorum of any Colleyville board, commission, or committee may be present at this meeting.

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

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



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
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Agenda Number PC-1

Agenda Date 03/08/2016

Type Pre Council

Department City Manager

Title

Update regarding activities and programs from the Colleyville Area Chamber of Commerce

Strategy Map Connection

B4- Cultivate a culture of transparency and consistent communication

Explanation

Connie Hanner, President, and Matt Eiserloh, Chairman of the Board, Colleyville Area Chamber of Commerce, will give a presentation and update regarding services offered through the Chamber of Commerce.

Attachments

1. Chamber Presentation

City Council Presentation City of Colleyville

March 8, 2016, 5:30 pm



COLLEYVILLE
AREA CHAMBER OF COMMERCE



THE MISSION:

To **promote** the economic, civic and cultural well being of the Colleyville area.



mission

THE VISION:

To be the vital resource that adds the

greatest value to our members,
businesses and the communities

we serve.



vision

THE FOCUS:

Position members and their
success as our highest
priority



members

THE KEY DELIVERABLES:

- Provide value for members
- Be a resource
- Raise awareness
- Educate



value

THE PLAN:



BUDGET



PLAN



DASHBOARD



PERFORMANCE
PLANS



tactics

CHAMBER EVENTS IN COLLEYVILLE

Colleyville Center



X 6

Crown of Life Lutheran
Church & School



X 4

Piazza in the Village



X 2

PROGRAMS



Leadership Colleyville



Educating the Community



Educating our members



Guiding Principles

1. Is it right for the member?

2. Is it right for the community?

3. Is it right for the Chamber

Events:



Awards Banquet



City Slickers



Empowered Woman



Golf Outing



events

PARTNERSHIP



City of Colleyville



COLLEYVILLE
AREA CHAMBER OF COMMERCE

Chamber of Commerce

Other projects:

Colleyville 5k Champ.
Series

Veterans Day salute
Tech-xpo

Fashion/Grub Crawl

- “Feed Your Style”

A.B.C. Conference

Tunes at Twilight



Disaster Recovery
Project

Highway 26 Listening
Sessions

Incubator

Endowing a
foundation

Accreditation

Developing legislative
agenda

trending

THANK
YOU



COLLEYVILLE
AREA CHAMBER OF COMMERCE



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
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Agenda Number PC-2

Agenda Date 03/08/2016

Type Pre Council

Department Human Resources

Title

Presentation and discussion of the City's wellness program

Strategy Map Connection

C2- Deliver high quality and unique customer service

B1- Seek innovative technology solutions where appropriate

B2- Proactively seek process improvements and sustainable solutions

B3- Utilize partnerships to implement cost-effective service solutions

L2- Foster positive employee engagement

Explanation

This item provides an opportunity for City Council and staff discussion of the employee wellness program and to highlight some of the recent changes to the program.

Background

In October 2004, the City contracted with Q Elements to implement a new employee wellness program which focused on efforts to reduce employee health claims and workers compensation claims. The name of the new program was "Fit and Well in Colleyville". This was a voluntary program which encouraged employees to evaluate their overall health and to work toward improving their health. The program offered a variety of elements such as online health assessments, seminars, challenges, individual coaching, and disease management. On October 1, 2007, the City terminated the contract with Q Elements because the vendor was not providing adequate administrative support and employee wellness program participation was dwindling. The employee Wellness Committee recommended that the "Fit and Well in Colleyville" wellness program be redesigned to promote employee participation and decided to run the program internally with existing staff. The Committee began to meet monthly to create an exciting new wellness program for employees; however, it became difficult to manage and sustain regular programming in-house without dedicated staff resources for that purpose.

On March 17, 2009, the City contracted with Cooper Aerobics, later Cooper Wellness Solutions, to begin providing wellness services and, soon after, in October 2009, voluntary biometric screenings and online health risk assessments (HRA) were brought into the wellness program. The first biometric screenings were done at the Health Fair in October 2009. Screening measures included waist circumference, blood pressure, HDL cholesterol, LDL cholesterol and glucose (blood sugar). Since both the biometric

screenings and the online HRA were only voluntary, and not a requirement of the wellness program, they were not tied to medical premiums at this time.

However, in October 2010, new premium tiers were introduced into the City's wellness program, including a separate rate for spouses. This is the first time the City's medical premiums were directly linked to wellness participation and outcomes.

<u>FY11 Levels</u>	<u>Tier I</u>	<u>Tier II</u>	<u>Tier III</u>
Employee	100%	93%	86%
Dependent	75%	68%	61%

The results of the biometric screenings and successful completion of the online HRA were used to determine tiers in place of the previous participation in voluntary programs.

Tier I rates represented employees/spouses who:

- participated in the biometric screenings, and
- completed the online health risk assessment, and
- met 4 out of the 5 screening measures (i.e. waist circumference, blood pressure, HDL cholesterol, LDL cholesterol and glucose (blood sugar))

Tier II rates represented employees/spouses who:

- participated in the biometric screenings, and
- completed the online health risk assessment, and
- did not meet 4 out of the 5 screening measures

Tier III rates represented employees/spouses who:

- did not participate in the biometric screenings and/or
- did not complete the online health risk assessment

Employees could advance to a higher tier by earning points for participation in voluntary activities such as onsite wellness seminars, outside activities, challenges, and online classes. This was called the "point system" because employees earned points by participating in various activities. In October 2011, the tobacco cessation portion of the program was added. All employees and spouses participating in the wellness program were required to complete a tobacco affidavit. In 2012, the Wellness Champion program was created to recognize an employee who models a healthy lifestyle and has made significant changes in health behaviors, motivates others to make health improvements, and/or has implemented a practice to create a positive wellness culture for the City. This employee is recognized once per year at a City Council meeting and at the Employee In-Service Day. From 2009–2014, the City would typically have four onsite seminars each year, two challenges each year (spring and fall), an online tobacco cessation course, and online learning modules throughout the year.

The combination biometric screenings and health risk assessments and tobacco affidavit with the point system were in place until October 2014 when the City switched to the “outcomes-based only” system. The outcomes-based only program is designed to further motivate participants to achieve and maintain better health. With the new outcomes-based only system, tiers were assigned solely as a result of the biometric screening results and successful completion of the online HRA and tobacco cessation affidavit. The point system was no longer in place to help employees get to a higher tier. Human Resources announced the new program to employees at employee meetings in early 2014. Employees were informed that the point system was going away and the City’s wellness program would become 100% outcomes-based. The last points were collected in June 2014 and they were used to calculate the tiers for October 2014.

Starting October 2015, the program became 100% outcomes-based, meaning the results of the biometric screening results and successful completion of the online HRA and tobacco affidavit were used to calculate tiers for the October 2015 plan year. The following tiers were established October 1, 2015:

<u>FY16 Levels</u>	<u>Tier I</u>	<u>Tier II</u>	<u>Tier III</u>
Employee	100%	90%	70%
Dependent	70%	60%	40%

Wellness Program Improvements

From mid-2014 through 2015, Cooper Wellness began significantly reducing onsite programs at the City. Most of the funding for the wellness program had been transitioned to pay for the online portal for the health risk assessment and the onsite biometric screenings. Staff was concerned about the lack of service and programming being provided and met with the Cooper team to discuss their concerns. After meeting with Cooper, staff decided to explore other options by seeking proposals from other wellness vendors in August 2015. Six proposals were received and three vendors were selected to be interviewed by the employee Benefits/Wellness Committee: ACAP Health, Humana Vitality, and Baylor Scott & White Health (BSWH). The Committee ultimately selected Baylor Scott & White Health because of the diverse programming options, online and mobile tools, and team approach to providing wellness programs. The City cancelled the contract with Cooper and executed a contract for services with Baylor Scott & White Health in October 2015.

The employee Benefits/Wellness Committee met in November 2015 with BSWH to evaluate program options and make decisions on wellness programming and online tools. Items of discussion on the November agenda included:

- Programming needs
- Wellness program budget

- Types of programs and wellness challenges to implement
- Timelines for rolling out various programs
- Web portal and mobile-ready tools
- Incentives for participation in programs and challenges
- New name for the wellness program

The Committee decided on the new name of “LiveWell” for the City’s wellness program and a new logo was selected. In December 2015 and January 2016, the following was rolled out to employees:

- New Website Portal
- Online Digital Health Coaching
- Online Tobacco Cessation Program
- Interactive Online Health Library and Resources
- Online Health Tools and Calculators
- Smart Phone Compatibility
- Walking groups
- Naturally Slim weight loss and metabolic syndrome reduction program
- “Healthy Tip of the Week” email

Employee meetings in early January provided the opportunity for Human Resources and BSWH to show some of the capabilities of the new LiveWell website portal, digital health coaching, and smart phone compatibility. Also during the employee meetings, Human Resources shared some of the additional programs that were to be rolled out in February and March, including onsite wellness events and onsite health coaching.

All activities are available to all employees and their spouses. Onsite programs have been well received so far with employees attending each program. We anticipate attendance to grow as employees become more familiar with the activities over time. In addition to these new programs, the wellness program will continue to include the Wellness Champion award each year.

Health Screening Component Changes

Besides programming changes, there were also some other changes made to the wellness program. The first change is that onsite biometric screenings will no longer be offered. The participation in the onsite screenings was decreasing each year, as employees and their spouses chose to go to their own doctors instead of having their screenings performed onsite. The onsite screenings were a large expense to the overall wellness program and, since participation was reducing each year, the Committee decided to allow employees and spouses to visit their own doctors to perform the biometric screenings this year. This provides the opportunity for employees and spouses to have discussions with their doctor about their overall health and any areas of concern as well. Because the screening at the doctor’s office is considered preventative, there is no out of pocket cost if they go to a doctor within the BlueCross BlueShield network. Another slight change this year was to the biometric

screening form. This year, the biometric screening form and tobacco affidavit were combined into a single one-page form to make it easier to fill out and turn in.

The final change to the program this year is that the online health risk assessment will no longer be a requirement for the tiered premiums. The online HRA is available on the portal if an employee or spouse still wants to complete one voluntarily. In previous years, there were issues with logging in before the deadline and some employees had trouble completing the HRA, which affected their tier status. In order to simplify the process, the only requirement for tier determination will be the results of the biometric screening and tobacco affidavit filled out by the physician. All changes to the program were shared with employees during the January 2016 employee meetings. Employees and spouses have until May 31, 2016, to turn in their completed biometric screening/tobacco affidavit forms to Baylor Scott & White Health. BSWH will mail employees their results in June 2016.

Conclusion

The data we have captured since FY2011 proves that the City has benefited overall from having a wellness program in place. As we discussed during insurance renewals last summer, the City of Colleyville has fared very well when compared to nationwide trends for medical and pharmaceutical cost increases. The chart below shows the past six years of medical and pharmaceutical trends from BlueCross BlueShield of Texas compared to the City's increases in insurance premiums during that same time period. Last year's large increase can be attributed to a few large, catastrophic health events, some that could not have been prevented with a wellness program.

Year	Medical Trends	Pharmaceutical Trends	City of Colleyville Medical Premiums
FY2011	12.60%	9.0%	-1.00%
FY2012	9.40%	6.0%	-3.00%
FY2013	8.30%	6.0%	-7.85%
FY2014	7.00%	7.3%	+4.50%
FY2015	7.60%	7.9%	-3.00%
FY2016	7.30%	14.6%	+19.86%
Average	8.70%	8.47%	1.59%

The Human Resources Department and the employee Benefits/Wellness Committee are excited about the new changes we are implementing this year. Employee participation in the wellness program has increased each year since FY2013, when participation was at 79%. In FY2015, participation was at 85%. With the innovative new tools and programs rolling out this year, we hope to see more participation from employees and spouses in FY2016. So far, Human Resources has received positive feedback from employees about how much they are enjoying the new programs. We look forward to the continued growth of our wellness program and will continue to strive for fun, educational, and effective wellness activities for all City employees and their spouses.

Attachments

1. Wellness Program Presentation

Discussion of the New LiveWell Wellness Program

**Pre Council Meeting
March 8, 2016**

Background



2004 – Q Elements

- “Fit and Well in Colleyville” name & logo
- Voluntary participation
- Online health risk assessments (HRA)
- Individual coaching
- Seminars
- Challenges
- Disease Management

Background



2007 – In-house Program

- Promote more participation
- Continue similar programs
- Meetings monthly with Wellness Committee

Background

2009 – Cooper Wellness

- New logo
- Voluntary biometric screenings
(waist circumference, blood pressure, HDL cholesterol, LDL cholesterol, glucose)
- Online HRA
- Not tied to medical premiums
- Onsite programs & challenges



Background

2010 – Premium Tiers



FY2011 Levels	Tier I	Tier II	Tier III
Employee	100%	93%	86%
Dependent	75%	68%	61%

Background

Tier I employees/spouses:

- participated in the biometric screenings
- completed the online health risk assessment, and
- met 4 out of the 5 screening measures

Tier II employees/spouses:

- participated in the biometric screenings
- completed the online health risk assessment, and
- did not meet 4 out of the 5 screening measures

Tier III employees/spouses:

- did not participate in the biometric screenings and/or
- did not complete the online health risk assessment



HEALTHY HOLIDAY CHALLENGE

**Earn 10
Wellness
Points!**

Survive the holidays one meal at a time!

The average American gains 2-3 pounds over the holiday season. That's 20-30 pounds over 10 years! To avoid this gradual weight gain, challenge yourself this year to be mindful to maintain. When faced with buffets, beverages and baked goods galore, the smartest goal you can set is not to lose weight, but to simply avoid gaining it. Often times, it's the little choices we make that end up costing us in the end. This challenge will encourage you to practice healthy behaviors and avoid unhealthy behaviors to help you make it through this season a little healthier and a lot jollier!

don't use the holidays as an excuse. success starts now!

Mon, Nov 22 - Sun, Jan 1

To participate, RSVP with Elise Welborn by Friday, Nov 19.

ewelborn@colleyville.com or 817-503-1072



Cooper4 Aerobics
A HEALTH & WELLNESS CORPORATION
The nation's leader in fitness

Background

2012 - Wellness Champion

- Models healthy lifestyle
- Has made significant changes in health behaviors
- Motivates others to make health improvements
- Implemented a practice or activity to help create a positive wellness culture for the City

Continuing the program annually



Background

2014 - Point System phased out



- **Biometrics + HRA/Tobacco Affidavit + Points to calculate tiers**
- **Employee Meetings January 2014**
- **Last points collected in June 2014 for October 2014 premium calculations**

Current Program

2015 - Outcomes-Based Only



- Biometrics + HRA/Tobacco Affidavit to calculate tiers

FY2016 Levels	Tier I	Tier II	Tier III
Employee	100%	90%	70%
Dependent	70%	60%	40%

Results

Year	BCBS Medical Trends	Pharmaceutical Trends	City of Colleyville Medical Premiums
FY2011	12.60%	9.0%	-1.00%
FY2012	9.40%	6.0%	-3.00%
FY2013	8.30%	6.0%	-7.85%
FY2014	7.00%	7.3%	4.50%
FY2015	7.60%	7.9%	-3.00%
FY2016	7.30%	14.6%	19.86%
Average	8.70%	8.47%	1.59%

Wellness Program Improvements

August 2015 – RFP

- 6 vendors bid
- 3 vendors interviewed
 - ACAP Health
 - Humana Vitality
 - Baylor, Scott & White Health (BSWH)

New Wellness Program Partner



Wellness Program Improvements

November – December 2015

- **Logo representing overall health and not just fitness**
- **Programming needs**
- **Budget and timelines**
- **Wellness Challenges**
- **Web and mobile-ready tools**
- **Incentives/rewards**



Focus on All Areas of Life



corporatewellness@BSWHealth.org

Changes to Assessment / Screening

2016 – Streamlined Process for Premium Tiers

- **No requirement for online Health Risk Assessment**
Voluntary available online
- **No onsite Biometric Screenings**
Employees/spouses go to their doctor
Schedule at their convenience
- **Easier for all employees/spouses to participate**
Only one step in the process

Health Screening Form

Who: **Employees and Spouses**

- Physician fill out form
- Completed form to BSWH by
May 31, 2016

Health Screening Form – 2016 program year



STEP 1 – Select Employee or Spouse Participant and complete fields below. You must complete a separate form for each participant

Participant Information		
Information is for: (circle one)	Employee	Spouse
First & Last Name		
Last 4 digits of SSN	Your Date of Birth	Your Gender ☐ M ☐ F

STEP 2 – Physician Office to complete all fields below

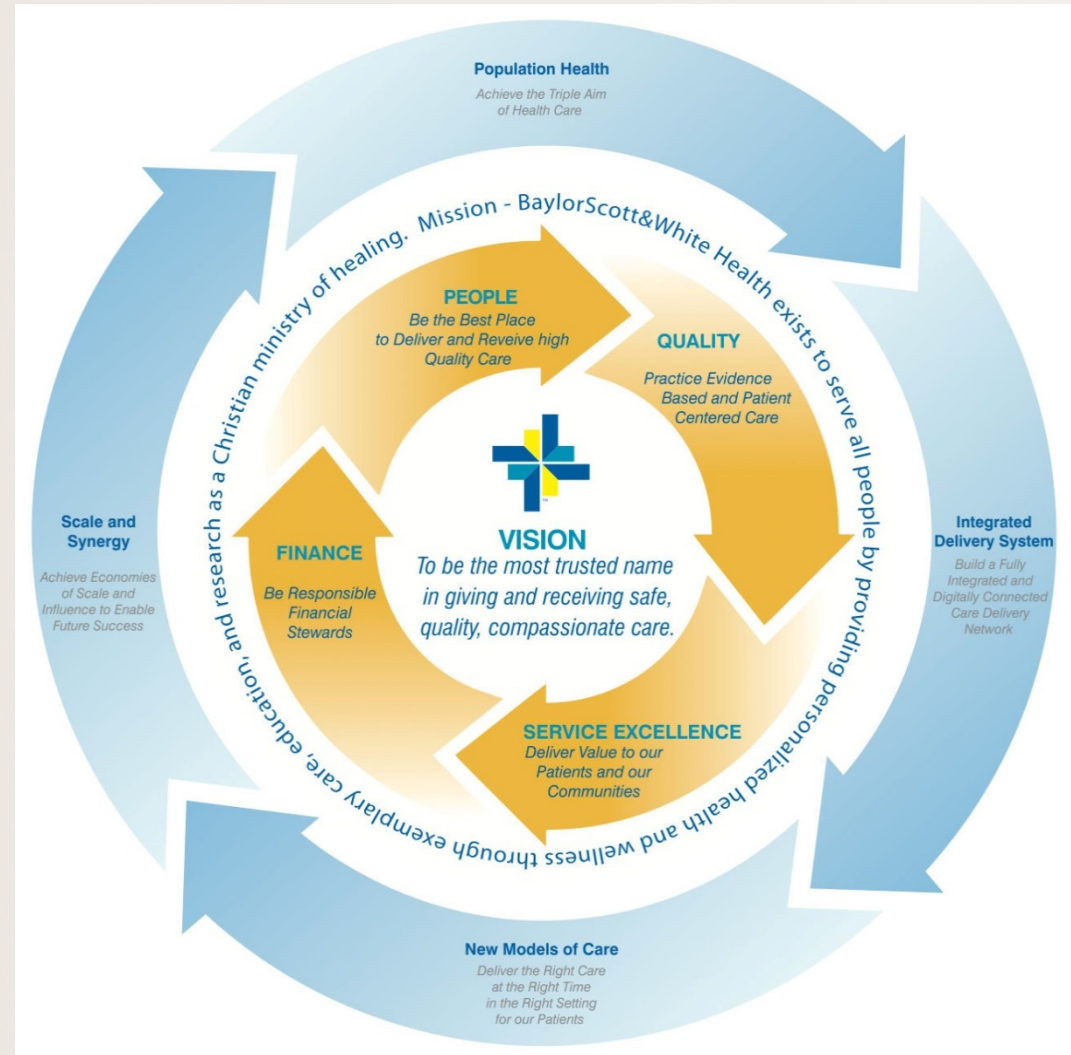
Medical Provider Information – Date of Service must be October 1, 2015 thru May 31, 2016			
Provider Name		Contact Number	Date of Service
Provider Address		Provider Signature	
Biometric Screening Component	Required Information	Desirable Ranges	Exemptions (due to medical condition or other factors)
Body Mass Index (BMI)	Height (feet): ____ (inches): ____ Weight (lbs): ____ BMI: ____ Waist Circumference: ____ (measured from navel)	BMI: 18.5-24.9 = Normal 25.0-29.9 = Overweight 30.0 & above = Obese Waist Circumference: ≤40 in. (M) ; ≤35 in. (F)	☐ Exempt
Blood Pressure	Systolic: ____ / Diastolic: ____	<130 / <85	☐ Exempt
Cholesterol	Total Cholesterol: ____ Triglycerides: ____ HDL: ____ LDL: ____	Total Cholesterol: <200 Triglycerides: <150 HDL: ≥40 (M) ≥50 (F) LDL: <130	☐ Exempt
Glucose	Glucose: ____	<100 mg/dL	☐ Exempt
Tobacco Use	Do you currently use any tobacco product? ☐ YES ☐ NO	Tobacco Free	Completion of Tobacco Cessation Program
Preventive Care / Care Plan Completed	Age / Gender appropriate preventive care is complete as defined by physician. Care plan has been reviewed with patient as appropriate.		

STEP 3 – Complete ALL STEPS and email or fax completed form by May 31, 2016 to:
Baylor Scott & White Health - Wellness Dept. – corporatewellness@baylorhealth.edu
FAX: 214-820-8773



Our Mission

BSWH exists to serve all people by providing ***personalized health and wellness*** through exemplary care, education, and research as a Christian ministry of healing.



Wellness Technology

Understanding Individual Needs

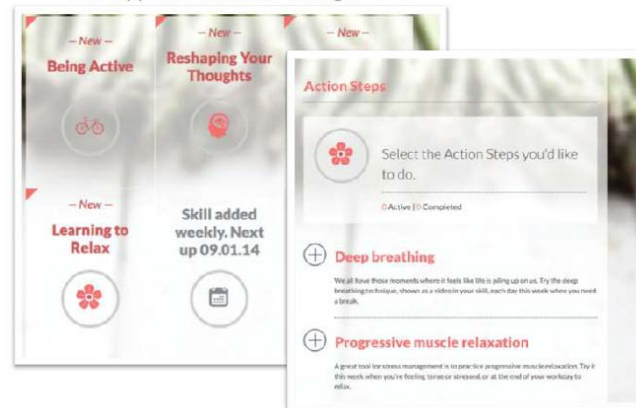
STEP 1: Gain better understanding of the member and their mindset



Utilization of motivational design, mission, and purpose to encourage engagement and sustained use

Personalized Action Steps

STEP 3: Issue specific action steps for members which helps to deepen the support of behavior change



Tailored Coaching

STEP 2: Develop the tailored skills set recommendation for each member, based on what we've learned about them



Maintain Motivation and Engagement

STEP 4: Ongoing outreach to members to provide support and drive engagement



- Reminder of action steps not completed
- Keep her motivated to continue

Team Challenge Solution

- Challenges are gamified, and deadline-driven to kick start healthy activities.
- Immersive Design
- Game Designs to Fit All Populations
- Social & Team-Building Options
- Uses the Latest Digital Health Devices
- Build Habits That Last

Wellness web portal: myhealthyskills.com/mhmsite



MARCH

LiveWell

AMAZING CHALLENGE 2016

POWERED BY LiveHealthy AMERICA

REGISTRATION AND TRACKING ACTIVITIES BEGIN MARCH 1ST

STEP 1: LOG IN AND REGISTER

- Go to your LiveWell Wellness Portal: myhealthyskills.com/mhmsite
- Click on "Challenges"
- Join the Amazing Challenge.

STEP 2: COMPLETE AND TRACK ACTIVITY

- Complete weekly wellness activities including exercise, nutrition, life balance, and total wellness.
- Log in daily, weekly, or once per month and track all of your wellness activities.

STEP 3: EARN REWARDS

- Track at least 25 points or more during the month and be rewarded!
- Each participant can earn monthly prizes, as well as be entered into drawings for Grand Prizes at the end of the Amazing Challenge.

GO TO: MYHEALTHYSKILLS.COM/MHMSITE

Welcome to our March destination ...

LAS VEGAS

RECORD ACTIVITY

Record your completed activities by the last day of the month and earn points.

WEEK 1 Strength
21 is the lucky number. Do 21 push-ups, sit-ups and jumping jacks every day.

WEEK 2 Portion Control
Avoid the Buffet... Eat a portion controlled meal every day.

WEEK 3 Fun and Games
Go gaming! Play cards, crosswords, family game night etc. each day.

WEEK 4 No Complaints
Don't get stuck in a negative rut... Have a complaint-free day every day this week.

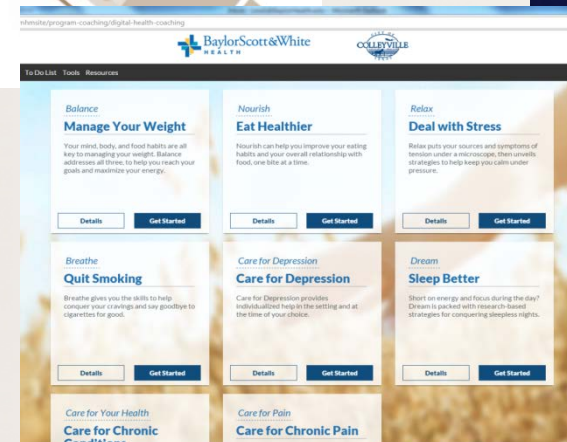
The more points you earn, the more chances you have to win!

EARN PRIZES!
Earn 25 points by end of month and receive a Prize.



TOOLS AVAILABLE

The Wellness Assessment <i>Optional</i>	There are many aspects to health. That's why the Wellness Assessment is made up of four categories: Bio, Body, Mind, and Lifestyle. Review your results and get personalized tips for a healthier lifestyle, including coaching programs and items to add to your To-Do List!
Digital Coaching	Click on the Coaching button and then choose your focus area. Click on Details for more information about the program and then click Get Started to begin.
Tools & Resources	Click on Tools & Resources tabs in top black navigation bar and then View to access the Health News, Library and online cookbook.
Online Tobacco Cessation Program	Breathe - The Tobacco Cessation Program must be started by April 15 to complete it by the May 31 deadline.
Onsite Wellness Coaching	Weekly onsite sessions offered to all interested in making their wellness a priority. If you are ready to make a difference, this is where to begin! Sessions will be held at different department locations each month. Provided by Baylor Scott & White Health Wellness Team.
Onsite Wellness Events and Webinars	Weekly onsite events and webinars offered to all interested in having fun and focusing on their health to LiveWell! Sessions will be held at different department locations each month.



natura)(yslim®



Activities

- Walking Clubs
- On-Site Chair Massages
- Running Your First 5K Webinar
- LiveWell Website Tutorial
- Healthy Cooking Demos
- Maintaining Motivation Webinar
- Supplement Savvy Webinar
- Sugar Demos
- On-site Health Coaching
- Tobacco Cessation Course Online
- Stretching and Stress Management Demo
- Finding the Best Fit Webinar
- Thank You Notes Station
- Curl Challenge



Cooking Demo with
BSWH Registered Dietitian

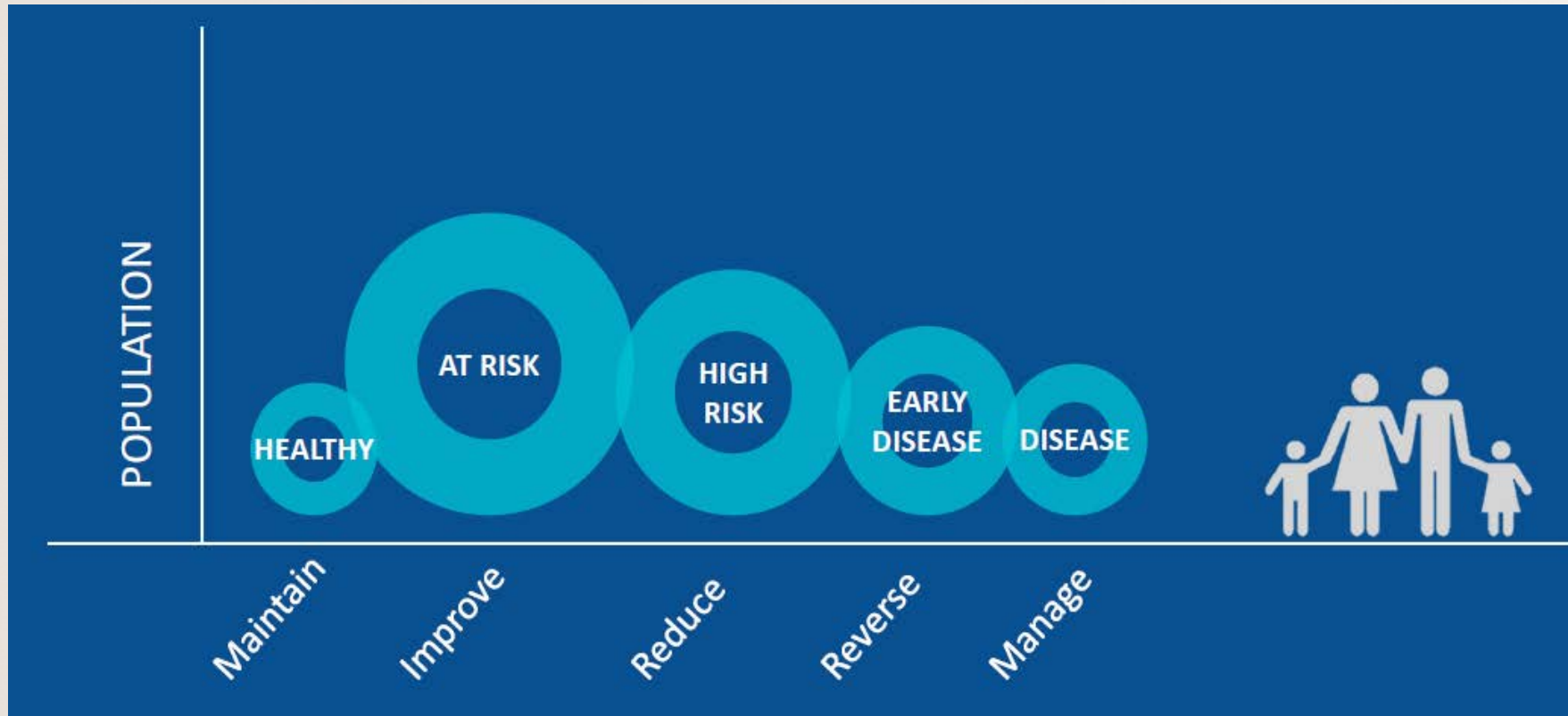


LiveWell Stretching Clinic
with BSWH Wellness Coaches



Paige Weaver, ACSM-HFS
Wellness Manager
Baylor Scott & White Health

Bringing It All Together



Discussion and Questions



City of Colleyville City Council Agenda Briefing

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

Agenda Number PC-3

Agenda Date 03/08/2016

Type Pre Council

Department City Secretary

Title

Discussion of an electronic voting system for the Council Chambers

Strategy Map Connection

B1- Seek innovative technology solutions where appropriate

Explanation

During the August 18, 2015, Pre Council meeting City Council discussed whether or not an electronic voting system for the Council Chambers would be allowed as Section 3.09 (C) of the City Charter requires a "roll call" vote, and the "ayes" and "nays" to be recorded in the minutes.

The city attorney has recently determined that the City Council can use electronic voting to make and record their roll call votes, as long as the mechanism records each individual Councilmember's (and the Mayor's) votes, and displays it for the audience, both in person and on video, to see.

The city attorney indicates that there is very little Texas case law on the subject, but one of the cases, *Kerr v. Shambaugh*, 86 S.W.2d 798 (Tex.Civ.App.—Beaumont, 1935), makes it clear that, if required by the City Charter, the "ayes" and "nays" of each Councilmember must be recorded in the minutes. The city attorney found no authority prohibiting the City Council from making or recording their "ayes" and "nays" via electronic means as opposed to voice vote. There was no case addressing the issue of whether a "roll call" vote must be by voice vote as opposed to some other voting mechanism, like an electronic display and recording mechanism.

With the exception of the cities of Grapevine and Hurst, surrounding cities have a voting system incorporated within their current audio/visual systems, or separate monitors to display voting results. Staff has preliminarily researched a few voting systems, with approximate costs ranging from \$11,000 to \$40,000. The functionality of voting devices may have various implementation costs, which have not been identified, but could include a system retrofit, and physical alterations to the dais and the Council Chambers.

Should City Council direct staff to move toward implementation of an electronic voting system, staff will conduct more in depth research and analysis on a range of products and vendors, and will work to ensure the best solution for the current audio/visual

system. It is anticipated that a system could be identified in time for next fiscal year's budget preparation and with Council direction, could be included in the FY 2017 budget for implementation.

Attachments



City of Colleyville City Council Agenda Briefing

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

Agenda Number PC-4

Agenda Date 03/08/2016

Type Pre Council

Department City Secretary

Title

Discussion of the March 8, 2016, 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 03/08/2016

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 - Lincoln et al v. City of Colleyville

Section 551.071 - Legal - Consultation with attorney regarding litigation - Jane Doe v. City of Colleyville

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

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-16-3969

**A RESOLUTION APPROVING COUNCIL ACTION
REGARDING EXECUTIVE SESSION ITEMS AT THE REGULAR
CITY COUNCIL MEETING OF
MARCH 8, 2016**

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 8TH DAY OF MARCH 2016.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor



City of Colleyville City Council Agenda Briefing

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

Agenda Number 3

Agenda Date 03/08/2016

Type Announcements, Proclamations, and Presentations

Department Library

Title

Presentation of a donation to the Colleyville Public Library for the 2016 Summer Reading Program from the Robert J. & Helen H. Glaser Family Foundation in the amount of \$10,000 - by the Colleyville Public Library Foundation, Cecilia Monacelli, President

Proclamation in recognition of the Robert J. & Helen H. Glaser Family Foundation – Mayor David Kelly and Library Director Mary Rodne

Recognition of achievement for earning a fifth consecutive Texas Municipal League Institute certificate, Councilmember Carol Wollin - Mayor David Kelly

Recognition for the City of Colleyville earning the Award of Leadership through the Texas Municipal League Institute - Mayor David Kelly and Councilmember Carol Wollin

Attachments

1. Proclamation in recognition of the Robert J. and Helen Glaser Family Foundation

Proclamation

CITY OF

Colleyville,
Texas

WHEREAS: the City of Colleyville opened the Colleyville Public Library on November 24, 2003; and

WHEREAS, to promote interest and enthusiasm in reading community wide, the Colleyville Public Library staff and volunteers annually develop educational, fun, theme based summer reading programs, such as: 2004-*"Elect to Read"*, 2005-*"Superheroes: Powered by Books"*, 2006-*"Reading - the Sport of Champions"*, 2007-*"Sail Away with Books"*, 2008-*"Read! Explore! Go Wild!"*, 2009- *"Libraries: Deep in the Heart of Texas"*, 2010-*"Bank on Books"*, 2011-*"Camp Read-A-Lot"*, 2012-*"Reading is Delicious"*, 2013-*"Have Book - Will Travel"*, and 2014-*"Paws to Read"*; 2015-*"Read to the Rhythm"*; and the upcoming 2016-*"On Your Mark, Get Set...READ!"*; and

WHEREAS, the Robert J. and Helen Glaser Family Foundation provided a \$5,000 grant for the purchase of children's books for the Library's Opening Day Collection in 2003, and since 2004 has annually provided a grant of \$10,000 to the Colleyville Public Library Foundation to support the summer reading programs; and

WHEREAS, the Robert J. and Helen Glaser Family Foundation grant funding has been the major source of funding, which makes it possible for the Library to provide exciting and engaging summer reading programs that have touched the lives of thousands of children and adults; thus promoting literacy, lifelong learning, and the enjoyment of reading, viewing, and listening.

NOW, THEREFORE, I, DAVID KELLY, MAYOR OF THE CITY OF COLLEYVILLE, TEXAS, on behalf of the City Council and citizens of Colleyville, do hereby recognize and express our appreciation to:

THE ROBERT J. AND HELEN GLASER FAMILY FOUNDATION

and encourage our citizens to join us in expressing our appreciation to the Glaser's and to utilize the services of the Colleyville Public Library.

IN WITNESS WHEREOF, I do hereby set my hand and seal of the City of Colleyville, Texas, affixed this 8th day of March 2016.





Mayor



RESOLUTION R-16-3970

**A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER
CONSENT ITEMS AT THE REGULAR CITY COUNCIL MEETING OF
MARCH 8, 2016**

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 16, 2016
 - b. Approval of the Sign Board of Appeals bylaws

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS
ON THIS THE 8TH DAY OF MARCH 2016.

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, February 16, 2016

City Council Chambers

Mayor David Kelly called the Pre Council meeting of the Colleyville City Council to order on February 16, 2016, at 5:30 p.m.

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

City Manager Jennifer Fadden, Deputy City Manager Chris Fuller, Assistant City Manager/Director of Public Safety Mike Holder, Fire Chief Brian Riley, Assistant Police Chief Robert Hinton, Communications and Marketing Director Mona Gandy, Chief Financial Officer Brian Hogan, Accounting Manager Karen Hines, Human Resources Director Rachel Huitt, Public Works Director Jeremy Hutt, City Engineer Cheryl Taylor, Project Engineer Oscar Chavez, Community Development Director Abra Nusser, Recreation and Library Director Mary Rodne, Economic Development Director Marty Wieder, Colleyville Center Manager Leslie Hill, Parks Manager Heather Dowell, SH26 Coordinator James Hubbard, Strategic Services Manager Adrienne Lothery, Information Systems Manager Chris Pena, City Attorney Matthew Boyle, and City Secretary Amy Shelley

PC-1 Update on the SH26 Community Outreach Action Plan

SH26 Coordinator James Hubbard presented this item and answered questions of the City Council.

Councilmember Wollin stated she would like to ensure all schools and Parent/Teacher Associations are mailed the same introductory letter. Coordinator Hubbard agreed with the suggestion.

Councilmember Mogged asked staff if the business access signs would actually identify the business name on them. Coordinator Hubbard replied it would simply have business access listed, since there are locations with multiple businesses.

Mayor Kelly stated staff should secure more message boards, if they are deemed necessary, especially if Public Works needs to use them. Coordinator Hubbard replied the contractor will have some as well, and it will depend on the phasing of the project.

Councilmember Wollin asked staff how many days a week SCORE is available. Coordinator Hubbard replied they are open by appointment.

Councilmember Wollin asked staff to please vary the days of the week of the Cash Mobs to allow greater flexibility in attendance.

Councilmember Wollin suggested having information available at the Library for patrons, and also using the digital sign in their lobby. Councilmember Mogged added the Senior Center too.

Mayor Kelly stated it may take a little more advertising to really help people understand.

Councilmember Putnam stated being impressed by the comprehensive plan for this project.

Councilmember Putnam asked staff if the City will have more input over how the signaling is being done during construction. Mayor Kelly replied we will do our best, but the message has been given to TxDOT about our concerns.

Councilmember Short asked staff if TxDOT will be responsive to our suggestions. City Engineer Cheryl Taylor replied yes.

PC-2 Discussion of the Fiscal Year 2017 (FY 2017) budget preparation calendar

Strategic Services Manager Adrienne Lothery presented this item and briefed the City Council.

Mayor Pro Tem Taylor asked staff if a standard time will be established for these meetings, since only dates have been provided. Manager Lothery replied the meeting times are typically adjusted to accommodate for the meeting materials to cover.

Mayor Pro Tem Taylor asked staff if the meeting times will be provided well in advance of the meetings. Manager Lothery replied yes.

Mayor Kelly stated based on City Council's workload, we typically try to have a worksession as one of our regular meetings.

Councilmember Coplen stated she would like to have a more detailed type presentation, such as with the classification system. She stated it would be nice to see where everything is going, such as insurance and salary information. She stated an overview of the departments and the resources they have to use would be helpful. Councilmember Wollin concurred.

Councilmember Wollin suggested having an organizational chart to use as well.

Councilmember Coplen stated it will show our citizens where everything is, and City Council will also know.

Mayor Pro Tem Taylor asked staff about the dashboard report, and if we are able to do this for each department for the budget process. Manager Lothery explained each department has a business plan, and staff can certainly provide department dashboards.

Manager Lothery asked if City Council would like to see these on a quarterly basis. Mayor Pro Tem Taylor replied yes, he would like it. Councilmember Coplen agreed.

Manager Lothery asked if City Council would like to see these reports as a citywide basis or by department. Mayor Pro Tem Taylor replied yes, a composite as well as by department.

Councilmember Mogged suggested it is not necessary to review department by department, but to have an overall review would be good.

Councilmember Coplen stated it is nice to know where items will fit, like an overview, so that City Council knows how to prioritize needs.

Councilmember Wollin stated this will also show how we have utilized the citizen's survey results in the overview.

Councilmember Coplen stated she will not be here for the July 12th meeting.

Mayor Pro Tem Taylor suggested sending out appointments as meeting invites. Councilmember Putnam agreed.

PC-3 Discussion of the Quarterly Performance Management Report

Strategic Services Manager Adrienne Lothery presented this item and briefed the City Council.

Mayor Kelly stated he wants to ensure bookings are still taking place at Colleyville Center during the SH26 road construction, maybe with a strategy with proactive thinking to preserve those bookings. Manager Lothery replied staff will look at the marketing strategy.

Councilmember Wollin stated many people, from different organizations, have commented about how they really like the technology updates, especially the sound system.

Councilmember Wollin asked staff about mosquito management, and why we are waiting until July to discuss this. Public Works Director Jeremy Hutt replied staff has met with the Tarrant County Health Department, and are currently coordinating our efforts with them. He stated staff wanted to have all of the details

ready before meeting with City Council. He added we have preliminary data to begin working on our plans.

Councilmember Wollin stated she is looking forward to the new website.

Councilmember Mogged asked staff about the response time for emergency vehicles, is there a way to improve that. Fire Chief Brian Riley replied a lot of the peak time hours (rush hours during morning and afternoon) affect the overall numbers; however, the overall numbers are down under the five minute response time.

Councilmember Coplen asked staff if road construction on SH26 could change emergency routing. Chief Riley replied yes.

Mayor Kelly stated the five minute response time is excellent compared to other cities. Assistant City Manager/Director of Public Safety Mike Holder replied, specific to this report, it captures a percentage of time, but with the actual numbers, and the industry norm, is to look at the average response times over regular time. For example, over a 90 day period, with as few as 10-12 incidents will knock the percentages out, but it really does not look at the average response time, which we are well under our goal.

PC-4 Discussion of the February 16, 2016, City Council regular agenda items

Mayor Kelly suggested removing the Arts Council from the Colleyville Center Advisory Committee, as outlined in item 7c. He stated the representative for this group has moved, and currently the Arts Council does not have anyone who lives in Colleyville to represent them.

Councilmember Wollin asked Mayor Kelly about the last time the advisory committee looked at the bylaws. Mayor Kelly suggested City Council direct staff to have the committee look at the bylaws. Councilmember Wollin agreed.

Mayor Kelly recessed the Pre Council meeting at 6:15 p.m.

Mayor Kelly reconvened the Pre Council meeting at 6:33 p.m.

Mayor Kelly discussed the appointments on the agenda (Items 7b through 7e). Councilmembers decided they would take turns in making a motion for an appointment on each.

Mayor Kelly adjourned the Pre Council meeting at 6:35 p.m.

The regular meeting of the Colleyville City Council was called to order by Mayor Kelly at 7:30 p.m.

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

City Manager Jennifer Fadden, Deputy City Manager Chris Fuller, Assistant City Manager/Director of Public Safety Mike Holder, Fire Chief Brian Riley, Assistant Police Chief Robert Hinton, Communications and Marketing Director Mona Gandy, Chief Financial Officer Brian Hogan, Public Works Director Jeremy Hutt, City Engineer Cheryl Taylor, Community Development Director Abra Nusser, Economic Development Director Marty Wieder, Parks Manager Heather Dowell, SH26 Coordinator James Hubbard, 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 - Lincoln et al v. City of Colleyville

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

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

Mayor Kelly explained the Executive Session had been called in accordance with the Texas Government Code, Chapter 551, Subchapter D, Section 551.071, Legal, Section 551.072, Real Estate, and Section 551.087, Economic Development. He further explained there would be no decisions made or action taken during this time. The meeting was recessed at 6:16 p.m. and reconvened at 6:17 p.m.

INVOCATION: Pastor Alvaro Matehuala, House of Prayer

PLEDGE OF ALLEGIANCE: City Attorney Matthew Boyle

2. EXECUTIVE SESSION READING AND PUBLIC HEARING: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - RESOLUTION R-16-3960

This resolution was not needed.

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

Mayor Kelly announced the Citizen's Fire Academy will begin on Thursday, March 10, and he encouraged citizens to apply to participate in the class. He stated seats are limited. He added information is available on Colleyville's website.

Proclamation recognizing the Grapevine High School Girls Cross Country Team - District 5A UIL State Champions - Coach Rick Miller and Mayor David Kelly

Proclamation recognizing the Grapevine High School Boys Cross Country Team - 2015 Regional and District Champions - Coach Rick Miller and Mayor David Kelly

Mayor Kelly presented proclamations to Coach Rick Miller and the Grapevine High School Girls Cross Country Team, and the Grapevine High School Boys Cross Country Team, recognizing both for their Championships.

In recognition of Colleyville's featured business - Pho Duy, My Nguyen, representative, 3930 Glade Road, Suite 126 - Mayor David Kelly and Economic Development Director Marty Wieder

Mayor David Kelly and Economic Development Director Marty Wieder recognized My, Anh, and Hiep Nguyen, owners of Pho Duy, the featured business of the month.

4. CONSENT: READING AND PUBLIC HEARING- Resolution R-16-3961
4a Approval of the minutes of the regular City Council meeting of February 2, 2016

Mayor Kelly read Resolution R-16-3961 in its entirety.

Mayor Kelly opened the public hearing at 7:55 p.m.

There was no one present wishing to speak and Mayor Kelly closed the public hearing at 7:55 p.m.

Councilmember Wollin made a motion to approve Resolution R-16-3961. Mayor Pro Tem Taylor seconded the motion.

The motion to approve carried by the following vote:

Aye: 7 – Mayor Kelly, Mayor Pro Tem Taylor, Councilmembers Carol Wollin, Chuck Mogged, Chris Putnam, Jody Short, and Nancy Coplen

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

5a Ordinance O-16-1974

Consideration of an amendment to the PUDC-Planned Unit Development Commercial zoning requirements on Abstract 180, of the J.L Byas Survey, located at 1603 Hall-Johnson Road, Case ZC15-004

Mayor Kelly read the caption of Ordinance O-16-1974.

Community Development Director Abra Nusser presented this item and updated the City Council.

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

Tom Monks, applicant and property owner, was present to answer questions, but did not present additional information.

There were no others wishing to speak and Mayor Kelly closed the public hearing at 7:58 p.m.

Mayor Pro Tem Taylor asked Mr. Monks about the plans for the retention/detention pond. Mr. Monks replied there is a landscape plan proposed. He added he believes they have addressed any concerns about property appearance with the landscaping plan.

Mayor Kelly stated having a visible concern, to the east of the proposed roadway, because all that is being shown for improvement is the two existing trees. He added the landscape plan does not address that concern with two trees. Mr. Monks replied we have additional landscaped beds along the entryway.

Mayor Kelly asked Mr. Monks how they will screen the area. Mr. Monks replied there are many things that will change on the property, and he stated not having an issue with more landscaping, but he would prefer to stay away from fencing. He stated he believed more landscaping to the front would be better.

Mayor Kelly asked Mr. Monks if there is designated parking for the trucks. Mr. Monks replied yes, designated areas for the company trucks, with the majority to the west side of the property, which is the farthest from the gate.

Mayor Kelly asked Mr. Monks if there would be any equipment on the southern side. Mr. Monks replied they may put in a fence in the southwest corner to shield any equipment that is in repair.

Mayor Kelly asked Mr. Monks if they can put in a fence now. Mr. Monks replied some equipment is back there now, but not all of it. Mr. Patrick Newburn, sales manager, stated most trucks are out in the field and not at the office site, so the site is clear during the day. He stated the vehicles are parked on site at night.

Councilmember Putnam stated having a general concern with the large number of waiver requests. He stated if City Council was contemplating a new development, he is not sure we would grant the waivers. He added he did not believe Mr. Monks has come far enough in terms of meeting new standards. Mr. Monks stated we have had no concerns or issues, until now, and this is an improvement to what currently exists on the property.

Councilmember Short asked Mr. Newburn if the proposed and future fencing will be built at the same time. Mr. Newburn replied they wanted to have everything on the plan, so they will not have to come back in the future. He stated the proposed fencing, along the northern gate, would be installed initially.

Mayor Kelly asked staff if that, above, is codified in the ordinance. Director Nusser replied if it is required screening between residential and commercial, the certificate of occupancy would be held up until other fencing or common amenities were installed. She added in this instance, where it is not specified, it would be required before the certificate of occupancy is issued.

Councilmember Mogged asked staff if there is only one new waiver and that is the screening around the portable containers. Director Nusser replied the only new waiver is for the portable containers, although they have been on the property for quite some time.

Councilmember Mogged asked City Council if there is a way to make these conditional waivers, but at the point of a change in ownership, they would have to take a look at those waivers. Mayor Kelly replied yes, the ordinance could specify that.

Councilmember Mogged asked Mr. Monks if he would be good with that. Mr. Monks asked which waiver. Councilmember Mogged stated the screening with the fence versus the masonry wall. Mayor Kelly explained to Mr. Monks the waivers he has requested. Mr. Monks replied his biggest issues with the waivers are the fencing,

whether we do it or a future owner does it, it will be expensive; and the parking, would be a huge expense.

Mayor Kelly made a motion to approve Ordinance O-16-1974 with the following amendments: (1) approval with waivers submitted, except that the unenclosed dumpster needs to have a front gate; (2) the six foot wrought iron proposed fence on the north side is required; (3) the future six foot wood fence on northeast side of the existing shop is required; (4) the future six foot wood fence on the southwest side of the existing shop is required; (5) additional landscaping to be used as a visibility buffer on the northeastern side; and (6) the waivers would expire upon a change in ownership, or change in use.

Mayor Kelly asked Mr. Monks if this seems workable to him. Mr. Monks agreed, and asked for clarification on the masonry fence and the parking, and if it is conditional upon the sale of the property or the sale of the business. Mayor Kelly stated the waivers would be granted, currently, but if there is a change in ownership, the waivers would no longer be valid. He added it would be upon either.

City Attorney Matthew Boyle stated if the variance is granted under this ordinance, and if there is a change in ownership or in use, then a detailed site plan shall be required upon new ownership.

Director Nusser asked City Council if they were going to address the location of the portable storage containers. Mayor Kelly replied in the southwest corner is good.

Director Nusser asked City Council if all fencing is required prior to the issuance of a certificate of occupancy. Mayor Kelly replied yes.

Mayor Pro Tem Taylor asked staff if wind or perils should ever remove the portable containers from the site, would they be allowed back. Director Nusser replied they would be allowed back; however, language could be added to clarify that in the ordinance.

Councilmember Short seconded the motion.

The motion to approve carried by the following vote:

Aye: 7 – Mayor Kelly, Mayor Pro Tem Taylor, Councilmembers Carol Wollin, Chuck Mogged, Chris Putnam, Jody Short, and Nancy Coplen

6. ORDINANCE(S): FIRST READING AND PUBLIC HEARING
6a Ordinance O-16-1975

Consideration of a Special Use Permit for alcohol beverage sales (on-premises consumption) on Lot 23, of the Village at Colleyville Addition, located at 62 Main Street, Case ZC16-001

Mayor Kelly read the caption of Ordinance O-16-1975.

Community Development Director Abra Nusser presented this item and briefed the City Council.

Mayor Kelly opened the public hearing at 8:32 p.m.

There was no one present wishing to speak and Mayor Kelly closed the public hearing at 8:32 p.m.

Councilmember Wollin asked staff if their hours of operation is correct. Director Nusser replied that is what the applicant submitted.

Mayor Kelly asked staff if the other restaurants located in this same building have all had a special use permit for alcohol. Director Nusser replied the previous one did.

Mayor Kelly asked staff if this is to simply correct the step that was missed. Director Nusser replied yes.

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

7. RESOLUTION(S): READING AND PUBLIC HEARING

7a Resolution R-16-3962

Calling a General Election for the purpose of electing a Mayor and City Councilmembers to Place 1 and Place 2

Mayor Kelly read Resolution R-16-3962 in its entirety.

City Secretary Amy Shelley presented this item and briefed the City Council.

Mayor Kelly opened the public hearing at 8:37 p.m.

There was no one present wishing to speak and Mayor Kelly closed the public hearing at 8:37 p.m.

Councilmember Mogged made a motion to approve Resolution R-16-3962. Councilmember Coplen seconded the motion.

The motion to approve carried by the following vote:

Aye: 7 – Mayor Kelly, Mayor Pro Tem Taylor, Councilmembers Carol Wollin, Chuck Mogged, Chris Putnam, Jody Short, and Nancy Coplen

7b Resolution R-16-3963

Consideration of an appointment to the Architectural Review Commission

Mayor Kelly read Resolution R-16-3963 in its entirety.

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

There was no one present wishing to speak and Mayor Kelly closed the public hearing at 8:38 p.m.

Councilmember Coplen moved to approve Resolution R-16-3963 with the following appointment: Brian Margetts to fill the unexpired term to December 2016. Councilmember Putnam seconded the motion.

The motion to approve carried by the following vote:

Aye: 7 – Mayor Kelly, Mayor Pro Tem Taylor, Councilmembers Carol Wollin, Chuck Mogged, Chris Putnam, Jody Short, and Nancy Coplen

7c Resolution R-16-3964

Consideration of appointments to the Colleyville Center Advisory Committee

Mayor Kelly read Resolution R-16-3964 in its entirety.

Mayor Kelly opened the public hearing at 8:40 p.m.

There was no one present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 8:40 p.m.

Mayor Kelly moved to approve Resolution R-16-3964 with the following appointments: Adrian Esquivel At-large; Mike Bolton representing the Colleyville Rotary Club, and Tracy Cutrona filling the unexpired term representing the National Charity League. Councilmember Wollin seconded the motion.

The motion to approve carried by the following vote:

Aye: 7 – Mayor Kelly, Mayor Pro Tem Taylor, Councilmembers Carol Wollin, Chuck Mogged, Chris Putnam, Jody Short, and Nancy Coplen

Mayor Kelly asked staff to have the Colleyville Center Advisory Committee review their current bylaws to remove the Arts Council organization as a representative on the committee.

7d Resolution R-16-3965

Consideration of an appointment to the Library Board

Mayor Kelly read Resolution R-16-3965 in its entirety.

Mayor Kelly opened the public hearing at 8:41 p.m.

There was no one present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 8:41 p.m.

Councilmember Wollin moved to approve Resolution R-16-3965, appointing Shanthi Kannan to the Alternate 2 position, with a term expiring September 2017. Mayor Kelly seconded the motion.

The motion to approve carried by the following vote:

Aye: 7 – Mayor Kelly, Mayor Pro Tem Taylor, Councilmembers Carol Wollin, Chuck Mogged, Chris Putnam, Jody Short, and Nancy Coplen

7e Resolution R-16-3966

Consideration of an appointment to the Zoning Board of Adjustment

Mayor Kelly read Resolution R-16-3966 in its entirety.

Mayor Kelly opened the public hearing at 8:43 p.m.

There was no one present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 8:43 p.m.

Councilmember Mogged moved to approve Resolution R-16-3966, appointing Richard Vallario to the Alternate 2 position, with a term expiring September 2016. Councilmember Putnam seconded the motion.

The motion to approve carried by the following vote:

Aye: 7 – Mayor Kelly, Mayor Pro Tem Taylor, Councilmembers Carol Wollin, Chuck Mogged, Chris Putnam, Jody Short, and Nancy Coplen

7f Resolution R-16-3967

Approval of a City/Developer Agreement between the City of Colleyville and The Lawn Firm, Inc. for The Lawn Firm Development at

1605 Hall-Johnson Road, and authorize the city manager to execute the agreement

Mayor Kelly read Resolution R-16-3967 in its entirety.

Public Works Director Jeremy Hutt presented this item and briefed the City Council.

Mayor Kelly opened the public hearing at 8:47 p.m.

Tom Monks, 1603 Hall-Johnson Road, stated he would like to make sure the pond is aeriated. Mayor Kelly replied this is a requirement of the Land Development Code.

There was no one present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 8:48 p.m.

Mayor Pro Tem Taylor made a motion to approve Resolution R-16-3967. Councilmember Mogged seconded the motion.

Councilmember Coplen asked staff where the water will go if the pond fills up. Director Hutt replied there is an existing outfall pipe on the property, and there will be a control system within the drainage system.

The motion to approve carried by the following vote:

Aye: 7 – Mayor Kelly, Mayor Pro Tem Taylor, Councilmembers Carol Wollin, Chuck Mogged, Chris Putnam, Jody Short, and Nancy Coplen

Mr. Monks expressed his appreciation to staff and City Council for making this process possible.

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

Kathy Hadley, 204 Timberline Drive North, stated the following; the State of the City presentation needs to be on the City's website; poles or spikes should be installed next to the bridge on Jackson Road to keep cars from falling down in it; the City's Charter rules should be followed; citizen's should not pay for attorney fees; there should not be construction on SH26; and it is great to see all of the business around the antique mall.

9. REPORTS

Planning and Zoning Commission Meeting Minutes - January 11, 2016
Zoning Board of Adjustment Meeting Minutes - December 8, 2015
Sign Board of Appeals Meeting Minutes - October 14, 2014

There was no action taken on this item.

10. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR FEBRUARY 16, 2016 - READING AND PUBLIC HEARING - RESOLUTION R-16-3968

This resolution was not needed.

11. ADJOURNMENT

There being no further business before the City Council, Councilmember Coplen motioned to adjourn and Mayor Kelly seconded.

Mayor Kelly adjourned the City Council meeting at 8:56 p.m.

APPROVED BY A VOTE OF _ AYES, _ NAYS, AND _ ABSTENTIONS ON THIS THE _____ DAY OF _____.

Minutes taken and prepared by:

*Amy Shelley, TRMC
City Secretary*



City of Colleyville City Council Agenda Briefing

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

Agenda Number 4b

Agenda Date 03/08/2016

Number Resolution R-16-3970

Type Resolution

Department City Secretary

Title

Approval of the Sign Board of Appeals bylaws

Strategy Map Connection

B4- Cultivate a culture of transparency and consistent communication

Explanation

Reading and Public Hearing

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

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

The Sign Board of Appeals approved the attached bylaws at the February 9, 2016 meeting.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. City Charter Excerpts
2. Sign Board of Appeals Bylaws

City Charter Excerpts

Section 7.07 Other Departments, Boards and Commissions:

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

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

ARTICLE XI PLANNING AND ZONING, BOARD OF ADJUSTMENTS

Section 11.01 The Planning and Zoning Commission:

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

Section 11.02 Powers and Duties:

The Planning and Zoning Commission shall:

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

(C) Exercise control over the platting or subdividing of land within the corporate limits of the City and outside same corporate limits to the extent authorized by State law; provided, however, this grant of authority shall not limit the City Council's right to provide that the City Council shall have final approval of plats, as provided by State law (Amended April 4, 1981)

The Commission shall be responsible to and act as an advisory body to the City Council, and shall have and perform such additional duties as may be prescribed by ordinance.

Section 11.05 Zoning Board of Adjustment:

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

Section 11.06 Separation of Planning and Zoning Commissions:

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

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

SIGN BOARD OF APPEALS BYLAWS

ARTICLE I – Identification and Purpose

The Sign Board of Appeals was established by the City Council of Colleyville, Texas, by Ordinance O-03-1414 on September 2, 2003. The purpose of the Sign Board of Appeals is to consider requests for variances from the requirements outlined in Chapter 7 – *Sign Regulations* of the Land Development Code.

ARTICLE II – Membership

- 2.1 The Sign Board of Appeals shall consist of five (5) members and two (2) alternates, each appointed by the City Council. The term of office of said members and alternates shall be two (2) years, or until a successor is appointed. Three (3) members of the board and one (1) alternate member shall be selected in even number years and two (2) members and one (1) alternate member in odd number years. Alternate Board members shall serve in the absence of regular members. The Sign Board of Appeals shall consist of the same members and officers of the Zoning Board of Adjustment.
- 2.2 Members must be residents of Colleyville, Texas unless City Council waives the residency requirement.
- 2.3 Members shall serve without compensation and until their successors are appointed.
- 2.4 Members and alternates of the Sign Board of Appeals may be removed from office by the City Council for just cause upon receipt of written charges and after a public hearing.
- 2.5 Vacancies which are created by resignation, or for any other reason, shall be filled by the City Council for the remainder of the term of the member or alternate affected.
- 2.6 If a member of the Sign Board of Appeals 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 Sign Board of Appeals are the same as for the Zoning Board of Adjustment, Chairman and the Vice-Chairman.
- 3.2 The Sign Board of Appeals officers are elected once a year, at the Zoning Board of Adjustment's first regular meeting following the appointment of its new members, or as deemed necessary.
- 3.3 The Chairman shall preside at all meetings and be a voting member.
- 3.4 The Vice-Chairman shall preside at Sign Board of Appeals meetings in the absence of the Chairman, and shall fulfill all of the duties of the Chairman. Should the Chairman resign, or that office become vacant for other reasons, the Vice-Chairman shall act as Chairman until the election of a new Chairman.
- 3.5 The Recording Secretary, of the Sign Board of Appeals, shall be the same person who fulfills those duties for the Zoning Board of Adjustment. The Recording Secretary is to record the minutes of the proceedings of every meeting. The Recording Secretary shall be the custodian of the minutes and other official records, shall attend to the correspondence of the Sign Board of Appeals, and shall cause to be given such notices as are required and in the manner prescribed by law.

ARTICLE IV – Duties and Responsibilities

- 4.1 Sign Board of Appeals shall have the authority to hear and decide on requests for a variance from the requirements outlined in Chapter 7 – *Sign Regulations* of the Land Development Code.
- 4.2 The Sign Board of Appeals shall also have the authority to hear and decide an appeal of an administrative decision on a regulation outlined in Chapter 7. The authority shall be applicable to a definition outlined in Chapter 2 – *Definitions* of the Land Development Code required for the administration and enforcement of the provisions of Chapter 7.
- 4.3 The Sign Board of Appeals members will take the Attorney General Texas Open Meetings Act on-line training course, available on the Office of the Attorney General's website, or the member may obtain a DVD of the training course from the City Secretary, and provide a copy of the Certificate of Course Completion to the City Secretary. The training must be completed no later than the 90th day, after the date the member

takes the oath of office, or otherwise assumes responsibilities as a member of the governmental body.

- 4.4 The Sign Board of Appeals shall follow these bylaws, and these bylaws shall govern the procedures of the Sign Board of Appeals unless otherwise provided for by statute.

ARTICLE V – Meetings

- 5.1 Regular meetings shall be held on the 2nd Tuesday of each month at 7:00 p.m., at City Hall, unless otherwise provided for by the Sign Board of Appeals, or unless no application has been scheduled for consideration by the Board.
- 5.2 Special meetings for any purpose may be held (1) on the call of the Chairman; or (2) on request of three or more regular members; or (3) as may be scheduled by a majority of the Sign Board of Appeals at any previous meeting.
- 5.3 Except as legally permitted executive session discussions, all deliberations of the Sign Board of Appeals shall be conducted, and all of its decisions shall be made, at a meeting that is open to the public.
- 5.4 All meetings shall be held in full compliance with the provisions of state law, and these bylaws. Any party in interest shall appear before the Sign Board of Appeals in person, by agent, or by attorney.
- 5.5 A quorum shall consist of four (4) members. If a regular member is absent, the senior alternate will fill the position. If two (2) regular members are absent, the second alternate will fill in as a regular member. Prior to the opening of the public hearing on the first application request being considered, the Sign Board of Appeals shall indicate the voting members to the audience by show of hands. Any regular or alternate member arriving after the opening of a public hearing shall not make motions, seconds, or vote on the agenda item being considered, but may participate in the discussion.
- 5.6 Meeting agendas will be posted on the City Hall bulletin boards, and the City's website 72 hours prior to a meeting. Meeting agenda packets will be available to the public on the City's website 72 hours prior to a meeting.

- 5.7 Additionally, the approved meeting minutes will be included in the City Council agenda packets under Reports.
- 5.8 The Chairman shall secure from staff all such materials and analyses as may be useful to the Sign Board of Appeals in considering any matter before it.

ARTICLE VI – Official Records

- 6.1 Definition:
The official records shall include these bylaws, and minutes of the Board, together with all findings, decisions, and other official actions. Notes of the Recording Secretary, and recordings of proceedings and discussions shall constitute the official record of the Board.
- 6.2 Recording of Vote:
The minutes of the Board's proceedings shall show the vote of each member on each decision of the Board, or if absent or failing to vote shall indicate that fact.
- 6.3 Notice of Decision:
Written notice of all decisions of the Board shall be sent to the petitioner by regular mail within 10 days.
- 6.4 Files – Retention:
All appeals and other matters coming before the Board shall be filed in the City's records. Original papers of all appeals shall be retained along with other special matters as required by state law for permanent record.
- 6.5 Public Record:
The official records, appeals accepted for filing, and other matters presented to the Board in regular or special meeting shall be on file in the City Hall, and shall be open to public inspection during customary working hours.

ARTICLE VII – Appeal Procedures

- 7.1 Refusal Required:
No application shall be taken to the Board until and unless the Building Official, or his designee, has first refused a permit for plans submitted or has rendered an interpretation of the Land Development Code. The

Board may consider a waiver of this requirement when the Board determines that the cost of such plans would be an unnecessary burden.

7.2 Application Requirements:

Every request for action by the Board shall be filed on application forms provided by the City, and shall be accompanied by the prescribed non-refundable fee, and shall be complete in all respects before being accepted for filing. The application shall bear the signature of the owner of the property under appeal, or shall be accompanied by a letter from the property owner acknowledging the application submittal. An incomplete application or a communication purporting to be an application, and not made in the form prescribed shall be regarded only as a notice of intent to file application, and shall not be considered or acted upon by the Board.

7.3 Guidelines for Application:

Every application shall be prepared by the applicant according to the guidelines continued in the Appendices for the type of appeals by statutes or ordinances. Where two or more different types of appeals are included in the same application, each set of guidelines shall apply.

7.4 Filing Deadline:

Every application appeal shall be filed with the administrative official of the Board no less than twenty (20) days prior to the scheduled meeting date of the Board. Applications filed after the deadline shall be scheduled for the next regular meeting. When the filing deadline falls on a City holiday, the following workday shall be observed as the filing deadline. Upon receipt of an application filed prior to the filing deadline, staff shall place the application on the agenda for consideration by the Board.

7.5 Notice:

- A. Public notice of any application affecting a specific property shall be given as prescribed in the Land Development Code by means of a written notice deposited in the United States Mail, postage prepaid, not less than fifteen (15) days prior to the date of the scheduled hearing. The notice shall identify the applicant, the location of the property in question, and the nature of the request, and the applicable requirements.
- B. All property owners within two hundred (200) feet of the property seeking the appeal shall be notified.

C. Public notice of any appeal seeking an interpretation on applicable Chapter 7 – Sign Regulations of the Land Development Code shall be given by means of a legal advertisement appearing in the official newspaper of the City, not less than fifteen (15) days prior to the date of the scheduled hearing. Written notice shall also be given to the applicant and his agent.

7.6 Submission of Evidence:

Evidence supporting the grant or denial of an appeal shall be submitted only through the Recording Secretary, or to the Board in public meeting.

7.7 Withdrawal of Appeal:

Any application may be withdrawn upon written notice to the Recording Secretary; but no application shall be withdrawn after giving of public notice, and prior to the Board action thereon without formal consent of the Board.

7.8 Expiration of Time:

In each decision of application, the Board will include a specific expiration time for compliance.

ARTICLE VIII – Hearing and Decisions

8.1 Public Hearings:

Hearings on all matters on which a decision of the Board is required by law shall be open to the public. The applicant may appear on his own behalf or be represented by counselor agent.

8.2 Order of Business:

The Chairman shall call the Board to order and the Recording Secretary shall record the members present and absent. The Chairman shall publicly advise those present of the procedures followed in the hearing and disposition of applications; the Chairman shall call each application and shall announce the name of the applicant, the location of the property involved, and the nature of the request. Each case may be taken under advisement until all have been heard.

8.3 Procedure for Hearing:

A. The Chairman shall ask staff to outline the applicant's request, advise the Board of any communications received, and present copies of any supporting evidence for or against each case.

- B. The Chairman shall open the public hearing, and call upon the applicant to present his request and all supporting evidence.
- C. The Chairman shall then call on those to speak who support the application.
- D. The Chairman shall then call on those opposed to the application to speak or those who may have questions.
- E. The applicant shall be given opportunity to respond to arguments presented by the opposition. Following the rebuttal, the Chairman shall order the hearing closed.
- F. The Chairman shall ask for discussion from members of the Board or a motion for action. The chairman or any member of the Board may direct a question to the applicant, to any person speaking, or to staff in order to obtain relevant facts, circumstances, or conditions affecting the applicant's request.
- G. During the public hearing, all parties shall be given equal opportunity to speak without interruption. Only testimony presented at the speakers' stand shall be entered into the public record. Questions or arguments between individuals seated in the audience will not be permitted or entered into the public record.
- H. The Board may not hear an appeal when the applicant fails to appear unless the applicant has requested that the Board act without the applicant's presence at the hearing; provided, however, the Board may hear those persons appearing in response to the notice of hearing.

8.4 Disposition of Appeals:

After each application has been heard, the Board may approve, approve with modifications, or deny an appeal. In approving a request, the Board may impose such conditions as appropriate. The Board may also defer action on any application whenever it determines that additional evidence is needed, or that alternate solutions require further study. An application may be dismissed when the Board finds that the appeal has been improperly filed, or upon notification by the Building Official, or his designee, that permits have been issued for a sign, which conforms to the regulations.

8.5 Vote Required:

The affirmative vote of four members shall be necessary to approve, or to approve conditionally, any matter before the Board. Any motion in favor of an applicant failing to receive a second or four affirmative votes shall be considered a denial, unless a subsequent motion is offered and approved. When an application fails to receive a second or four affirmative votes, the Recording Secretary shall record in the minutes an entry stating that the application was denied.

ARTICLE IX – Appeal from the Board

9.1 Review of Decision:

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

ARTICLE X – Certification and Amendments

10.1 Certified Copy:

A certified copy of these bylaws, and of any amendments thereto, will be placed on record in the office of the City Secretary within ten (10) days following their day of adoption.

10.2 Repealing Clause:

All previously adopted rules and regulations of the Board shall be and the same are hereby expressly repealed.

10.3 Amendment Procedure:

Amendments to these bylaws may be made by the Board at any meeting, upon the affirmative vote of four members; however, Chapter 211 of the Local Government Code requires the regulations be adopted by the governing body.



City of Colleyville City Council Agenda Briefing

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

Agenda Number 5a

Agenda Date 03/08/2016

Number Ordinance O-16-1975

Type Ordinance

Department Community Development

Title

Consideration of a Special Use Permit for alcohol beverage sales (on-premises consumption) on Lot 23, of the Village at Colleyville Addition, located at 62 Main Street, Case ZC16-001

Strategy Map Connection

There is no strategy map connection for this item.

Explanation

Second Reading and Public Hearing

At the February 16, 2016 City Council meeting there were no citizens who wished to speak on the item.

First Reading and Public Hearing

The applicant, Amy Harris Hoepker, of Society House, LLC, requests approval of a Special Use Permit (SUP) to allow alcoholic beverage sales for on-premises consumption on approximately 0.13 acres, located at 62 Main Street, Suites 200-250. The applicant is currently operating the Sonsie House Kitchen restaurant on the subject property and is required to receive City Council approval of an SUP to sell/serve alcohol (on-premises consumption of alcohol).

Existing Conditions/Background: The subject property is generally located on the northeast corner of Main Street and Village Lane within the Village at Colleyville. The property is platted as Lot 23 of the Village at Colleyville Addition (plat attached).

The Sonsie House Kitchen is a new, full-service restaurant, operating in suites 200-250, on the second floor of the existing building at 62 Main Street in the Village. The restaurant was issued a Certificate of Occupancy on October 2, 2015. The subject property was previously occupied by a full-service restaurant with on-premises alcohol sales, named Tribeca, which was similar in nature to the existing business. As part of the daily business operations, the applicant would like to sell and serve alcoholic beverages to its patrons during their dining experience. The applicant has been operating with the understanding that all alcohol related permits and entitlements had been approved and were permitted. However, based on the following chain of events, the applicant has been required to submit an application for an SUP for alcohol sales

with on-premises consumption.

Proposed Special Use Permit: The subject property is zoned PUD-C Planned Unit Development – Commercial District. Alcoholic beverage sales are allowed within the governing zoning ordinance with the approval of a Special Use Permit (SUP) as described above.

Request – The applicant is requesting approval of an SUP to allow alcoholic beverage sales for on-premises consumption, in conjunction with a new restaurant currently in operation. The applicant is requesting to continue to sell and serve alcohol as part of the Sonsie House Kitchen menu. The applicant proposes the following hours of operation as a component to the SUP request:

Tuesday - Saturday: 11:00 a.m. – 3:00 p.m.

5:00 p.m. – 9:00 p.m.

Sunday: 10:00 a.m. – 3:00 p.m.

Ordinance – There are four components of procedure that a business must complete to sell and serve alcohol for on-premises consumption in Colleyville: (1) a Special Use Permit (SUP) approval by the City Council for alcohol sales (on-premises consumption) (2) submission of draft Texas Alcoholic Beverage Commission (TABC) License paperwork to the City Secretary's Office for review and approval, (3) submission of completed TABC License paperwork to the TABC, (4) the issuance of an Alcoholic Beverage License through the City Secretary's Office. The applicant submitted the draft TABC License paperwork (step 2) in September 2015 to the City Secretary's Office, and the City Secretary's Office approved the application without verifying that an SUP was in place for the user and location since an SUP had historically been in place in the Village.

In the past, there was an SUP for the entire Village property that permitted on-premises alcohol consumption. In 2012, City Council approved Ordinance O-12-1859 to update/revise the Village PUD, effectively repealing all Village at Colleyville ordinances and replacing them with one governing ordinance (attached). According to the requirements outlined in the 2012 Village Ordinance, any new restaurant with on-premises alcohol consumption is required to obtain an SUP individually, effective May 1, 2013 (existing ordinance, page seven).

Based on the approval of the TABC License through TABC and not knowing an SUP was required, the applicant began selling/serving alcohol as part of the restaurant's menu. Upon Community Development's notification of the City's pending Alcoholic Beverage License for the user, Community Development notified the City Secretary regarding the lack of an SUP for the user. Staff then notified the business owner of the oversight, and the Special Use Permit application process was started. The City's Alcoholic

Beverage License has not been approved or issued, awaiting consideration of this item by City Council. Following this oversight, staff revised internal processes to ensure this does not occur again in the future.

In addition to the governing PUD Ordinance, the following ordinance-related items apply to the request:

- Section 3.25 of the Land Development Code states that an SUP is to “allow a use not normally allowed in a zoning district which could be of benefit in a particular case to the general welfare, provided adequate development standards, and special requirements are imposed to protect surrounding uses or to preserve the character of the neighborhood.” SUPs automatically expire upon the abandonment of the business, change in the use, a change in ownership, or upon termination of the Certificate of Occupancy.
- Section 6-3 of the Code of Ordinances requires businesses that serve alcoholic beverages to be located at least 300 feet from a church, school, or public hospital. The distance is measured from property line to property line for schools, and from front door to front door along the street front property lines for churches and hospitals.
- Section 6-5 of the Code of Ordinances which states that the restaurant’s alcohol sales must be incidental and secondary to the sale of food for human consumption (further clarified in the Code as non-alcohol and food sales must comprise at least 60 percent of gross receipts).

Analysis – As stated previously, the applicant received approval to serve alcohol from both the TABC and the City (steps 2 and 3 as described above, but not steps 1 and 4). Moreover, the requested SUP is consistent with previously approved SUPs on the subject property and is permitted by the governing ordinance with City Council approval. The applicant is currently operating the business in a similar manner to the previous restaurants at this location, and the business fills a need for full service restaurants within the Village. The request location is in compliance with the distance requirements, and the applicant is proposing to comply with the 60/40 incidental sales requirements as stated above. Approval of an SUP at this location for this user should not adversely impact surrounding uses or the character of the neighborhood and should positively contribute to the Village.

Comprehensive Plan: The City’s comprehensive plan, *Destination Colleyville*, designates this property as part of the Colleyville Boulevard Corridor. This land use designation is intended to promote “a vibrant and economically strong “town center” for the City” with land uses such as retail, service, and entertainment. The existing use and the proposed ancillary alcohol sales are consistent with the City’s comprehensive plan.

Surrounding Development: The table below reflects the surrounding zoning and existing land uses for the subject property as further illustrated on the attached

location map:

PUD-C (Village at Colleyville - Residential Building)	PUD-C (Village at Colleyville - Residential Building)	PUD-C (Village at Colleyville – Surface Parking Lot)
PUD-C (Village at Colleyville – Undeveloped Property)	<i>Subject Property</i> <i>PUD-C (Sonsie House Restaurant)</i>	PUD-C (Village at Colleyville – Surface Parking Lot)
PUD-C (Village at Colleyville - Residential and Luxor Jewlers)	PUD-C (Village at Colleyville - Residential and Keller Williams Realty)	PUD-C (Village at Colleyville - Residential and The Spa at the Village)

Public Notification: Staff mailed notices to 78 property owners within 500 feet as of the subject property regarding this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegrams* required by State law and the Land Development Code. To date, no correspondence has been received. The city manager owns property in the notification area, and as such, the administration and review of this item is deferred to the deputy city manager where deemed necessary.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval of this request at the February 8, 2016 meeting by a vote of 7-0.

Staff Recommendation: The proposed Special Use Permit (SUP) would authorize the sale of alcoholic beverages for on-premises consumption for the Sonsie House Kitchen at 62 Main Street in the Village at Colleyville. The proposed business is consistent with the previous uses on the subject property, should not adversely impact surrounding uses, and should positively contribute to the Village. Staff recommends approval of the proposed SUP for alcohol sales with on-premises consumption.

Financial Impact

There is no financial impact to the City.

Recommendation

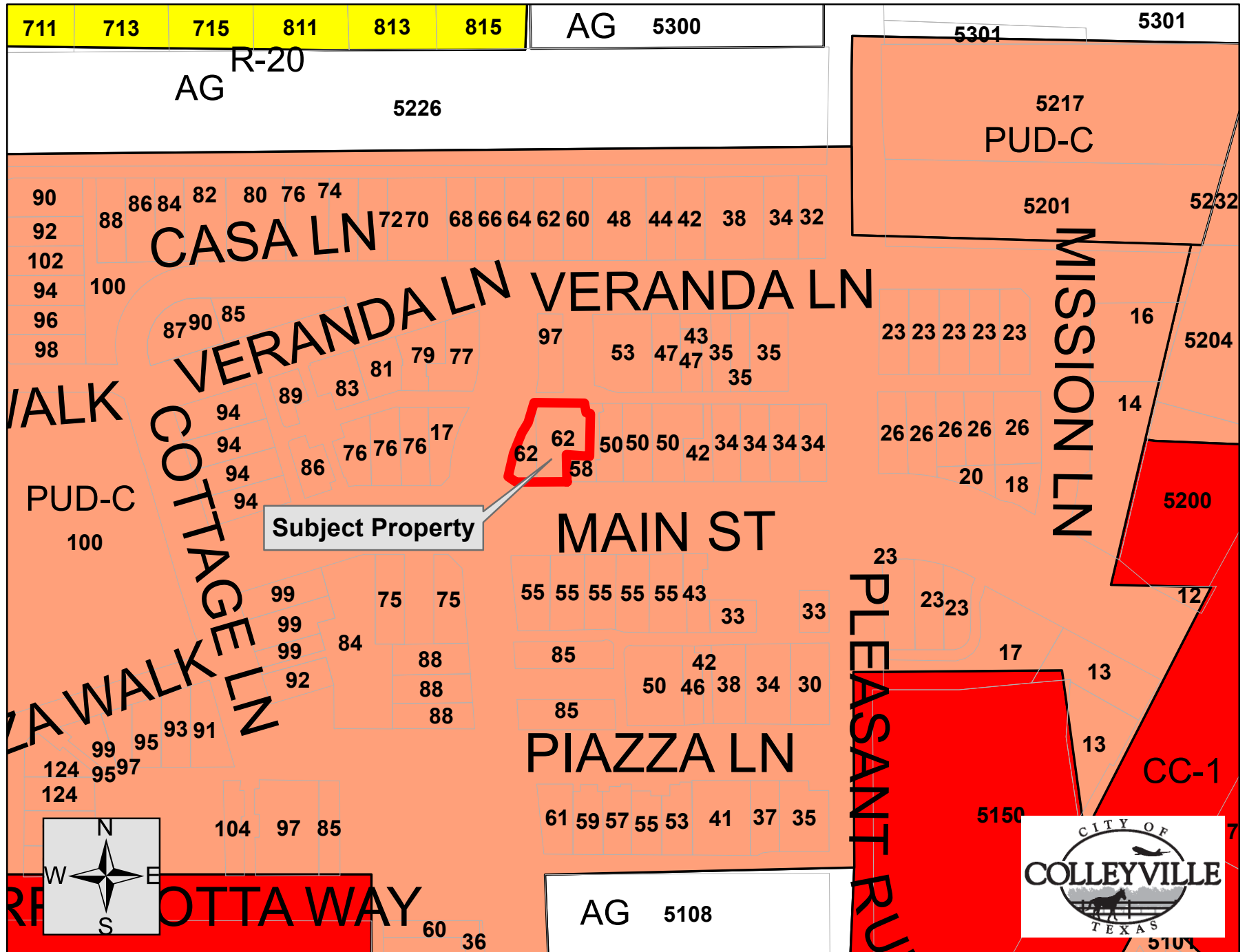
Approve

Attachments

1. Zoning Map
2. Aerial map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Existing Plat

6. Ordinance O-12-1859 - Exisiting PUD
7. Notification Map
8. Notification List
9. Ordinance O-16-1975

Zoning Map



This is an aerial photograph of a residential neighborhood in Colleyville, Texas. The map shows several streets: Casa Ln, Veranda Ln, Cottage Ln, Main St, Piazza Ln, Mission Ln, and Pleasant St. Numerous lots are visible, many with house numbers. A specific lot is highlighted with a red outline and labeled 'Subject Property'. The map also includes a north arrow and the City of Colleyville logo.

Streets: CASA LN, VERANDA LN, COTTAGE LN, MAIN ST, PIAZZA LN, MISSION LN, PLEASANT ST.

Subject Property: A lot located at the intersection of Veranda Ln and Main St, highlighted in red.

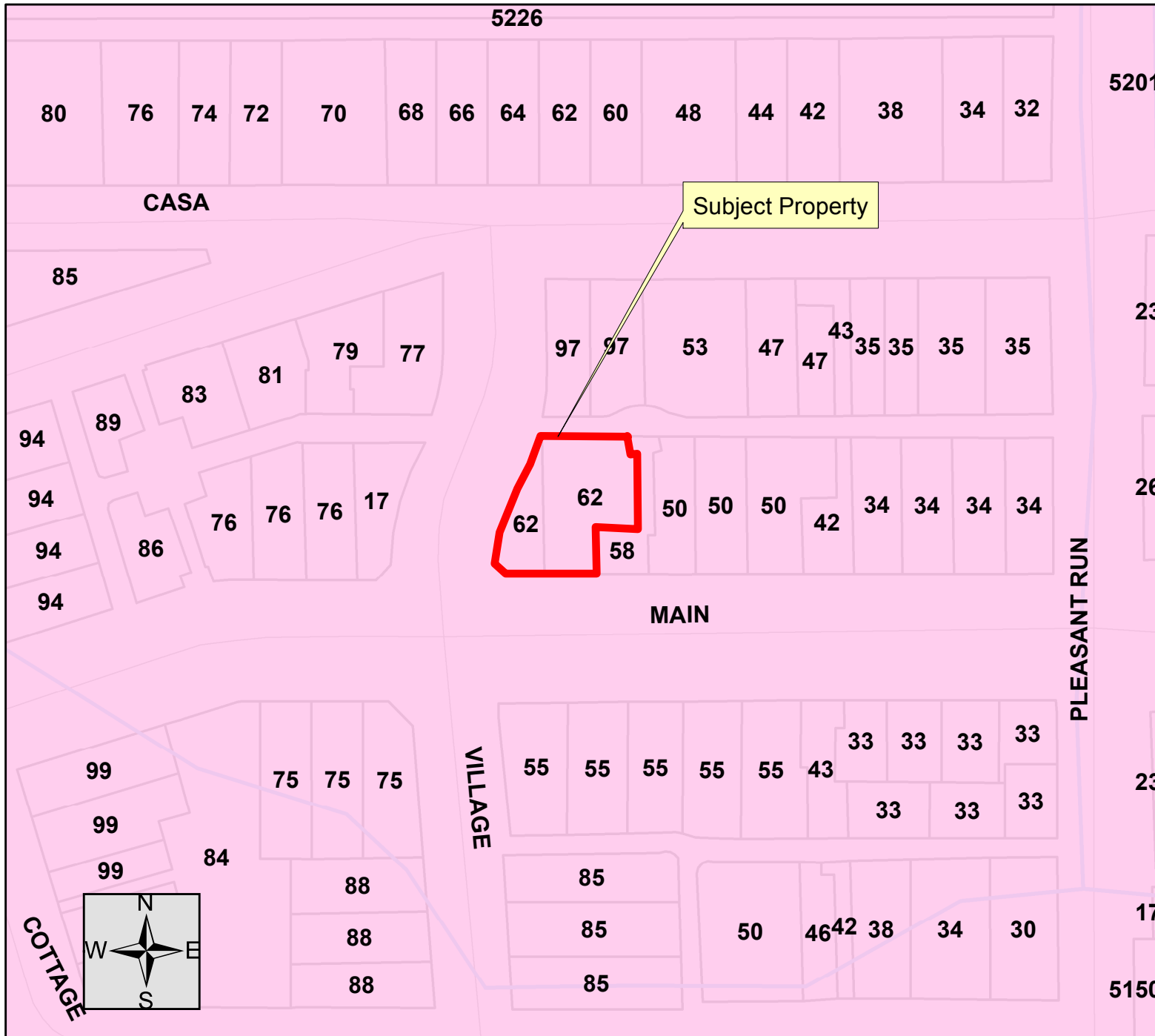
Other Labels: AG, 5226, 5217, PUD-C, 5201, CC-1, 13, 17, 20, 23, 26, 30, 32, 34, 35, 37, 38, 41, 42, 43, 44, 46, 48, 50, 53, 55, 57, 58, 59, 60, 61, 62, 64, 66, 68, 70, 72, 74, 75, 76, 77, 79, 80, 81, 82, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 97, 99, 100, 104, 124.

City of Colleyville, Texas



Future Land Use Map

Case ZC16-001
62 Main St.



Legend

- RESIDENTIAL
- COMMERCIAL
- INSTITUTIONAL
- PARKS/ OPEN SPACE
- COLLEYVILLE BLVD CORRIDOR
- Subject Property
- Parcels
- COLLEYVILLE CITY LIMITS



Statement of Planning Objectives

BUSINESS PLAN

SOnsie HUse Kitchen

62 Main Street, 2nd floor

Colleyville, Texas 76034

Executive Summary

SOnsie HUse Kitchen is casual dining which will feature a menu of moderately priced “comfort” foods, influenced by southern cooking traditions and time honored family recipes, but evolved to the contemporary taste bud with a few made from “scratch” desserts and a small selection of wine and beer.

SOnsie HUse Kitchen will be owned by a limited liability partnership combined of members Derek, Diane, and Clinton Harris, and Amy Hoepker and Nancy Ford Lockhoof under the name of **SOCIETY HOUSE GROUP, LLC.** with the address of 2100 Ross Ave., Suite 750, Dallas, Texas 75201. **SOnsie HUse Kitchen** will be operated and managed by Amy Hoepker and Diane Harris.

This business plan offers financial institutions and private lenders the opportunity to review our vision, strategic focus and previous experience. It will provide a plan for the business start-up and keys to establishing favorable sales numbers. It will also describe our company, products and services, market focus, action plans, forecasts and financial plan.

Vision Statement

Statement of Planning Objectives

To grow a financially successful restaurant known for its comforting and friendly atmosphere and delicious made-from-scratch food. We want our clientele to experience high quality products and a setting that encourages what our name inspires, **SOnsie HOuse Kitchen**.

Mission Statement

To establish **SOnsie HOuse Kitchen** as a household name in the Colleyville and surrounding areas by maintaining uncompromising principles as we grow sales and profitability. The six following guiding principles will help us measure the appropriateness of our decisions:

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

The Company

Company History

This will be a new business venture that stems from past experience of owning and operating our family businesses Sugarbaker's and Celebrity Café & Bakery. The new concept of **SOnsie HOuse Kitchen** will allow us to evolve our made from scratch recipes into more contemporary dishes while providing the neighborhood a great place to go for lunch or dinner

Company Goals and Objectives

1. Setup a LLC to limit investor and personal liability
2. Complete construction within the first 6 months after financing

Statement of Planning Objectives

3. Reach positive net profit in first quarter
4. Become a market leader in Dallas/Fort Worth
5. Average \$96k plus in revenues monthly
6. Increase annual sales between 3-7 percent each year

Keys to Success

1. *Location, Location, Location*
2. *Securing individual investors at reasonable interest rates*
3. *Finding and hiring qualified, motivated employees*
4. *Controlling the effective use of marketing dollars to stimulate sales*
5. *Providing extraordinary food and impeccable customer service*

Company Management

Our company will be co-managed by Diane Harris and Amy Hoepker. Diane began her culinary career in Derek's family restaurant in the early 80's and later she and Derek opened their own store in Lubbock, Texas. Diane went on to help the family in other stores in Colleyville, Texas and Scottsdale, Arizona, San Antonio and Southlake, Texas. Diane has worked all aspects of the restaurant business, including cooking, baking, decorating with business aspects including training employees, time scheduling, payroll processing, catering and daily reporting, managing employees with their daily tasks, inventory with weekly ordering, and recipe development.

Amy Hoepker started working in her parents' café and bakery in Lubbock, Texas when she was about 8 years old, learning to count change back to customers and taking orders. She and her brother did commercials for Sugarbakers Café and Bakery. She continued to work in the café and bakery learning different aspects of the business. As she moved off to college, she continued to learn more about catering aspect by working in her grandmother's and uncle's businesses. She later joined with Diane in managing the family business in Austin, Dallas and Colleyville, Scottsdale and San Antonio. After being in the restaurant business, she later started a career in the mortgage business furthering her ability to deal with people and the business side of life.

Statement of Planning Objectives

Products

SOnsie HOuse Kitchen as a venue sells moderately priced food to an upscale, casual dining market. The venue features made from scratch contemporary American cuisine, including a small selection of homemade desserts, beer and wine. A sample menu is attached, but will change seasonally depending on the clientele's demand and market quality.

Marketing Strategy

The most important element of our marketing strategy is the delivery of quality products and quality service. Our made from scratch food and bakery products will sell themselves first by word of mouth.

Next, the packaging of **SOnsie HOuse Kitchen** will focus on key points to ensure success.

- a. Initial recognition: The name, logo and décor of **SOnsie HOuse Kitchen** will attract the attention of the general public as well as the culture conscious of the surrounding area. Our décor will create an inviting atmosphere that will encourage guests to make it the place to "be" to meet business associates and relax or socialize with friends. With a history of 20 years or more in the industry in the Texas market, our followers will instantly want to be a part of what we have to offer.
- b. Assess customer's needs and assist selection: We pride ourselves in getting to know each and every customer. We like for each guest to feel that they are "part of the family", so to speak. This will give us an edge on competitors and allow us to personalize their dining experience and promote the specialties available in our restaurant.

Milestones

SOnsie HOuse Kitchen will implement schedules that emphasize payroll budgets of no more than 25% of gross sales. Our menu is designed to use ingredients that can be used for multiple recipes and therefore maintain food cost budgets of no more than 25% of gross sales. We project rental expenses of 8% of gross sales and 20% to be allocated toward taxes, utilities, supplies, maintenance

Statement of Planning Objectives

etc. We will allocate 10% to repayment of the note to investor(s), leaving a 12% profit margin. Our 20+ years of experience in the industry make us confident that these projections are a realistic assessment.

Financial Plan

SOonsie HOuse Kitchen allocates start-up capital of \$75,000.00 from investors for venue finish out, rent, equipment, groceries, menus, permits, licenses, attorney's fees and insurance, signage and a cushion for unforeseen issues. This investment will be paid back in 5 years, with an interest rate of 7%, in monthly installments. It is our expectation that revenue beyond projected sales targets will be invested in retiring debt to investor(s) early.

Summary

We expect this project to be a lot of work, but nothing that we are not already accustomed to. Members of this team have been involved in this industry since 1979. Our love for the business and passion behind this concept's success will prove to overcome any adversities. The quality of our products represent true value and is unparalleled by any competitor. The uniqueness of **SOonsie HOuse Kitchen** and the hard working family values of our management team will prove to be a recipe for success.

Existing Plat

CENTERLINE CURVE DATA

Curve	Radius	Arc Length	Delta Angle	Chord Bearing	Chord Length
C-1	32.00'	31.42'	56°15'05"	N32°35'50"W	30.17'
C-2	300.00'	10.47'	02°00'00"	S03°28'17"E	10.47'
C-3	300.00'	46.47'	08°52'28"	N01°57'57"E	46.42'
C-4	300.00'	56.94'	10°52'28"	N00°57'57"E	56.85'
C-5	140.00'	80.05'	32°45'36"	N11°54'30"E	78.96'
C-6	32.50'	40.93'	72°09'30"	N36°34'11"E	38.28'
C-7	32.00'	41.50'	74°17'60"	N52°54'04"W	38.65'
C-8	30.00'	15.04'	28°43'01"	N30°06'35"W	14.88'
C-9	30.00'	15.04'	28°43'01"	N30°06'35"W	14.88'
C-10	30.00'	15.04'	28°43'01"	N30°06'35"W	14.88'
C-11	73.50'	139.80'	108°58'39"	N35°27'37"E	119.66'
C-12	300.00'	47.48'	09°04'07"	S85°30'60"E	47.43'
C-13	300.00'	47.48'	09°04'07"	S85°30'60"E	47.43'
C-14	56.00'	16.91'	17°18'00"	N81°17'56"E	16.84'

LOT LINE CURVE TABLE

Curve	Radius	Arc Length	Delta	Chord Bearing	Chord Length
C-15	20.00'	21.11'	60°28'35"	N30°29'05"W	20.14'
C-16	5.00'	7.49'	85°46'30"	N47°21'32"W	6.81'
C-17	5.00'	8.12'	93°01'28"	N42°02'26"E	7.26'
C-18	20.00'	42.14'	120°43'28"	S31°05'06"E	34.77'
C-19	20.00'	21.11'	60°28'35"	S59°30'55"W	20.14'
C-20	72.00'	18.64'	14°50'06"	S82°32'14"W	18.59'
C-21	48.00'	12.43'	14°50'06"	S82°32'14"W	12.39'
C-22	32.00'	16.80'	30°04'24"	N75°00'52"W	16.60'
C-23	20.00'	10.50'	30°04'24"	N75°00'52"W	10.38'
C-24	20.00'	6.04'	17°18'00"	N81°17'56"E	6.02'
C-25	111.00'	42.82'	22°06'15"	N17°14'11"E	42.56'
C-26	169.00'	38.15'	12°55'58"	N21°49'19"E	38.07'
C-27	169.00'	33.11'	11°13'30"	N05°33'41"E	33.06'
C-28	20.00'	31.35'	88°49'11"	N45°02'21"E	28.24'
C-29	5.00'	7.71'	88°24'00"	N61°33'04"W	7.17'
C-30	5.00'	7.99'	91°36'00"	N74°36'57"E	10.58'
C-31	20.00'	10.70'	30°39'59"	N74°36'57"E	10.58'
C-32	32.00'	34.25'	61°19'58"	N89°56'56"E	32.64'
C-33	20.00'	10.70'	30°39'59"	N74°36'57"E	10.58'

LOT LINE TABLE

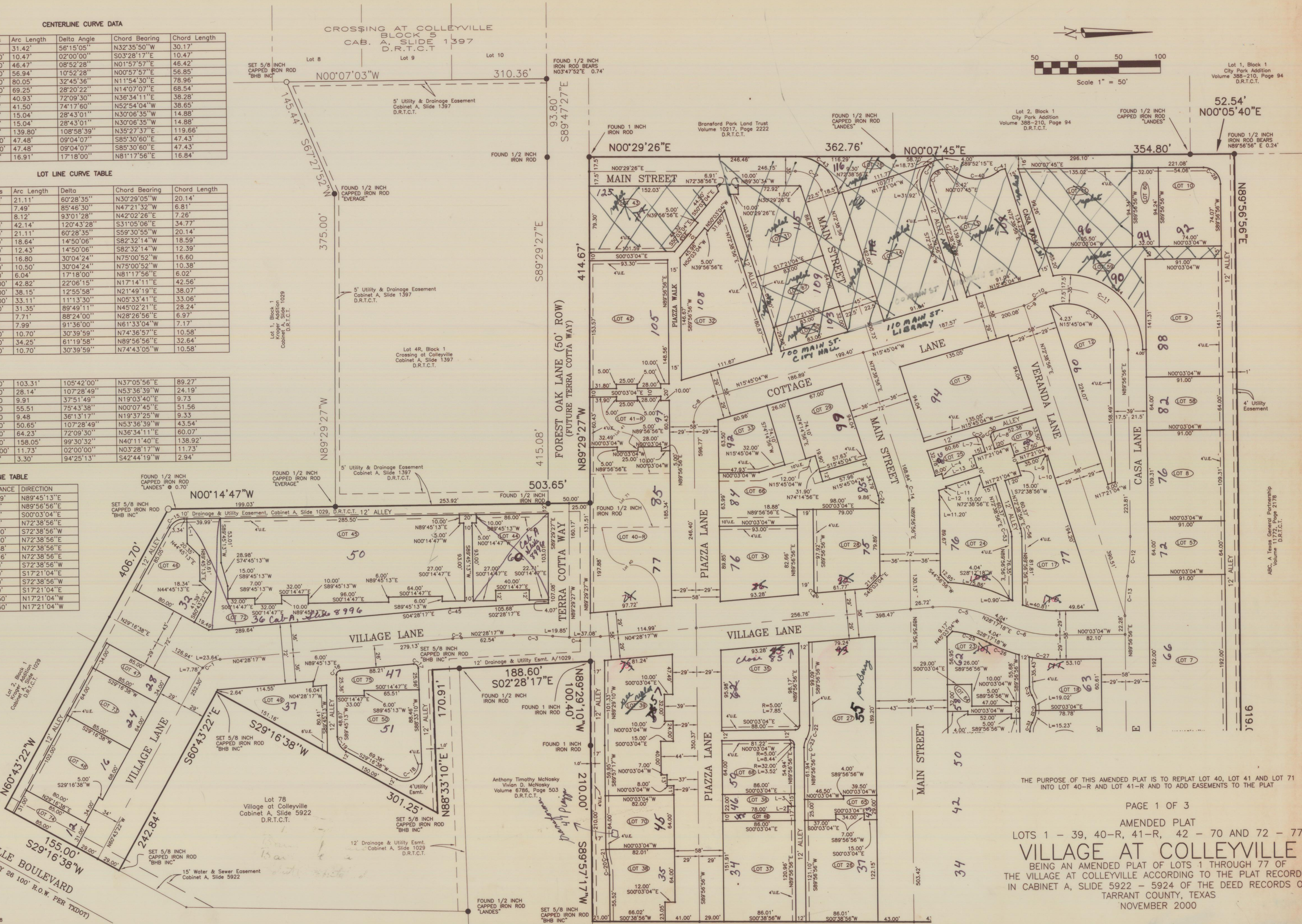
NUMBER	DISTANCE	DIRECTION
L-1	29.59'	N89°45'13"E
L-2	7.00'	N89°56'56"E
L-3	8.00'	S00°03'04"E
L-4	6.00'	N72°38'56"E
L-5	15.00'	S72°38'56"W
L-6	15.00'	N72°38'56"E
L-7	15.58'	N72°38'56"E
L-8	14.96'	N72°38'56"E
L-9	2.50'	S72°38'56"W
L-10	2.50'	S17°21'04"E
L-11	2.00'	S72°38'56"W
L-12	9.49'	S17°21'04"E
L-13	42.50'	N17°21'04"W
L-14	42.50'	N17°21'04"W

FILED
TARRANT COUNTY TEXAS
2000 NOV 30 P 1:15
SUZANNE HENDERSON
COUNTY CLERK

OWNER:
VILLAGE MONTICELLO PARTNERS, LTD.
1111 SOUTH MAIN STREET, SUITE 200
GRAPEVINE, TEXAS 76051
TEL: (817)488-4200 FAX: (817)424-2448

ENGINEER & SURVEYOR:
Baird, Hampton & Brown, Inc.
Engineering & Surveying
300 E. 7th St., Ste. 300 P.O. Box 171021, Dallas, TX 75217-1021

COLLEYVILLE BOULEVARD
GRAPEVINE HIGHWAY (HWY 26100' R.O.W. PER TADOT)



THE PURPOSE OF THIS AMENDED PLAT IS TO REPLAT LOT 40, LOT 41 AND LOT 71 INTO LOT 40-R AND LOT 41-R AND TO ADD EASEMENTS TO THE PLAT

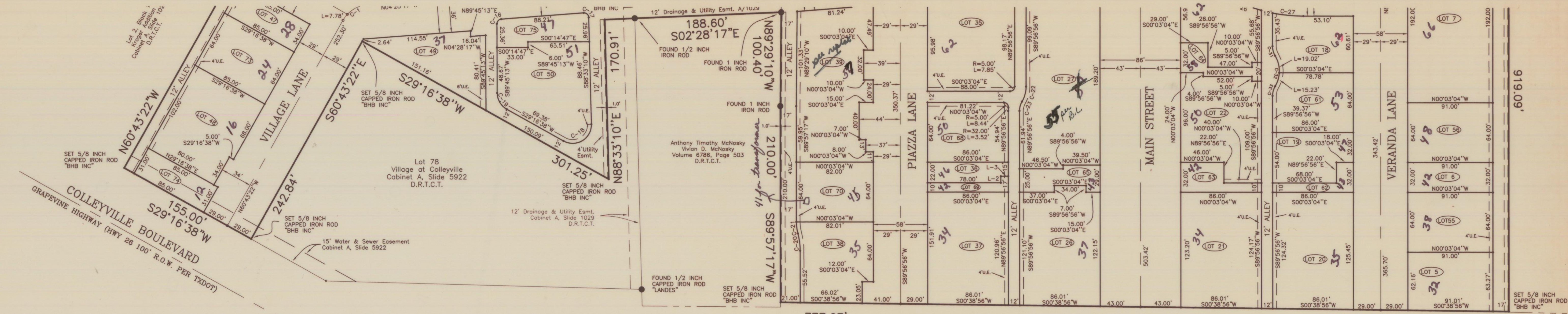
PAGE 1 OF 3

AMENDED PLAT
LOTS 1 - 39, 40-R, 41-R, 42 - 70 AND 72 - 77
VILLAGE AT COLLEYVILLE
BEING AN AMENDED PLAT OF LOTS 1 THROUGH 77 OF
THE VILLAGE AT COLLEYVILLE ACCORDING TO THE PLAT RECORDED
IN CABINET A, SLIDE 5922 - 5924 OF THE DEED RECORDS OF
TARRANT COUNTY, TEXAS
NOVEMBER 2000

THIS PLAT FILED IN CABINET A, SLIDE 6291

VILLAGE AT COLLEYVILLE - AMENDED

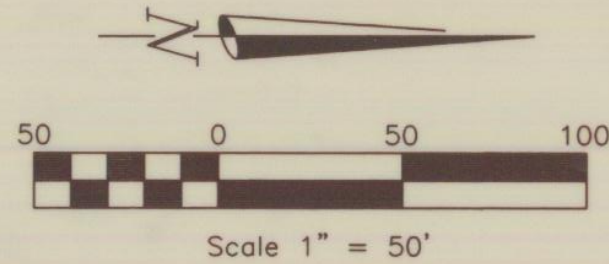
Existing Plat



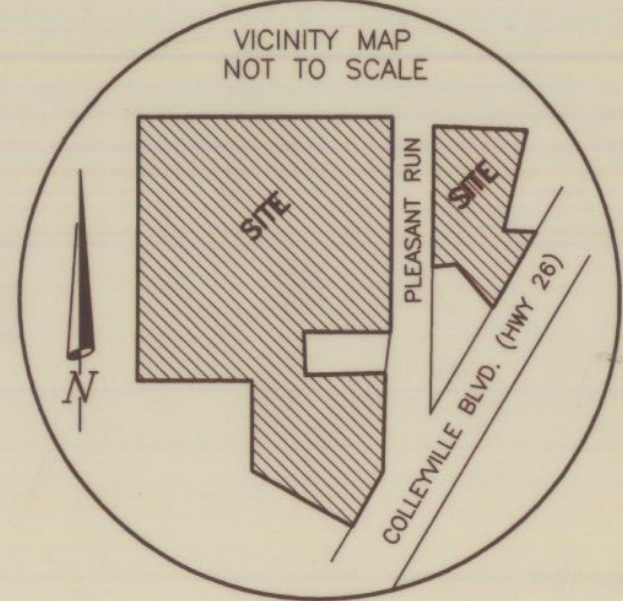
CURVE DATA

NUMBER	Radius	Arc Length	Delta	Chord Bearing	Chord Length
C-47	158.00'	102.93'	37°19'34"	N18°36'43"E	101.12'
C-48	23.00'	36.13'	90°00'00"	N45°03'04"W	32.53'
C-49	184.00'	94.64'	29°28'15"	S75°18'56"E	93.60'
C-50	141.00'	72.53'	29°28'15"	S75°18'56"E	71.73'
C-51	32.00'	16.07'	28°46'15"	N15°02'04"E	15.90'
C-52	32.00'	50.27'	90°00'00"	N45°38'56"E	45.25'
C-53	20.00'	10.04'	28°46'15"	N15°02'04"E	9.94'
C-54	227.00'	116.76'	29°28'15"	S75°18'56"E	115.48'
C-55	145.00'	53.10'	20°58'53"	S10°26'22"W	52.80'
C-56	32.00'	9.66'	17°18'00"	N81°17'56"E	9.63'
C-57	20.00'	31.42'	90°00'00"	N45°38'56"E	28.28'
C-58	180.00'	59.70'	19°00'16"	N13°05'15"E	59.43'

FOUND
"+" IN
CONCRETE



#1 MAIN ST.
FOR ENTRANCE
SIGN, G-03-028
RESOLUTION #
R-03-2199



THE PURPOSE OF THIS AMENDED PLAT IS TO REPLAT LOT 40, LOT 41 AND LOT 71 INTO LOT 40-R AND LOT 41-R AND TO ADD EASEMENTS TO THE PLAT

PAGE 2 OF 3

AMENDED PLAT

LOTS 1 - 39, 40-R, 41-R, 42 - 70 AND 72 - 77

VILLAGE AT COLLEYVILLE

BEING AN AMENDED PLAT OF LOTS 1 THROUGH 77 OF THE VILLAGE AT COLLEYVILLE ACCORDING TO THE PLAT RECORDED IN CABINET A, SLIDE 5922 - 5924 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS
NOVEMBER 2000

THIS PLAT FILED IN CABINET A, SLIDE 6292

VILLAGE AT COLLEYVILLE - AMENDED

THIS AMENDING PLAT IS APPROVED IN ACCORDANCE WITH SECTION 212.0065 OF THE TEXAS LOCAL GOVERNMENT CODE AND THE CITY OF COLLEYVILLE SUBDIVISION REGULATIONS

DATE 11-27-00

Brian L. Bason
COMMUNITY DEVELOPMENT MANAGER

Robert R. McIsaac
DIRECTOR OF PUBLIC SERVICES

RESTRICTED USE LOT TABLE

USE	DESCRIPTION	LOTS
Drainage Easement	Village Detention Basin	4
Drainage R.O.W.	Pleasant Run Creek	52 & 77
Public Access	Public Parking Lot	55-58, 61, 67, 68, 70, 73
Open Space	Public Park	41-R, 66
Open Space	Private Park	51, 53, 54, 59, 60, 62-65, 69, 72, 74-76

OWNER:
VILLAGE MONTICELLO PARTNERS, LTD.
1111 SOUTH MAIN STREET, SUITE 200
GRAPEVINE, TEXAS 76051
TEL: (817)488-4200 FAX: (817)424-2448

ENGINEER & SURVEYOR:

B B Baird, Hampton & Brown, Inc.
Engineering & Surveying
309 W. 7th St., Ste. 500 Ft. Worth, TX 76102 Tel: (817)338-1277 Fax: (817)338-9245 E-Mail: baird@bhbinc.com

FILED
TARRANT COUNTY TEXAS
2000 NOV 30 P 1:15
SUZANNE HENDERSON
COUNTY CLERK

STATE OF TEXAS §
COUNTY OF TARRANT §

WHEREAS, Village Management, Ltd, acting by and through the undersigned, its duly authorized agent, is the sole owner of a tract of land situated in the Buffalo Bayou, Brazos and Colorado Railroad Survey, Abstract No. 206 in the City of Colleyville, Tarrant County, Texas according to the deed recorded in Volume 14387, Page 334 of the Deed Records of Tarrant County, Texas, a portion of said tract being described as follows:

BEING all of Lots 1 through 77 of Village at Colleyville, an addition to the City of Colleyville, Tarrant County, Texas, according to the plat recorded in Cabinet A, Slide 5922 of the Deed Records of Tarrant County, Texas.

NOW, THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:

THAT, Village Management, Ltd., acting by and through the undersigned, its duly authorized agent, does hereby adopt this plat designating the hereinabove described real property as LOTS 1 - 39, 40-R, 41-R, 42 - 70 AND 72 - 77, VILLAGE AT COLLEYVILLE, an addition to the City of Colleyville, Tarrant County, Texas, and do hereby dedicate to the publics' use the streets and easements shown thereon.

Witness our hands this 27 day of November, 2000.

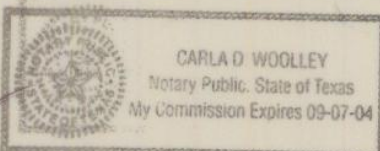
Authorized Agent for
Village Management, Ltd.

STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, the undersigned Notary Public in and for said county and state, on this day personally appeared Richard A. Miller of Village Management, Ltd., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the 27 day of November, 2000.

Carla D. Woolley
Notary Public in and for
the County of Tarrant, State of Texas



9-1-2004
My commission expires

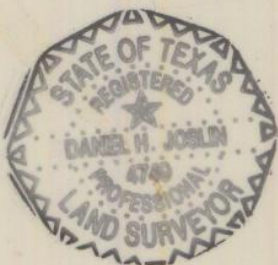
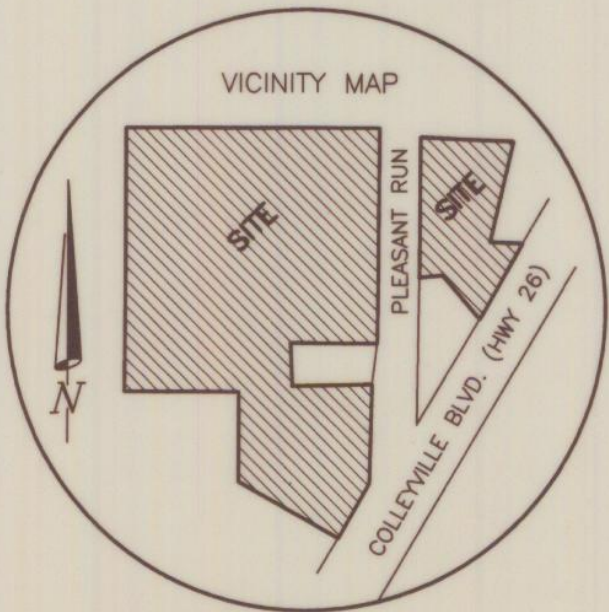
Lot Number	Square Footage	Acres
Lot 01	17591	0.40
Lot 02	15192	0.35
Lot 03	9061	0.21
Lot 04	11343	0.26
Lot 05	5707	0.13
Lot 06	2912	0.07
Lot 07	17472	0.40
Lot 08	9947	0.23
Lot 09	12859	0.30
Lot 10	6880	0.16
Lot 11	11368	0.26
Lot 12	8503	0.20
Lot 13	12815	0.29
Lot 14	14974	0.34
Lot 15	12695	0.29
Lot 16	1667	0.04
Lot 17	17772	0.27
Lot 18	5130	0.12
Lot 19	4248	0.10
Lot 20	10744	0.25
Lot 21	10641	0.24
Lot 22	8838	0.20
Lot 23	5827	0.13
Lot 24	10179	0.23
Lot 25	2103	0.05
Lot 26	10698	0.25
Lot 27	15361	0.35
Lot 28	7556	0.17
Lot 29	6183	0.14
Lot 30	2560	0.06
Lot 31	8265	0.19
Lot 32	14071	0.32
Lot 33	4966	0.11
Lot 34	8022	0.18
Lot 35	9255	0.21
Lot 36	1836	0.04
Lot 37	10357	0.24
Lot 38	8545	0.19
Lot 39	12399	0.28
Lot 40-R	18544	0.43
Lot 41-R	5753	0.13
Lot 42	14268	0.33
Lot 43	10231	0.23
Lot 44	8773	0.20
Lot 45	28674	0.66
Lot 46	5776	0.13
Lot 47	2890	0.07
Lot 48	8500	0.20
Lot 49	5730	0.13
Lot 50	8938	0.21
Lot 51	1175	0.03
Lot 52	12550	0.29
Lot 53	2145	0.05
Lot 54	1234	0.03
Lot 55	5824	0.13
Lot 56	5824	0.13
Lot 57	5824	0.13
Lot 58	5824	0.13
Lot 59	7248	0.17
Lot 60	3017	0.07
Lot 61	5413	0.12
Lot 62	1256	0.03
Lot 63	1872	0.04
Lot 64	1618	0.04
Lot 65	2070	0.05
Lot 66	12589	0.29
Lot 67	5312	0.12
Lot 68	5500	0.13
Lot 69	916	0.02
Lot 70	5248	0.12
Lot 72	12448	0.29
Lot 73	5440	0.12
Lot 74	2635	0.06
Lot 75	2900	0.07
Lot 76	3564	0.08
Lot 77	26623	0.61
Lot 78	74758	1.72

FILED
TARRANT COUNTY, TEXAS
2000 NOV 30 P 1:16
SUZANNE WENDERS
COUNTY CLERK

OWNER:
VILLAGE MONTICELLO PARTNERS, LTD.
1111 SOUTH MAIN STREET, SUITE 200
GRAPEVINE, TEXAS 76051
TEL: (817)488-4200 FAX: (817)424-2448

ENGINEER & SURVEYOR:

B B Baird, Hampton & Brown, Inc.
Engineering & Surveying
300 W. 7th St., Ste. 500 Ft. Worth, TX 76102 Tel:(817)338-1277 Fax:(817)338-9245 E-Mail:mhb@bbhinc.com



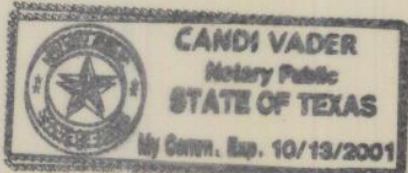
Surveyor's Certificate:

I, Daniel H. Joslin, a Registered Professional Land Surveyor, of the State of Texas, do hereby state to the best of my knowledge and belief that the above survey is an accurate delineation of field survey and office computations performed by me or under my supervision, and that all property corners shall be marked on the ground as indicated.

Daniel H. Joslin
Registered Professional Land Surveyor
No. 4749

BEFORE me, the undersigned, a Notary Public in and for Tarrant County, Texas, on this day personally appeared Daniel H. Joslin, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed, and in the capacity herein stated.

Given under my hand and seal of office, this the 16 day of November, 2000.



Camdi Vader
Notary Public, State of Texas

THE PURPOSE OF THIS AMENDED PLAT IS TO REPLAT LOT 40, LOT 41 AND LOT 71 INTO LOT 40-R AND LOT 41-R AND TO ADD EASEMENTS TO THE PLAT

PAGE 3 OF 3

AMENDED PLAT

LOTS 1 - 39, 40-R, 41-R, 42 - 70 AND 72 - 77

VILLAGE AT COLLEYVILLE

BEING AN AMENDED PLAT OF LOTS 1 THROUGH 77 OF THE VILLAGE AT COLLEYVILLE ACCORDING TO THE PLAT RECORDED IN CABINET A, SLIDE 5922 - 5924 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS
NOVEMBER 2000

THIS PLAT FILED IN CABINET A, SLIDE 6293

VILLAGE AT COLLEYVILLE - AMENDED

ORDINANCE O-12-1859

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AS HERETOFORE AMENDED; BY REPEALING ORDINANCES O-99-1141, O-02-1337.4, O-06-1560 AND O-08-1680; BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 26 ACRES IN THE VILLAGE AT COLLEYVILLE ADDITION AND LOTS 3A AND 3B, BLOCK 1, VILLAGE FRONT DOOR ADDITION, FROM THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT TO THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case No. ZC12-022; and

WHEREAS, Ordinances O-99-1141, O-02-1337.4, O-06-1560 and O-08-1680 are hereby repealed in their entirety; and

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

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

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

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the districts and their peculiar suitability for particular uses, with a

view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 26 acres in the Village at Colleyville Addition and Lots 3a and 3b, Block 1, Village Front Door Addition, from the PUD-C-Planned Unit Development Commercial Zoning District to the PUD-C-Planned Unit Development Commercial Zoning District, as depicted in Exhibit "A".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT Ordinances O-99-1141, O-02-1337.4, O-06-1560 and O-08-1680 are hereby repealed in their entirety.
- Sec. 5. THAT the above described tract of land shall be subject to the following conditions:

A. PURPOSE

The purpose of this planned unit development is to encourage

mixed-use, compact development that is sensitive to the environmental characteristics of the land and facilitates the efficient use of services. This planned unit development diversifies and integrates residential and commercial land uses within close proximity to each other and promotes long-term economic sustainability for the City.

B. PUD BOUNDARIES

The properties shown on the attached Zoning Exhibit "A" are zoned PUD-C Planned Unit Development-Commercial district and the Official Zoning Map and Land Development Code of the City of Colleyville, Texas and are hereby amended by the terms of this ordinance.

C. NEIGHBORHOOD AREAS

This Planned Unit Development is hereby divided into two neighborhood areas. The boundaries of the neighborhood areas are shown on the attached Exhibit "B". The neighborhood areas and their symbol designations are described as follows:

Neighborhood Center – The Neighborhood Center area shall serve as the commercial and business focal point of the development with a limited amount of area used for residential purposes. The Neighborhood Center area shall be designated with the letters "NC".

Neighborhood General – The Neighborhood General area shall serve as a secondary area for commercial and business activities of the development and may have a higher percentage of residential dwellings than the Neighborhood Center area. The Neighborhood General area shall be designated with the letters "NG".

D. DEVELOPMENT STANDARDS

Buildings or structures containing any combination of single-family residences and business use listed herein shall be allowed in accordance with the following Development Standards:

1. Permitted Uses – the following permitted uses shall be

allowed within this planned unit development:

a. *Single-family Residences:* Residential units may be either detached or attached, and more than one residence may be located per building site. A building site may also have one ancillary residential structure. An ancillary unit is a residential unit that is accessory to the primary residential unit allowed by this section. Ancillary units shall not be sold separate from the primary unit to which they are connected. For the purpose of this ordinance, a building site is defined as a single building site as identified on the Condominium Exhibit of The Village at Colleyville. The habitable area of the ancillary structure shall not exceed 600 square feet. Within each neighborhood area, the maximum number of residential units on the ground floor of a building shall not exceed the following maximum residential densities:

(1) NC Area: A maximum of 14 of the building sites in the Neighborhood Center area may contain a single-family residence use on the first floor of its building.

(2) NG Area: A maximum of 61 of the building sites in the Neighborhood General area may contain a single-family residence use on the first floor of its building.

(3) A maximum of 75 of the building sites within the boundaries of this PUD-C may contain a single-family residence use on the first floor of its building.

(4) Work/Live Units: A work/live unit is defined as a single unit consisting of both a commercial/office and a residential component that is occupied by the same resident. The work/live unit shall be the primary dwelling of the occupant. Provided compliance with sections 1 through 3 above are met, all lots within this development may contain a work/live unit. Work areas are encouraged to be placed on the ground floor while the living area is encouraged to be placed on upper floor above the work unit.

(5) Not including ancillary units or the units described in subsection 6 below, all residential units shall have a minimum of 1,500 square feet of climate controlled area.

(6) No more than a total of twenty-four (24) residential units may be built with a minimum square footage of 1,000 square feet. Units allowed by this subsection shall not be located on the ground floor of any building.

(7) The method of calculating the square footage of a residential unit within this PUD-C shall not include floor areas used as common area hallways and stairwells, but shall include the climate controlled space of the dwelling unit.

(8) There shall be no residential units located on the ground floor of any building located along Main Street between Cottage Lane and SH26.

(9) Not including ancillary units, defined above, there shall be no more than 200 residential units constructed within this PUD.

b. *Retail:* Retail specialty shops including, but not limited to, the sale of clothing, gifts, antiques, flowers and plants, books, jewelry, music, electronic equipment, computers and software, tobacco and related supplies, crafts, toys, cameras, souvenirs, greeting cards, artwork, furniture, hardware, sporting goods, house and garden supplies, office supplies, leather goods and periodicals.

c. *Service:* Personal service shops including, but not limited to, travel agency, banks, airline ticket office, tailor, barber, beauty salon, spa, health club/fitness center, shoe repair, food catering, dry cleaners, studios for dance, art, music, photography, radio, and television, or similar service uses.

d. *Food and Lodging:* Boutique hotels, bed and breakfast inns, restaurants, cafes, coffee shops, bakeries, butchers, fish markets, delicatessens, ice

cream parlors, cookie stores, grocery stores, drug stores, bagel or doughnut shops, and soda fountain shops.

e. *Entertainment:* Entertainment venues including movie theatres, provided the total number of all movie screens does not exceed four; playhouses, comedy clubs, and jazz/music clubs.

f. *Office:* Business offices including, but not limited to, software design firms, business consulting, security and commodity brokerage, general business offices, real estate sales, insurance sales, advertising, mailing and stenographic services, professional offices for lawyers, engineers, architects, doctors, dentists, psychiatrists, accountants, investment advisors, orthodontists, or other office related businesses.

g. *Educational:* Private schools, and day-care centers.

h. *Mixed-use:* buildings or structures containing any combination of single-family residences and other uses listed herein.

i. *Public/Semi-public:* Buildings or structures owned or operated by the City of Colleyville or The Village Owner's Association. Semi-public uses such as a neighborhood center, pool and related recreational facilities. The lots bounded by Cottage Lane, Village Lane, Veranda Lane and Main Street may be used, either all or in part, as a public plaza including the installation of permanent public amenities such as a fountain and seating area. The purpose of the plaza would be for public gatherings and events.

j. Parking lots.

k. Accessory buildings or uses as defined herein.

l. Any use of a nature similar to the above when granted a Special Use Permit by the Colleyville City Council.

m. Outside sales on the sidewalk of art, antiques, fruit,

vegetables, flowers, plants, gifts and souvenirs.

n. Outdoor seating areas for food, lodging or entertainment uses.

o. Above ground parking garages containing fourteen (14) or fewer parking spaces, underground parking garages, basements, and cellars.

2. Permitted Uses with a Special Use Permit – The following uses may be permitted upon approval of a Special Use Permit by the City Council as provided in the Land Development Code of the City of Colleyville:

a. Food trucks, including outside sales of cooked food and other items not listed in Section E.1 Permitted Uses.

c. Television and appliance repair service shop.

d. Club, lodge or other fraternal organizations.

e. Above ground parking garages containing fifteen (15) or more parking spaces. Any above ground parking garage that fronts a street within the Neighborhood Central (NC) zone shall be allowed only with the approval of a Special Use Permit.

f. Package (liquor) stores

g. Wedding chapel

h. Alcoholic beverage sales for on-premise consumption in conjunction with a restaurant use.

i. Alcoholic beverage sales for off-premise consumption for a grocery store, specialty wine shop or gourmet food store.

j. The Special Use Permit requirements for the alcoholic beverage sales allowed in subsections "h" and "i" above shall not become effective until May 1, 2013.

3. Prohibited Uses – The following uses shall be prohibited within this planned unit development:

- a. Drive-through commercial uses where patrons remain in automobiles.
- b. Vending machines, except within buildings.
- c. Retail uses containing more than 40,000 square feet of floor area per certificate of occupancy.
- d. Industrial and manufacturing businesses that create noise, vibration or obnoxious odors.
- e. Kennels.
- f. Terminals or depots for large-scale storage or distribution of goods.
- g. Scrap yards for the processing or storage of waste materials.
- h. Automotive repair businesses.
- i. Telemarketing office with over 20 employees.
- j. Uses not listed herein shall be considered by following the procedures outlined in the Colleyville Land Development Code for new and unlisted uses.

4. General Lot Criteria – See Table 1 below:

Table 1				
General Lot Criteria				
	Neighborhood General Zone (NG)		Neighborhood Center Zone (NC)	
Lot Dimensions	Min. Area	2,600 s.f.	Min. Area	2,600 s.f.
	Max. Area	5 acres	Max. Area	5 acres
	Min. Lot Coverage	30%	Min. Lot Coverage	45%
	Max. Lot Coverage	90%	Max. Lot Coverage	95%
Setbacks	Front	0' min – 15' max.	Front	0' min – 15' max.
	Side	0' min – 15' max.	Side	0' min – 15' max.
	Rear – Main Bldg.	4' min.	Rear – Main Bldg.	4' min.
	Rear – Accy. Bldg.	4'	Rear – Accy. Bldg.	4'

Height	Max. Height	48 ft. or 3.5 stories	Max. Height	48 ft. or 3.5 stories
Notes: 1. the one-half story above third floor shall not exceed 400 s.f.				

5. Building Exteriors - The exposed exterior walls of each building must contain 100% masonry. For purpose of this ordinance, masonry shall consist of any combination of brick, stone, faux-stone, or stucco. Non-masonry materials may be utilized for building accents per the requirements of Chapter 6-Building Design in the Land Development Code.
6. Roofing - If a flat roof is constructed, all sides of the building shall have a mansard or built-up parapet wall roof at least four feet (4') in height, which shall simulate the look of a pitched roof from street level. If a roof terrace is constructed, then railings may be used which comply with Section (8) Balconies below.
7. Balconies - Balcony railings must be constructed with wrought iron or masonry balustrades.
8. Building Design Requirements - Articulation of walls shall not be mandatory. Buildings within this planned unit development shall be exempt from Chapter 6 Building Design of the Colleyville Land Development Code.
9. Exterior Building Lighting - Buildings may be lit with wall washer type lights, natural gas lamps, or low wattage decorative electric lamps. Lights shall be placed on buildings in a manner so as to not be a nuisance.
10. HVAC Systems - All air-conditioning condenser units must be hidden from street view or placed on the roof.
11. Backyard Walls - These shall be constructed 100% masonry materials or wrought-iron fencing. Any gates must be constructed of wrought iron.
12. Landscaping - Lots with street frontage within this planned unit development shall, at a minimum, meet the requirements of *Chapter 4 - Landscaping and Buffering*

in the Land Development Code. The owners of the first floor shall plant and maintain the storefront planting area (if applicable) along its street frontage. All sidewalks in the project will have tree planter islands spaced every thirty to thirty-five feet. Approved trees shall include trees allowed for planting in *Chapter 4 - Landscaping and Buffering* in the Land Development Code. A minimum of 25% of the building sites shall be required to install and maintain a 24" wide planting area (at least 8 feet long) in the setback between their building and the sidewalk. The owners of the ground floor levels of these buildings shall be required to plant, irrigate and maintain flowers, vines or shrubs in those areas. In addition, any roof terraces shall contain at least two irrigated, potted shrubs or trees. A landscaped buffer with natural openings shall be provided along the entire length of the northern boundary from City Park to Pleasant Run Road, in lieu of the masonry screening wall. Said landscape buffer shall consist of a row of trees. Trees shall be a minimum of four (4") caliper, spaced at 25' intervals. Trees shall be selected from the list of approved trees contained in *Chapter 4 - Landscaping and Buffering* of the Land Development Code. Fifty percent of said trees shall be Highrise Live Oaks (*quercus virginiana*). In addition, there shall be a minimum five foot tall wrought iron fence installed along the northern boundary from City Park to Pleasant Run Road, said minimum five foot tall wrought iron fence shall also be installed on top of any retaining wall along the northern boundary line.

13. Awnings - Buildings with commercial uses on the ground level shall install awnings over all windows on the ground level that front public sidewalks, if those buildings contain a residential use above the ground level.
14. Architectural Control Committee - The Property Owner's Association must create an Architectural Control Committee, which shall be funded by the Property Owner's Association. All building exterior specifications, site plans, lighting, signage and landscaping plans must be approved by the Architectural Control Committee prior to approval of a building permit.

15. Limitation on Late Night Hours of Operation - Businesses located within the PUD-C shall close no later than 12:00 midnight on all days except on Friday and Saturday nights where such businesses shall close no later than 2:00 a.m. on Saturday and Sunday mornings respectively.
16. Dumpster Screening - All freestanding dumpsters shall be screened on all four sides with an opaque closure measuring to a height at least six (6) inches above the top of the dumpster. A dumpster located in an alley on the perimeter of the project shall be screened from view on all sides with an opaque enclosure or building niche measuring at least six (6) inches above the top of the dumpster. The enclosure and/or building niche shall be constructed of material that matches the building.
17. Fire Prevention - All buildings within this PUD-C shall be equipped with fire detection and suppression systems as required and approved by the City of Colleyville Fire Marshal. Said systems shall be maintained and inspected as required by the Fire Marshal.

E. ENCROACHMENTS AND USE OF PUBLIC RIGHT-OF-WAY

Due to the unique nature of this planned unit development, the encroachments of buildings and architectural features into the public right-of-way and certain uses within the public right-of-way, stated herein in Section E.1, shall be allowed within this planned unit development and shall be exceptions to the requirements of the Land Development Code. All encroachments, including temporary structures, must maintain a forty-eight (48") inch pedestrian right-of-way and comply with all other ADA regulations.

1. Encroachments below grade - Approval by the Director of Public Works of a Right-of-way Permit is required for any building encroachments below grade. All encroachments shall not exceed eighteen (18") inches.
2. Encroachments of architectural features above grade - Approval by the Building Inspection Department is required for any encroachment of architectural features above grade, provided such encroachments comply with

the standards contained in the following table and local building and fire codes:

Right-of-way Encroachment Standards	
Type of Encroachment	Maximum Allowable Encroachment
Bay Windows	18 inches with max. 7 foot length, 3 feet min. spacing & one bay window per 15 feet of site frontage
Awnings & canopies	80% of sidewalk width, 8 feet clearance over pedestrian area & 14 feet clearance over vehicle area
Signs	66% of sidewalk width, 8 feet clearance over pedestrian area & 14 feet clearance over vehicle area
Lights	If the light encroaches 12 inches or less, it may be mounted at any height on the building façade. From 8 feet to 11 feet above grade, one additional inch of encroachment shall be required for each inch of clearance above 8 feet, not to exceed 48 inches of encroachment. Encroachments over 12 inches require 8 feet clearance over pedestrian areas & 14 feet clearance over vehicle areas, and shall not encroach beyond 48 inches
Eaves, cornices and balconies	From 8 feet to 15 feet above grade, one inch of encroachment for each inch of clearance above 8 feet not to exceed 48 inches of encroachment. Encroachments 15 feet or more above grade shall have 8 feet of clearance over pedestrian area & 14 feet clearance over vehicle area and shall not encroach beyond 6 feet

3. Temporary structures in public right-of-way – The temporary use of sidewalk areas located within a public right-of-way shall be allowed for the following types of temporary structures: planter boxes, benches, sandwich board signs, retail merchandise, and four (4) tables with chairs. Use of the public right-of-way for retail merchandise shall be limited to business hours.
4. Outdoor Eating Areas on public sidewalks – The use of a public sidewalk as an outdoor eating area containing more than four tables shall only be permitted with administrative approval of the Community Development Director.

F. SUPPLEMENTAL REQUIREMENTS

This planned unit development shall comply with the following supplementary requirements:

1. Open Space Requirements - This development shall provide open space areas as shown on the attached Exhibit "C" in lieu of any other open space requirements of the Colleyville Land Development Code.
2. Park Land Dedication Fees - Payment of Park Land Dedication Fees at the rate applicable at the time of building permit shall be due and payable when a building permit is issued for each non-residential structure or primary single-family dwelling unit.
3. Street Right-of-Way Widths - These shall be established upon approval of the Final Plat using the street and alley design standards contained in Paragraph 7 below.
 - a. Not later than 90 days from the date of approval of this ordinance , the developer shall convey to the City at no cost all necessary right-of-way to accommodate the roadway widening for the portion of Mission Lane located between Pleasant Run Road and Lot 1, Block 1 of the Village Front Door Addition such that said portion of the roadway can accommodate two-way automobile traffic. The final determination of the amount of right-of-way needed shall be performed by the Public Works Director. The sidewalk width requirements of Section 5(F)4 shall not apply to the portion of Mission Lane addressed in this section, specifically as it relates to the widening of the street.
4. Sidewalks - Sidewalks shall be required for all lots in this development. Where no sidewalks exist as of the passage of this ordinance, any new sidewalks constructed shall be a minimum of ten feet in width and shall comply with the Americans with Disabilities Act.
5. Garages/Accessory Buildings - The walls of the buildings shall be 100% masonry, constructed of similar materials as the building on the same building site and shall cover no more than 20% of the building site area, and they

may be connected to the main building by an enclosed walkway. These buildings shall comply with all other requirements in this ordinance.

6. Advertising Signs – Buildings may contain the following types of signs:

a. Wall Signs - The size of a wall sign shall be limited to the size of the building wall it is attached to: either 10 percent of the wall area or 1.5 square feet for each linear foot of the building's wall, whichever is less.

b. Projecting Signs - These may not exceed 20 square feet in size, with a clearance of at least eight feet above ground level.

c. Awning Signs - Individual letters on awning signs shall not exceed 12 inches in height.

d. None of the above signs shall be internally lit. These signs may be front-lit with lights that do not create an unreasonable glare on adjacent buildings.

e. Window Signs – Food and Lodging and Entertainment uses may use internally lit window signs (made of decorative neon) inside of their businesses. Any business shall be limited to a maximum of two window signs. Internally lit box signs are permitted.

f. Grand Opening Signs – When a certificate of occupancy has been issued for a new business and within one (1) year thereafter, one (1) Grand Opening Sign permit shall be allowed to advertise the new business. A Grand Opening Sign permit shall not be valid for more than sixty (60) days. No permit fee shall be required for a Grand Opening Sign permit. Only one grand opening sign may be placed at this location at any given time.

g. State Highway 26 (SH26) Off-Premise Signage – Businesses located within this development may place one temporary sign along SH26. Not more than two businesses may place a sign allowed by this section at any one time at this location. The signs must meet all

permitting and time restrictions for temporary business signs in the Land Development Code.

h. The signage authorized by sections f and g above shall be located at the southwest corner of Main Street and SH26 along SH26 with the permission of the property owner. The signs shall not be placed within any right-of-way and shall meet the visibility requirements stated in Chapter 7-Sign Regulations of the Land Development Code. Said signage shall not exceed eight (8) feet in height and eight (8) feet in width and shall not exceed 64 square feet in area. Said signage shall be composed of metallic material with the sign(s) message either painted on or wrapped over the metallic surface of the sign(s) as allowed by the Community Development Director. The sign(s) shall be affixed to a masonry or decorative metal support column on both sides.

i. Sandwich Board (A-Frame) Signs – One (1) temporary Sandwich Board sign shall be allowed per business, provided such sign does not exceed forty-eight inches (48") high and thirty-six inches (36") wide and is located in front of the business site. Sandwich Board Signs may be placed in front of another business site with the approval of that business owner. For the purpose of this regulation, Sandwich Board signs shall include easels and podiums.

7. Street and Alley Design

a. Two-way Street - The cross-section of the typical village street shall be comprised of twenty-four feet of drive lanes (two, twelve-foot lanes); two, seven-foot parallel parking spaces; and a ten-foot sidewalk on each side of the street. The total public right-of-way shall not be less than fifty-eight (58) feet wide.

b. One-way Street - A cross-section of a typical one-way street shall contain an eighteen-foot drive lane, one seven-foot parallel parking space and sidewalks ten (10) feet in width. The public right-of-way for a one-way street shall not be less than forty-five (45) feet.

c. Alley - The cross section of the typical alley shall

contain twelve feet of pavement with green space on each side. The alley right-of-way width shall not be less than twenty (20) feet.

8. Public Area Landscaping - Public parks in the project shall be landscaped and irrigated according to plans approved by the City of Colleyville.

G. AMENITIES

1. Parks and Playgrounds - All or portions of certain lots identified on the project site plan must be set aside for public parks, meeting areas and playgrounds.
2. Sidewalk Amenities - Besides the trees and other landscaping, sidewalks may be constructed to contain the following amenities: bicycle racks, benches, bulletin boards, drinking fountains, underground electric outlets for sidewalk vendors, chess and checkers tables, and water fountains. All amenities shall be maintained by the Village Owner's Association.
3. Street Lights - The street lights may be either gas or electric and shall be installed on the sidewalks and be of a style which compliments that architectural style of the project's buildings. The final location and number shall be determined and approved by the Public Works Director.
4. Walking Paths - Certain paths in front of some lots and building sites will be for pedestrian and bicycle use only. These paths shall range from eight to twenty feet in width and shall be constructed of brick, stone and/or concrete.
5. Street Signs - Street signs may be attached on the appropriate buildings at each intersection. The signs, if attached, shall be placed fifteen (15) feet above street level and shall be front lit with a decorative lighting fixture. The signs shall contain eight-inch letters.

H. PARKING REQUIREMENTS

The parking requirements for this planned unit development shall be as follows and subject to review when the project is 50% complete:

1. Parking spaces shall consist of a combination of parking spaces provided on the street, on each building site, within a parking garage or in an open parking lot. Approximately thirty (30) percent of the parking requirements will be provided on the streets as streets are constructed within the development. The remaining seventy (70) percent of the parking requirements shall be provided as building permits are issued for each structure in accordance with the following requirements:

a. Residential Uses – The parking requirements for residential units shall be as follows:

(1) Ground floor – when a primary residence is located on the ground floor, two (2) parking spaces shall be provided on the same building site as the dwelling unit and one additional on-site parking space if the building site contains an ancillary residential unit.

(2) Upper floor – when a primary residence is located on an upper floor, two (2) parking spaces shall be provided either on the same building site as the residence or in a parking lot or parking garage located within 400 feet of the residence. Said parking spaces shall not have been used in calculating parking needs for any other residence or use within the planned unit development.

b. Non-Residential Uses (includes work/live units) – The parking requirements for non-residential uses shall be at a ratio of one (1) parking space per 400 square feet of floor area. Parking spaces shall either be located on the building site, in a parking lot, or in a parking garage. Said parking lot or parking garage shall be located within 400 feet of the use requiring the parking space. Said parking spaces shall not have been used in calculating the parking needs for any other use within the planned unit development.

c. Public Parking - Public parking lots and parallel parking spaces shall be located as shown on the attached Exhibit "C". All public parking shall be free of charge. Overnight parking shall be allowed. Any modification to the current configuration of parallel parking shall be approved specifically by site plan approval by the City Council.

d. 45 degree Angled Public Parking

(1) 45 degree angled public on-street parking spaces shall be allowed along both sides of Main Street between Village Lane and Pleasant Run Road.

(2) There shall be a minimum unobstructed pavement width of 28 feet maintained on Main Street between Village Lane and Pleasant Run Road.

(3) These spaces shall meet the minimum design specifications for parking spaces as stated in Section 3.29.1 – Parking Space Construction Standards in the Land Development Code, except where amended herein.

(4) No parking spaces may be placed such that a vehicle backing out of said space would impede the flow of traffic and/or create a threat to public safety within a street intersection.

I. PROPERTY OWNERS ASSOCIATION

Each property owner in the project shall be a member of the owners' association which shall collect quarterly fees from each property owner for payment for the following common services: landscaping, Village promotions and events, cleaning, security, marketing, architectural control and project administration. If a Village property owner fails to timely pay its association fees, the owners association's declaration of covenants shall enable it to file a lien against that owner's property.

J. CITY/DEVELOPER AGREEMENT

Not later than one year from the approval date of this ordinance, an amended city/developer agreement shall be approved by the City Council for this development between the City and the "developer" and/or their assigns, transferee(s) or designee(s) listed on the current, approved agreement. Said agreement shall, at a minimum, amend and repeal all previous city/developer agreements related to this development by creating a single updated new agreement. Failure to meet this requirement within the specified time frame shall be considered a violation of the terms of this ordinance on the part of the current named "developer", their assigns, transferee(s) or designee(s).

- 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 all provisions of the Land Development Code shall remain in full force and effect, except where amended herein.
- Sec. 10. 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.

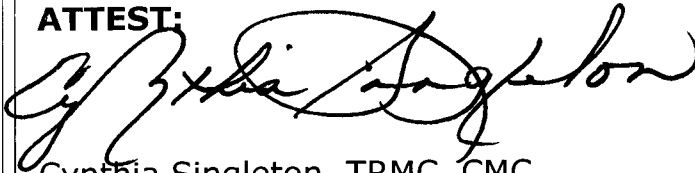
AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 4th day of December 2012.

The second reading and public hearing being conducted on the 18th day of December 2012.

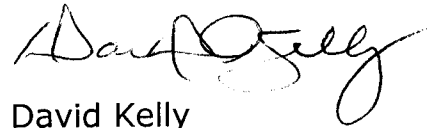
PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 18th day of December 2012.

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" –Location and Zoning Map

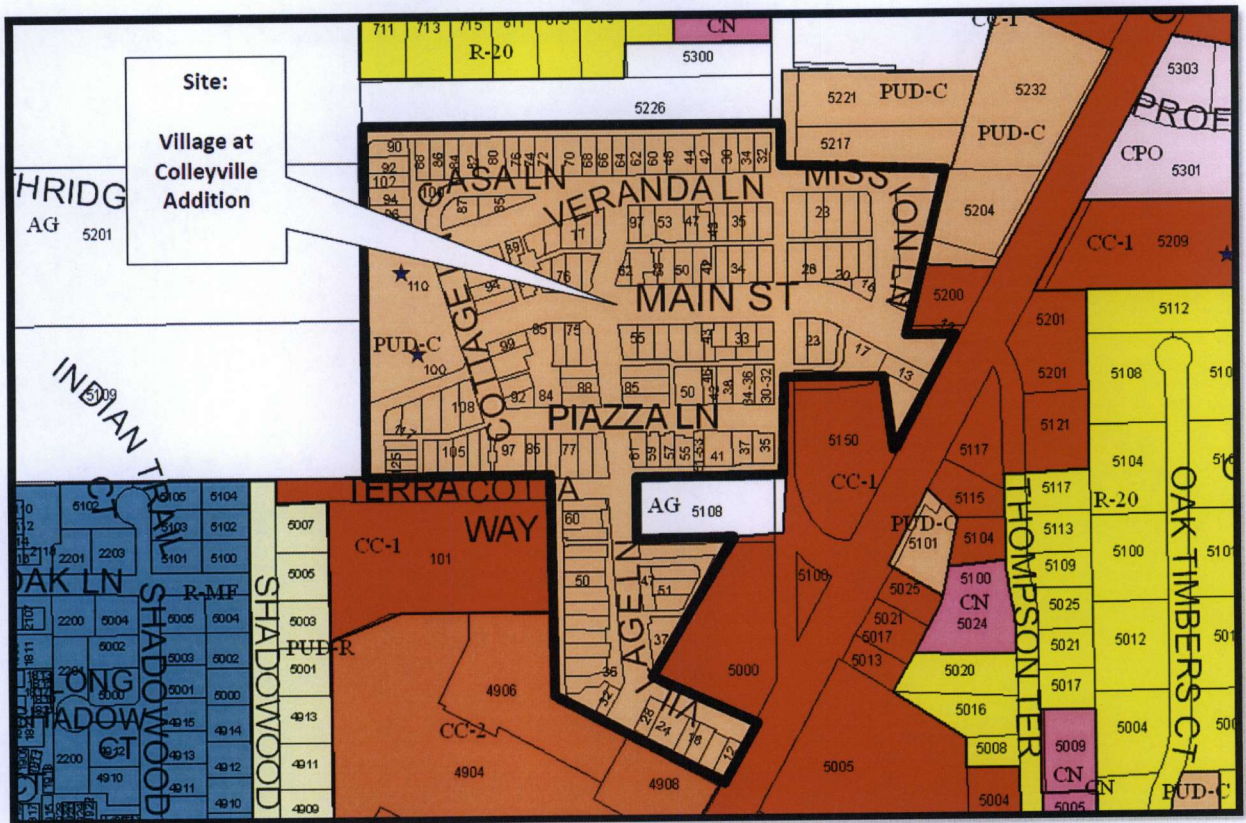
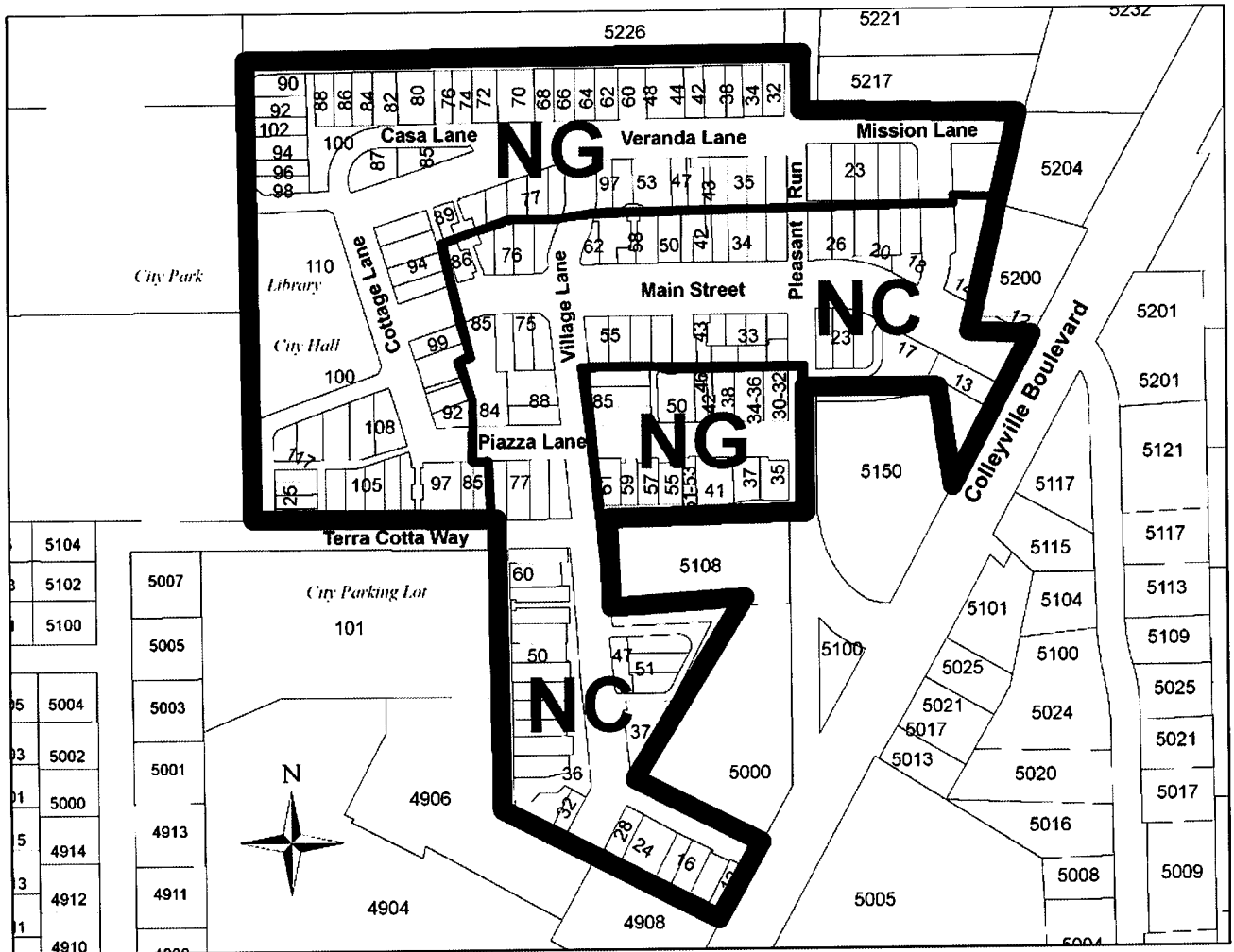


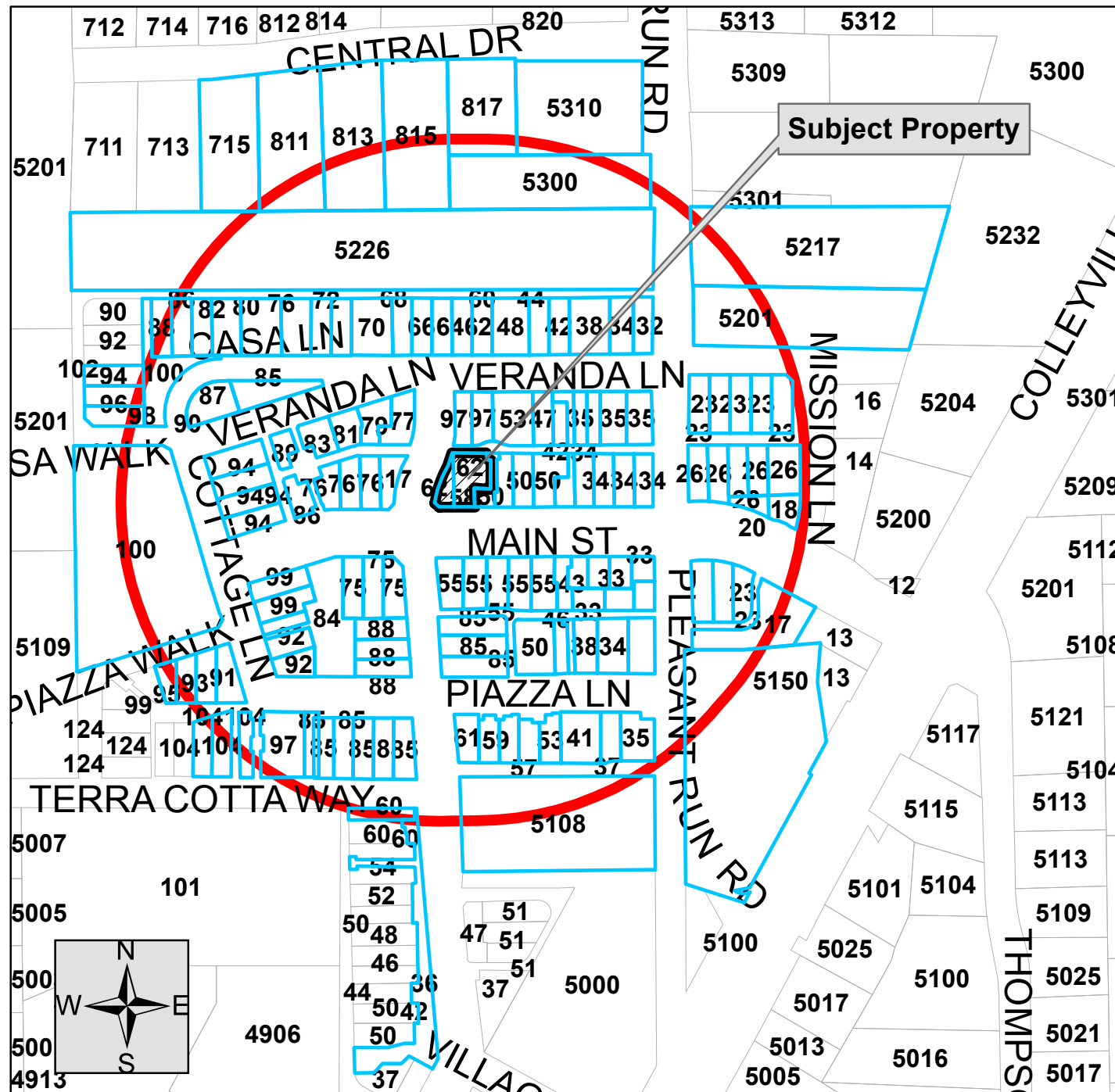
EXHIBIT "B"- Neighborhood Areas



Notification Map

Case ZC16-001

62 Main Street



Legend

 Subject property

 Properties within 500 feet

Parcels



Notification List

Owner Name	Owner Address	Owner City, State	Owner Zip	Situs Address
TAP REALTY LLC	600 E LAS COLINAS BLVD	DALLAS, TX	75254	23 MISSION LN
VILLAGE OWNERS ASSOCIATION INC	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	58 MAIN ST
LAKE, WILLIAM D	6814 TULIP LN	DALLAS, TX	75230	53 PIAZZA LN # 110
MATYAS, YIRI	22 FULLER WISER RD # 5202	EULESS, TX	76039	55 MAIN ST
YOUNG, MARK W	4951 BRIDLE BIT RD	FLOWER MOUND, TX	75022	88 CASA LN # 411
BURDETTE, MARK L	64 VERANDA LN	COLLEYVILLE, TX	76034	64 VERANDA LN # 412
RCP VILLAGE FIRST LIEN LTD	8333 DOUGLAS AVE STE 300	DALLAS, TX	75225	50 MAIN ST
LIMBERG, PATRICIA	37 PIAZZA LN	COLLEYVILLE, TX	76034	37 PIAZZA LN
SOUTH QUORUM ACQUISITIONS LLC	14801 QUORUM DR STE 160	DALLAS, TX	75254	93 COTTAGE LN
GROFFMAN, STEVEN	815 CENTRAL DR	COLLEYVILLE, TX	76034	815 CENTRAL DR
COLLEYVILLE REALTY HOLDINGS	92 PIAZZA LN STE 100	COLLEYVILLE, TX	76034	92 PIAZZA LN
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	97 PIAZZA LN
WINCHESTER, NATALIE	2121 MORNING GLORY AVE	FORT WORTH, TX	76111	32 VERANDA LN # 111
VILLAGE OWNERS ASSOCIATION INC	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	43 VERANDA LN
VILLAGE MANAGEMENT LTD	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	99 MAIN ST # 29
POWELL, MICKEY	82 CASA LN	COLLEYVILLE, TX	76034	82 CASA LN # 110
BOES, MARK	34 VERNADA LN # 210	COLLEYVILLE, TX	76034	34 VERANDA LN # 210
RCP VILLAGE FIRST LIEN LTD	8333 DOUGLAS AVE STE 300	DALLAS, TX	75225	94 MAIN ST
CHATEAU GIOIELLI CUSTOM HOMES	75 MAIN ST STE 100	COLLEYVILLE, TX	76034	88 VILLAGE LN # 28 610
RCP VILLAGE FIRST LIEN LTD	8333 DOUGLAS AVE STE 300	DALLAS, TX	75225	34 MAIN ST
VILLAGE JV LLC	610 DEFOREST CT	COPPELL, TX	75019	76 MAIN ST
SC COLLEYVILLE-60 VILLAGE LANE	505 PECAN ST STE 101	FORT WORTH, TX	76102	60 VILLAGE LN # 112
VILLAGE OWNERS ASSOCIATION INC	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	42 PIAZZA LN
VILLAGE JV LLC	610 DEFOREST CT	COPPELL, TX	75019	76 MAIN ST
LEWIS, BLAIR	7500 BRENTWOOD CT	NORTH RICHLAND HILLS, TX	76182	98 CASA LN # 311
NEW, JOE	61 PIAZZA LN	COLLEYVILLE, TX	76034	61 PIAZZA LN # 511
CENTER FOR AESTHETIC SURGERY	75 MAIN ST STE 150	COLLEYVILLE, TX	76034	75 MAIN ST # 28 310
PARADIGM GROUP PRTNSH I	830 SIMMONS CT	SOUTHLAKE, TX	76092	55 MAIN ST
SOUTH QUORUM ACQUISITIONS LLC	14801 QUORUM DR STE 160	DALLAS, TX	75254	91 COTTAGE LN
COLE, LARRY PETER	74 CASA LN	COLLEYVILLE, TX	76034	74 CASA LN # 211
VILLAGE OWNERS ASSOCIATION INC	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	80 CASA LN
BENTLEY, MARY I	42 VERANDA LN	COLLEYVILLE, TX	76034	42 VERANDA LN # 111
VILLAGE OWNERS ASSOCIATION INC	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	17 MAIN ST
HOROBEC, JOHN	626 CHURCH ST	GRAPEVINE, TX	76051	5300 PLEASANT RUN RD
RCP VILLAGE FIRST LIEN LTD	8333 DOUGLAS AVE STE 300	DALLAS, TX	75225	94 MAIN ST
VOLLMER, JAMES A	81 VERANDA LN UNIT 310	COLLEYVILLE, TX	76034	81 VERANDA LN
TAP REALTY LLC	600 E LAS COLINAS BLVD	DALLAS, TX	75254	23 MISSION LN
QUAKE ENTERPRISES LLC	85 VILLAGE LN STE 150	COLLEYVILLE, TX	76034	85 VILLAGE LN
SOUTH QUORUM ACQUISITIONS LLC	14801 QUORUM DR STE 160	DALLAS, TX	75254	95 COTTAGE LN
MCNOSKY, ANTHONY T	5108 PLEASANT RUN RD	COLLEYVILLE, TX	76034	5108 PLEASANT RUN RD
VILLAGE MANAGEMENT LTD	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	35 VERANDA LN # 310
MORANI PROPERTIES LTD	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75309	33 MAIN ST
TAP REALTY LLC	600 E LAS COLINAS BLVD	DALLAS, TX	75254	23 MISSION LN
RCP VILLAGE FIRST LIEN LTD	8333 DOUGLAS AVE STE 300	DALLAS, TX	75225	50 MAIN ST
HENKELS, JUDITH H	40 HOLLY CT	NAPA, CA	94558	72 CASA LN # 112
WHITE, DENNIS	86 CASA LN	COLLEYVILLE, TX	76034	86 CASA LN # 310
CCI-COLLEYVILLE I LP	800 BRAZOS ST STE 600	AUSTIN, TX	78701	99 MAIN ST
BOBBY MOORE FAMILY LP	6113 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	46 PIAZZA LN # 36 110
RCP VILLAGE FIRST LIEN LTD	8333 DOUGLAS AVE STE 300	DALLAS, TX	75225	94 MAIN ST
BOJKU, AFRIM	5309 COLLYVILLE BLVD	COLLEYVILLE, TX	76034	5150 COLLEYVILLE BLVD
GILLILAND, DOUGLAS H	9285 HUNTINGTON SQ # 100	NORTH RICHLAND HILLS, TX	76182	55 MAIN ST
TWENTY TEN INVESTMENTS CO LLC	14801 QUORUM DR STE 160	DALLAS, TX	75254	85 VERANDA LN # 111
BURDETTE, DONNA E	64 VERANDA LN	COLLEYVILLE, TX	76034	77 VERANDA LN
VILLAGE MANAGEMENT LTD	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	47 VERANDA LN # 210
VILLAGE OWNERS ASSOCIATION INC	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	48 VERANDA LN
FRUSHER, DONALD	35 PIAZZA LN # 38110	COLLEYVILLE, TX	76034	35 PIAZZA LN # 38 111
ROBBINS, PHILIP MARK	212 PHEASANT RUN	HIGHLANDS, NC	28741	55 PIAZZA LN # 210
VILLAGE OWNERS ASSOCIATION INC	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	41 PIAZZA LN
ROGERS, J ANDREW	201 MAIN ST STE 2500	FORT WORTH, TX	76102	30 PIAZZA LN
RCP VILLAGE FIRST LIEN LTD	8333 DOUGLAS AVE STE 300	DALLAS, TX	75225	86 MAIN ST
BARR, WILLIAM D	96 CASA LN APT 210	COLLEYVILLE, TX	76034	96 CASA LN # 210
MILLER, THOMAS R	87 CASA LN	COLLEYVILLE, TX	76034	87 CASA LN # 210
SOUTH BOWIE INVESTMENT PARTNER	PO BOX 126	COLLEYVILLE, TX	76034	5201 PLEASANT RUN RD
BANKS, JAMES	715 CENTRAL DR	COLLEYVILLE, TX	76034	715 CENTRAL DR
BOWMAN, DAVID	77 VERANDA LN 210	COLLEYVILLE, TX	76034	79 VERANDA LN
VILLAGE OWNERS ASSOCIATION INC	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	23 MAIN ST
RCP VILLAGE FIRST LIEN LTD	8333 DOUGLAS AVE STE 300	DALLAS, TX	75225	94 MAIN ST # 15
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	84 PIAZZA LN
RCP VILLAGE FIRST LIEN LTD	8333 DOUGLAS AVE STE 300	DALLAS, TX	75225	34 MAIN ST

Notification List

TURNER, LORI	62 VERANDA LN	COLLEYVILLE, TX	76034	62 VERANDA LN # 312
TAP REALTY LLC	600 E LAS COLINAS BLVD	DALLAS, TX	75254	23 MISSION LN
HESLAND LLC	5850 COLLEYVILLE BLVD STE 110	COLLEYVILLE, TX	76034	26 MAIN ST
PIAZZA PARTNERS LLC	77 PIAZZA LN	COLLEYVILLE, TX	76034	85 PIAZZA LN
VILLAGE MANAGEMENT LTD	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	17 MAIN ST
DUNAGAN, KETRINA	57 PIAZZA LN # 310	COLLEYVILLE, TX	76034	57 PIAZZA LN # 311
TAP REALTY LLC	600 E LAS COLINAS BLVD	DALLAS, TX	75254	23 MISSION LN
RILEY, WILLIAM	94 CASA LN	COLLEYVILLE, TX	76034	94 CASA LN # 112
VILLAGE OWNERS ASSOCIATION INC	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	38 VERANDA LN
NAYAR, AMBUJ	1959 LOGAN MANOR DR	RESTON, VA	20190	38 PIAZZA LN # 37 312
VILLAGE OWNERS ASSOCIATION INC	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	20 MAIN ST
HESLAND LLC	5850 COLLEYVILLE BLVD STE 110	COLLEYVILLE, TX	76034	26 MAIN ST
REDDEN, ROGER A	68 VERANDA LN # 610	COLLEYVILLE, TX	76034	68 VERANDA LN # 611
YOUNG, CATHERINE SUE EST	811 CENTRAL DR	COLLEYVILLE, TX	76034	811 CENTRAL DR
VILLAGE OWNERS ASSOCIATION INC	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	18 MAIN ST
BALIGA, THERESA RUSSELL	88 VILLAGE LN # 28412	COLLEYVILLE, TX	76034	88 VILLAGE LN # 28 412
HESLAND LLC	5850 COLLEYVILLE BLVD STE 110	COLLEYVILLE, TX	76034	26 MAIN ST
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	53 VERANDA LN
HESLAND LLC	5850 COLLEYVILLE BLVD STE 110	COLLEYVILLE, TX	76034	26 MAIN ST
PAULSEN, PETER	8622 INDIAN KNOLL TR	KELLER, TX	76248	55 MAIN ST
ZELLA CAPITAL LLC	17355 VILLAGE GREEN DR	HOUSTON, TX	77040	62 MAIN STREET
ZELLA CAPITAL LLC	17355 VILLAGE GREEN DR	HOUSTON, TX	77040	62 MAIN STREET
D & V WALKER PROPERTIES LLC	5501 NORMANDY DR	COLLEYVILLE, TX	76034	5226 PLEASANT RUN RD
VILLAGE MANAGEMENT LTD	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	35 VERANDA LN # 412
SOUTH QUORUM ACQUISITIONS LLC	14801 QUORUM DR STE 160	DALLAS, TX	75254	97 COTTAGE LN
RCP VILLAGE FIRST LIEN LTD	8333 DOUGLAS AVE STE 300	DALLAS, TX	75225	34 MAIN ST
BROOKS, FRANCES B	55 MAIN ST STE 350	COLLEYVILLE, TX	76034	55 MAIN ST
SOUTH QUORUM ACQUISITIONS LLC	14801 QUORUM DR STE 160	DALLAS, TX	75254	95 COTTAGE LN
HOROBEC, JOHN	626 S CHURCH ST	GRAPEVINE, TX	76051	5310 PLEASANT RUN RD
VILLAGE OWNERS ASSOCIATION INC	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	70 CASA LN
TRINITY COLLEVILLE RE LLC	88 VILLAGE LN STE 150	COLLEYVILLE, TX	76034	88 VILLAGE LN # 28 510
VILLAGE JV LLC	610 DEFOREST CT	COPPELL, TX	75019	76 MAIN ST
HOLTSHOUSER, JOSEPH L	84 CASA LN	COLLEYVILLE, TX	76034	84 CASA LN # 210
VILLAGE OWNERS ASSOCIATION INC	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	23 MAIN ST
G & B COLLEYVILLE LLC	75 MAIN ST STE 100	COLLEYVILLE, TX	76034	75 MAIN ST # 28 110
VILLAGE OWNERS ASSOCIATION INC	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	36 VILLAGE LN
TWENTY TEN INVESTMENTS CO LLC	14801 QUORUM DR STE 160	DALLAS, TX	75254	89 VERANDA LN # 110
SOUTH BOWIE INVESTMENT PARTNER	PO BOX 126	COLLEYVILLE, TX	76034	5217 PLEASANT RUN RD
VILLAGE OWNERS ASSOCIATION INC	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	42 MAIN ST
RCP VILLAGE FIRST LIEN LTD	8333 DOUGLAS AVE STE 300	DALLAS, TX	75225	50 MAIN ST
BELL, WILLIAM M	5900 E LANCASTER AVE	FORT WORTH, TX	76112	60 VERANDA LN # 211
MILLER FAMILY REVOC TRUST	87 CASA LN	COLLEYVILLE, TX	76034	90 VERANDA LN # 212
PREWITT LEASING INC	97 VILLAGE LN STE 300	COLLEYVILLE, TX	76034	97 VILLAGE LN # 212
GBC CAPITAL LLC	PO BOX 121	COLLEYVILLE, TX	76034	44 VERANDA LN
PITTS, REX A	66 VERANDA LN	COLLEYVILLE, TX	76034	66 VERANDA LN # 510
VILLAGE OWNERS ASSOCIATION INC	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	23 MAIN ST
GLANCY, WILLIAM	4012 GATEWAY DR STE 100	COLLEYVILLE, TX	76034	83 VERANDA LN
ALLENBY, JANET D	76 CASA LN 310	COLLEYVILLE, TX	76034	76 CASA LN # 312
VILLAGE MANAGEMENT LTD	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	47 VERANDA LN # 110
THOMAS MONROE PROPERTIES LLC	825 REGINA CT	COLLEYVILLE, TX	76034	59 PIAZZA LN # 411
TCN INVESTMENTS III LLC	1861 BROWN BLVD # 744	ARLINGTON, TX	76006	35 VERANDA LN # 210
CHALLINOR, PETER	107 SUMMIT COVE	TROPHY CLUB, TX	76262	85 VILLAGE LN # 100
RCP VILLAGE FIRST LIEN LTD	8333 DOUGLAS AVE STE 300	DALLAS, TX	75225	34 MAIN ST
ATWOOD, STEVE	34 PIAZZA LN # 37	COLLEYVILLE, TX	76034	34 PIAZZA LN # 37
VILLAGE OWNERS ASSOCIATION INC	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	100 CASA LN
CCI-COLLEYVILLE I LP	800 BRAZOS ST STE 600	AUSTIN, TX	78701	99 MAIN ST
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	50 PIAZZA LN
GABLE, MICHAEL	813 CENTRAL DR	COLLEYVILLE, TX	76034	813 CENTRAL DR
DUNHAM, KELLEN C	33 MAIN ST STE 200	COLLEYVILLE, TX	76034	33 MAIN ST
SOUTH QUORUM ACQUISITIONS LLC	901 MAIN ST STE 3900	DALLAS, TX	75202	104 TERRA COTTA WAY
HESLAND LLC	5850 COLLEYVILLE BLVD STE 110	COLLEYVILLE, TX	76034	26 MAIN ST
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	100 MAIN ST
VILLAGE OWNERS ASSOCIATION INC	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	43 MAIN ST
FIGUEROA FAMILY REVOCABLE TRUS	817 CENTRAL DR	COLLEYVILLE, TX	76034	817 CENTRAL DR
SOUTH QUORUM ACQUISITIONS LLC	104 TERRA COTTA WAY	COLLEYVILLE, TX	76034	104 TERRA COTTA WAY
SOUTH QUORUM ACQUISITIONS LLC	104 TERRA COTTA WAY	COLLEYVILLE, TX	76034	104 TERRA COTTA WAY
PIAZZA PARTNERS LLC	85 PIAZZA LN	COLLEYVILLE, TX	76034	85 PIAZZA LN
PIAZZA PARTNERS LLC	85 PIAZZA LN	COLLEYVILLE, TX	76034	85 PIAZZA LN
PIAZZA PARTNERS LLC	85 PIAZZA LN	COLLEYVILLE, TX	76034	85 PIAZZA LN
PIAZZA PARTNERS LLC	85 PIAZZA LN	COLLEYVILLE, TX	76034	85 PIAZZA LN

Notification List

PIAZZA PARTNERS LLC	85 PIAZZA LN	COLLEYVILLE, TX	76034	85 PIAZZA LN
TCN INVESTMENTS III LLC	1861 BROWN BLVD # 744	ARLINGTON, TX	76006	35 VERANDA LN # 112
REALTY CAPITAL VILLAGE	85 VILLAGE LN	COLLEYVILLE, TX	76034	85 VILLAGE LN
COLLEYVILLE REALTY HOLDINGS	92 PIAZZA LN	COLLEYVILLE, TX	76034	92 PIAZZA LN
G & B COLLEYVILLE LLC	75 MAIN ST STE 100	COLLEYVILLE, TX	76034	75 MAIN ST # 28 211
JACK PREWITT & ASSOCIATES INC	97 VILLAGE LN	COLLEYVILLE, TX	76034	97 VILLAGE LN
D & M PERRY ENTERPRISES INC	2128 PORTWOOD WAY	FORT WORTH, TX	76179	33 MAIN ST # 100
FABIO RITA K B	33 MAIN ST	COLLEYVILLE, TX	76034	33 MAIN ST
PORTER KEITH	33 MAIN ST	COLLEYVILLE, TX	76034	33 MAIN ST
MORANI PROPERTIES	33 MAIN ST	COLLEYVILLE, TX	76034	33 MAIN ST
MORANI PROPERTIES LTD	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75309	33 MAIN ST
GRAPEVINE-COLLEYVILLE ISD	3051 IRA E WOODS AVENUE	GRAPEVINE, TX	76051	STATE LAW REQUIRED
AMY HARRIS HOPKER	62 MAIN STREET, #200-250	COLLEYVILLE, TX	76034	APPLICANT

Public hearing notices were mailed
Thursday, January 28, 2016 by Taci
Wrisley

ORDINANCE O-16-1975

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP BY CHANGING THE ZONING ON LOT 23, OF THE VILLAGE AT COLLEYVILLE ADDITION, LOCATED AT 62 MAIN STREET, BY AUTHORIZING A SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for on-premises consumption of alcohol under Case No. ZC16-001; and

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

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

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

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

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings

and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on Lot 23, of the Village at Colleyville Addition, located at 62 Main Street, as depicted on Exhibit "A," by authorizing a Special Use Permit for the sale of alcoholic beverages for on-premises consumption.
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The Special Use Permit shall apply to the sale of alcoholic beverages for on-premises consumption in conjunction with a restaurant use.
- b. The name of the business authorized for the sale of alcoholic beverages for on-premises consumption by this Special Use Permit shall be called "Sonsie House Kitchen."
- c. The Special Use Permit shall automatically expire upon the abandonment of the business, change in the use, a change in ownership or upon the expiration or termination of the Certificate of Occupancy.
- d. All requirements of the Land Development Code shall be met,

except where amended herein.

2. HOURS OF OPERATION

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

Tuesday - Saturday: 11:00 a.m. – 3:00 p.m.
5:00 p.m. – 9:00 p.m.
Sunday: 10:00 a.m. – 3:00 p.m.

Sec. 5. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

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

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 16th day of February 2016.

The second reading and public hearing being conducted on the 8th day of March 2016.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the _____ day of _____ 2016.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelly, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit "A" – Location Map





City of Colleyville City Council Agenda Briefing

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

Agenda Number 6a

Agenda Date 03/08/2016

Number Ordinance O-16-1976

Type Ordinance

Department Community Development

Title

Consideration of a zoning change from the R-40-Single Family Residential zoning district to the R-30-Single Family Residential zoning district on Lot 1, Block 1, of the Harden Addition, located at 4916 Behrens Road, Case ZC15-021

Strategy Map Connection

There is no strategy map connection for this item.

Explanation

First Reading and Public Hearing

Larry Chappell, the applicant, has submitted a request to rezone approximately 1.52 acres, located at 4916 Behrens Road, from the R-40 Single Family Residential District to the R-30-Single Family Residential District. The applicant is seeking a zoning change in order to subdivide a single lot into two lots for future residential development.

The Planning and Zoning Commission recommended denial of the proposal at the February 8, 2016 meeting by a vote of 6-1. The applicant is appealing this decision to the City Council. As required by the Land Development Code, the applicant submitted a written notice of appeal within 10 days of the final action by the Planning and Zoning Commission.

Existing Conditions/Background: The subject property is currently platted as Lot 1, Block 1 of the Harden Addition. A subsequent replat will be required if the applicant wishes to subdivide the property, should the rezoning request be approved.

Proposed Zoning Change:

Request – The applicant is requesting a zoning change from the R-40 Single Family Residential District to the R-30-Single Family Residential District to subdivide a single lot into two individual lots with the intent of demolishing all existing structures and to construct two new single family homes. Based on the current zoning district regulations, the subject property is not large enough to allow for subdivision into two individual lots.

Ordinance – Per Section 3.24 G, Schedule of District Regulations in the Land Development Code, the R-30 zoning regulations require the following standards:

Minimum Lot Area: 30,000 square feet

Minimum Lot Width: 125 feet

Minimum Lot Depth: 125 feet

Minimum Front Yard Setback: 35 feet

Minimum Side Yard Setbacks: 10 feet

Minimum Rear Yard Setback: 25 feet

Maximum Lot Coverage: 25 percent

The applicant has provided a zoning exhibit, which is conceptual in nature, and not for consideration as part of the zoning request. However, the conceptual exhibit proposes two lots, 31,552 square feet and 32,662 square feet in size. This conceptual plan appears to meet the R-30 zoning district's minimum lot area of 30,000 square feet and other standards as listed above. Chapter 3 (Land Use) of the Land Development Code identifies the purpose and intent of the R-30 zoning district as primarily oriented toward low density residential purposes and open space uses. Additionally, it states the principal uses shall be moderately low density detached single family homes.

Analysis – The zoning designations for all properties directly adjacent to the subject property are R-40. However, some lots in the immediate vicinity fall slightly below the 40,000 square-foot requirement of the R-40 District.

Although the R-30 District as requested would be different than the surrounding zoning designations, it appears generally consistent with the development pattern in the area.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property for single family residential uses. The proposed rezoning request does not seek to change the use on the subject property from single family residential uses. The comprehensive plan's Residential Density Policy states that the maximum density of each residential project shall be 1.8 dwelling units per gross acre. The proposed density is 1.32 dwelling units per gross acre. The requested zoning change is consistent with the comprehensive plan.

Fees: Park Land Dedication fees are required, in the amount of \$1,802 for each newly created residential lot. Park Land Dedication fees are due prior to filing the plat for record. Impact Fees are also required per Chapter 13 (Impact Fees) of the Land Development Code and are due prior to the issuance of a building permit.

Tree Preservation: Any future subdivision of the subject property must comply with Chapter 5 (Tree Preservation) of the Land Development Code. Where any tree is slated

for removal, no site grading, dirt disturbance or new construction may occur on the property until a Tree Removal Permit has been issued that is associated with an approved Tree Preservation Plan.

In addition to the requirements for submittal of a Tree Removal Permit and Tree Preservation Plan, future development on the site must maintain the minimum existing protected tree canopy coverage as required in Chapter 5.

Surrounding Development: The table below reflects the surrounding zoning and existing land uses for the subject property as further illustrated on the attached location map:

R-40 Single Family Residential (Single Family Home)	R-40 Single Family Residential (Single Family Home)	R-40 Single Family Residential (Single Family Home)
R-40 Single Family Residential (Single Family Home)	<i>Subject Property</i> R-40 Single Family Residential (Single Family Home)	R-40 Single Family Residential (Single Family Home)
R-40 Single Family Residential (Single Family Home)	R-40 Single Family Residential (Single Family Home)	R-40 Single Family Residential (Single Family Home)

The subject property is surrounded by R-40, and all lots surrounding the subject property are larger than 30,000 square feet although some are less than 40,000 square feet.

Public Notification: Staff mailed notices to 14 property owners within 200 feet as well as any Homeowners Associations within 500 feet of the subject property regarding this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code. To date, staff has received three letters in opposition. The current percentage of property owners within 200 feet in opposition of the proposed rezoning request is 24.71 percent. At the February 8, 2016 Planning and Zoning Commission meeting, one citizen registered their support for the proposal but did not wish to speak, and 12 citizens registered their opposition, with four wishing to speak.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended denial of the proposed zoning request at the February 8, 2016 meeting by a vote of 6-1.

Supermajority Vote Requirement: The Planning and Zoning Commission has recommended denial and the current opposition of property owners within 200 feet is

24.71 percent, therefore a supermajority vote is required. Section 1.18.B(8) of the Land Development Code 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.

Staff Recommendation: The proposed zoning change is consistent with the City's comprehensive plan, in both use and maximum density. Although the requested R-30 District is not the same as the surrounding R-40 District designations, the R-30 District is generally consistent with the surrounding properties and development pattern. Staff recommends approval of the proposed rezoning request.

Financial Impact

There is no financial impact to the City.

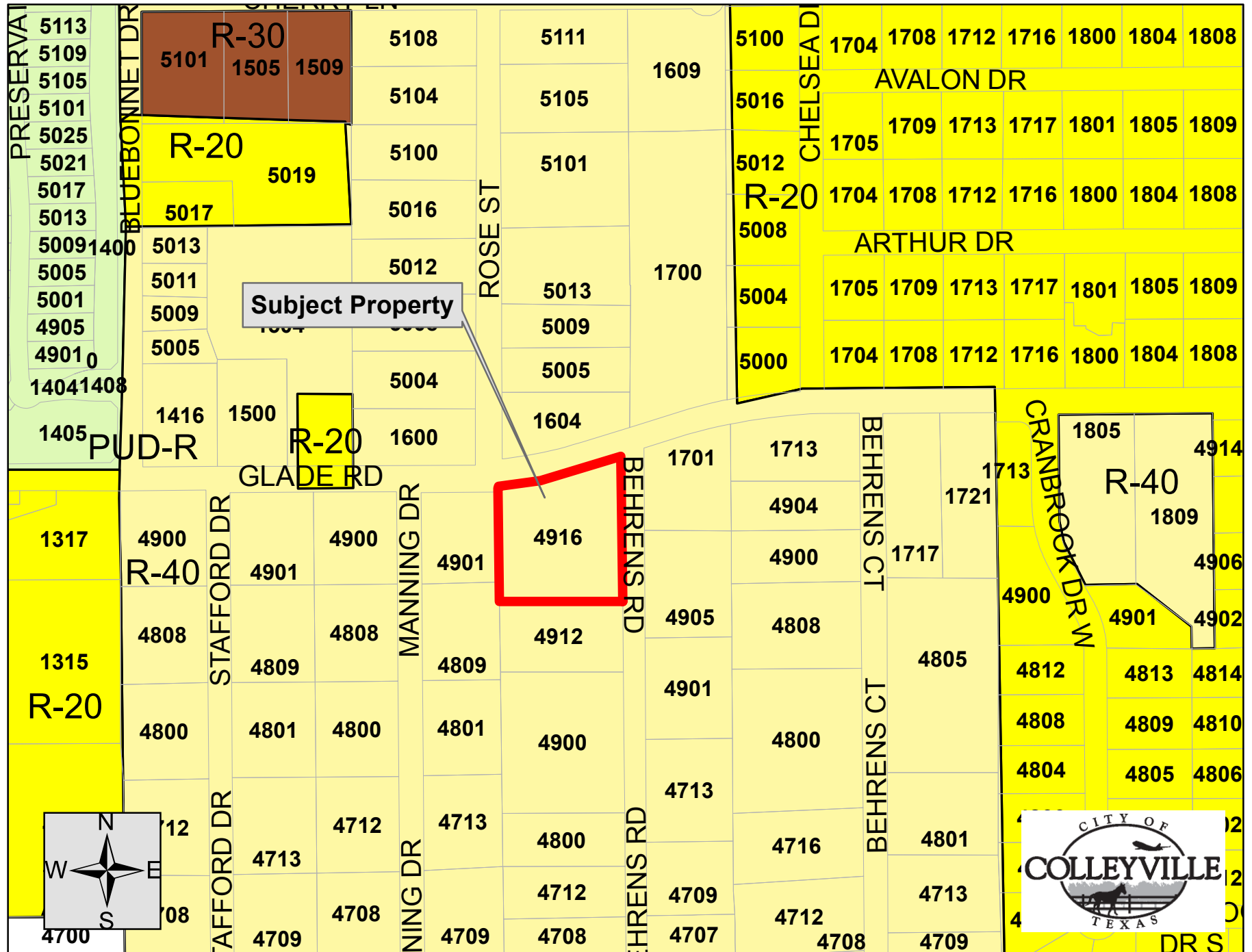
Recommendation

Approve

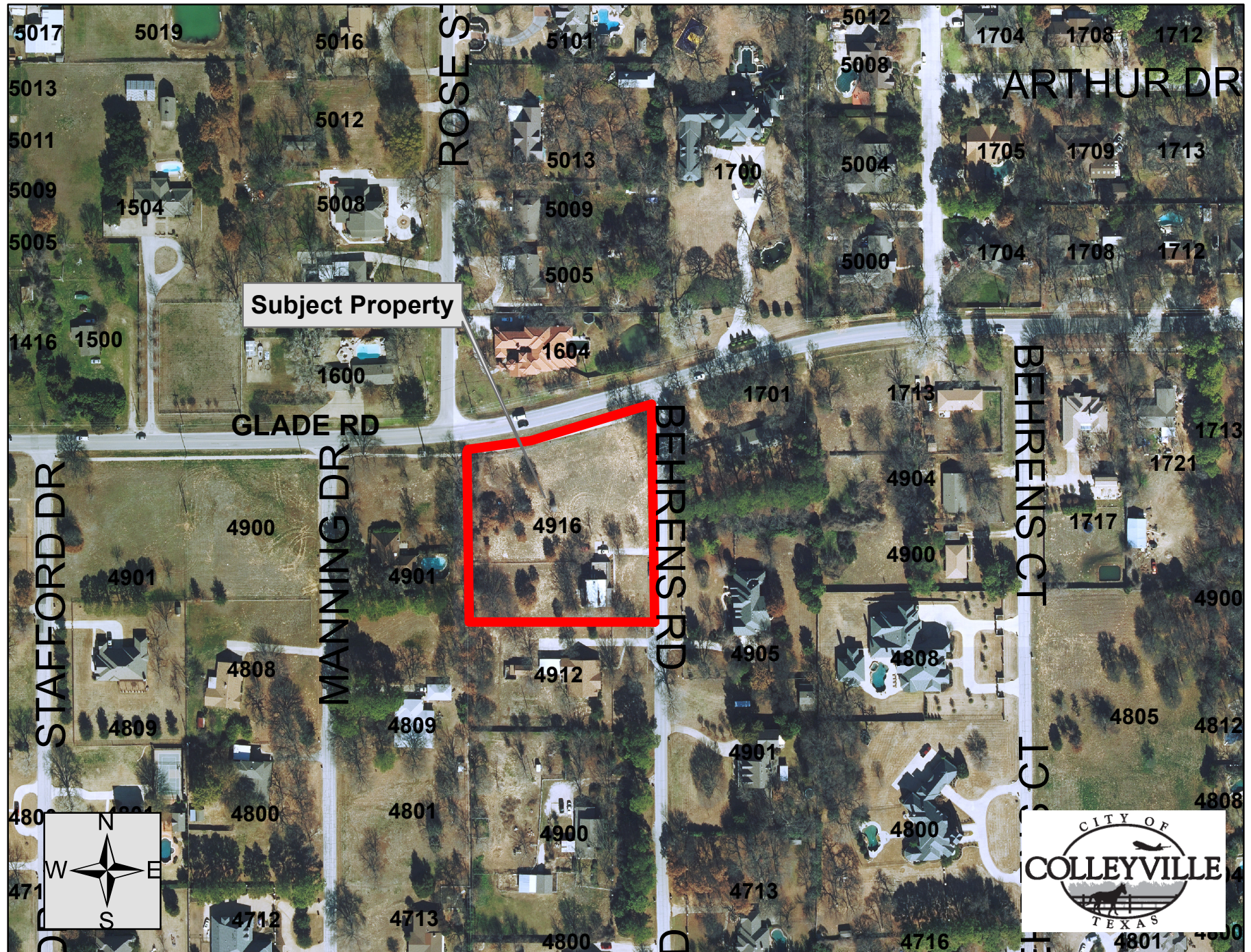
Attachments

1. Zoning Map
2. Aerial Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Conceptual Zoning Exhibit
6. Notification Map
7. Notification List
8. Property Owner Opposition
9. Letters of Opposition
10. Speaker Cards - Planning and Zoning 2/8/2016 - Opposition
11. Speaker Cards - Planning and Zoning 2/8/2016 - Support
12. Applicant Letter of Appeal
13. Ordinance O-16-1976

Zoning Map

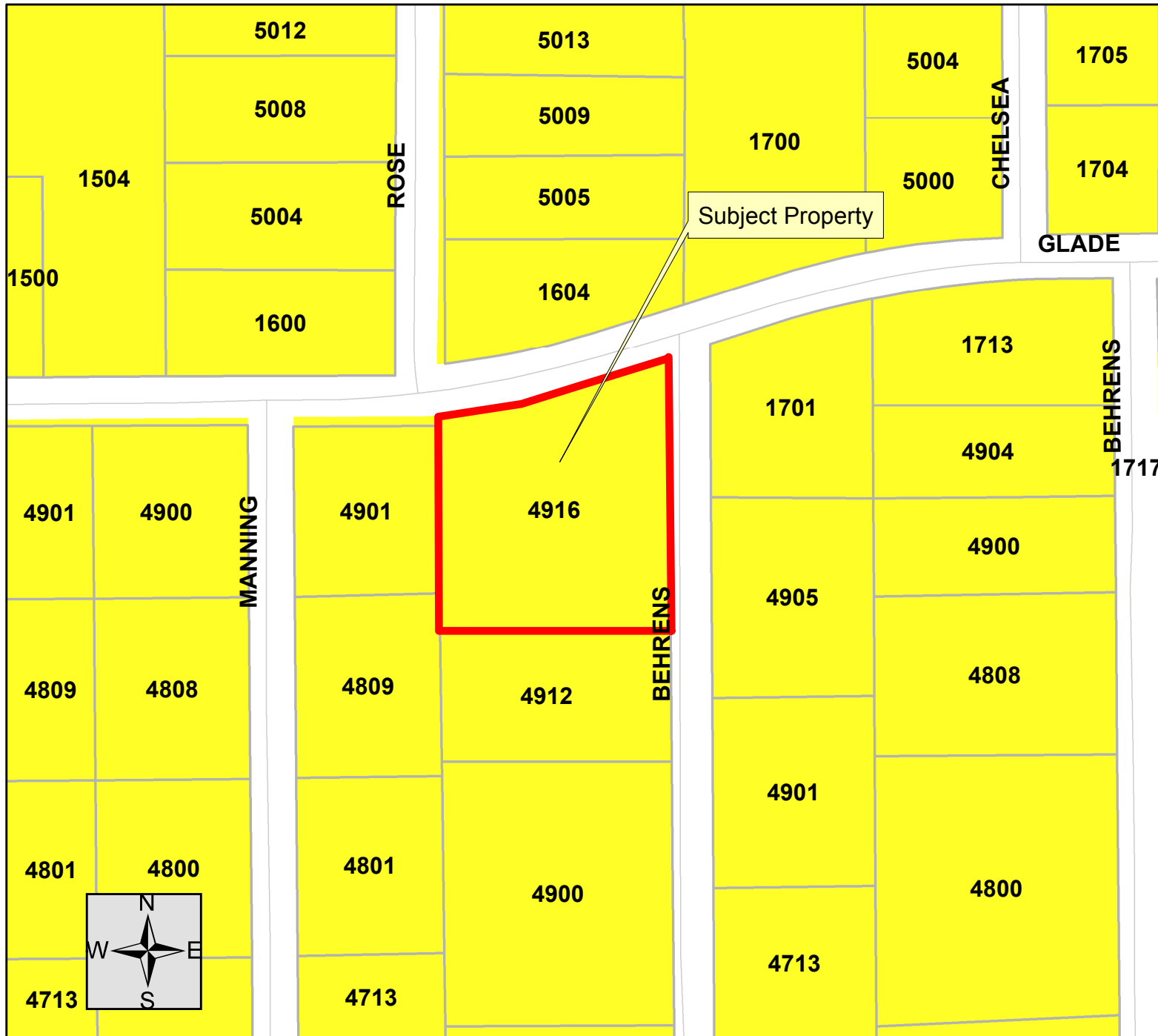


Aerial Map



Future Land Use Map

Case ZC15-021
4916 Behrens Rd.



Legend

- RESIDENTIAL
- COMMERCIAL
- INSTITUTIONAL
- PARKS/ OPEN SPACE
- COLLEYVILLE BLVD CORRIDOR
- Subject Property
- Parcels
- COLLEYVILLE CITY LIMITS



Statement of Planning Objectives

December 17, 2015

To the City of Colleyville

Re: Lot 1, Block 1, Harden Addition Rezoning

To whom it may concern

We are the owners of the subject Lot and desire to rezone the property so that we can build 2 homes on the proposed 2 lots. The proposed homes will conform to the surrounding homes and will be a better use of the property since the size of this Lot is approximately 50% larger than most of the surrounding properties. By rezoning to R-30, we will easily be able to meet the requirements of this zoning.

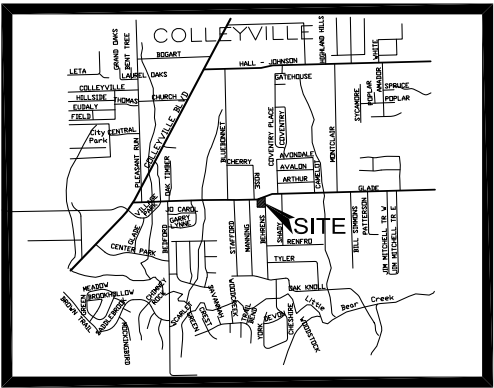
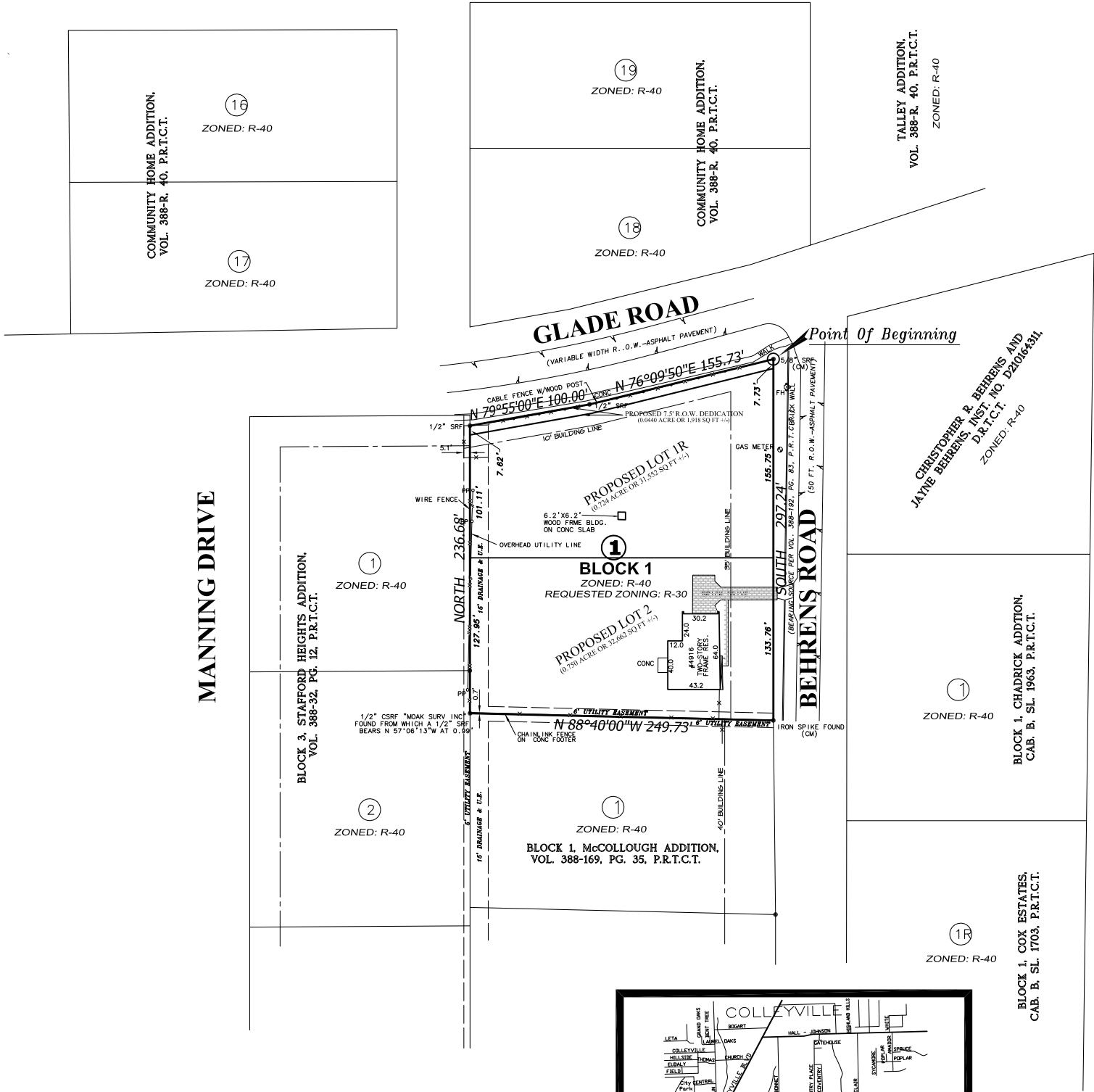
We appreciate your consideration for this zoning request.

Sincerely submitted



Larry Chappell

Conceptual Zoning Exhibit



VICINITY MAP

FLOOD NOTE

According to the Federal Emergency Management Agency's Flood Insurance Rate Map, Map Number 48439C0095 K, Map Revised: September 25, 2009, the tract shown hereon does not appear to lie within Zone AE (special flood hazard areas inundated by 100-year flood, base flood elevations determined). However, the tract does appear to lie within Zone X-unshaded (areas determined to be outside 500-year floodplain).

This information is only our opinion based on our sincere efforts of scaling data from the above mentioned FEMA Map in relation to the subject tract and does not represent a flood study prepared by Moak Surveyors, Inc.

FIELD NOTE "LEGAL" DESCRIPTION

ALL that certain tract or parcel of land situated in the COTRAIL SURVEY, ABSTRACT NO. 328, Tarrant County, Texas and being a portion of Lot 1, Block 1, HARDEN ADDITION, an Addition to the City of Colleyville, Tarrant County, Texas as recorded in Volume 388-192, Page 83, Plat Records, Tarrant County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch steel rod found for the northeast corner of said Lot 1, also being the intersection of the southerly right-of-way line of Glade Road (a variable width right-of-way) with the westerly right-of-way line of Behrens Road (a 50 foot right-of-way):

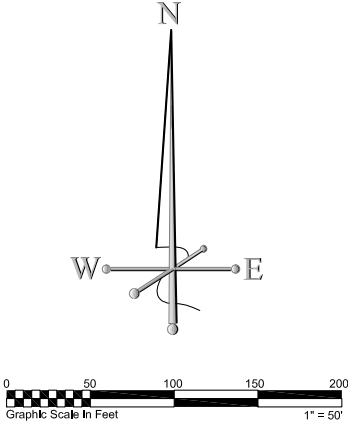
Thence SOUTH with said westerly right-of-way line, 297.24 feet to an iron spike found for the southeast corner of said Lot 1;

THENCE North 88 degrees 40 minutes 00 seconds West departing said right-of-way and with the southerly boundary line of said Lot 1, 249.73 feet to a 1/2 inch capped steel rod stamped "MOAK SURV INC" found for the southwest corner thereof;

Thence NORTH with the westerly boundary line of said Lot 1, 236.68 feet to a 1/2 inch steel rod found in the said southerly right-of-way line of Glade Road;

THENCE North 79 degrees 55 minutes 00 seconds East with said right-of-way line, 100.00 feet to a 1/2 inch steel rod found;

THENCE North 76 degrees 09 minutes 50 seconds East continuing with said right-of-way, 155.73 feet to the PLACE OF BEGINNING and containing 1.518 acres of land, more or less as surveyed by Moak Surveyors, Inc..



(CM) - REPRESENTS CONTROL MONUMENT

ZONING EXHIBIT
FOR ZONING CHANGE REQUEST
FROM R-40 TO R-30
BEING
LOT 1, BLOCK 1, HARDEN ADDITION,
CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS
AS DESCRIBED IN DEED TO
LARRY W. AND JUDY CHAPPELL
INSTRUMENT NO. D215273361, DRTCT

NOTES: THIS ZONING MAP WAS COMPILED FROM A SURVEY DONE DURING THE MONTH OF MARCH, 2002 BY MOAK SURVEYORS, INC..
PROPOSED LOT 1R WILL FRONT ON BEHRENS DRIVE.

Owner / Applicant
Larry W. and Judy Chappell
1716 Glade Road
Colleyville, Texas 76034
817-656-8444 office

David W. Myers, R.P.L.S. No. 4565

Scale 1" = 50'

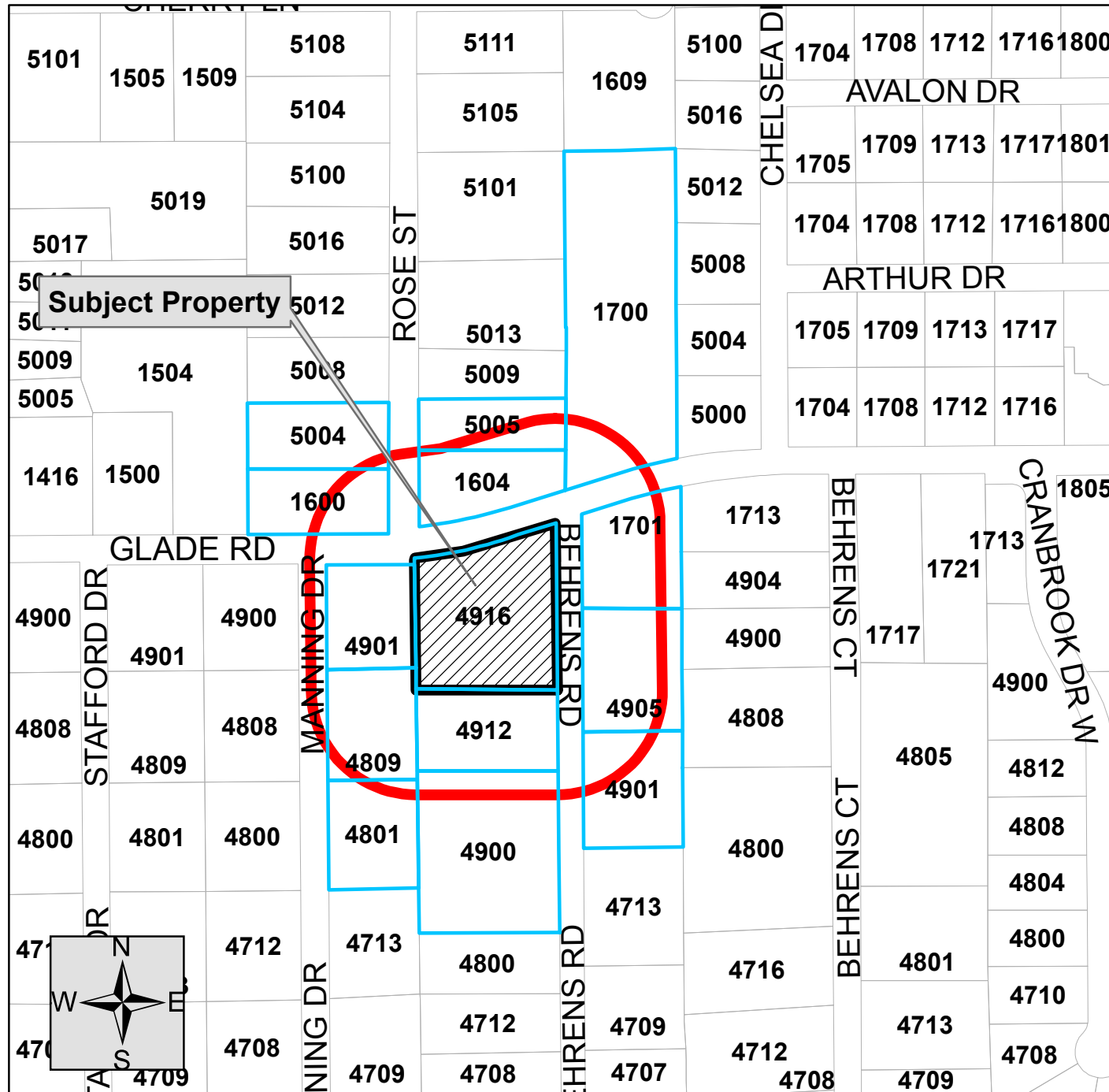
- LEGEND
- FOUND STEEL ROD
 - SET CAPPED STEEL ROD
 - + CROSS CUT IN CONCRETE
 - ◇ FOUND STEEL PIPE
 - FOUND BOIS D'ARC STAKE

COORDINATE FILE: 02-083

REVISED 1-14-16 CITY COMMENTS

Moak Surveyors, Inc.
LICENSED STATE AND REGISTERED
PROFESSIONAL LAND SURVEYORS
Texas - Nevada
1105 Creek Spatter Meadows, Colleyville, Texas 76034
Metro 817-206-2211 • Fax 817-282-0401
www.moaksurveyors.com
Date DECEMBER 16, 2015 Job # 15-076Z

Notification Map



Case ZC15-021

4916 Behrens Rd.

Legend

-  Properties within 200 feet
-  Subject Property
-  Parcels

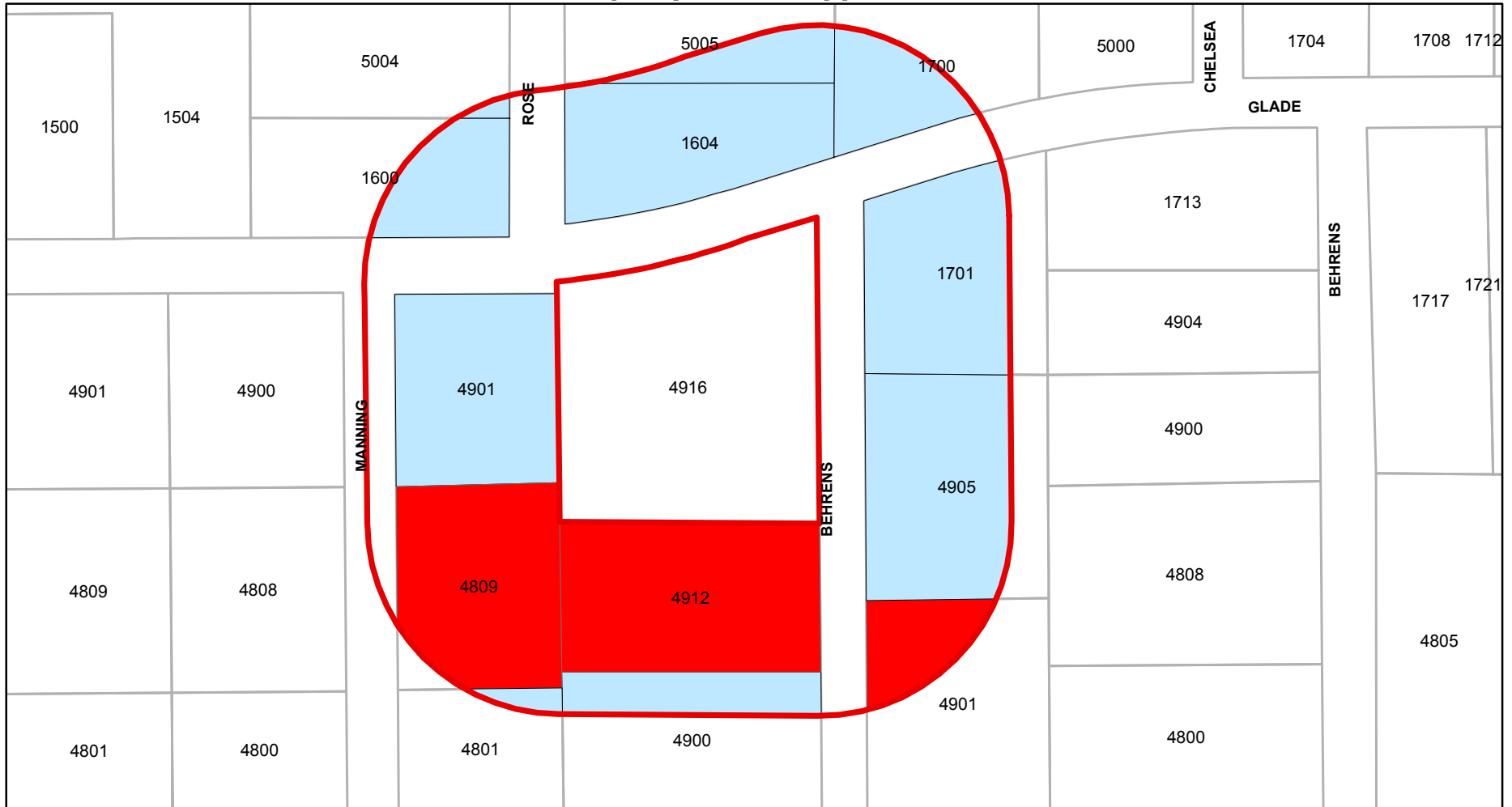


Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
BAKER, FRANK D	4900 BEHRENS RD	COLLEYVILLE	TEXAS	76034	4900 BEHRENS RD
ALBERT, JOHN M	7000 MONET	COLLEYVILLE	TEXAS	76034	5004 ROSE ST
HENNING, JOHN B	4809 MANNING DR	COLLEYVILLE	TEXAS	76034	4801 MANNING DR
SMITH, RICHARD	4901 MANNING DR	COLLEYVILLE	TEXAS	76034	4901 MANNING DR
COX, NORMAN LLOYD	4901 BEHRENS RD	COLLEYVILLE	TEXAS	76034	4901 BEHRENS RD
HART, NEIL J	1600 GLADE RD	COLLEYVILLE	TEXAS	76034	1600 GLADE RD
COPLON, MAHLON	2400 STATE HIGHWAY 121 APT 330	EULESS	TEXAS	76039	4905 BEHRENS RD
RICKS, GREGORY A	8808 QUEENS CT	COLLEGE STATION	TEXAS	77845	4916 BEHRENS RD
BEHRENS, CHRISTOPHER	1701 GLADE RD	COLLEYVILLE	TEXAS	76034	1701 GLADE RD
BACA, RICHARD	4801 BEHRENS CT	COLLEYVILLE	TEXAS	76034	5005 ROSE ST
RICKS, GREGORY A	8808 QUEENS CT	COLLEGE STATION	TEXAS	77845	1604 GLADE RD
HENNING, JOHN B	4809 MANNING DR	COLLEYVILLE	TEXAS	76034	4809 MANNING DR
DUCIC, YADRANKO	1700 GLADE RD	COLLEYVILLE	TEXAS	76034	1700 GLADE RD
MCCOLLOUGH JOYCE B	4912 BEHRENS RD	COLLEYVILLE	TEXAS	76034	4912 BEHRENS RD
GRAPEVINE-COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE	TEXAS	76051	STATE LAW REQUIRED
CHELSEA PARK HOA	1816 AVONDALE DRIVE	COLLEYVILLE	TEXAS	76034	COURTESY NOTICE
LARRY CHAPPELL	1716 GLADE ROAD	COLLEYVILLE	TEXAS	76034	APPLICANT

Public hearing notices were
mailed Thursday, January 28,
2016 by Taci Wrisley

Property Owner Opposition



Total Land Area in Buffer (Includes R.O.W): 348806.836938 Sq Ft / 8.007 Total Acres
 Total Land Area Opposed (within 200 ft Notice Area): 86199.290374 Sq. Ft/ 1.97 Total Acres
 24.71% Percent of Land Opposed (within the 200 ft. Notice Area):

Legend

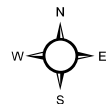
- 200 ft Buffer
- Properties within the 200ft Buffer
- Properties Opposed
- Parcels

Updated 03/1/16

4916 Behrens Rd
 Case ZC15-021



0 62.5 125 250 375 500 Feet



Letters of Opposition

Taci Wrisley

From:
Sent: Monday, February 8, 2016 12:03 PM
To: Taci Wrisley
Subject: Reference: Zoning Case Number - ZC15-021

February 08, 2016

Reference : Zoning Case Number – ZC15-021
4916 Behrens Road

Dear Planning and Zoning Commission:

I am sending this on behalf of my Mother, Joyce McCollough, the owner of 4912 Behrens Road. She received the letter notifying her of the request of a zoning change for 4916 Behrens Road. For health reasons she is unable to attend the Public Hearing tonight, but she wishes to have her vote to not rezone the area for lots smaller than one acre to be counted.

My Father, Samuel J. McCollough passed away 2 years ago. It was also his wish to not have the zoning changed. He was active in 2006 when there was another request for the lot to be rezoned.

This house has been our home for 32 years. It will be passed down to me and my children and grandchildren with no plans of selling. We want to preserve the neighborhood as it is for future generations.

It is my request that the planning and zoning commission to vote “NO” to rezoning.

Thank you .

On Behalf of
Joyce B. McCollough
4912 Behrens Rd.
Colleyville, TX 76034
817-283-1002

Letters of Opposition

Taci Wrisley

From: Shane Pace
Sent: Monday, February 8, 2016 1:35 PM
To: Taci Wrisley
Subject: FW: Rezoning application

FYI

Shane Pace

Principal Planner
Community Development
City of Colleyville
100 Main Street
Colleyville, Texas 76034
Phone: 817-503-1056
Fax: 817-503-1059



We value your opinion. Please take a moment to take our survey, [click here](#)

From:
Sent: Monday, February 8, 2016 1:22 PM
To: Shane Pace <space@colleyville.com>
Subject: Rezoning application

Mr Pace,

I'm sending this note because i will not be at the hearing tonight regarding the application to rezone the lot at Behrens Dr. and Glade Rd. I am against rezoning any lot in the neighbor hood to less than 1 acre.

Thank you,

Reed Chambers
1705 Renfro
Colleyville TX 76034
817 991 8056 cell

peerless electric co inc

Letters of Opposition

NORM COX

4901 Behrens Road
Colleyville, TX 76034-4344

817-688-2467

www.coxhall.com

February 8, 2016

City of Colleyville

Planning and Zoning Commission

In regards to P&Z item:

Consideration of a zoning change from the R40-Single Family Residential zoning district to the R30-Single Family Residential zoning district on Lot 1, Block 1, of the Harden Addition, located at 4916 Behrens Road, Case ZC15-021

I would like to voice my **opposition** to the proposed rezoning of the aforementioned lot of land for the following reasons:

- This is a contiguous R-40 zoned area, that has attracted many families to the area specifically for the large lot zoning.
- For the past 25 years, P&Z and City Council have adamantly protected this R-40 zoning from rezoning challenges.
- R-30 zoning would constitute "spot zoning" and adversely affect the continuity, feel and stability of an established neighborhood.
- An approval for this rezoning would set a precedent for other "spot zoning" requests from opportunistic open landowners or potential developers.
- "Spot zoning in established neighborhoods is not an appropriate area to allow the higher density goals of the new city master plan.

For these reasons, I urge the Commission to deny the above request.

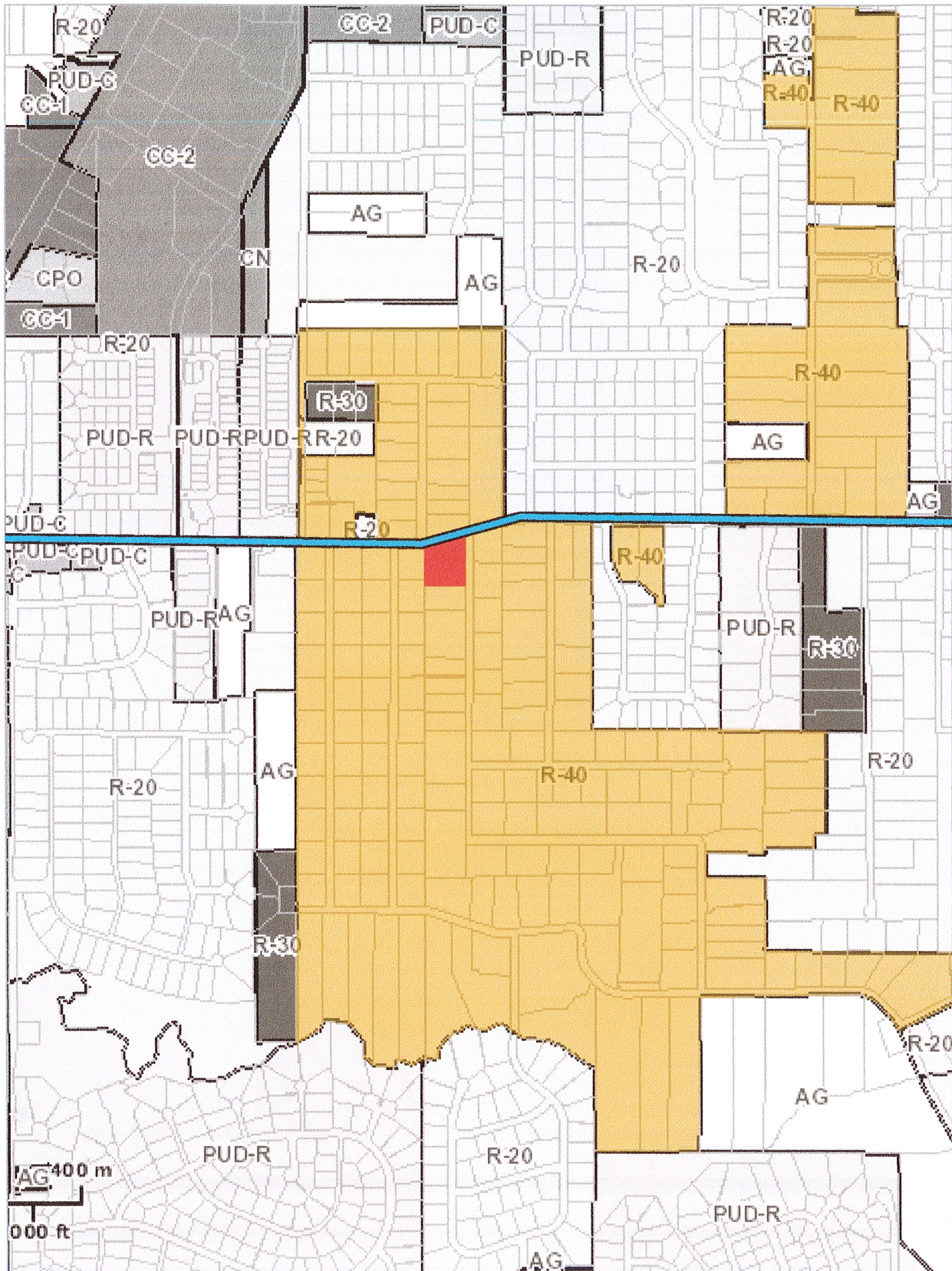
Thank you, and kind regards,

Norm Cox

4901 Behrens Road

Colleyville, TX 76034

Letters of Opposition

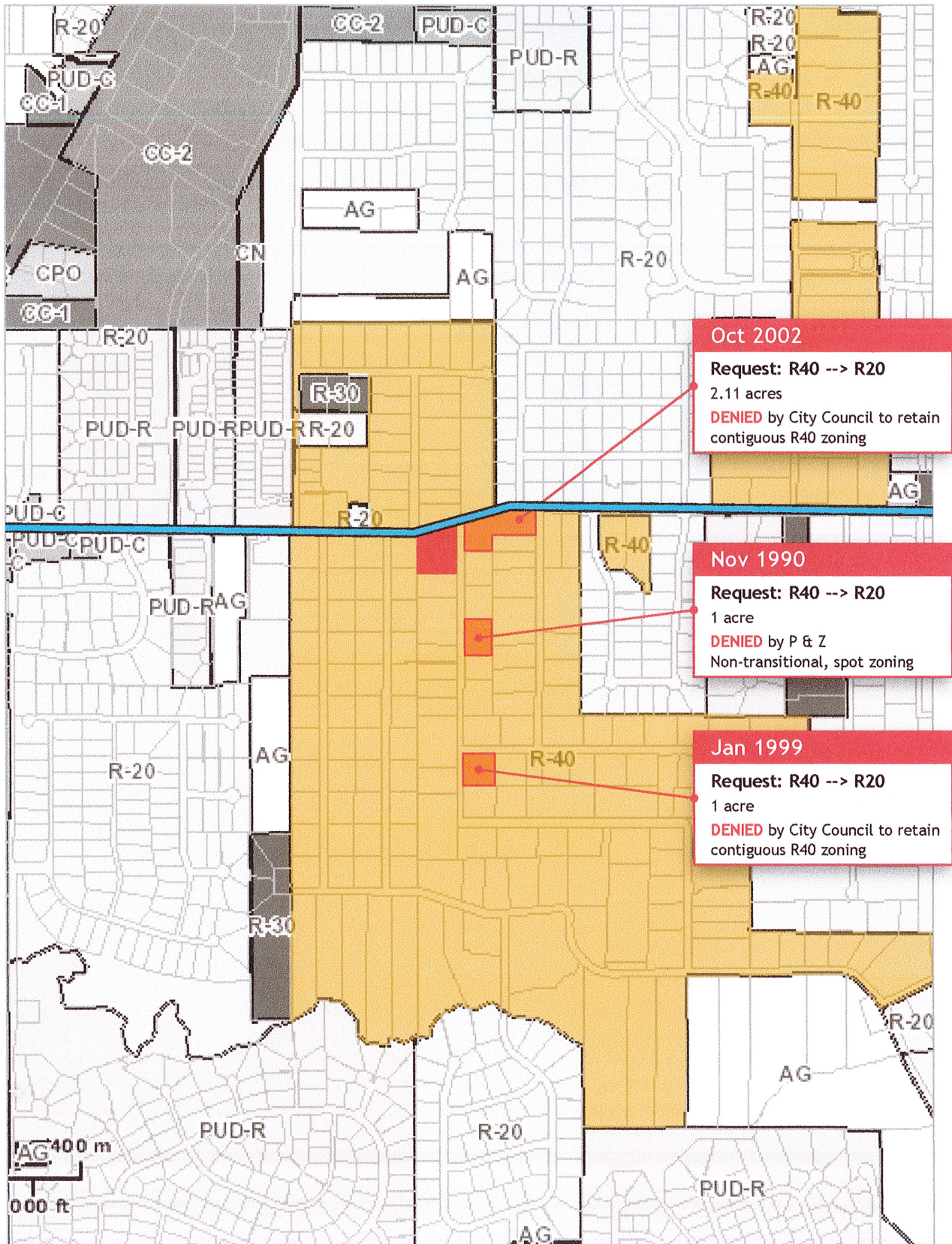


SPOT ZONING

"The process of singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of such property and to the detriment of other owners."

Spot zoning is frowned upon because it amounts to arbitrary, fickle, and/or unreasoned treatment of a singular area within a particular zoning that does not benefit the public or surrounding landowners.

Letters of Opposition

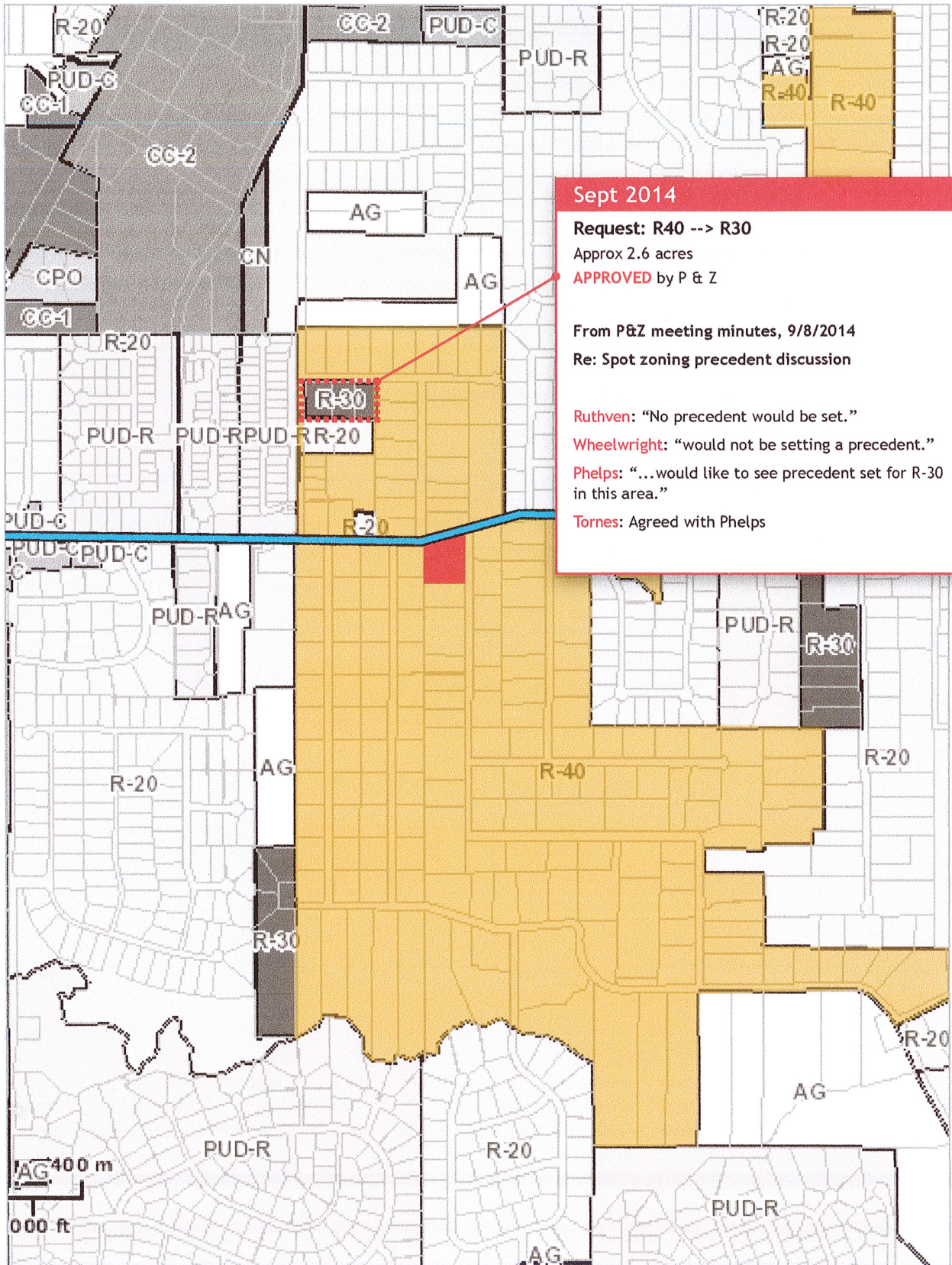


TRIED AND DENIED

All requests for rezoning in this area (prior to 2014) have been denied by P&Z or City Council for the following reasons:

- Retain contiguous R-40 uniformity and neighborhood stability
- Avoid slippery slope of “spot zoning” and “transitional zoning”
- Avoid irreversible and indefensible precedents for future requests

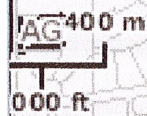
Letters of Opposition



PRECEDENT RISK

Despite arguments to the contrary, this R-30 approval HAS indeed set a precedent for spot zoning in an established and contiguous R-40 area, as evidenced by this latest petition for another R-30 spot zoning.

200 201 202



(# of houses per tract)

The current available land plots that (potentially) could be “spot zoned”, within this contiguous R-40 neighborhood, and take advantage of this new “precedent” to divide their land into smaller lots. Obviously this type of spot zoning would dramatically alter the character and feel of the area that has been so wisely protected by previous Commissions and Councils.

Letters of Opposition

NORM COX

4901 Behrens Road
Colleyville, TX 76034-4344

817-688-2467

www.coxhall.com

February 8, 2016

TO City Council, City of Colleyville, TX
Community Development Department

REGARDING Zoning Case No: ZC15-021
Applicant: Larry Chappell
Location: 4916 Behrens Road
Property Desc.: Lot 1 Block 1 of the Harden Addition
Present Zoning: R40 Single family residential
[Consideration of a zoning change from the R40-Single Family Residential zoning district to the R30-Single Family Residential zoning district.](#)

As a 25-year homeowner within the 200ft radius of the lot above, I would like to formally submit my **opposition** to the proposed rezoning for the following reasons:

- This zoning request sits directly in the center of a **contiguous** R40 zoned area, that has attracted dozens of families to this area specifically for the large lot zoning and pastoral charm. ([See attached Page 1](#))
- For the past 25+ years, P&Z and City Council have adamantly protected this R40 area from rezoning challenges and attempts to subdivide. ([See attached Page 2](#))
- R30 zoning would constitute "*spot zoning*" and adversely affect the continuity, feel and stability of a long-established neighborhood. ([See attached Page 3](#))
- An approval for this rezoning would set a precedent for other "*spot zoning*" requests from opportunistic open-land owners or potential developers. ([See attached Pages 4-5](#))
- "*Spot zoning*" in established, contiguous neighborhoods is not an appropriate means to achieve the higher density goals of the new city master plan.

For these reasons, I urge the Council to deny the above request and continue the City's unwavering commitment and wisdom to protect this R40 neighborhood continuity.

Thank you, and kind regards,

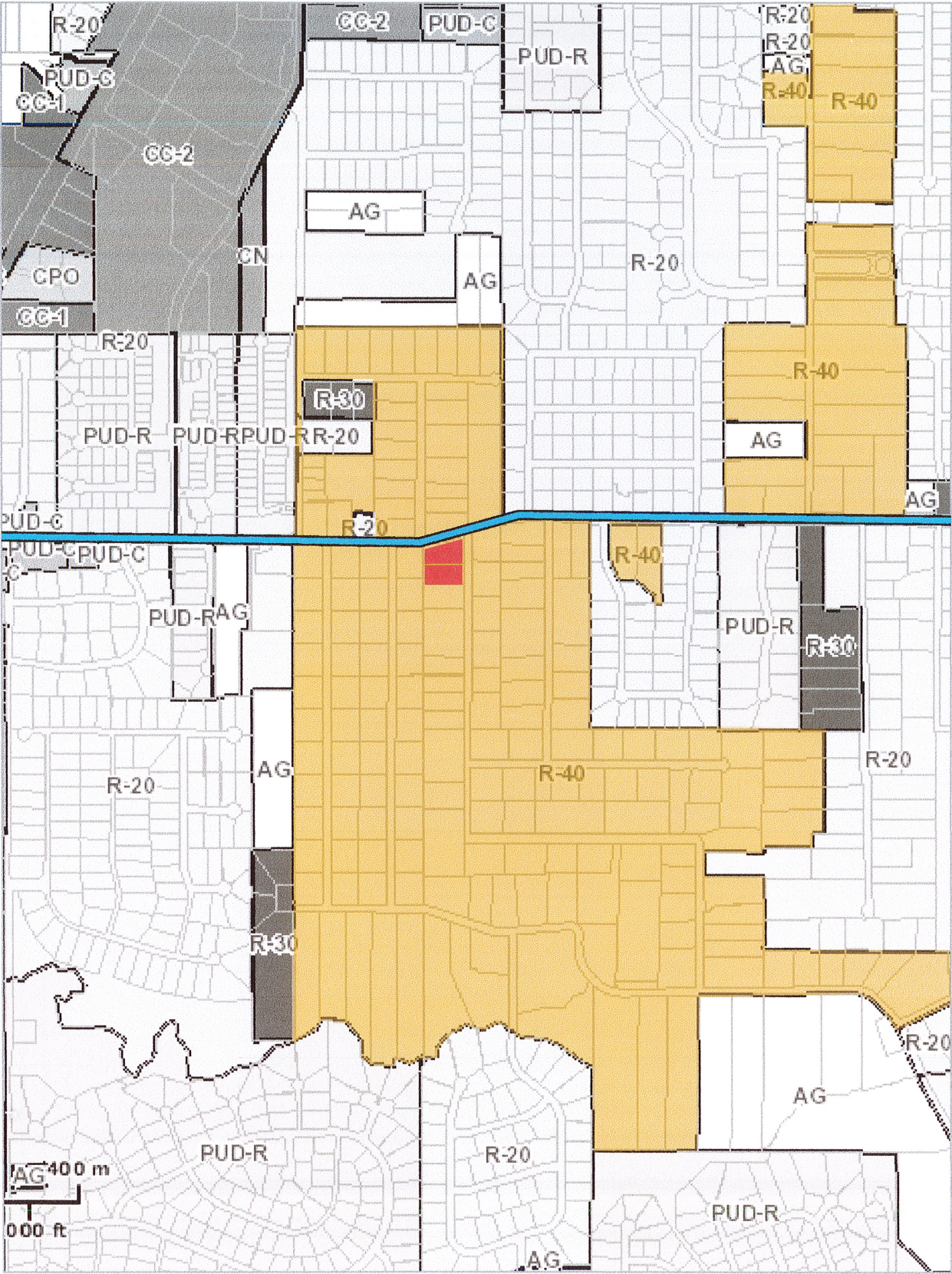
Norm Cox

RECEIVED

MAR 01 2016

Per

Letters of Opposition

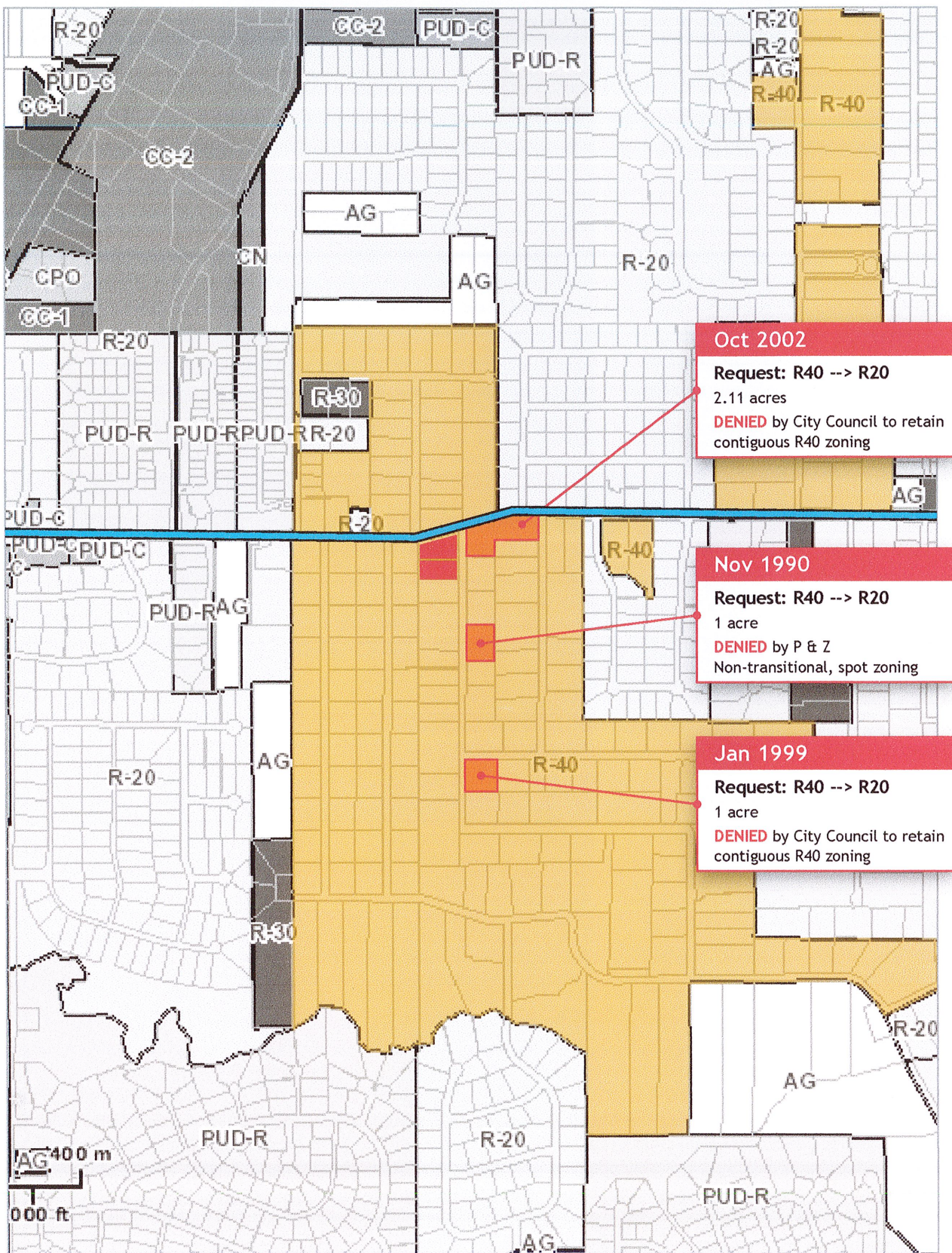


DISCONTINUITY

RECEIVED
MAR 01 2016
Per

Obviously this parcel of land sits centrally located within the contiguous R40 zoning that has remained protected and uncompromised for the past 25+ years. It is not situated along the edges of this R40 zoning that could be potentially perceived as “transitional” zoning areas.

Letters of Opposition



TRIED AND **DENIED**
RECEIVED

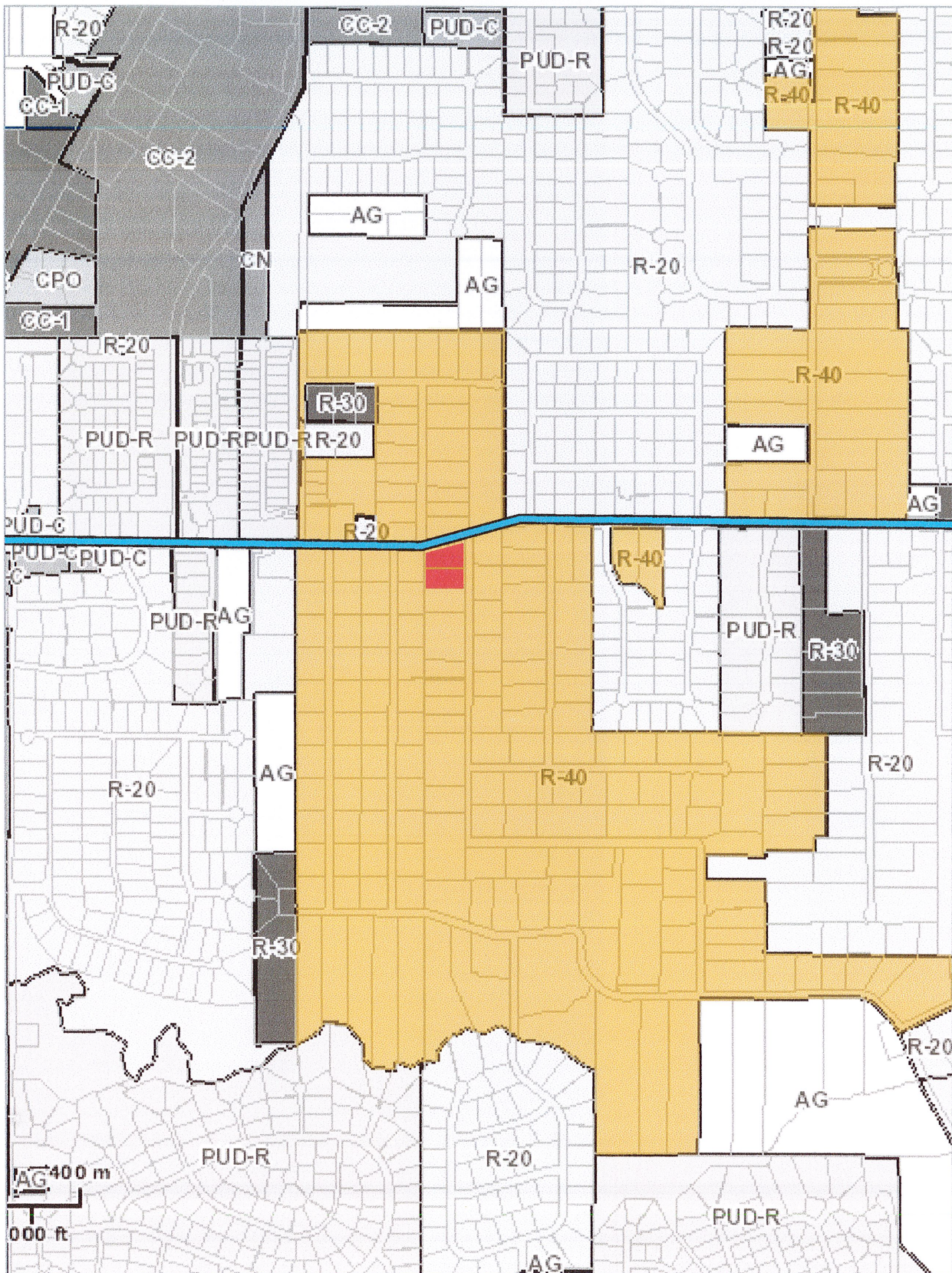
MAR 01 2016

Per

All requests for rezoning in this area (prior to 2014) have been denied by P&Z or City Council for the following reasons:

- Retain contiguous R40 uniformity and neighborhood stability
- Avoid slippery slope of "spot zoning" and "transitional zoning"
- Avoid irreversible and indefensible precedents for future requests

Letters of Opposition



SPOT ZONING

RECEIVED

MAR 01 2016

For

"The process of singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of such property and to the detriment of other owners."

Spot zoning is frowned upon because it amounts to arbitrary, fickle, and/or unreasoned treatment of a singular area within a particular zoning that does not benefit the public or surrounding landowners.

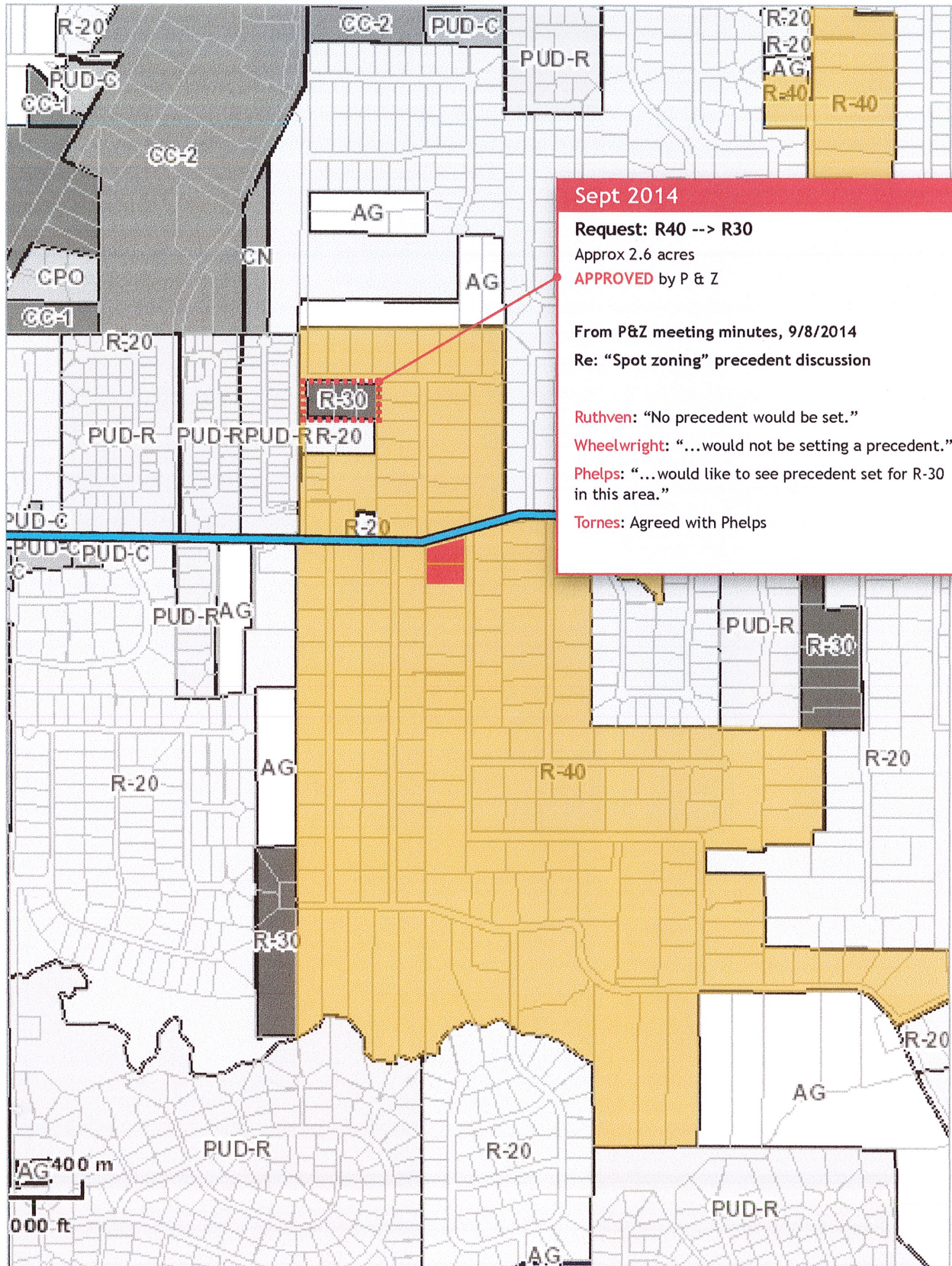
(# of houses per tract)

MAR 01 2016

Per

PAGE
4 of 5

Letters of Opposition



Sept 2014

Request: R40 --> R30

Approx 2.6 acres

APPROVED by P & Z

From P&Z meeting minutes, 9/8/2014

Re: "Spot zoning" precedent discussion

Ruthven: "No precedent would be set."

Wheelwright: "...would not be setting a precedent."

Phelps: "...would like to see precedent set for R-30 in this area."

Tornes: Agreed with Phelps

PRECEDENT RISK

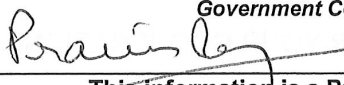
RECEIVED

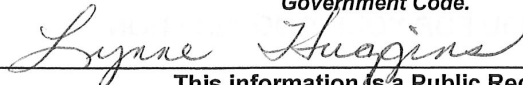
MAR 01 2016

Per

Despite P&Z Commissioners' arguments to the contrary, their recent (2014) R30 approval has indeed set a precedent for spot zoning in this established, contiguous R40 area, as evidenced by this current opportunistic petition to subdivide and take advantage of a recent R30 spot zoning precedent.

Speaker Cards - Planning and Zoning 2/8/2016 -Opposition

Date: <u>Feb. 8, 2016</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>4B</u>	
Name: <u>PRAVIN RAJ</u>	
Address: <u>4708 BEARENS CT</u>	
City: <u>COLLEYVILLE</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817-251-5133</u>	Representing: <u>SELF</u> (organization/self)
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u></u>	
This information is a Public Record.	

Date: <u>2/8/16</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>4B</u>	
Name: <u>Lynne Huggins</u>	
Address: <u>P.O. Box 1047 / 4707 Behrens Road</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817 868 1947</u>	Representing: _____ (organization/self)
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u></u>	
This information is a Public Record.	

Speaker Cards - Planning and Zoning 2/8/2016 -Opposition

Date: <u>2-8-16</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>4B</u>	
Name: <u>Elizabeth J Cummings</u>	
Address: <u>4800 Behrens Rd</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817-966-3214</u>	Representing: _____ (organization/self)
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u>Elizabeth J Cummings</u>	
This information is a Public Record.	

Date: <u>2/8/16</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>4B</u>	
Name: <u>Craig Cummings</u>	
Address: <u>4800 Behrens Road</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817-966-3214</u>	Representing: _____ (organization/self)
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u>Craig Cummings</u>	
This information is a Public Record.	

Speaker Cards - Planning and Zoning 2/8/2016 -Opposition

SPEAKER CARD	
Date: _____	
☐ I will speak In Support of this item.	
☐ I will speak In Opposition to this item.	
☒ I do not wish to speak, but please record my: ☐ support ☒ opposition	
Agenda Item Number: <u>4B</u>	
Name: <u>Ann Hammond</u>	
Address: <u>4809 Manning Dr.</u>	
City: <u>Colleyville</u> State: <u>TX</u> Zip Code: <u>76034</u>	
Telephone Number: <u>8175401732</u> Representing: _____	(organization/self)
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: _____	
This information is a Public Record.	

SPEAKER CARD	
Date: _____	
☐ 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>4B</u>	
Name: <u>Shirley Weiss</u>	
Address: <u>4709 Behrens Rd</u>	
City: <u>Colleyville</u> State: <u>TX</u> Zip Code: <u>76034</u>	
Telephone Number: <u>8179253014</u> Representing: _____	(organization/self)
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u>S. Weiss</u>	
This information is a Public Record.	

Speaker Cards - Planning and Zoning 2/8/2016 -Opposition

Date: <u>2/8</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>4B</u>	
Name: <u>Tracy Glidewell</u>	
Address: <u>1908 Renford Rd</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817 994-1965</u> Representing: _____ (organization/self)	
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u>Tracy Glidewell</u>	
This information is a Public Record.	

Date: <u>2-8-16</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>4B</u>	
Name: <u>ROBERT & CONNIE CURTIS</u>	
Address: <u>4709 BEHRENS CT</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817-545-8175</u> Representing: _____ (organization/self)	
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u>Robert Curtis</u>	
This information is a Public Record. <u>OPPOSED AGAINST MASTER PLAN</u> <u>(2) CITY APPROVED CONGESTION</u> <u>TO HIGH IN THE AREA</u> <u>3565 PRECEDENT</u>	

Speaker Cards - Planning and Zoning 2/8/2016 -Opposition

Date: <u>2/8/16</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>4B</u>	
Name: <u>Matthew Hammons</u>	
Address: <u>4613 Manning Dr</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817 422-4514</u> Representing: <u>self</u> (organization/self)	
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u></u>	
This information is a Public Record.	

Date: <u>2-8-16</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>4b</u>	
Name: <u>Lisa Pomroy</u>	
Address: <u>4712 Behrens Rd.</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>(817) 209-4873</u> Representing: <u>self</u> (organization/self)	
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u></u>	
This information is a Public Record.	

Speaker Cards - Planning and Zoning 2/8/2016 -Opposition

Date: <u>2/8/16</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>4b</u>	
Name: <u>Homer Hine</u>	
Address: <u>4716 Behrens Court</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817-540-5803</u> Representing: _____ (organization/self)	
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u>Homer Hine</u>	
This information is a Public Record.	

Date: <u>2/8/2016</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>4B</u>	
Name: <u>Norm Cox</u>	
Address: <u>4901 Behrens Rd</u>	
City: <u>colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817-688-2467</u> Representing: <u>self</u> (organization/self)	
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u>Norman Cox</u>	
This information is a Public Record.	

Speaker Cards - Planning and Zoning 2/8/2016 - Support

Date: <u>2.8.2016</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>4B</u>	
Name: <u>Richard & Cynthia Smith</u>	
Address: <u>401 Manning Dr</u>	
City: <u>COLEVILLE</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817 209 7450</u>	Representing: _____ (organization/self)
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u>Richard L. Smith</u>	
This information is a Public Record.	

Applicant Letter of Appeal

February 9, 2016

Shane Pace

Principal Planner

Community Development

City of Colleyville

100 Main Street

Colleyville, TX 76034

Re: Zoning Request Denial, Case ZC15-021

Dear Shane:

I respectfully request that the City Council consider my request for a zoning change located at 4916 Behrens Rd that was denied by the Planning and Zoning Commission on February 8, 2016.

Sincerely,

Larry W. Chappell

ORDINANCE O-16-1976

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 1.52 ACRES, LOT 1, BLOCK 1, OF THE HARDEN ADDITION, LOCATED AT 4916 BEHRENS ROAD, FROM THE R-40-SINGLE FAMILY RESIDENTIAL ZONING DISTRICT TO THE R-30-SINGLE FAMILY RESIDENTIAL ZONING DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case ZC15-021; and

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

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

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

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

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 1.52 acres Lot 1, Block 1, of the Harden Addition, located at 4916 Behrens Road, from the R-40-Single Family Residential zoning district to the R-30-Single Family Residential zoning district, as depicted in the attached Exhibit "A" and Exhibit "B".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 7. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 8th day of March 2016.

The second reading and public hearing being conducted on the 22nd day of March 2016.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the _____ day of _____ 2016.

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"- Zoning Map

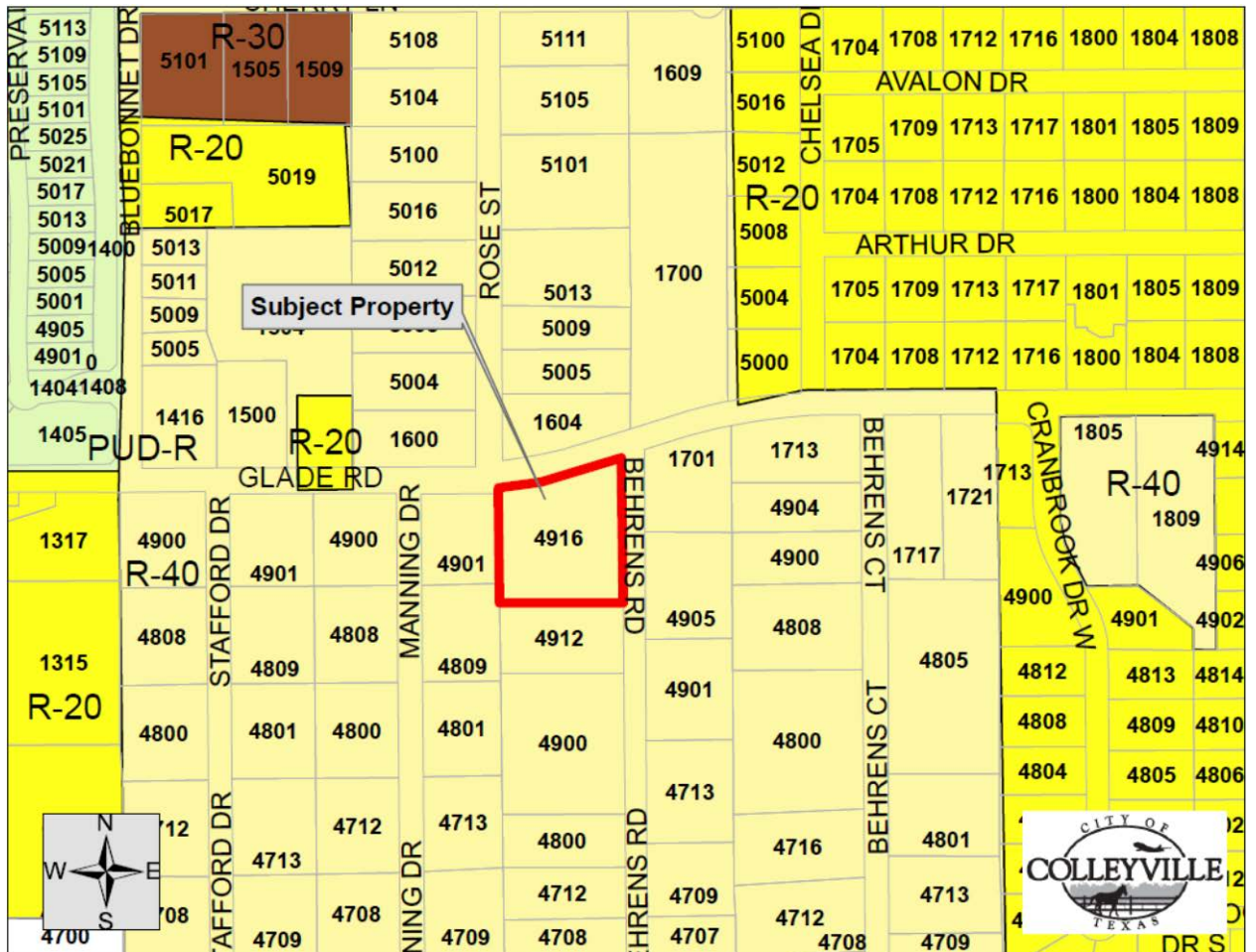


Exhibit “B”- Metes & Bounds Description

ALL that certain tract or parcel of land situated in the COTRAIL SURVEY, ABSTRACT NO. 328, Tarrant County, Texas and being a portion of Lot 1, Block 1, HARDEN ADDITION, an Addition to the City of Colleyville, Tarrant County, Texas as recorded in Volume 388-192, Page 83, Plat Records, Tarrant County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch steel rod found for the northeast corner of said Lot 1, also being the intersection of the southerly right-of-way line of Glade Road (a variable width right-of-way) with the westerly right-of-way line of Behrens Road (a 50 foot right-of-way):

Thence SOUTH with said westerly right-of-way line, 297.24 feet to an iron spike found for the southeast corner of said Lot 1;

THENCE North 88 degrees 40 minutes 00 seconds West departing said right-of-way and with the southerly boundary line of said Lot 1, 249.73 feet to a 1/2 inch capped steel rod stamped “MOAK SURV INC” found for the southwest corner thereof;

Thence NORTH with the westerly boundary line of said Lot 1, 236.68 feet to a 1/2 inch steel rod found in the said southerly right-of-way line of Glade Road;

THENCE North 79 degrees 55 minutes 00 seconds East with said right-of-way line, 100.00 feet to a 1/2 inch steel rod found;

THENCE North 76 degrees 09 minutes 50 seconds East continuing with said right-of-way, 155.73 feet to the PLACE OF BEGINNING and containing 1.518 acres of land, more or less as surveyed by Moak Surveyors, Inc..



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6b

Agenda Date 03/08/2016

Number Ordinance O-16-1977

Type Ordinance

Department Community Development

Title

Consideration of a Special Use Permit for a day care center on Lot 3, Block 6R, of the Woodbriar Estates West Addition, located at 300 West Greenbriar Lane, Case ZC15-023

Strategy Map Connection

There is no strategy map connection for this item.

Explanation

First Reading and Public Hearing

Shalini Singh, the applicant, requests approval of a Special Use Permit (SUP) to allow for a day care center (Sherwood Montessori Academy) on approximately 0.6 acres, located at 300 West Greenbriar Lane. The commercial property is currently vacant and was previously occupied by a children's reading center (Reading Friends) and pre-school/day care facility (La Petite Academy). The applicant is requesting waivers from certain requirements of the Land Development Code, due to the existing nonconforming items on the property. Additionally, the applicant has proposed to make several improvements to the site as outlined below.

Existing Conditions/Background: The subject property is generally located just east of Colleyville Boulevard and south of Cheek-Sparger Road. It is platted as Lot 3, Block 6R, of the Woodbriar Estates West Addition, and developed with one existing commercial building which is proposed to remain. The applicant's purchase of the subject property is contingent upon the granting of the proposed Special Use Permit.

Sherwood Montessori Academy will be a new business which currently is not in operation in another location. Since the previous user of the subject property had a day care component, the building is suited to the proposed day care use, including playground equipment in a fenced yard and other layout and site features of a day care use (ex. classrooms).

Proposed Special Use Permit: The subject property is zoned CN-Neighborhood Commercial District. Section 3.25 of the Land Development Code states that a Special Use Permit (SUP) is to "allow a use not normally allowed in a zoning district which could be of benefit in a particular case to the general welfare, provided adequate development standards, and special requirements are imposed to protect surrounding uses or to preserve the character of the neighborhood." Further, Section 3.24 of the

Land Development Code establishes the requirement for an SUP for a day care center in the governing zoning district.

The applicant submitted a Statement of Planning Objectives which is attached for review. The proposed business seeks to operate an early childhood development and day care center, utilizing the Montessori Method of education. The business plans to provide services to children ranging in age from six months to 12 years old. The business plans to maintain approximately seven full-time employees, and operate the facility between 6:30 a.m. and 6:30 p.m.

The Land Development Code states that an SUP may be granted given "adequate development standards, and special requirements should be imposed to protect surrounding uses or to preserve the character of the neighborhood." As such, non-conforming issues may be requested to be brought into compliance by the City Council through the SUP approval process, but can also be granted as "waivers" if found to be acceptable on the given site or for the particular user. The following information outlines the existing nonconformities on the site, and the applicant's request for waivers.

Parking:

Request – The applicant is requesting a waiver to the minimum parking requirements for a day care center. The site currently provides 14 parking spaces and one pick-up/drop-off lane versus the 18 parking spaces and one pick-up/drop-off lane required (a deficit of four spaces). The applicant has stated that the parking will only be utilized at peak times throughout the day, such as drop-off and pick-up times, and for limited durations of time.

Ordinance – Section 3.29 of the Land Development Code establishes a minimum parking requirement for a day care center of one space per five pupils plus a drop-off and pick-up area. The applicant has indicated the anticipated enrollment will be approximately 80-90 pupils. The applicant has also been informed that all required parking will be required to be restriped prior to the issuance of a Certificate of Occupancy.

Analysis – There are numerous parking spaces adjacent to the subject property on the surrounding commercial sites that could provide potential opportunities for off-site parking agreements. The facility could utilize the nearby off-site parking spaces for facility staff and peak overflow parking. Staff recommends the applicant secure an off-site parking agreement or reduce the proposed number of pupils at the facility. In the event a waiver from the parking requirements is not granted by City Council, a secured off-site parking agreement, or verification of maximum enrollment not exceeding the available parking on-site, will be required prior to issuance of a Certificate of Occupancy.

Currently, the site utilizes hand carts (i.e. toters) for trash collection. There is no requirement in the Land Development Code for dumpsters to be included on commercial properties. In the event a commercial dumpster is placed on-site, there is a potential for a loss of additional parking spaces. The addition of a commercial dumpster on-site would require staff review, to ensure adequate parking remains. In the event parking falls below the required minimum, an amendment to the SUP will be required.

Landscape Buffer:

Request – The subject property is adjacent to a single family residence and residential zoning district to the east. The applicant is requesting to provide an alternative landscape buffer on the east side consisting of the existing site features. There are two existing mature trees in the required buffer, one at the northeast corner of the subject property and another approximately 45 feet to the south, on top of the existing retaining wall.

The subject property is at a lower elevation than the residential property to the east. The six-foot retaining wall, in addition to the wooden residential fence, provides an approximate 12-foot visual screen between properties. There is no grass along the buffer, but there are wood chips in the majority of the yard to serve as playground surface, including the required 20-foot buffer. There are two existing playground structures and an existing basketball hoop with a small pavement area currently within the required buffer.

Ordinance – Chapter 4 (Landscaping) of the Land Development Code requires a 20-foot greenbelt with live evergreen plants, minimum six feet in height after two years, minimum three feet in height at the time of planting, and maximum six feet on-center along the entire border between the proposed commercial use and the adjacent residential use to the east.

Analysis – Although there is a significant difference in elevation between the subject property and the residential property to the east, new trees, if planted to meet the intent of the requirement, could eventually grow to the height of the eastern wall to provide additional screening between the properties. The addition of two more trees, where practical along the required buffer, could improve the landscape screening between properties over time.

Screening:

Request – The subject property is adjacent to a single family residence and residential zoning district to the east. The applicant is requesting to provide an alternative screening device on the east side consisting of the existing six-foot retaining wall and the six-foot residential wooden fence on top of it, for a wall totaling approximately 12

feet tall.

Ordinance – Chapter 3 (Land Use) of the Land Development Code requires an eight-foot, decorative, masonry wall between the proposed commercial use and residential lot and district to the east.

Analysis – The addition of the required masonry wall would be duplicative in this instance and would provide no additional screening between the subject property and the adjacent home to the east.

Commercial Design Standards:

Request – The existing building is required to come into conformance with architectural criteria contained in Chapter 6 (Commercial Design Standards) of the Land Development Code. The applicant has not submitted a Commercial/Institutional Building Design Factor Worksheet since the building is existing and no architectural elevation drawings are available. It is possible that the building could meet the standards, but verification could not be completed without the required documentation. The applicant is requesting a waiver to demonstrating compliance with the minimum design score and exterior finishing materials (described below) but has committed to making the following improvements to the building and site regardless of the design score:

1. Change the look of the roof by installing a metal roof.
2. Install windows on the exterior of Pre-Primary and Primary classrooms.
3. Repaint the exterior walls to a softer color.
4. Add an extra step at the entrance.
5. Repair the patio in the backyard.
6. Stain the fence and fix the backyard door.
7. Remove the tree at the entrance of the building, as the tree is breaking the sidewalk and stops the front view of the building.

Ordinance – Chapter 6 (Commercial Design Standards) of the Land Development Code requires a minimum design score of 30 except where required to be higher or lower as a condition of a Special Use Permit or Planned Unit Development. The building is also required to come into conformance with the following exterior finishing materials requirement:

“Materials: The exterior walls of all commercial and institutional buildings constructed as provided for in this chapter shall be composed of 100% percent masonry, glass, or other equivalent material. However, building accents such as wood, EIFS, Hardie Plank or decorative metal trim are permitted such they do not exceed 15 percent of the total exterior wall surface area. Mixing of more than one type of masonry material for exterior walls is encouraged. For the purposes of this chapter, approved non-glass, masonry materials may include brick,

finished concrete, stone (natural and man-made), and cementitious stucco. Unfinished concrete masonry unit products such as cinder block or tilt-wall sections are permitted but must have an architecturally finished surface such as split-face, rusticated, natural stone, etc.”

The existing building, constructed in 1984, has both brick and wood siding. The percentage of masonry coverage has not been calculated, due to the lack of architectural drawings, but it is possible that the wood siding comprises more than 15 percent of the total exterior wall surface area.

Analysis – The existing building is of a distinct architectural style, exhibiting a slanted wood detailing, alternating with walls of complementary brick, mansard roof areas, and a well-defined entry. Should the applicant be permitted or required to repaint the exterior with a different color, it is recommended that the brick not be painted in order to maintain the architectural integrity of the structure. The replacement of the roof shingles with metal could provide an updated look to the structure but could also detract from the building’s architectural style. A building permit application will be required prior to the change of any new roofing material. Staff will review the application to ensure the architectural style of the building is not altered. Repainting of any portion of the building will need to meet the color requirements set forth in Section 6.5-Exterior Building Color and Materials, of the Land Development Code. The requested waivers are appropriate should the architectural style of the building be considered as an asset to the site. Additionally, staff recommends that any new exterior lighting on the site be screened from residential properties.

Comprehensive Plan: The City’s comprehensive plan, *Destination Colleyville*, identifies the subject property as located within the Southern Gateway of the Colleyville Boulevard Corridor. Additionally, the subject property is located near a Sales Tax-Preferred Intersection. One of the major goals of the comprehensive plan is to address the redevelopment and enhancement of properties along the Corridor, and to facilitate high-quality redevelopment. Further, the intent is to create a cohesive development character along the Corridor and create a memorable entry point into the City.

Based on the goals set forth by the comprehensive plan, the subject property as described above, should be redeveloped in a manner consistent with the vision for the future of Colleyville Boulevard. The improvements presented by the applicant appear to beautify the property and utilize it to its greatest extent in its current state. Unless or until the subject property is combined with other properties in the vicinity, it will remain significantly limited in function.

Surrounding Development: The table below reflects the surrounding zoning and existing land uses for the subject property as further illustrated on the attached location map:

CC-3 Highway Commercial (99 Cents Only Retail Store)	CC-3 Highway Commercial (99 Cents Only Retail Store)	CC-3 Highway Commercial (99 Cents Only Retail Store)
CC-3 Highway Commercial (Comet Cleaners Commercial Building)	<i>Subject Property</i> <i>CN-Neighborhood Commercial (Vacant Commercial Building)</i>	PUD-R (Woodbriar Estates West Residential Subdivision)
CC-1 Village Retail (Rice King Restaurant)	PUD-R (Woodbriar Park)	PUD-R (Woodbriar Estates West Residential Subdivision)

The adjacent property to the east is occupied by a single family residential home. The home fronts onto West Greenbriar Road and shares a side-yard fence with the subject property. A large retaining wall is located along the shared property line, which elevates the single family home above the rear and side playground area of the subject property. The property to the south, is approximately two acres in size and occupied by Woodbriar Park, which was dedicated to the City as part of the Woodbriar Estates PUD-R.

Public Notification: Staff mailed notices to nine property owners within 200 feet as well as any Homeowners Associations within 500 feet of the subject property regarding this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code. To date, no correspondence has been received. At the February 8, 2016 Planning and Zoning Commission meeting, no citizens registered support or opposition, and no one wished to speak on the proposal.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval of this request at the February 8, 2016 meeting by a vote of 5-2 with the following conditions:

- The Minimum Tree Preservation requirements of Chapter 5 of the Land Development Code shall be waived for the entire site;
- Two trees, meeting the requirements of new plantings in the Land Development Code, shall be provided within 20 feet of the eastern property line, spaced as practical to provide additional screening;
- Prior to issuance of a Certificate of Occupancy an off-site parking agreement shall be attained for nearby parking to meet the minimum parking requirements or the maximum number of pupils shall be reduced to 70 to meet on-site parking provided;

- The Minimum Design Score Requirement of Chapter 6 of the Land Development Code shall be waived for the existing building; and
- The addition of any exterior lighting shall be shielded from the adjacent residential properties.

Staff Recommendation: The proposed Special Use Permit (SUP) is being requested for a new day care user in a vacant building that was previously a day care-type use. The proposed day care land use is appropriate for the location and for the building on the subject property and should not adversely affect surrounding properties. Staff recommends approval of the SUP with the following considerations:

1. An off-site parking agreement shall be attained for nearby parking to meet the minimum parking requirements or the maximum number of pupils shall be reduced to 70 to meet on-site parking provided.
2. Two trees, meeting the requirements of new plantings in the Land Development Code, shall be provided within 20 feet of the eastern property line, spaced as practical to provide additional screening.
3. The existing architectural style of the building shall be maintained with the use of similar materials and colors. Any future improvements significantly altering the existing building shall be subject to the review and approval of the Director of Community Development. A minimum design score and elevations shall not be required.
4. Any new exterior lighting on the site shall be screened from residential properties.

Financial Impact

There is no financial impact to the City.

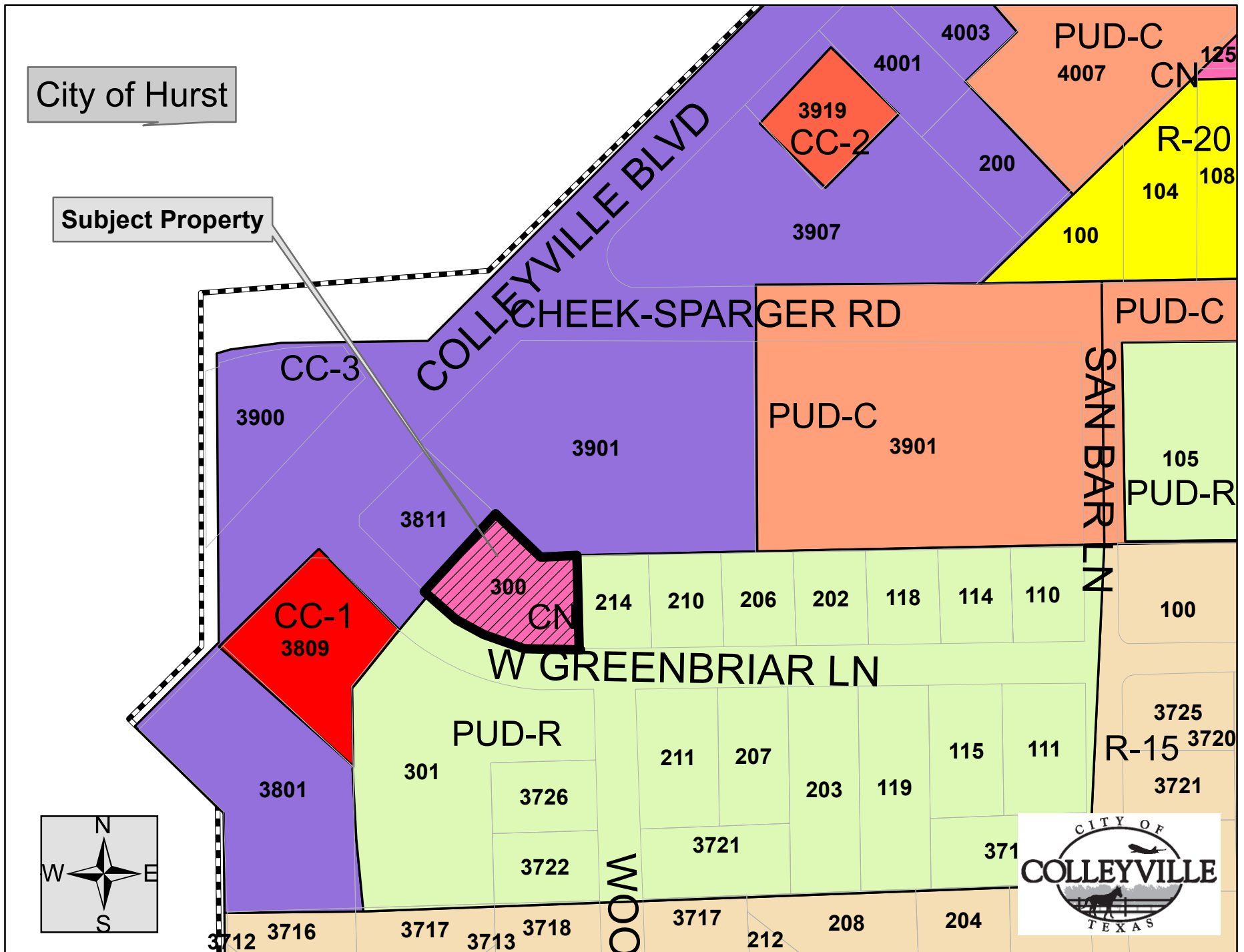
Recommendation

Approve

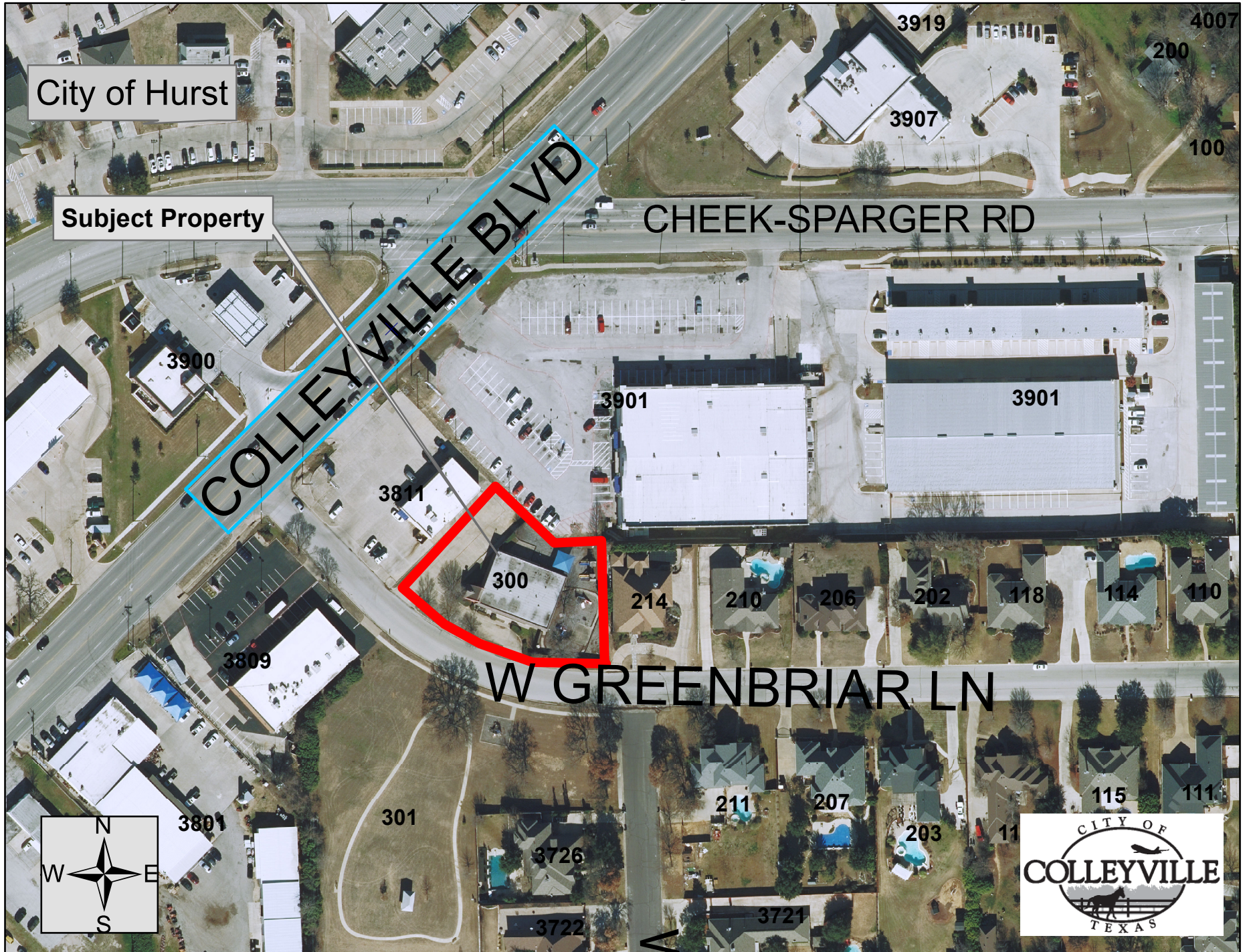
Attachments

1. Zoning Map
2. Aerial Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Site Plan
6. Interior Floor Plan
7. Site Photos
8. Notification Map
9. Notification List
10. Letter to City Council - Applicant Absence
11. Ordinance O-16-1977

Zoning Map



Aerial Map



City of Hurst

Subject Property

COLLEYVILLE BLVD

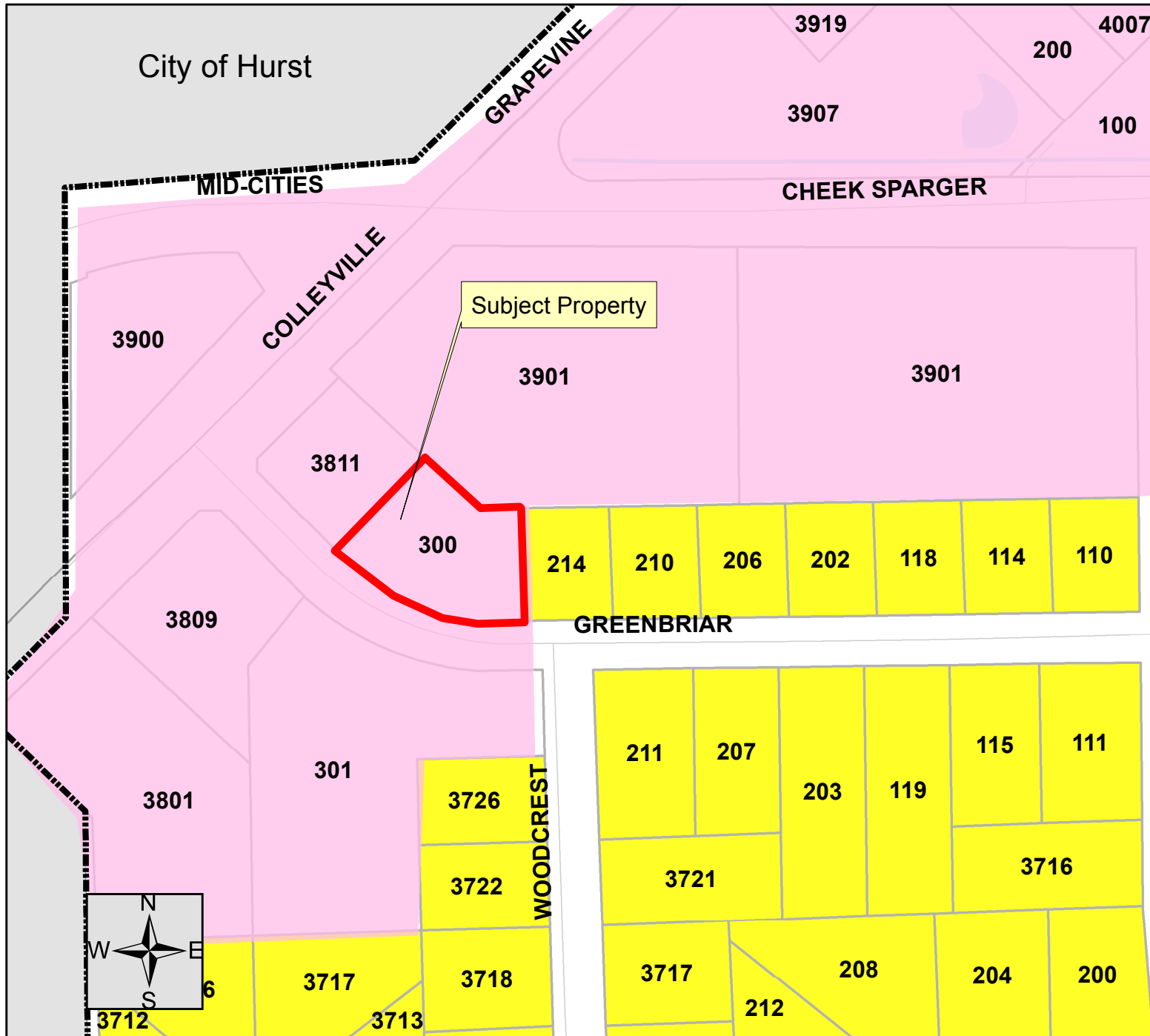
CHEEK-SPARGER RD

W GREENBRIAR LN



Future Land Use Map

Case ZC15-023
300 W. Greenbriar Ln.



Legend

- RESIDENTIAL
- COMMERCIAL
- INSTITUTIONAL
- PARKS/ OPEN SPACE
- COLLEYVILLE BLVD CORRIDOR
- Subject Property
- Parcels
- COLLEYVILLE CITY LIMITS



Statement of Planning objective

The purpose of this SUP is to allow Sherwood Montessori Academy to operate a child care facility. Sherwood Montessori Academy is focused on providing early childhood development and daycare services to children from the age of 6 months to 12 years to the Colleyville community. The school will be focused on providing early childhood learning experiences by using the Montessori methodology. The **Montessori Method** of education, developed by Dr. Maria **Montessori**, is a child-centered educational approach based on scientific observations of children from birth to adulthood. Dr. **Montessori's Method** has been time tested, with over 100 years of success in diverse cultures throughout the world. SMA is dedicated to provide the **Montessori methodology** of education which advocates child centered education approach based on scientific observation of Children from birth to adulthood developed by Dr. Maria Montessori. It is a view of the child as one who is naturally eager for knowledge and capable of initiating learning in a supportive, thoughtfully prepared learning environment. It is an approach that values the human spirit and the development of the whole child- physical, social emotional and cognitive

Sherwood Montessori is more focused on providing stimulating and cognitive environment where a child can have the choice as to as which activities they do first learn what they want to learn. Montessori Philosophy is based on scientific studies and it has been reported that Montessori students have:

- *more interest in learning,
- *more self disciplined
- * have a greater understanding of truth and fairness
- *more creativity, especially in their writing
- *are more independence
- *a better understanding of concepts from grammar and story structure to mathematical operations, algebra and geometry
- *have a deep understanding of and how geography, history, social studies, and science are all related

RECEIVED
DEC 23 2015
Per

Mission Statement: "Create a positive life experience in children"

Company Goals and Objectives: Sherwood Montessori Academy here by referred to as 'SMA' in this document. The primary objective is to provide a carefully planned, stimulating environment which will help every child to develop positive attitude, self-confidence, independence, self-discipline and a positive self-image, feeling of self-worth and competence. Our goals are to provide every child a learning opportunity which encourages all children to use their imagination and to investigate and actively explore their environment. We want to give children a secure, positive and stimulating learning environment where they will experience secure, stimulating, healthy and enjoyable opportunities for growth.

Business Philosophy: SMA is dedicated to provide the Montessori methodology of education which advocates child centered education approach based on scientific observation of Children from birth to adulthood developed by Dr. Maria Montessori. It is a view of the child as one who is naturally eager for knowledge and capable of initiating learning in a supportive, thoughtfully prepared learning environment. It is an approach that values the human spirit and the development of the whole child- physical, social emotional and cognitive.

SMA will provide early childhood learning experiences for the children. The children as school will be taught individually and in groups depending on their age. SMA will be also providing services to parents who have infants that require day care facilities and not the learning experiences. SMA plans to provide educational and day care services to children from the age of 6 months to 9 years. SMA will also have a after school program for children enrolled in elementary schools. In the after school program SMA will help the children with their homework (if any) and work on their enrichment.

Hours of operations: The operating hours for the facility are 6:30 A.M. to 6:30 p.m. on Monday through Friday for 12 months. Summer camps will be offer during the three summer months.

No. of Employees: 7

Daycare Programs

- Infant program (6 weeks-12 months)
- Toddler program (13 months-24 months)
- Transition program (2 yrs-3yrs)
- Pre- school program (3- 6yrs)
- After- school program (6yrs-12 yrs)
- Summer program

Other enrichment programs (included in tuition):

- Music
- Fine Art
- Computer
- Foreign Language
- Yoga/Exercise

Extra-Curricular Programs we will offer

- Dance
- Private Spanish
- Basket Ball
- Soccer
- Karate

Special services we offer:

- Pickup and drop off to and from Elementary School.

Important features and benefits

- Certified Directresses
- Classical Montessori Curriculum
- Security Monitoring System
- Indoor Cafeteria
- Indoor play room

RECEIVED

DEC 23 2015

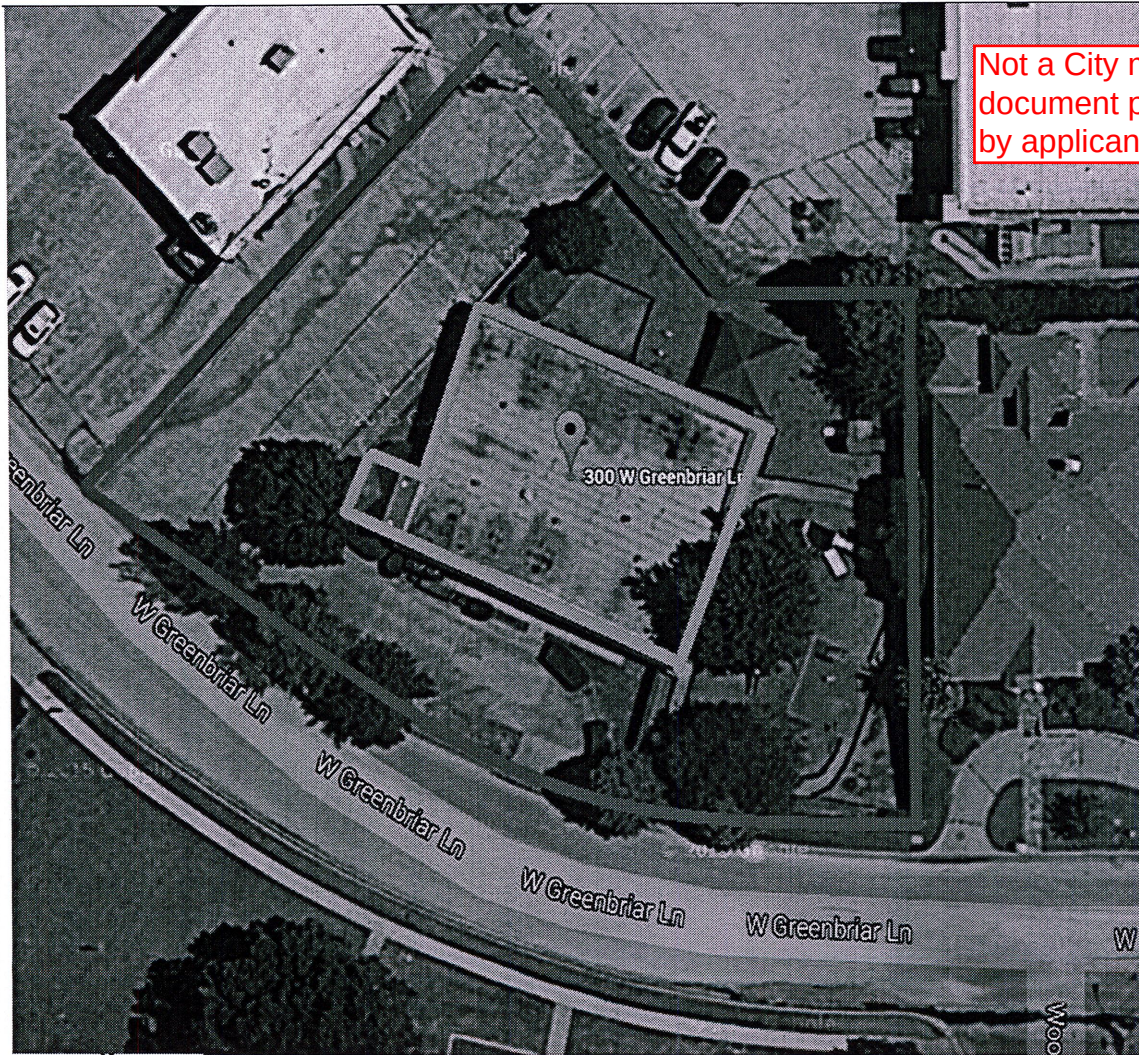
Per

Economic Development information

This Daycare facility will have no Sales Tax impact as we are providing child care and not selling any equipments or goods, our estimated annual revenue is project to be \$86,700- \$1,224,000. The development/renovation cost will be approx. \$ 100000. This facility is a for –profit-entity and therefor will be subject to property and personal property taxes.

Description	Value
Total SQFT of the building area	4950 SQFT
Estimated revenue per sqft	\$175 per sqft per year
Estimated revenue per year	\$86,7000- \$1,224,000
Estimated property Taxes	\$10,500

RECEIVED
DEC 23 2015
Per



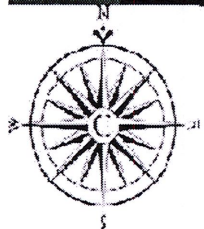
Not a City map--
document provided
by applicant.



Property Information

- Land- 25,918 sq ft
- Building- 4,950 sq ft

Description	Area in SQ FT	% of area
Gross Area	25918	100 %
Floor area	4950	19.11 %
Paved surface area	11000	42.44 %
Open area	9968	38.45 %

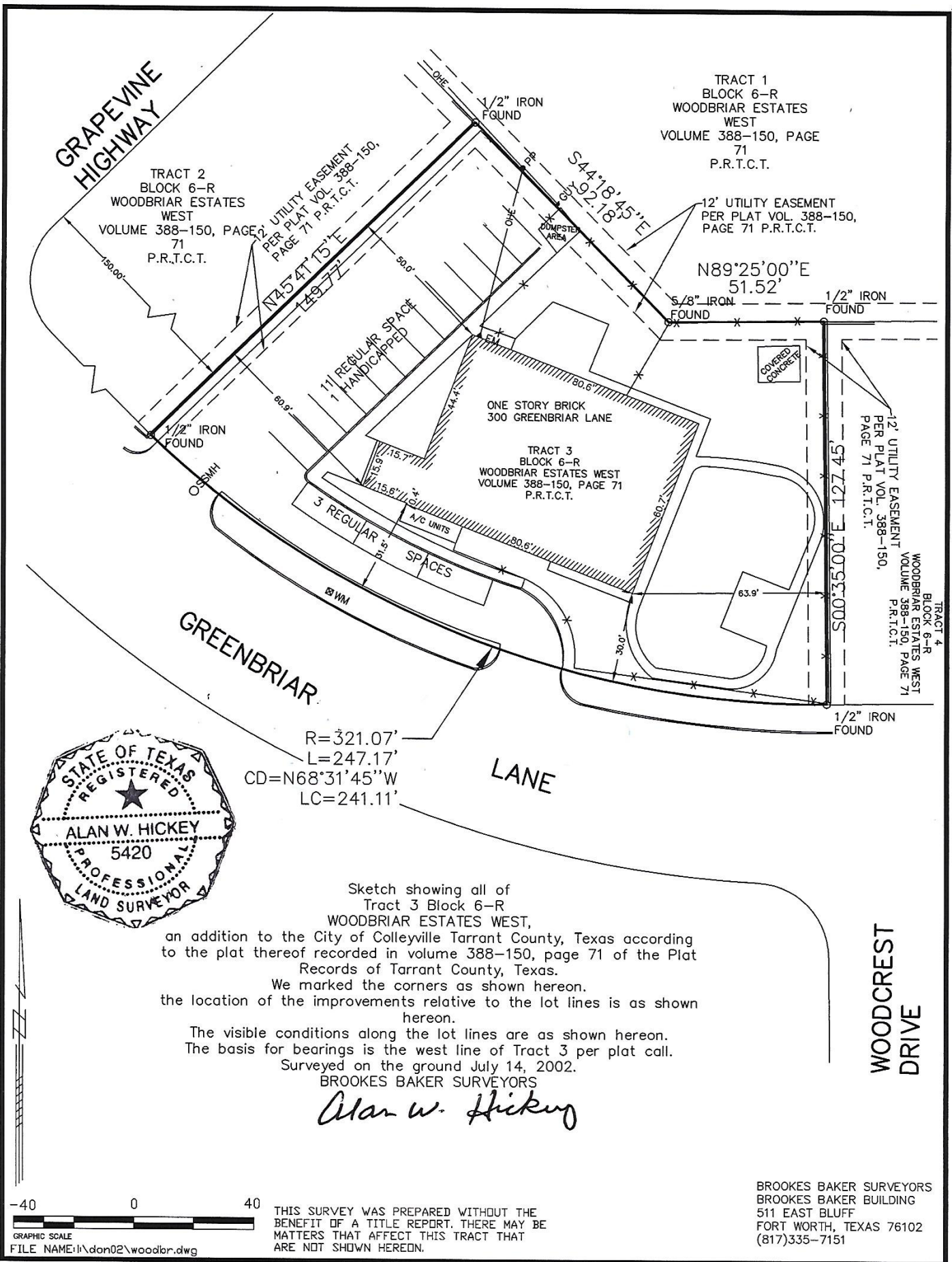


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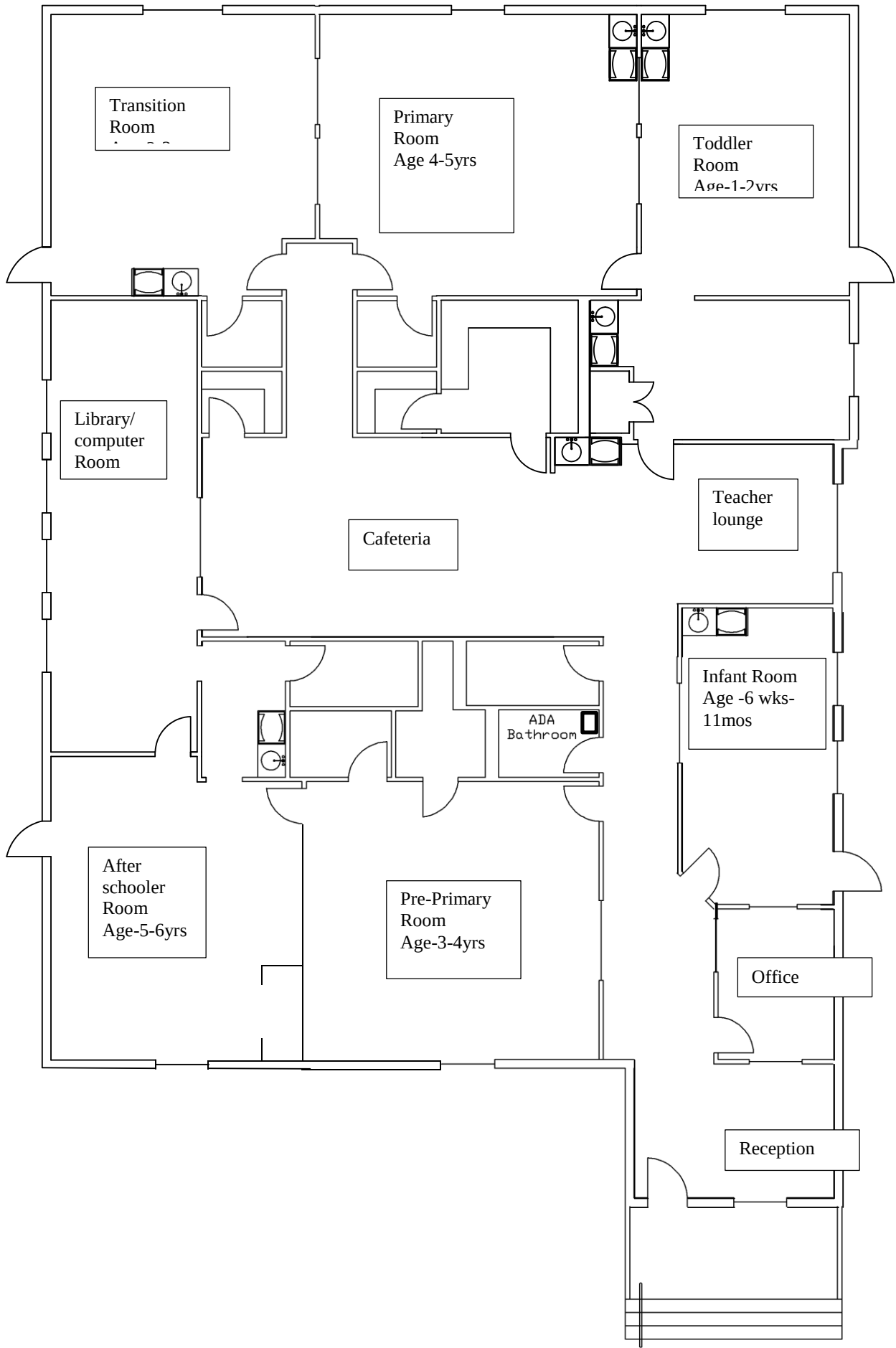
DEC 23 2015

Per

Site Plan



Floor Plan



Site Photos



Site Photos



Site Photos



Site Photos



Site Photos



Site Photos



Site Photos



Site Photos



Notification Map

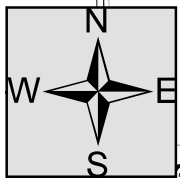
City of Hurst

Subject Property

Case ZC15-023
300 W. Greenbriar Ln.

Legend

-  Properties within 200 feet
 Subject Property
 Parcels
 City Limit



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
PARSONS, STEVE	210 W GREENBRIAR LN	COLLEYVILLE	TX	76034	210 W GREENBRIAR LN
99 CENTS ONLY STORES TX INC	4000 UNION PACIFIC AVE	LOS ANGELES	CA	90023	3901 COLLEYVILLE BLVD
LERER, JANE S	3831 TURTLE CREEK BLVD # 23C	DALLAS	TX	75219	3811 COLLEYVILLE BLVD
HARDIN, LANA MICHELLE	3726 WOODCREST DR	COLLEYVILLE	TX	76034	3726 WOODCREST DR
COLLEYVILLE OAKMONT PART LLC	6421 CAMP BOWIE BLVD STE 302	FORT WORTH	TX	76116	3809 COLLEYVILLE BLVD
ALLEN, TAMERA	211 W GREENBRIAR LN	COLLEYVILLE	TX	76034	211 W GREENBRIAR LN
CLARKE, CANDI LYNNE	214 W GREENBRIAR LN	COLLEYVILLE	TX	76034	214 W GREENBRIAR LN
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE	TX	76034	301 W GREENBRIAR LN
4 HMS LLC	141 QUEST CT	KELLER	TX	76248	300 W GREENBRIAR LN
Grapevine-Colleyville ISD	3051 IRA E WOODS AVE	GRAPEVINE	TX	76051	STATE LAW REQUIRED
WOODBRIAR ESTATES HOA	3700 SWEETBRIAR	COLLEYVILLE	TX	76034	Courtesy Notice
CITY OF HURST	1505 PRECINCT LINE ROAD	HURST	TX	76054	Courtesy Notice
SHALINI SINGH	416 BROKEN SWORD DRIVE	LEWISVILLE	TX	75056	APPLICANT

Public hearing notices were mailed
Thursday, January 28, 2016 by Taci
Wrisley

Letter to City Council - Applicant Absence

Friday, February 26, 2016

Application: Case ZC15-023

Dear City of Colleyville Council Members,

Due to change in date of the city council meeting and our previously arranged plan to be at a family reunion during spring break (LISD calendar), we are unable to attend the City council meeting on March 8th 2016. Our Sincere apologies.

We wanted to Thank you for taking the time and considering our case at the planning and zoning meeting held on Feb 8th. While we were largely in agreement with the stipulations provided to us during the meeting, we did more research on items below and would like to share our findings and request to consider increasing the number of pupils from 70 (currently agreed to) to 100.

- Progress on Shared parking agreements with our neighboring businesses.
- Our findings on the capacity of businesses that have previously operated from the proposed location.
- Our new plan to help with the parking limitations.
- Our Financial projections to help with case for increasing the number of pupils.

We hope that you get to enjoy the upcoming spring break with your family members. We are eagerly looking forward to the Council meeting on March 22nd.

Your Sincerely,

Shalini Singh

Manager
Sherwood Montessori Academy LLC.

ORDINANCE O-16-1977

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING OF LOT 3, BLOCK 6R, OF THE WOODBRIAR ESTATES WEST ADDITION, LOCATED AT 300 WEST GREENBRIAR LANE, BY AUTHORIZING A SPECIAL USE PERMIT FOR A DAY CARE CENTER; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case No. ZC15-023; and

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

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

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

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

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices

by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a Special Use Permit for a day care center on Lot 3, Block 6R, of the Woodbriar Estates West Addition, located at 300 West Greenbriar Lane, as depicted on the attached as Exhibit "A".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The Minimum Tree Preservation requirements of Chapter 5 of the Land Development Code shall be waived for the entire site.
- b. Two trees, meeting the requirements of new plantings in the Land Development Code, shall be provided within 20 feet of the eastern property line, spaced as practical to provide additional screening.
- c. Prior to issuance of a Certificate of Occupancy an off-site parking agreement shall be attained for nearby parking to meet the minimum parking requirements or the maximum number of pupils shall be reduced to 70 to meet on-site parking provided.

- d. The Minimum Design Score Requirement of Chapter 6 of the Land Development Code shall be waived for the existing building.
- e. Any new exterior lighting on the site shall be screened from residential properties.
- f. The subject property shall generally conform to the site plan as depicted in "Exhibit B"

- 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 8th day of March 2016.

The second reading and public hearing being conducted on the 22nd day of March 2016.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the _____ day of _____ 2016.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit "A" - Location and Zoning Map

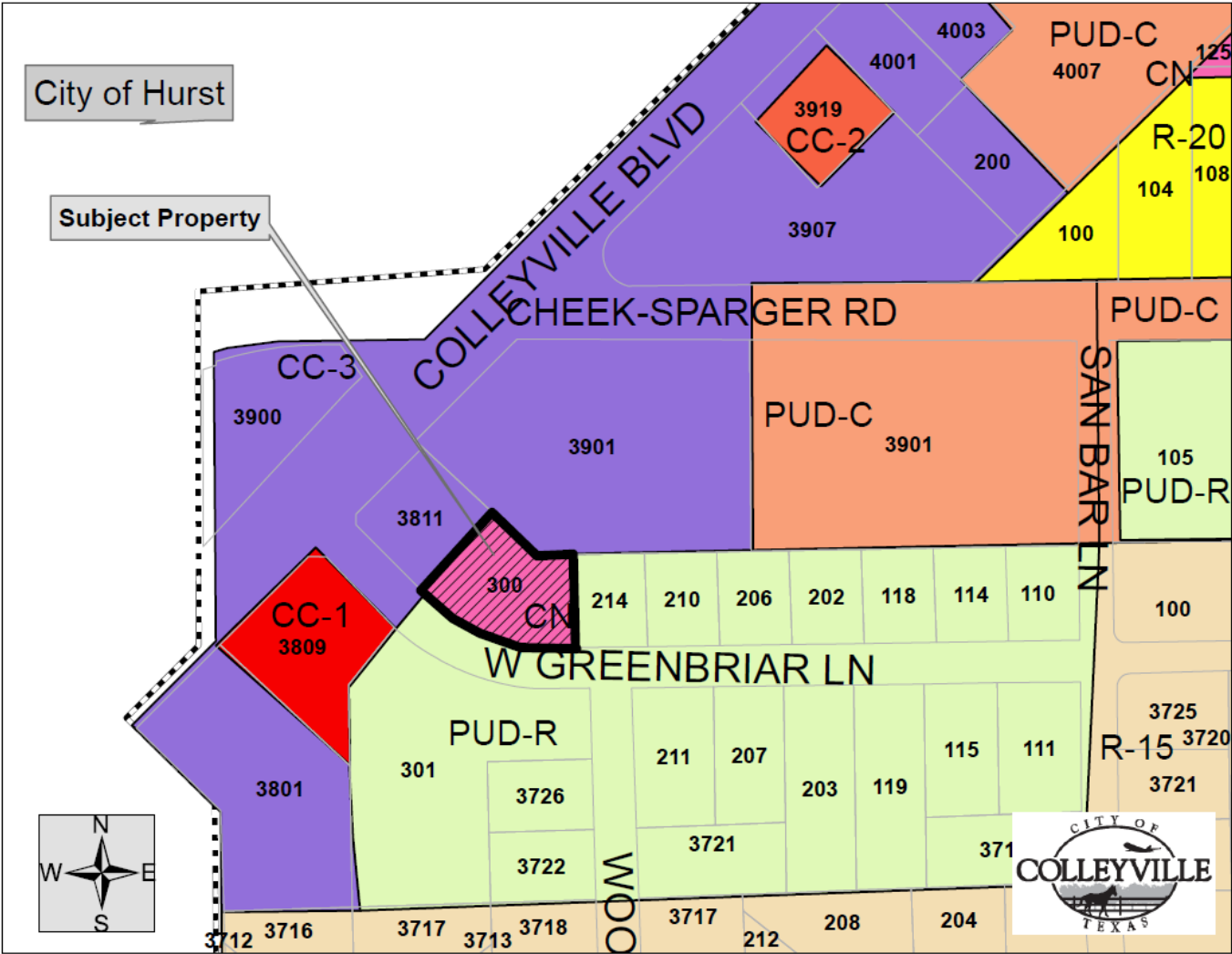
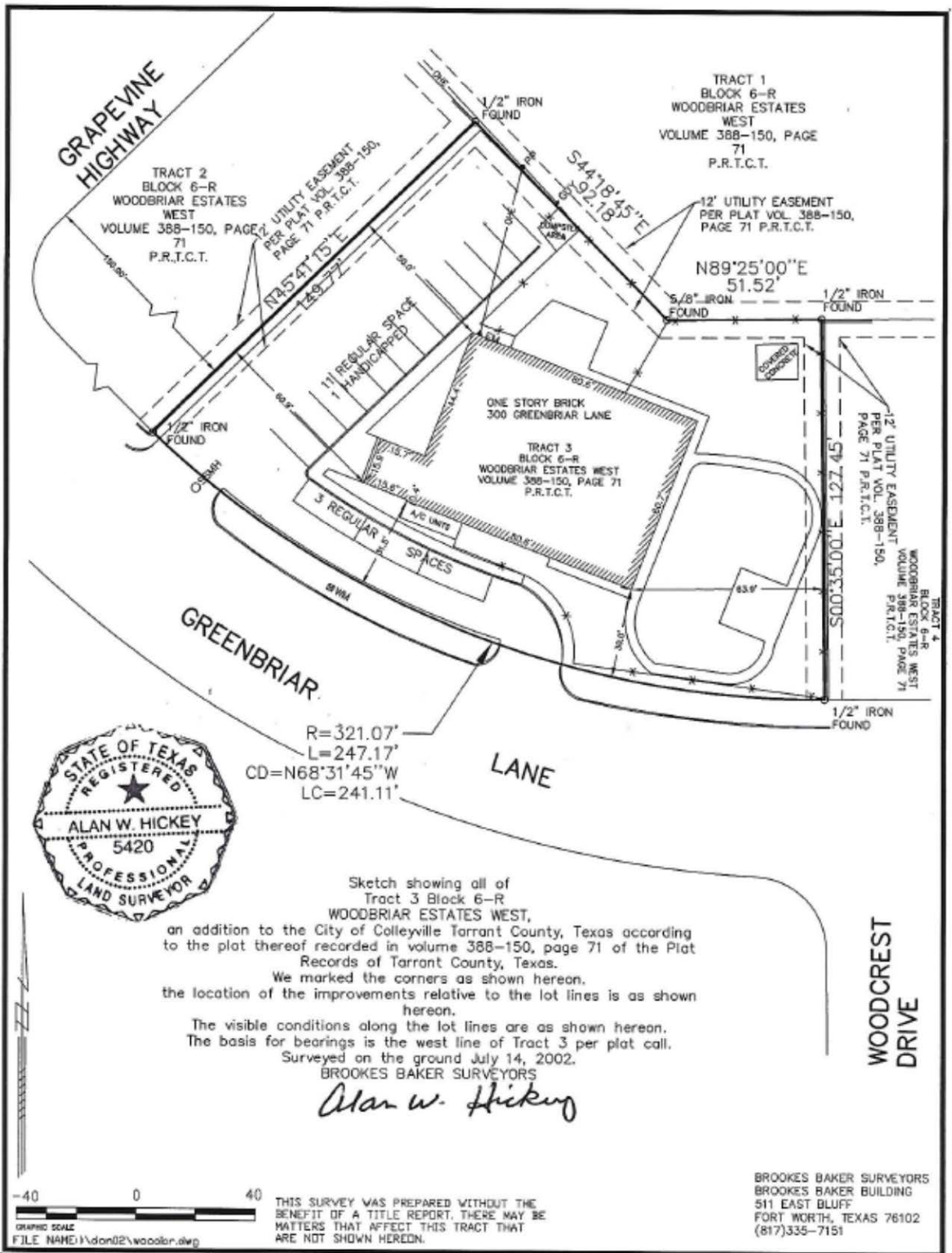


Exhibit “B” – Site Plan





City of Colleyville City Council Agenda Briefing

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

Agenda Number 7a

Agenda Date 03/08/2016

Number Resolution R-16-3971

Type Resolution

Department Community Development

Title

Consideration of an appeal to the decision of the Sign Board of Appeals for a variance to certain provisions of Chapter 7 (Sign Regulations) of the Land Development Code, on Lot 3R2, Block A, of the Colleyville Shopping Village Addition, located at 6209 Colleyville Boulevard (The Benefit Link), Case SC15-003

Strategy Map Connection

There is no strategy map connection for this item.

Explanation

Reading and Public Hearing

The applicant, Lynn Bural, of All Star Signs is requesting a variance to certain requirements of Chapter 7 (Sign Regulations) of the Land Development Code on approximately 1.04 acres located at 6209 Colleyville Boulevard. The applicant is requesting multiple variances to allow a large wall sign for The Benefit Link, a business that assists seniors with Medicare.

The Sign Board of Appeals voted to deny the request at the February 9, 2016 meeting by a vote of 4-1. The applicant is appealing this decision to the City Council. As required by the Land Development Code, the applicant submitted a written notice of appeal within 10 days of the final action by the Sign Board of Appeals.

Existing Conditions/Background: The subject property is generally located on the east side of Colleyville Boulevard, south of Tinker Road and north of Hardage Lane. The subject property is zoned CC-2 Shopping Center District and is platted as Lot 3R2, Block A, of the Colleyville Shopping Village Addition.

The subject property is developed with one commercial building, which is located within a larger commercial and office center along Colleyville Boulevard. The previous tenant on the subject property (AMCAP Mortgage Ltd.) operated with a sign meeting the regulations of Chapter 7 (Sign Regulations).

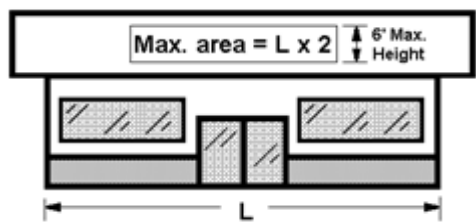
Upon receipt of the original sign application, staff expressed concerns related to the safety and structural integrity of the sign as proposed. Staff requested the applicant resubmit plans stamped by a licensed engineer, verifying the structural integrity of the sign and its proposed placement which spans a 10-foot recessed wall. The applicant has provided the engineered plans which are attached for review.

The proposed application deviates from three of the four standards required for wall signs in Chapter 7. The current proposal will require a variance from the maximum area, maximum width, and horizontal projection provisions of Chapter 7; each of these variances have been detailed below.

Requested Variances to Wall Signs: The applicant is requesting a variance to multiple provisions of Chapter 7 (Sign Regulations) of the Land Development Code to allow for a large sign (23 feet, six inches), which is proposed to span across three distinct and separate wall planes of the building; the center plane is recessed approximately six feet. The attached "Building Façade and Sign Details" illustrates the proposed placement of the sign and the proposed manner of attachment to the building. The applicant has indicated that a larger sign should be permitted due to the articulations on the front building façade and the presence of large trees along Colleyville Boulevard.

Maximum Area:

Request – The applicant is requesting a variance to the maximum area requirements for a wall sign. The total area of the proposed wall sign is 68 square feet.



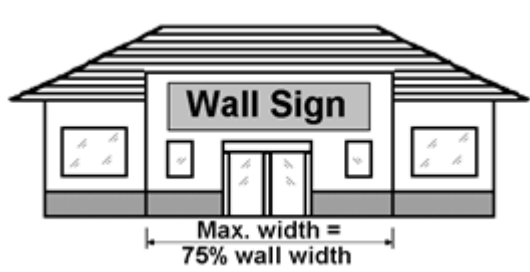
Ordinance – Section - 7.175.D.1 of the Land Development Code states: "The total area of all wall signs on a single tenant building or occupancy space of a multi-tenant building shall not exceed the product of two times the lineal width of the wall on which such signs are located. For purpose of this regulation, on multi-tenant buildings, the width of each lease space shall be used to calculate each sign width."

Analysis – Staff interprets the preceding ordinance language to require the wall sign to be attached to one wall. This interpretation is based on the following language: "shall not exceed the product of two times the lineal width of the wall on which such signs are located." The proposed sign exceeds the maximum allowable area on each of the 12 foot faces (24 square feet) by approximately 183 percent, and exceeds the maximum allowable area of the 10 foot face (20 square feet) by approximately 240 percent. The degree of the requested variance is significant and could set a precedent for future sign requests.

Maximum Width:

Request – The applicant is requesting a variance to the maximum width requirements for a wall sign. The proposed sign would be attached to two separate faces and would

span one face without being attached. The total width of the proposed sign is 23 feet, six inches.



Ordinance – Section - 7.175.D.3 of the Land Development Code states: "Seventy-five percent (75%) of the width of the wall area to which it is attached. When more than one wall sign is used, the combination of the sign widths, when placed side by side, shall not exceed seventy-five (75%) of the width of the wall to which they are attached."

Analysis – Staff interprets the above referenced ordinance language to require a sign to be attached to only one wall face. Revisiting the language, it states: "Seventy-five percent (75%) of the width of the wall area to which it is attached." In the current proposal, the sign is attached to two 12-foot wall faces, and spans one 10-foot wall in the middle to which it is not attached. The ordinance language does not readily provide a method to calculate the maximum width of a sign attached in this manner. However, to illustrate the deviation using staff's interpretation, the width of the sign (23 feet, six inches) exceeds the 75 percent maximum width (9 feet) of the 12 foot face to which it is attached by approximately 161 percent. This deviation is further compounded when calculated for both wall faces. Staff recognizes the unique design characteristics of the building and the desire of the business owner to have highly visible signage. The degree of the requested variance is significant and could set a precedent for future sign requests.

Horizontal Projection:

Request – The applicant is requesting a variance to the maximum projection from the vertical plane of the wall. The proposed wall sign will project approximately six feet from the center wall face. This projection is approximately 300 percent greater than the permitted projection (18 inches) from a wall.

Ordinance – Section - 7.175.D.3 of the Land Development Code states: "No wall sign shall project from the vertical plane of the wall more than eighteen inches (18")."

Analysis –The applicant has provided engineered drawings to support the installation and integrity of the sign, however, the proposed projection could present safety issues over time. The degree of the requested variance is significant and could set a precedent for future sign requests.

Surrounding Development: The table below reflects the surrounding zoning and existing land uses for the subject property as further illustrated on the attached location map:

PUD-C Planned Unit Development Commercial (Llano Sales and Marketing)	CC-2 Shopping Center District (Cornerstone Lending)	CC-2 Shopping Center District (Commercial Offices)
CN Neighborhood Commercial (State Farm)	<i>Subject Property</i> CC-2 Shopping Center District (The Benefit Link)	CC-2 Shopping Center District (Diversified Mortgage)
CPO Professional Office (Alamo Title)	CC-2 Shopping Center District (Reunion Title)	CC-2 Shopping Center District (Commercial Offices)

Public Notification: Staff mailed notices to 21 property owners within 200 feet of the site. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code. Staff has received no correspondence regarding this request.

Sign Board of Adjustment: The Sign Board of Adjustment denied the request at the February 9, 2016 meeting by a vote of 4-1.

Staff Recommendation: The applicant is requesting multiple variances to the provisions for wall signs established in Chapter 7 (Sign Regulations) of the Land Development Code. Staff interprets the ordinance language to only permit a wall sign to be attached to one wall. Based on this interpretation, the proposed sign far exceeds the standards for maximum area, maximum width, and horizontal projection. While staff recognizes the unique design characteristics of the building, the degree of the requested variances are significant and could set a precedent for future sign requests. Staff recommends denial of all three variance requests.

Financial Impact

There is no financial impact to the City.

Recommendation

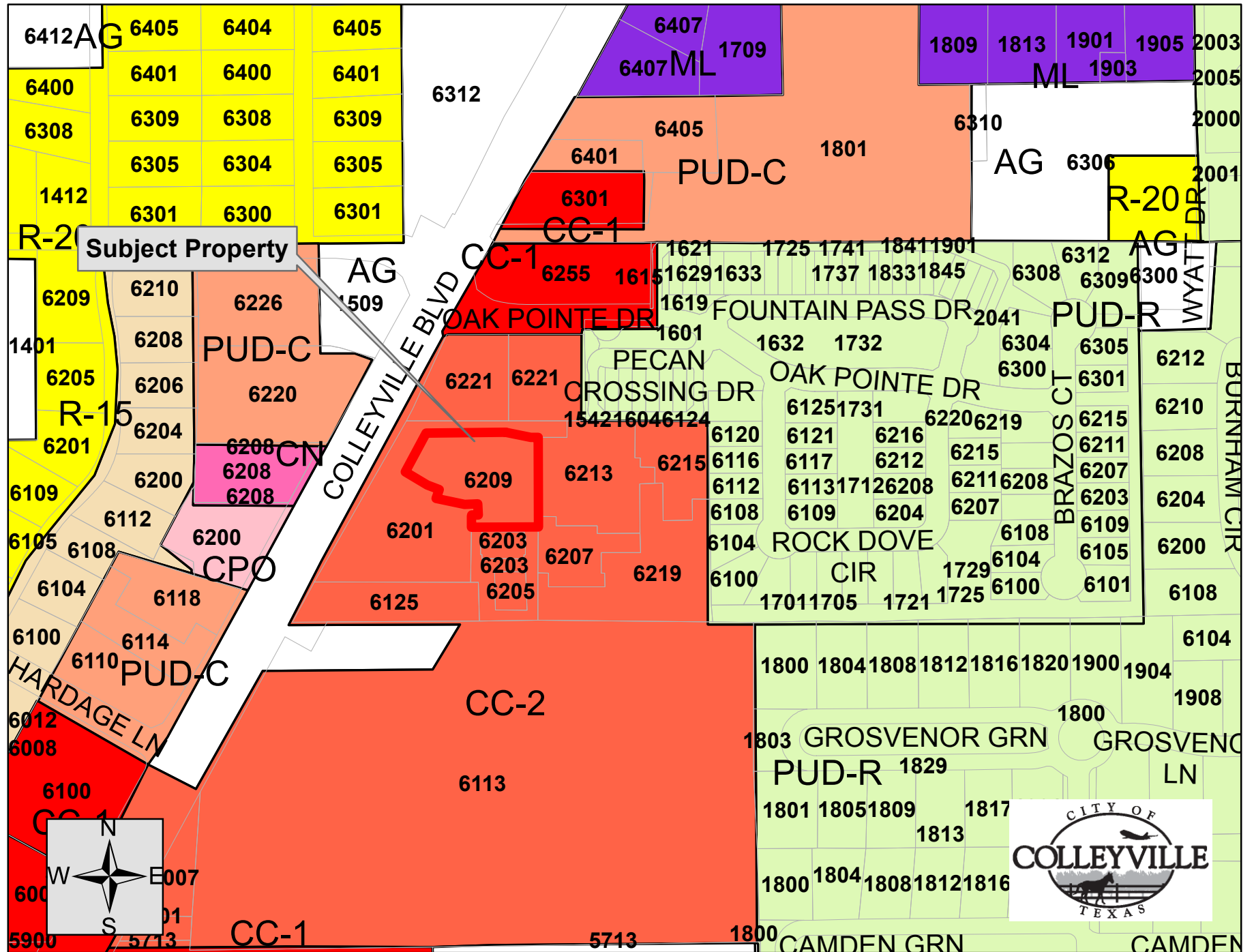
Denial

Attachments

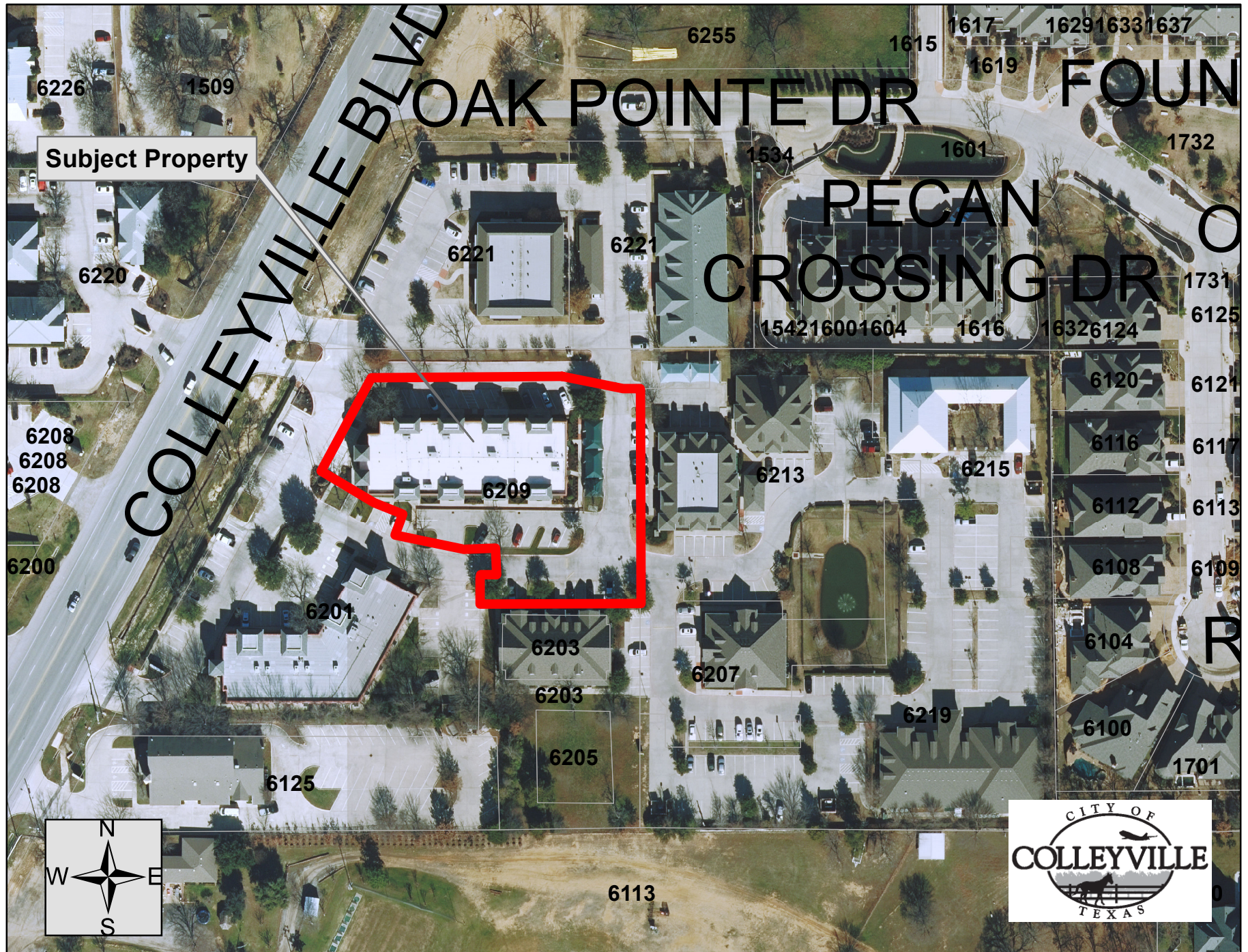
1. Zoning Map
2. Aerial Map
3. Statement of Planning Objectives
4. Building Facade and Sign Details
5. Site Photos
6. Notification Map

7. Notification List
8. Applicant Appeal
9. Resolution R-16-3971

Zoning Map



Aerial Map



Statement of Planning Objectives



The
Benefit
Link Inc.
Assisting Seniors

The Benefit Link, Inc.
6209 Colleyville Blvd.
Colleyville, TX 76034
Phone: 817-539-0626
Fax: 817-717-7173
Toll Free: 866-630-0626

Tuesday, December 15, 2015

City of Colleyville

100 Main Street

Colleyville, TX 76034

RE: The Benefit Link building sign (hardship case)

Dear Sirs,

The Benefit Link is currently under review for a hardship case for our building sign. As a matter of explanation, we are a business that services the senior community. We help the senior community navigate through the maze known as Medicare. We explain, guide and then service these clients. It is extremely important that our clients can see our building to obtain the help they so desperately need.

Presently, the building at 6209 Colleyville Blvd sits back from Colleyville Blvd and is lined by trees that obstruct visibility. A sign significant in size as we have requested would help alleviate this problem. We thank you in advance for your help in this matter.

Sincerely,

Stewart Scothorn

CEO

RECEIVED

DEC 21 2015

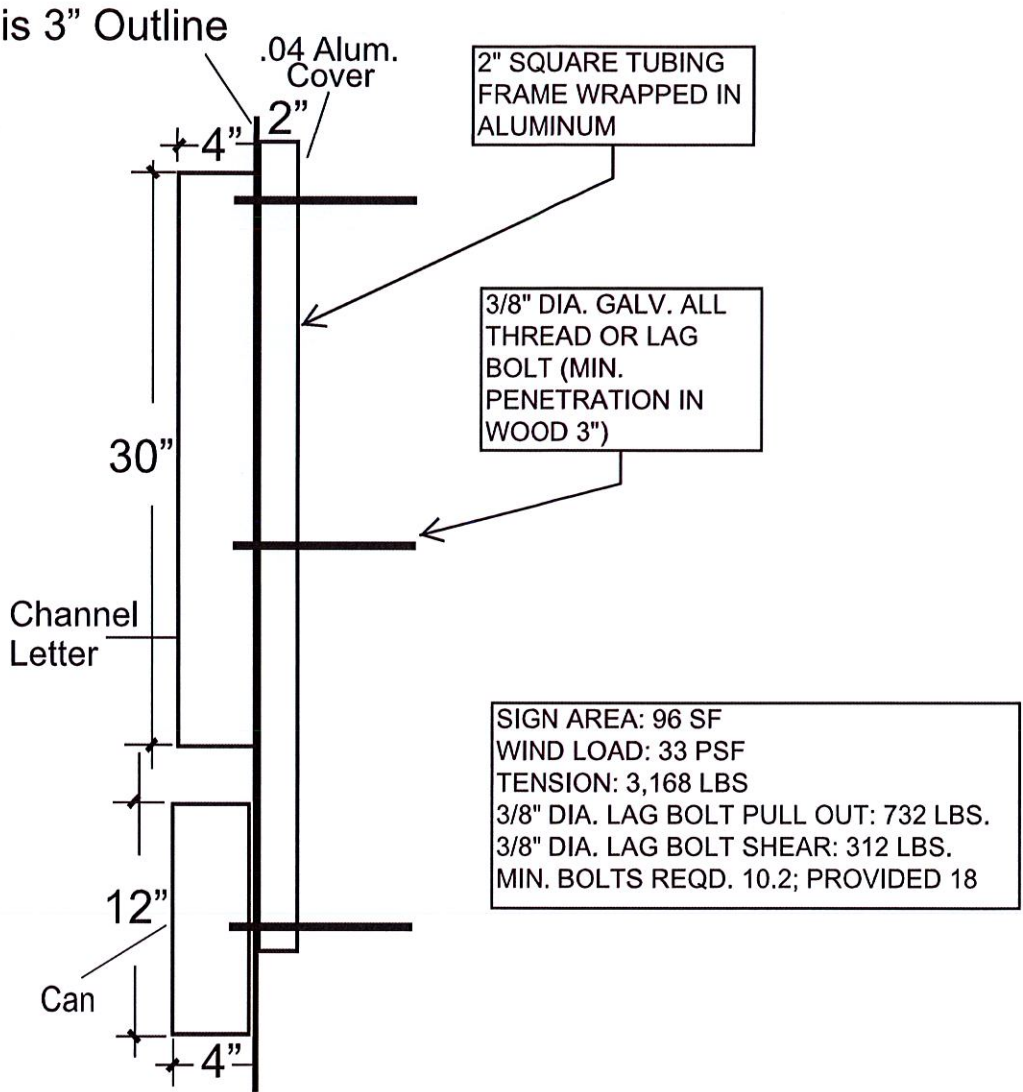
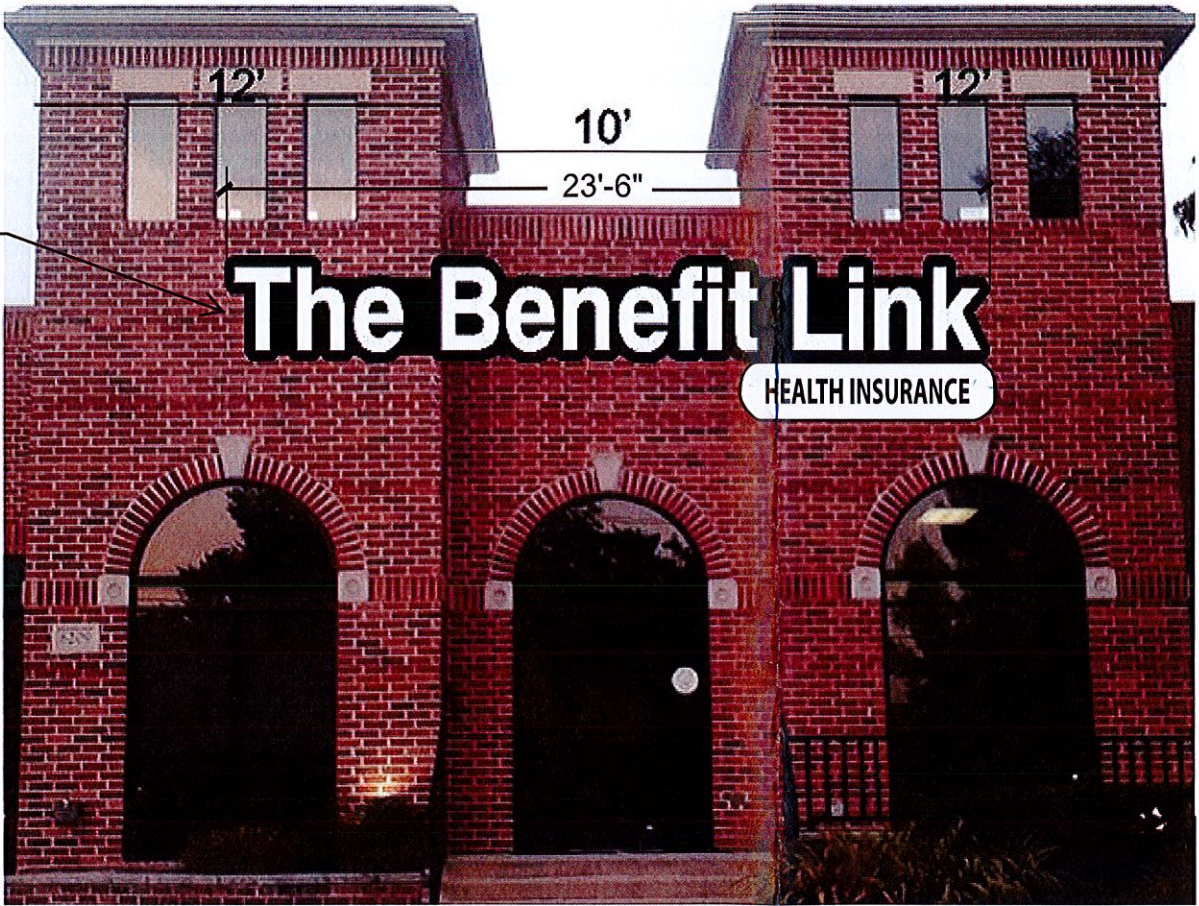
Per *[Signature]*

Building Facade and Sign Details

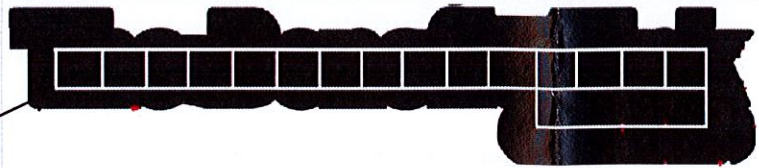


*2X4 ADDITIONAL
BLOCKING

ATTACH SQUARE
TUBING RACEWAY TO
BLDG. WITH 3/8" DIA.
GALV. ALL THREAD
(INCL. WASHERS AND
LOCK WASHERS AND
LOCK NUTS ON
CORNERS) OR 3/8"
DIA. GALV. LAG BOLT
IF IN WOOD STUD
(MIN. 8 TURNS), EACH
SIDE, EQUALLY
SPACED (3 VERT, 3
TOP RAIL, 3 BOTTOM
RAIL). PROVIDE 2X4
BLOCKING ON INSIDE
FACE BTWN STUDS
WHERE NECESSARY*.

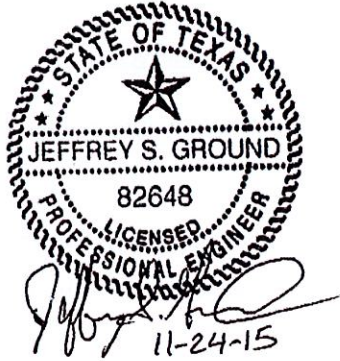


11 GA. 2" SQUARE TUBING, 2'X2' FRAME
W/ 1/8" ALUMINUM BACKPLATE (CLOUD)



CONTRACTOR:
ALLSTAR SIGNS
5104 CHELSEA DR.
COLLEYVILLE, TX 76034
(817) 528-0614

OWNER/LOCATION:
BENEFIT LINK
6209 COLLEYVILLE BLVD.



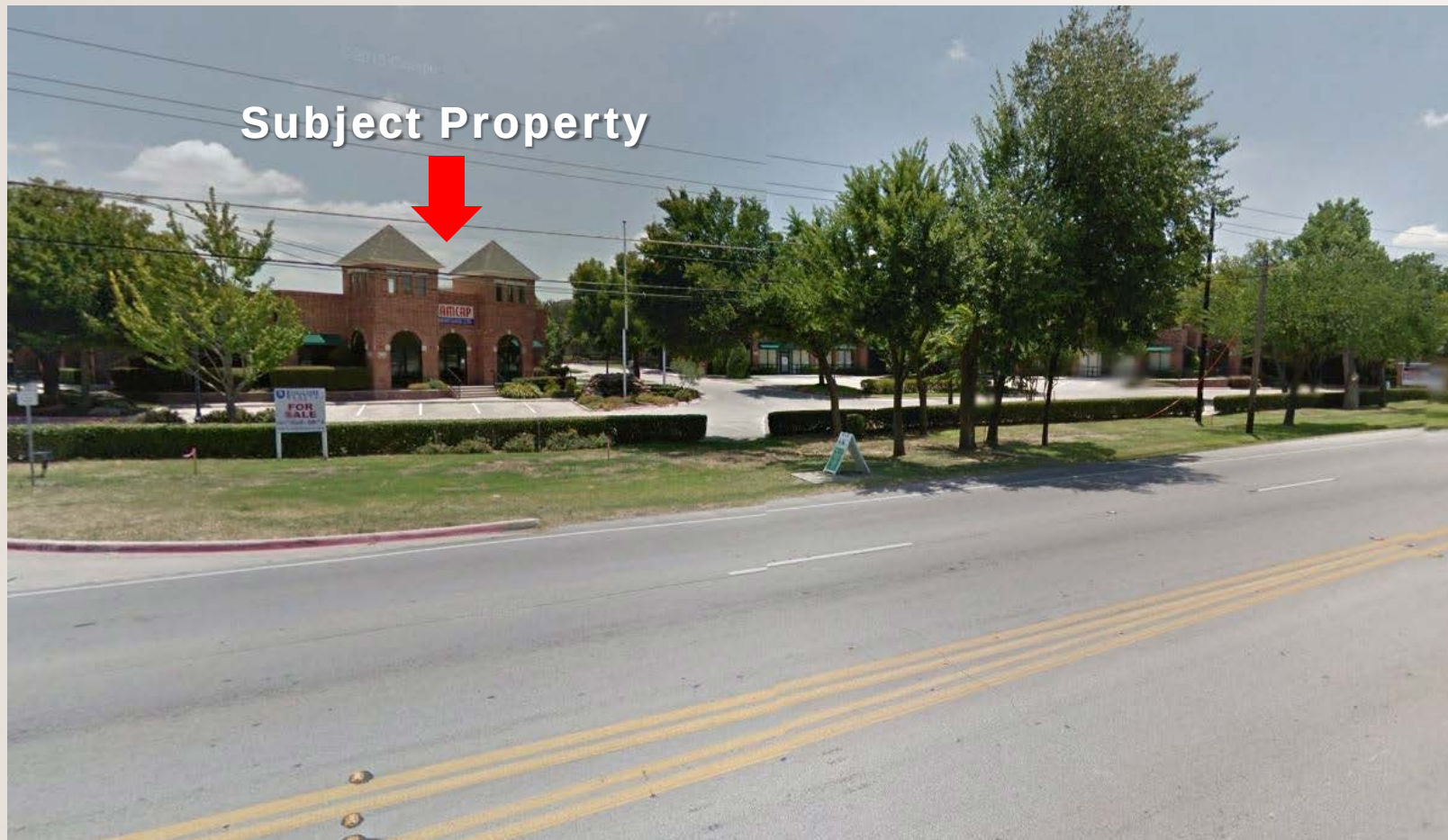
PREPARED BY:
J. S. GROUND ENGINEERING, LLC
4108 DUNDEE CT.
COLLEYVILLE, TX 76034
(817)320-5330
FIRM REGISTRATION NO. F-1276



THE BENEFIT LINK (SC15-003)

Site Photos, March 2, 2016

From Colleyville Boulevard, Traveling South, Looking East



From Colleyville Boulevard, Traveling North, Looking East



From South Entrance to Subject Property Looking North



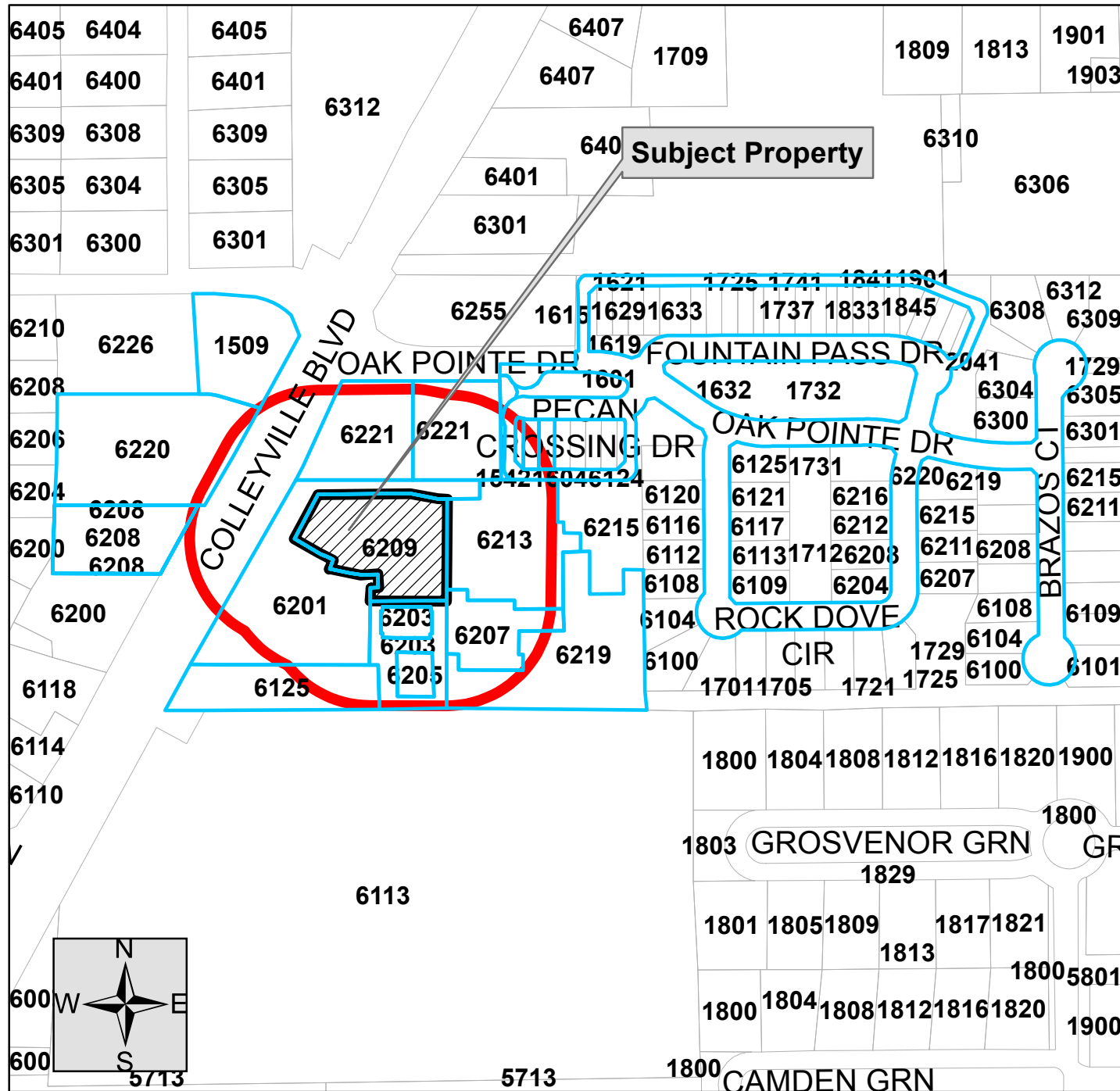
From North Entrance to Subject Property, Looking South



From North Entrance to Subject Property, Looking South



Notification Map



Case SC15-003
6209 Colleyville Blvd.

Legend

- Properties within 200 feet
- Subject Property
- Parcels



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
STRICTLAND, DOUG	6208 COLLEYVILLE BLVD	COLLEYVILLE	TX	76034	6208 COLLEYVILLE BLVD # B
PECAN GARDENS ESTATES LP	901 JOHN MCCAIN RD	COLLEYVILLE	TX	76034	6220 COLLEYVILLE BLVD
AVALON COMM PROPERTIES LLC	3145 GEARY BLVD STE 737	SAN FRANCISCO	CA	94118	6219 COLLEYVILLE BLVD
JACE PROPERTIES LLC	3241 HORSESHOE DR	GRAPEVINE	TX	76051	6208 COLLEYVILLE BLVD # A
JACE PROPERTIES LLC	3241 HORSESHOE DR	GRAPEVINE	TX	76051	6208 COLLEYVILLE BLVD
COLLEYVILLE PROPERTIES LLC	3145 GEARY BLVD STE 737	SAN FRANCISCO	CA	94118	6213 COLLEYVILLE BLVD
CAMPO SAN ANTONIO LLC	PO BOX 15697	NEWPORT BEACH	CA	92659	6207 COLLEYVILLE BLVD
COLLEYVILLE PROPERTIES LLC	3145 GEARY BLVD STE 737	SAN FRANCISCO	CA	94118	6221 COLLEYVILLE BLVD
VILLAS AT OAK POINTE HOA INC	6308 WESTCOAT DR	COLLEYVILLE	TX	76034	1731 FOUNTAIN PASS DR
COLLEYVILLE PROPERTIES LLC	3145 GEARY BLVD STE 737	SAN FRANCISCO	CA	94118	6221 COLLEYVILLE BLVD
FALI HOLDINGS INC	2326 W AIRPORT FWY	IRVING	TX	75062	6205 COLLEYVILLE BLVD
DREILING REALTY LLC	6308 WESTCOAT DR	COLLEYVILLE	TX	76034	1542 PECAN CROSSING DR
4 H REAL ESTATE LLC	6125 COLLEYVILLE BLVD	COLLEYVILLE	TX	76034	6125 COLLEYVILLE BLVD
VILLAS AT OAK POINTE HOA INC	6308 WESTCOAT DR	COLLEYVILLE	TX	76034	1534 PECAN CROSSING DR
R H LENDING INC	6209 COLLEYVILLE BLVD	COLLEYVILLE	TX	76034	6209 COLLEYVILLE BLVD
PMT PARTNERS IX LTD	1585 KAPIOLANI BLVD STE 1110	HONOLULU	HI	96814	6201 COLLEYVILLE BLVD
COLLEYVILLE SQUARE PTNRS II	99 MAIN ST STE 200	COLLEYVILLE	TX	76034	6203 COLLEYVILLE BLVD
OSK INVESTMENTS LP	902 TURNBERRY LN	SOUTHLAKE	TX	76092	6203 COLLEYVILLE BLVD
BUFE, MARTHA	1509 TINKER RD	COLLEYVILLE	TX	76034	1509 TINKER RD
VILLAS AT OAK POINTE HOA INC	6308 WESTCOAT DR	COLLEYVILLE	TX	76034	1536 PECAN CROSSING DR
HALLEN, P	1600 PECAN CROSSING DR	COLLEYVILLE	TX	76034	1600 PECAN CROSSING DR
LYNN BURAL	5104 CHELSEA DRIVE	COLLEYVILLE	TX	76034	APPLICANT

Public hearing notices were mailed
Friday, January 22, 2016 by Tac
Wrisley

Applicant Appeal

Shane Pace

From:
Sent: Monday, February 15, 2016 4:33 PM
To: Shane Pace
Cc: 'Deanna'
Subject: Benefit link sign variance

Shane,

Please appeal to council asap!

Lynn Bural

All Star Signs DFW
817-528-0614
lynn@allstarsignsdfw.com
TESCL # 18798

RESOLUTION R-16-3971

**A RESOLUTION APPROVING AN APPEAL OF THE
SIGN BOARD OF APPEALS DECISION REGARDING A VARIANCE
REQUEST FROM THE SIGN REGULATIONS FOR LOT 3R2, BLOCK A, OF
THE COLLEYVILLE SHOPPING VILLAGE ADDITION
LOCATED AT 6209 COLLEYVILLE BOULEVARD**

WHEREAS, an appeal request has been received from Lynn Bural regarding the decision of the Sign Board of Appeals; and

WHEREAS, Section 1.15, Waivers and Appeals – Sign Board of Appeals of the Land Development Code, authorizes the City Council to grant a waiver to the Sign Board of Appeals decision.

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

Sec. 1. THAT the request of Lynn Bural, for a variance from Section 7-175.D – Sign Regulations of the Land Development Code regarding the maximum area, width, and projection of a wall sign to allow for the erection of a sign consistent with Exhibit “A” is hereby approved.

Sec. 2. THAT all provisions of the Land Development Code shall be met, except as amended herein.

AND IT IS SO RESOLVED.

PASSED BY A VOTE OF _____ AYES, _____ NAYS, AND _____ ABSTENTIONS
ON THIS THE 8TH DAY OF MARCH 2016.

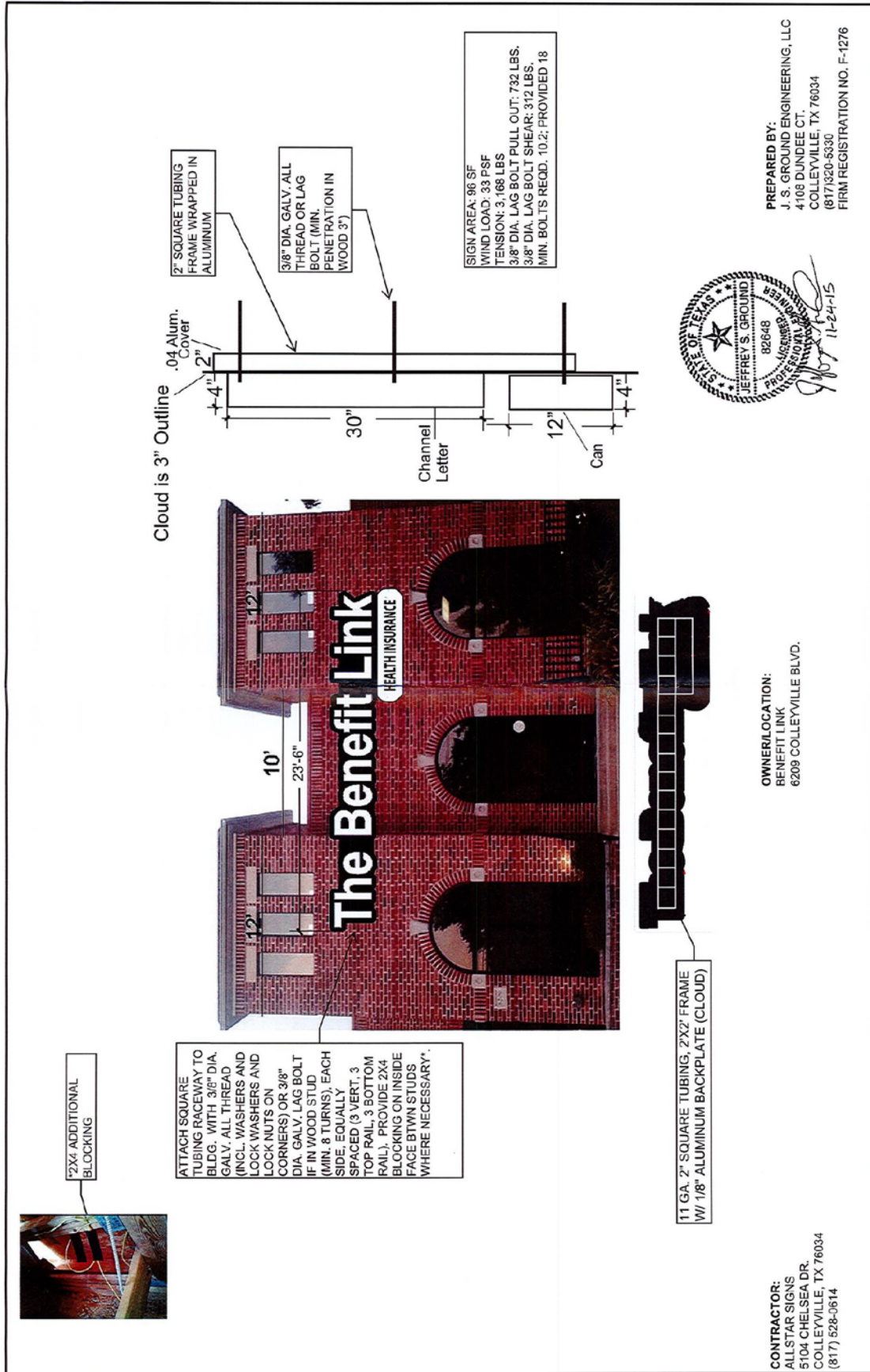
ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TMRC
City Secretary

David Kelly
Mayor

Exhibit "A"



RESOLUTION R-16-3972

**A RESOLUTION APPROVING CITY COUNCIL ACTION
UNDER BUSINESS AT THE REGULAR CITY COUNCIL MEETING OF
MARCH 8, 2016**

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

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON
THIS THE 8TH DAY OF MARCH 2016

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor