



City of Colleyville City Council Agenda

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

Tuesday, June 5, 2018

**WORKSESSION
5:30 PM
EXECUTIVE CONFERENCE ROOM
THIRD FLOOR**

CALL TO ORDER

WS-1 Discussion of Health Insurance Renewal

WS-2 Overview of the Budget Process

WS-3 Discussion of dates for a City Council goals and objectives worksession

WS-4 Discussion of the City Council portrait

WS-5 Discussion of the June 5, 2018, 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 items on the agenda

Section 551.071 - Legal - Consultation with attorney regarding contemplated and/or pending litigation, including:

- Glade Road eminent domain cases for Parcels 150 and 159

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

- Glade Road Project Phases 1B and 2
- Acquisition of real property along SH26

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

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

INVOCATION: Pastor Josh Anderson, Colleyville Presbyterian

PLEDGE OF ALLEGIANCE: City Attorney Whitt Wyatt

- 2. EXECUTIVE SESSION READING AND PUBLIC HEARING: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - RESOLUTION R-18-4267**

3.

ELECTION OF A MAYOR PRO TEM

Election of Mayor Pro Tem

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

Presentation of the new City vehicle tailgate wraps – Mayor Newton and Public Information Specialist Dustin Dangli

Presentation of the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award for the Fiscal Year 2018 budget - Mayor Richard Newton and CFO Shereen Gendy

- 5. CONSENT: READING AND PUBLIC HEARING- RESOLUTION R-18-4268**

- 5a** Approval of the minutes of the Special City Council meeting of May 15, 2018
- 5b** Approval of the minutes of the regular City Council meeting of May 15, 2018
- 5c** Approval of a contract with Merrell Bros., Inc., in an amount not to exceed \$388,520, for the dredging of the Kimzey Park pond, and authorizing the City Manager to execute the contract
- 5d** Approval of an amendment to the agreement for professional services with Freese and Nichols, Inc. in an amount not to exceed \$183,020 for an additional scope of work, including development of construction documents for the City plaza, and authorizing the City Manager to execute the amendment

- 5e** Approval of a construction contract with GRA-Tex Utilities, Inc., for the Manning Drive Wastewater Project 3 and Paving Improvements Project, in an amount not to exceed \$606,193.50 which includes a \$30,000 contingency, and authorizing the City Manager to execute the contract and any associated change orders

6. ORDINANCE(S): FIRST READING AND PUBLIC HEARING

6a Ordinance O-18-2044

Consideration of an amendment to the PUD-R Planned Unit Development-Commercial zoning district to allow for a drive-through services on Lot 3, Block 11, Longwood Estates at Ross Downs, located at 7181 Colleyville Boulevard, Case ZC18-009

6b Ordinance O-18-2045

Consideration of a Special Use Permit to exceed the maximum number and total maximum size allowed by right for accessory buildings on Lot 1, Block 1, of the K Bar G Estates addition, located at 6401 Westcoat Drive, Case ZC18-010

6c Ordinance O-18-2046

Consideration of a zoning change from the AG-Agricultural zoning district to the R-40 Single Family Residential zoning district on a portion of Lot 1, Block 1, of the Wood Estates Addition, located at 411 McDonwell School Road E, Case ZC18-011

6d Ordinance O-18-2047

Consideration of a Special Use Permit to exceed the total maximum size allowed by right for accessory buildings and for a Servants' or Caretakers' Quarters on Tract 5B02, Abstract 294, in the Robert Chowing Survey, located at 5810 Pool Road, Case ZC18-012

6e Ordinance O-18-2048

Consideration of a zoning change from the AG-Agricultural and R-20 Single Family Residential zoning districts to the AG-Agricultural and R-20 Single Family Residential zoning districts on Lot 1, Block 1, of the Allzim Acres Addition, and Tracts 2A7B, 2A8C, & 2A9A, Abstract 533, in the Mary M. Freeman Survey, and Tract 4D02, Abstract 295, in the William E. Crooks Survey, located at 7209 & 7215 John McCain Road, Case ZC18-013

6f Ordinance O-18-2049

Consideration of a zoning change from the AG-Agricultural zoning district to the RE Single Family 'Estate' Residential zoning district on Tracts 1B & 1B1A, Abstract 294, in the Robert Chowning Survey, located at 6900 Pool Road, Case ZC18-014

7. RESOLUTION(S): READING AND PUBLIC HEARING**7a Resolution R-18-4268**

Consideration for approval of a site plan for athletic fields on Lot 1R, Block 1, of the Covenant Christian Academy Addition, located at 901 Cheek-Sparger Road, Case SP18-001

7b Resolution R-18-4269

Request to appeal the decision of the Sign Board of Appeals for the consideration of a variance to the provisions of Section 7-150, Permanent Freestanding Signs – Sign Classification and Regulations of the Land Development Code, specifically the minimum setback requirements, on Lot 2, Block 1, of the SW Colleyville Office Park Addition, located at 607 Cheek-Sparger Road, Case SC18-001

7c Resolution R-18-4270

Consideration of a waiver request to the sidewalk requirements on Eastpointe Court of Eastpointe Terrace subdivision located at 6480 Pool Road, Case GC18-001

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

Planning and Zoning Commission Worksession Meeting Minutes - February 26, 2018

Planning and Zoning Commission Worksession Meeting Minutes - March 26, 2018

10. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR JUNE 5, 2018 - READING AND PUBLIC HEARING - RESOLUTION R-18-4271**11. ADJOURNMENT**

I hereby certify this agenda was posted on City Hall bulletin boards Friday, June 1, 2018 by 5:00 p.m.

Christine Loven, 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
www.colleyville.com

Agenda Number WS-1

Agenda Date 06/05/2018

Type Worksession

Department Human Resources

Title

Discussion of Health Insurance Renewal

Strategic Plan

2.2 Recruit and retain a highly-qualified workforce

2.4 Demonstrate stewardship of public resources

Explanation

This item provides for an update on the health insurance renewal process as well as opportunity for City Council and staff to discuss the medical insurance and health reimbursement arrangement (HRA) for the upcoming fiscal year.

Attachments

1. City of Colleyville - RFP Analysis Council

Where Experience and
Independence Matter

Corporate Benefits Consulting
Insurance Planning Services
Retirement Plan Consulting



City of Colleyville – RFP Analysis

Andrew Weegar

Employee Benefits Specialist



June 5, 2018



Table of Contents

- I. Overview*
- II. RFP Vendor Response*
- III. Medical RFP Results*
- IV. 2018-2019 Recommendations*

Overview

This presentation summarizes the initial results of an RFP conducted by IPS Advisors, a division of HUB International on behalf of the City of Colleyville to assess vendors to administer the following benefits effective October 1, 2018:

- Medical and Pharmacy (Fully-Insured)

The RFP was conducted with the following objectives in mind:

- Aligns with the City of the Colleyville's objectives and is supported by management and Council;
- Demonstrated superior member service and claims processing;
- Ability to proactively meet the City of Colleyville's service needs;
- Willingness, experience and capability to effectively administer the programs;
- Support during the implementation process;
- Options to manage costs.

Claims vs Premium Update

Date	Enrollees	Medical Claims	Rx Claims	Total Cost	Premium	Loss Ratio
16-Oct	171	\$47,141	\$33,744	\$80,885	\$177,994	45.4%
16-Nov	171	\$142,592	\$24,210	\$166,802	\$179,045	93.2%
16-Dec	171	\$113,947	\$45,680	\$159,627	\$181,426	88.0%
17-Jan	171	\$260,123	\$22,980	\$283,103	\$181,733	155.8%
17-Feb	169	\$120,553	\$23,412	\$143,965	\$178,647	80.6%
17-Mar	169	\$104,070	\$29,757	\$133,827	\$178,647	74.9%
17-Apr	167	\$122,198	\$26,803	\$149,001	\$177,559	83.9%
17-May	167	\$251,616	\$25,591	\$277,207	\$177,559	156.1%
17-Jun	171	\$250,789	\$34,817	\$285,606	\$180,630	158.1%
17-Jul	173	\$200,555	\$24,209	\$224,764	\$183,223	122.7%
17-Aug	174	\$133,503	\$28,102	\$161,605	\$184,256	87.7%
17-Sep	175	\$107,204	\$42,840	\$150,044	\$184,774	81.2%
Plan Year Total	171	\$1,854,291	\$362,145	\$2,216,436	\$2,165,493	102.4%
17-Oct	175	\$88,539	\$33,956	\$122,495	\$182,124	67.3%
17-Nov	172	\$92,915	\$29,127	\$122,042	\$179,865	67.9%
17-Dec	172	\$85,702	\$27,231	\$112,933	\$178,155	63.4%
18-Jan	174	\$249,899	\$22,310	\$272,209	\$179,360	151.8%
18-Feb	170	\$84,662	\$17,883	\$102,545	\$175,052	58.6%
18-Mar	169	\$74,078	\$25,496	\$99,574	\$175,796	56.6%
18-Apr	168	\$133,543	\$25,485	\$159,028	\$176,509	90.1%
Plan Year Total (YTD)	171	\$809,338	\$181,488	\$990,826	\$1,246,861	79.5%

*Loss Ratio Last Twelve Months: 96.3%



II. RFP Vendor Response



Vendor List

Medical – Fully Insured

Blue Cross Blue Shield - Incumbent-Presented

Cigna - Presented

United Healthcare - Quoted / Not Competitive

Aetna - Quoted / Not Competitive

TML - Declined

Scott & White - Declined

III. Medical RFP Results



City of Colleyville - 2018 -2019 Medical Benefit Summary

MEDICAL BENEFITS	1BCBSTX		2Cigna	
	PPO- Base	PPO- Buy Up	PPO- Base	PPO- Buy Up
	Current/Renewal	Current/Renewal	Proposed	Proposed
Deductible				
In-Network	\$4,000 Ind./\$8,000 Fam.	\$2,000 Ind./\$4,000 Fam.	\$4,000 Ind./\$8,000 Fam.	\$2,000 Ind./\$4,000 Fam.
Non-Network	\$8,000 Ind./\$16,000 Fam.	\$4,000 Ind./\$16,000 Fam.	\$8,000 Ind./\$16,000 Fam.	\$4,000 Ind./\$16,000 Fam.
Out Of Pocket Max	Includes Deductible	Includes Deductible	Includes Deductible	Includes Deductible
In-Network	\$5,000 Ind. / \$10,000 Fam.	\$3,000 Ind. / \$6,000 Fam.	\$5,000 Ind. / \$10,000 Fam.	\$3,000 Ind. / \$6,000 Fam.
Non-Network	\$10,000 Ind. / \$20,000 Fam.	\$8,000 Ind. / \$16,000 Fam.	\$10,000 Ind. / \$20,000 Fam.	\$8,000 Ind. / \$16,000 Fam.
Coinsurance				
In-Network	80%	90%	80%	90%
Non-Network	50%	70%	50%	70%
Lifetime Max	Unlimited	Unlimited	Unlimited	Unlimited
Emergency Room				
In-Network	\$250 Copay (waived if admitted)/ Ded./ 20%	\$200 Copay (waived if admitted)/Ded./ 10%	\$250 Copay (waived if admitted)/ Ded./ 20%	\$200 Copay (waived if admitted)/Ded./ 10%
Non-Network	\$250 Copay (waived if admitted)/ Ded./ 20%	\$200 Copay (waived if admitted)/Ded./ 10%	\$250 Copay (waived if admitted)/ Ded./ 20%	\$200 Copay (waived if admitted)/Ded./ 10%
Physician Office Visit				
In-Network	\$30 Copay	\$25 Copay	\$30 Copay	\$25 Copay
Non-Network	Ded./50%	Ded./ 30%	Ded./50%	Ded./ 30%
Specialist Office Visit				
In-Network	\$50 Copay	\$30 Copay	\$50 Copay	\$30 Copay
Non-Network	Ded./50%	Ded./ 30%	Ded./50%	Ded./ 30%
Preventive Care				
In-Network	Covered at 100%	Covered at 100%	Covered at 100%	Covered at 100%
Non-Network	Ded./50%	Ded./30%	Ded./50%	Ded./ 30%
Urgent Care				
In-Network	\$75 Copay	\$75 Copay	\$75 Copay	\$75 Copay
Non-Network	Ded./50%	Ded./ 30%	Ded./30%	\$75 Copay
Lab & X-Ray	(CT, PET, MRI, MRA)	(CT, PET, MRI, MRA)	(CT, PET, MRI, MRA)	(CT, PET, MRI, MRA)
In-Network	Ded./ 20%	Ded./ 10%	Ded./ 20%	Ded./ 10%
Non-Network	Ded./ 50%	Ded./ 50%	Ded./ 50%	Ded./ 50%
In-Patient Hospital				
In-Network	Per Admission	Per Admission	Per Admission	Per Admission
Non-Network	Ded./ 20%	Ded./ 10%	Ded./ 20%	Ded./ 10%
	Ded./ 50%	Ded./ 50%	Ded./ 50%	Ded./ 50%
Out-Patient				
In-Network	Per Admission	Per Admission	Per Admission	Per Admission
Non-Network	Ded./ 20%	Ded./ 10%	Ded./ 20%	Ded./ 10%
	Ded./ 50%	Ded./ 30%	Ded./ 50%	Ded./ 30%
Telemedicine	MDLive	MDLive	MDLive	MDLive
Prescriptions	Copays apply to OOP Max Separate Deductible: \$100 Ind./\$300 Fam.	Copays apply to OOP Max Separate Deductible: \$100 Ind./\$300 Fam.	Copays apply to OOP Max Separate Deductible: \$100 Ind./\$300 Fam.	Copays apply to OOP Max Separate Deductible: \$100 Ind./\$300 Fam.
Network Retail Pharmacy	\$20/\$40/\$70	\$20/\$40/\$70	\$20/\$40/\$70	\$20/\$40/\$70
Mail Order (90 day supply)	Tier Copay x3 + 30%	Tier Copay x3 + 30%	Tier Copay x3	Tier Copay x3
Specialty Drugs	\$20/\$40/\$70	\$20/\$40/\$70		

Note: This is a brief summary and not intended to be a contract.

City of Colleyville Medical RFP Financial Results (Current Benefits)

1			2		3		4			
MEDICAL BENEFITS			BCBSTX		BCBSTX		BCBSTX - BAFO		Cigna - BAFO	
	Enrollment		PPO - Base	PPO - Buy Up	PPO - Base	PPO - Buy Up	PPO - Base	PPO - Buy Up	PPO - Base	PPO - Buy Up
FINANCIALS	Base	Buy	Current	Current	Renewal	Renewal	Ren. Renewal	Ren. Renewal	Proposed	Proposed
Employee Only	44	23	\$508.85	\$559.80	\$587.21	\$646.01	\$544.47	\$598.99	\$561.20	\$613.48
Employee & Spouse	10	12	\$1,138.91	\$1,252.92	\$1,314.30	\$1,445.87	\$1,218.63	\$1,340.62	\$1,255.96	\$1,372.97
Employee & Child(ren)	9	13	\$915.49	\$1,007.14	\$1,056.48	\$1,162.24	\$979.57	\$1,077.64	\$1,009.59	\$1,103.65
Employee & Family	36	22	\$1,541.05	\$1,695.32	\$1,778.37	\$1,956.40	\$1,648.92	\$1,813.99	\$1,699.31	\$1,857.62
	99	70								
Monthly Premium	169		\$97,496	\$78,300	\$112,510	\$90,359	\$104,320	\$83,781	\$107,514	\$85,801
Annual Premium			\$1,169,949	\$939,604	\$1,350,119	\$1,084,303	\$1,251,843	\$1,005,376	\$1,290,166	\$1,029,609
Total Premium			\$2,109,552		\$2,434,422		\$2,257,218		\$2,319,776	
\$ Change from Current			N/A		\$324,870		\$147,666		\$210,224	
% Change from Current			N/A		15.4%		7.0%		10.0%	
Effective Date			10/1/2017		10/1/2018		10/1/2018		10/1/2018	
Rate Guarantee			1 year		1 Year		1 Year		1 Year	
Geo Access Results			97.9%		98.5%		98.5%		98.9%	
Network Name			BlueChoice PPO Network		BlueChoice PPO Network		BlueChoice PPO Network		Cigna Open Access Plus	
Network Website			www.bcbstx.com		www.bcbstx.com		www.bcbstx.com		www.cigna.com	
AM Best Rating			A		A		A		A	

Note: This is a brief summary and not intended to be a contract.

IV. 2018-2019 Recommendations



2018-2019 Recommendations

Medical – Blue Cross Blue Shield of Texas (Recommended)

BCBSTX presented a +15.4%, or \$324,870 increase to rates for the 2018-2019 plan year with no plan design changes. The increase was primarily due to the loss ratio over the last twelve months (96.3%) and losses incurred last plan year. Additionally, there are 4 catastrophic claimants over \$50K in claims spend.

IPS did evaluate vendors in the market, but carriers such as Aetna and UHC presented increases of +20%. Cigna, who was named a finalist presented a +10% increase as their best and final offer. Through negotiations during the RFP process, IPS was able to reduce the BCBS renewal to a +7%, or \$147,666 increase over current rates.

IPS reviewed alternative plan options for cost considerations, however BCBSTX nor the market were able to provide enough savings to warrant a change. IPS is recommending the City of Colleyville renew with BCBSTX for the 2018-2019 plan year with no plan design changes.

The City is proposing implementing a Health Reimbursement Account (HRA) effective 10/1/18 which had been discontinued two years ago. Employees will be responsible for the first \$750 of their deductible, and the City will reimburse \$1,250 foremployeeonly, \$2,500 for family coverage. The estimated cost to the City is \$101,625 for the 2018/2019 plan year.

Dental – Cigna (Recommended)

The dental renewal from Cigna will be made available in June. Based on dental claims experience and the loss ratio exceeding 100%, IPS is not recommending the City move dental vendors this year due to the dental rate cap of +5%. If the cap was not in place, IPS projections show an increase of +10% would be warranted.

2018-2019 Recommendations (continued)

Vision – Superior Vision

No changes are recommended the vision benefits at this time as the policy is currently in a rate guarantee until 10/1/2020.

Ancillary Benefits – B a s i c Life AD&D/Voluntary Life/LTD – D e a r b o r n National

The ancillary benefits with Dearborn National are currently in a rate guarantee until 10/1/2019 and no changes are recommended to the plan of benefits at this time.

Employee Assistance Program - Alliance Work Partners

Renewing with AWP is recommended for the 2018-2019 plan year with a -6% decrease to rates. No changes are recommended at this time and rates will be guaranteed for one year.





City of Colleyville City Council Agenda Briefing

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

Agenda Number WS-2

Agenda Date 06/05/2018

Type Worksession

Department City Manager

Title

Overview of the Budget Process

Strategic Plan

- 1.4 Communicate thoroughly and strategically
- 2.4 Demonstrate stewardship of public resources

Explanation

This agenda item provides for a discussion of background information related to the annual budget and an overview of the annual budget process and components. It also includes a review of background information regarding the tax rate and an overview of the tax rate adoption process. Staff will present the attached presentation and answer any questions the City Council may have.

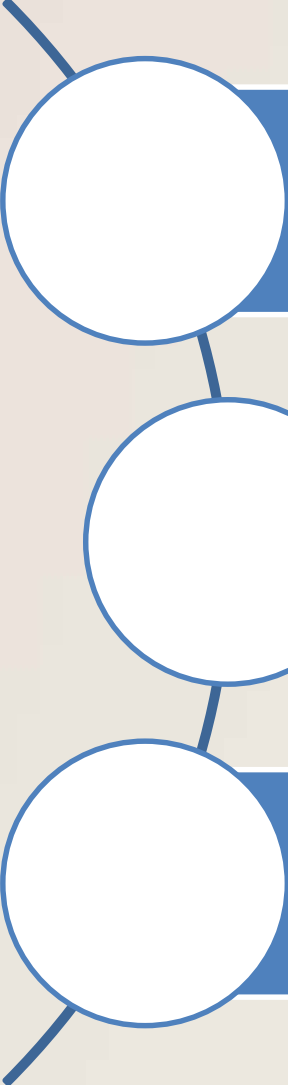
Attachments

- 1. Budget Process Overview Presentation
- 2. FY 2019 Budget Calendar

Budget Process Overview

City Council Worksession
June 5, 2018

Presentation Overview

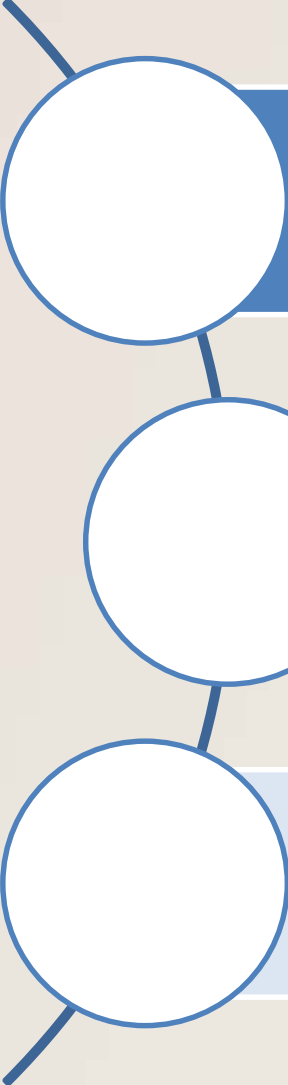
A diagram consisting of three white circles with blue outlines, arranged vertically and connected by a blue line. Each circle is positioned to the left of a blue rectangular box containing text.

Budget background information

Budget process and components

Tax rate background and process

Presentation Overview

A diagram consisting of three white circles with blue outlines, connected by a blue line. The circles are arranged vertically, with the top circle slightly offset to the left and the bottom circle slightly offset to the right. The middle circle is centered.

Budget background information

Budget process and components

Tax rate background and process

Background: Major Funds



Operating Funds: an annual expenditure budget is adopted for these funds in a single ordinance

- General Fund
- Utility Fund
- Drainage Fund
- Debt Service Fund

Funds with an annually adopted budget that have other approval and governing requirements:

- Colleyville Crime Control and Prevention District (CCCPD)
- Colleyville Economic Development Corporation (CEDC)

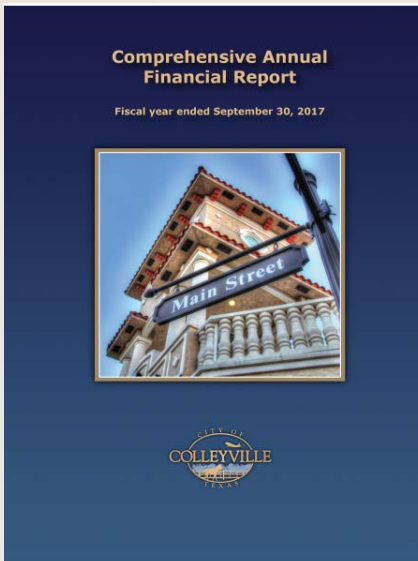
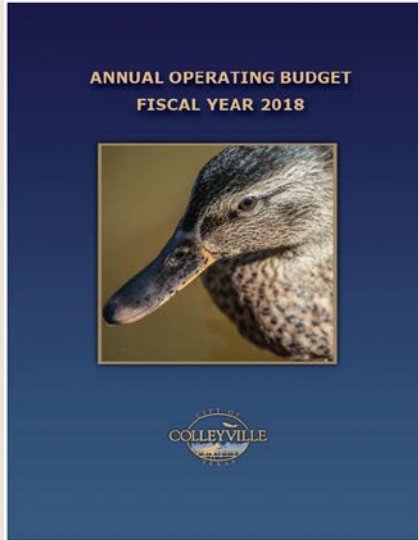
Funds without an annually adopted budget, that serve as internal savings accounts or maintain funds for multi-year/capital projects:

- Capital Projects Fund
- (New) Utility Capital Projects Fund
- (Coming Soon) Drainage Capital Projects Fund
- Vehicle & Equipment Replacement Fund

Funds restricted for specific purposes and do not have an annually adopted budget:

- Tax Increment Financing (TIF) District
- Various special revenue funds

Background: Budget vs. CAFR



- Budget:
 - Looks forward
 - Projects revenues and expenditures
 - Serves as a:
 - Financial plan
 - Policy document
 - Operations guide
 - Communications device
- Comprehensive Annual Financial Report (CAFR)
 - Looks backward
 - Follows General Accepted Accounting Principles (GAAP)
 - Records actual revenues and expenditures
 - Records depreciation expense
 - Asset value often included, in addition to cash

Background: Council Approval



- Formally adopts the budget (expenditures) as a total for each operating fund
- Amends budget, if needed, during the year and typically at year-end
- Sets the tax rate and all other fees and charges
- Adopts a 5-year CIP by resolution
 - Approval of a plan, not appropriation of funding
- Approves all purchases and contracts over \$50,000



Background: Fiscal Year



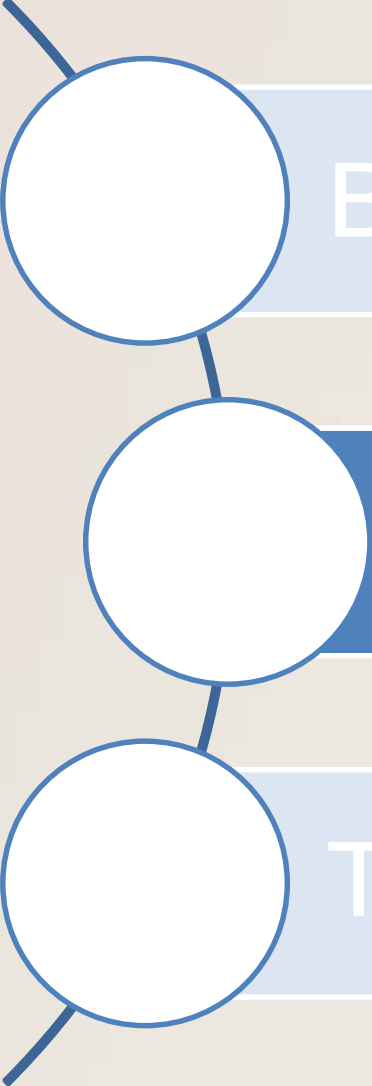
- October 1 – September 30
- Operating budget money not spent (i.e. expenditures coming in under budget) at September 30th must either be transferred to a non-operating fund (to set aside/save) or it rolls back in to fund balance and must be “re-appropriated” by Council
- Similarly, any revenues received above what is needed to cover expenditures rolls into fund balance at year-end, unless it is specifically set aside

Background: Budget Amendment



- To avoid needlessly high operating reserves, the City Council typically approves a budget amendment in September, to set aside excess operating funds at year-end (amounts vary each year)
- Excess operating funds are transferred to the appropriate companion capital projects fund and serve as an important revenue source for the City's capital projects
- The excess operating funds are then used to fund future capital projects in the 5-Year Capital Improvement Plan

Presentation Overview

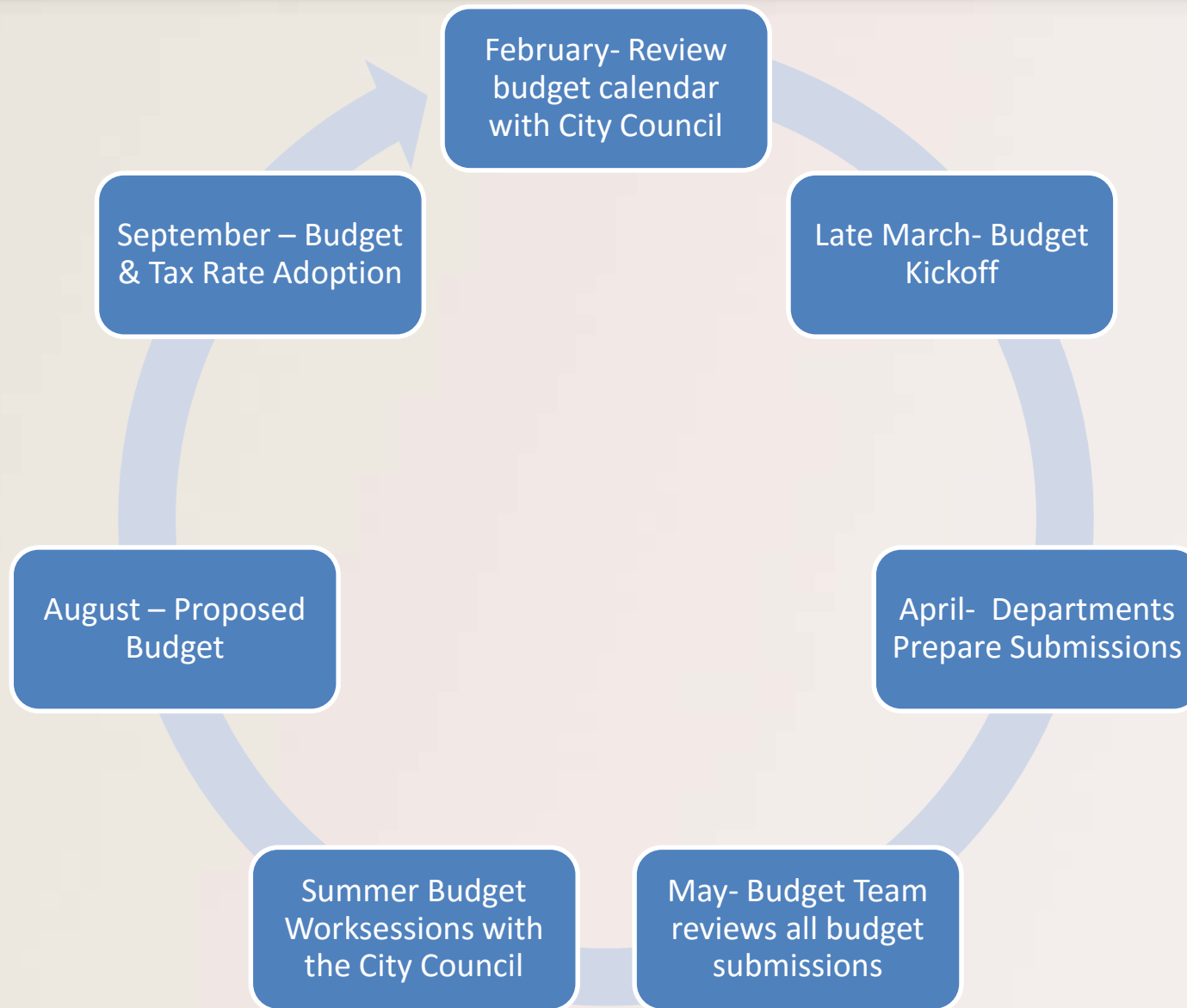
A vertical line of three white circles with blue outlines, connected by a blue line. The middle circle is highlighted with a blue background.

Budget background information

Budget process and components

Tax rate background and process

Budget Process: Overview



Budget Process: Budget Kickoff



- Prior to Budget Kickoff, the Budget Calendar agreed upon by City Council in February is distributed to staff for scheduling around key dates
- Kickoff meeting is typically held in late March
- Kickoff agenda and purpose is to review the following with staff:
 - Budget process
 - Deadlines
 - Expectations
 - Mechanical “how to’s”
 - Walk through tutorial in budget software



Budget Process: Department Submissions



- Each department begins by reviewing the current year line-item detail
 - Subtract: budget \$ for items that are no longer needed
 - Add: cost increases that are anticipated for contracts or supplies (ex. Increased costs for software maintenance contracts, etc.)
- Direction to staff: move \$ between line items to offset increases with other reductions to the greatest extent possible without reducing service levels
- Departments also submit several other items during the budget process:
 - Revenue estimates for fees and charges
 - Additional funding requests
 - Capital Improvement Plan (CIP) Project Requests

Budget Process: Budget Team Review



Budget Team: City Management, Finance, and Human Resources staff

Department Meetings with Budget Team

- First week of May
- Meet with every department
- Review:
 - Budget line item detail to discuss cost increases & identify any additional cost savings
 - Additional funding requests
 - CIP requests
- Flag items that could be funded with Special Revenue Funds (reduce burden on General Fund)
- Flag items that could be funded through savings in the current fiscal year





Budget Process: Vehicle Replacement

During the annual budget process (April/May), replacement schedules are updated

Replacement Schedule	Replacement Frequency	Funding Source	Methodology	Annual Amount
Police Vehicles	3 yrs (patrol)	CCCPD Fund	CCCPD Annual Budget	\$230,000 - \$300,000
Fire Apparatus	5 yrs (ambulance) Varies (apparatus)	General Fund contributes annually to "savings account"	Annual Transfer from General Fund to Vehicle & Equipment Replacement Fund beginning FY17	\$150,000
General Fund Vehicles & Mobile Equipment	Considered at: 10 years or 100,000 miles *will keep longer if no maintenance issues	General Fund contributes annually to "savings account"	Annual Transfer from General Fund to Vehicle & Equipment Replacement Fund	\$221,000
Utility Fund Vehicles & Mobile Equipment		Utility Fund contributes annually to "savings account"	Annual Transfer from Utility Fund to Utility Capital Projects Fund	\$81,000
Drainage Fund Vehicles & Mobile Equipment		Drainage Fund	Drainage Fund Annual Budget; may internally finance over multiple years by borrowing from Colleyville Tomorrow Fund, if needed	Varies

Budget Process: Other Replacements

During the annual budget process (April/May), replacement schedules are updated

Replacement Schedule	Replacement Frequency	Funding Source	Methodology	Annual Amount
Police Weapons (handguns & tasers)	Oldest each year	CCCPD Fund	CCCPD Annual Budget	\$10,000
Police In-Car Computers	6 years (kept for 2 vehicle cycles)	CCCPD Fund contributes annually to "savings account"	Annual Transfer from CCCPD Fund to Vehicle & Equipment Replacement Fund	\$10,000
Fire Airpacks	10 years	General Fund contributes annually to "savings account"	Annual Transfer from General Fund to Vehicle & Equipment Replacement Fund, beginning FY17	\$26,706
Technology Hardware (computers, servers, phones, switches, security cameras, etc.)	Varies	General Fund contributes annually to "savings account"	Annual Transfer from General Fund to Vehicle & Equipment Replacement Fund	\$117,000
Building Systems	Varies	Various	Forecast needs and include in annual budgets as funding allows	Varies

Budget Process: Budget Worksessions



June 5th Budget Worksession

- Review background information & budget process to date
- Update on health insurance renewal process

June 21st Budget Worksession

- Review of FY 2019 preliminary numbers

July 19th Budget Worksession

- Discussion of the 5-Year CIP
- Review mostly final FY 2019 expenditure budget

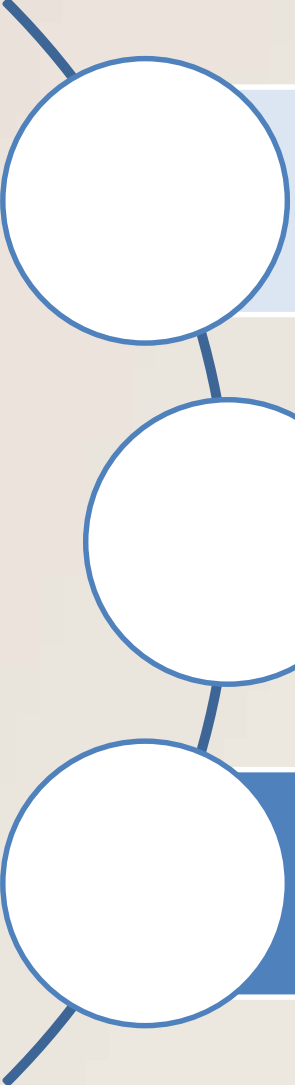
August 7th Budget Worksession:

- Proposed Budget (with associated tax rate) is presented
- Seek direction from the City Council on any desired changes

August 14th or 28th Budget Worksession (schedule if needed):

- Further discussion of Proposed Budget and any revisions prior to 1st and 2nd reading of the budget ordinance

Presentation Overview

A diagram consisting of three white circles with blue outlines, connected by a blue line. The circles are arranged vertically, with the top circle connected to the middle one, and the middle one connected to the bottom one. The bottom circle is also connected to a short blue line segment extending downwards and to the left.

Budget background information

Budget process and components

Tax rate background and process

Background: Tax Rate Procedures



- Governed by state law called “Truth in Taxation”
- Tarrant Appraisal District (TAD)
 - Appraises property, certifying value by July 25th (95% complete after protests)
- Tax Assessor-Collector (GCISD)
 - Provides the Appraisal Roll, as sworn by TAD
 - Calculates effective and rollback tax rates
 - Manages collection of property taxes (Colleyville contracts GCISD for this service; many other cities contract with the County)
- City of Colleyville
 - Sets tax rate based on revenue needed

Background: Tax Rate Components



- Property tax rates have two components:
 - Maintenance & operations (M&O) tax rate – General Fund
 - Interest & sinking (I&S)/debt service tax rate – Debt Service Fund

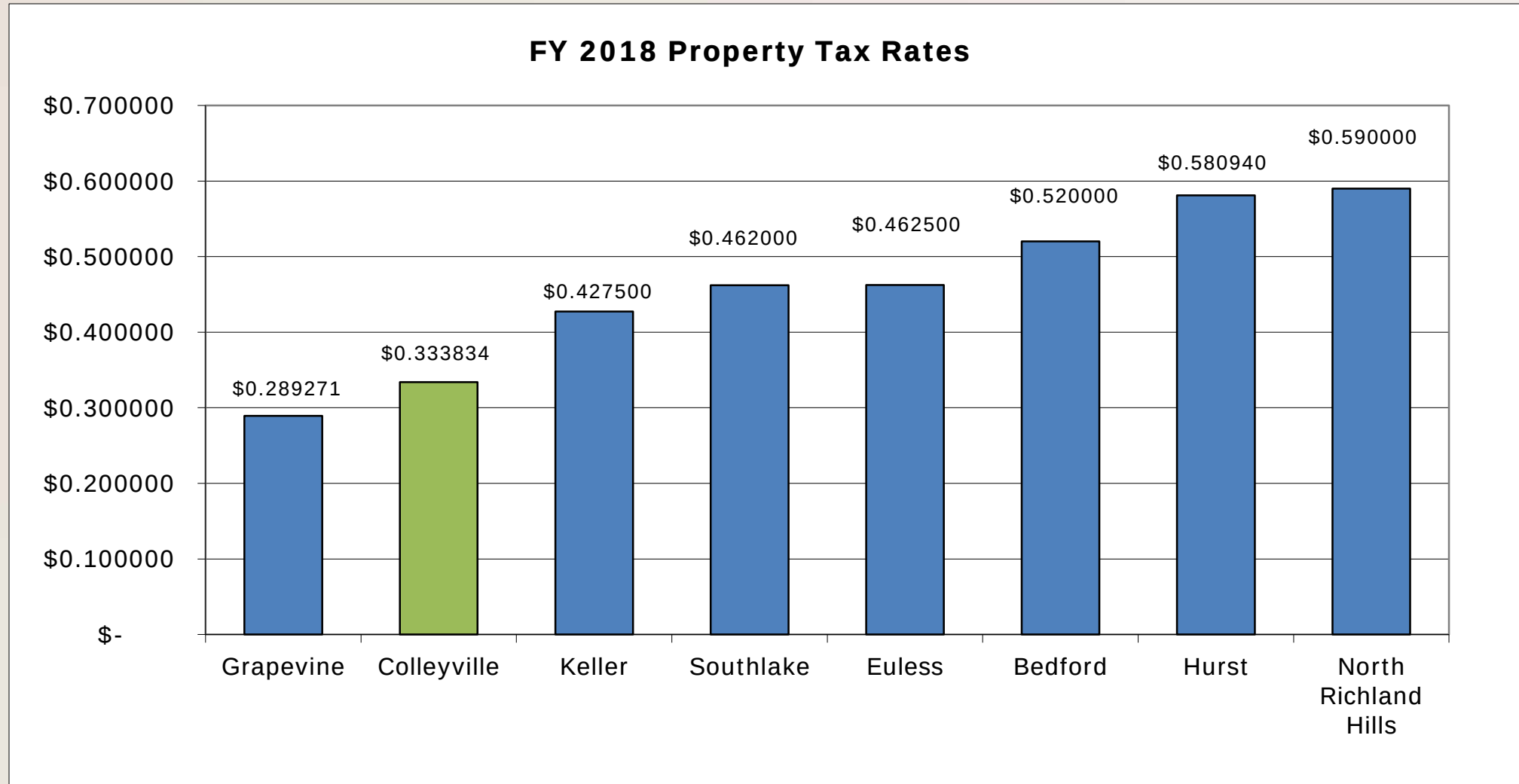
Fiscal Year	Calendar Year	M&O Tax Rate	I & S Tax Rate	Total Tax Rate
FY 2010	2009	0.29758	0.05832	0.3559
FY 2011	2010	0.29758	0.05832	0.3559
FY 2012	2011	0.31385	0.04205	0.3559
FY 2013	2012	0.31385	0.04205	0.3559
FY 2014	2013	0.32442	0.03148	0.3559
FY 2015	2014	0.32442	0.03148	0.3559
FY 2016	2015	0.33624	0.01966	0.3559
FY 2017	2016	0.321908	0.017222	0.33913
FY 2018	2017	0.316	0.017834	0.333834

Background: Tax Rate



- Effective Tax Rate:
 - The rate that would produce the same amount of taxes, if applied to the same properties taxed in both years (i.e. without new construction)
- Rollback Tax Rate:
 - Calculates an effective rate for just M&O portion of the tax rate
 - M&O effective rate plus 8% + debt service tax rate = rollback rate
 - If a taxing unit adopts a rate above the rollback rate, voters may petition for an election on the tax increase to “roll back” to the rollback rate
- Charter Limitations:
 - Any tax rate set per budget year shall not result in an ad valorem tax revenue increase greater than 7% of the total ad valorem tax revenue collected in the preceding budget, unless authorized by the voters of the City at a special election (excludes additional ad valorem revenue attributed to construction); \$1.50 max rate

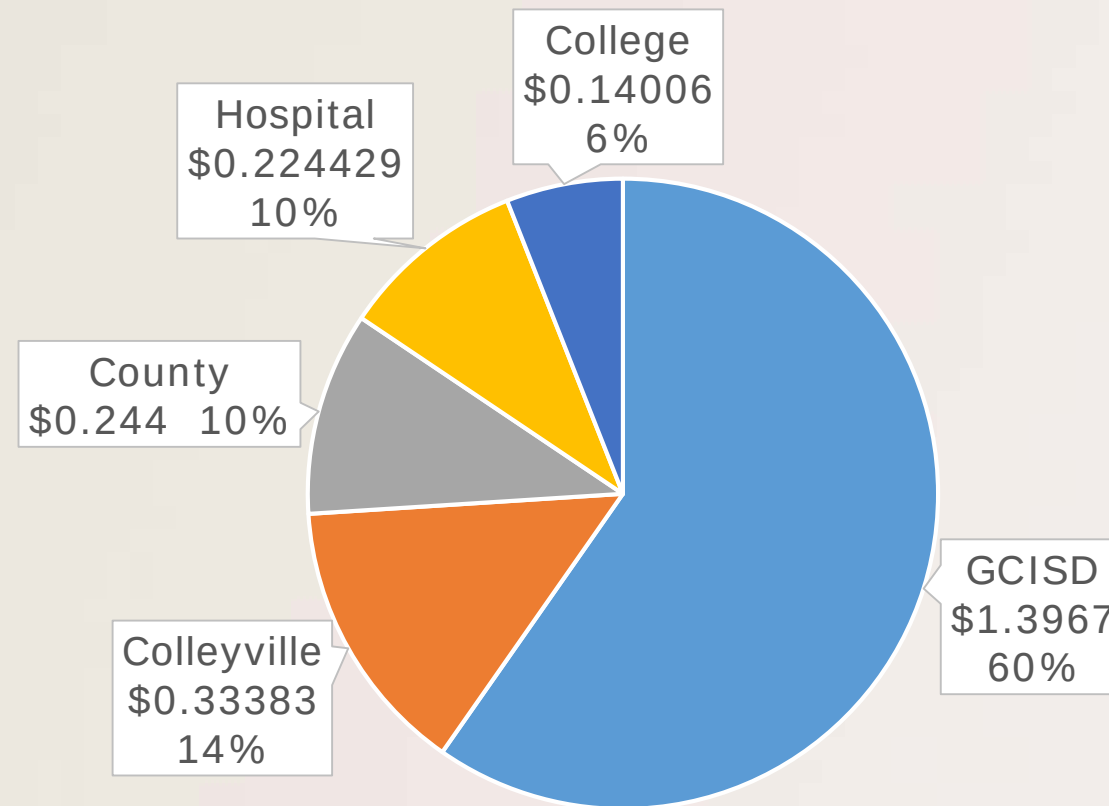
Background: Tax Rate Comparison



Background: Overlapping Tax Rates



Total FY 2018 Tax Rate: \$2.34



Next Steps: Meeting Dates



June 2018							June		
Su	M	Tu	W	Th	F	Sa			
					1	2	June	Review RFP analysis and finalist recommendations	Benefits Committee
3	4	5	6	7	8	9	5-Jun	CC Worksession: Budget Process Overview	City Council
10	11	12	13	14	15	16		CC Worksession: Insurance recommendations (or 6/19)	City Council
17	18	19	20	21	22	23	8-Jun	Publish CCCPD budget public hearing notice (Board)	City Manager's Office
24	25	26	27	28	29	30	21-Jun	Budget Worksession (review of preliminary numbers)	City Council
							19-Jun	CCCPD budget public hearing & Worksession (before CC mtg)	CCCPD Board
July 2018							July		
Su	M	Tu	W	Th	F	Sa			
							2-Jul	CCCPD budget adoption (before City Council meeting)	CCCPD Board
1	2	3	4	5	6	7	2-Jul	Approve insurance contracts (7/17 if necessary)	City Council
8	9	10	11	12	13	14		Discussion on updates to fees/charges (if needed)	City Council
15	16	17	18	19	20	21	6-Jul	Publish CCCPD budget public hearing notice (Governing body)	City Manager's Office
22	23	24	25	26	27	28	19-Jul	Budget Worksession (CIP & Mostly Final Expenditure Budget)	City Council
29	30	31					17-Jul	1st Reading CCCPD budget/public hearing by governing body	City Council
							25-Jul	Certified tax roll released	Tarrant Appraisal

Next Steps: Meeting Dates



August 2018							August		
Su	M	Tu	W	Th	F	Sa			
			1	2	3	4	3-Aug	City Manager's proposed budget distributed to City Council	City Manager's Office
5	6	7	8	9	10	11	7-Aug	Worksession- Presentation of the Proposed Budget	City Council
12	13	14	15	16	17	18		Submission of certified appraisal roll & collection rate	
19	20	21	22	23	24	25		Submission of effective and rollback tax calculations	
26	27	28	29	30	31			2nd Reading of CCCPD budget - approval by the governing body	
							14-Aug	Colleyville Eco. Dev. Corporation (CEDC) Budget Worksession	CEDC Board
							14-Aug	City Council Special Meeting	City Council
								- Approval of a proposed tax rate (for public hearings & notices)	
								- Schedule Public Hearings on the tax rate (if needed)	
							16-Aug	Publish Combined Notice of Effective and Rollback Tax Rate	City Manager's Office
								Publish Notice of Budget Public Hearing	
							28-Aug	Colleyville Economic Development Corporation meeting	CEDC Board
								- Adoption of Budget, EDCIP, and Annual Activity Report	
							28-Aug	City Council Special Meeting	City Council
								- 1st Public Hearing on Tax Rate (if needed)	

Next Steps: Meeting Dates



September 2018							September		
Su	M	Tu	W	Th	F	Sa			
						1	4-Sep	Presentation of the CEDC annual activity report	City Council
2	3	4	5	6	7	8		1st reading of budget ordinance and budget public hearing	
9	10	11	12	13	14	15		1st reading of tax rate ordinance (2nd public hearing, if needed)	
16	17	18	19	20	21	22		1st reading of CEDC budget ordinance	
23	24	25	26	27	28	29		1st reading of current FY year-end budget amendment	
30								1st reading of ordinance for any fee changes (if needed)	
								1st reading of ordinance for utility base rate changes (if needed)	
								Resolution adopting the EDCIP	
							18-Sep	2nd reading of budget ordinance (official adoption)	City Council
								2nd reading of tax rate ordinance (official adoption)	
								2nd reading of CEDC budget ordinance	
								2nd reading of current FY year-end budget amendment	
								2nd reading of ordinance for any fee changes (if needed)	
								2nd reading of ordinance for utility base rate changes (if needed)	
								Resolution adopting the 5-Year CIP	

Questions and Discussion

FY 2019 Budget Preparation Calendar

	Regular City Council meeting dates
	Additional meeting dates

January 2018

Su	M	Tu	W	Th	F	Sa
31	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

January

January	Prepare budget calendar for upcoming year	City Manager's Office
---------	---	-----------------------

February 2018

Su	M	Tu	W	Th	F	Sa
			1	1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

February

6-Feb	City Council reviews proposed budget calendar	City Council
February	Prepare Current Service Level Numbers; Enter in Munis	City Manager's Office
February	Departments notified of the deadline and requirements for new position or reclassification requests	Human Resources
February	Post applications for FY 2019 agency agreements	City Secretary

March 2018

Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

March

March	Update the Budget Preparation Manual if necessary	City Manager's Office
March	Agency agreement applications due	City Secretary
27-Mar	Budget Kickoff meeting	Departments

April 2018

Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

April

3-Apr	Presentations from Agencies on FY 2019 funding requests	City Council
6-Apr	New position and reclassification requests due to HR	Departments
10-Apr	Non-Discretionary Requests due in MUNIS Level 2	Departments
April	Meeting w/ Police Dept. to plan Crime District Budget	City Manager's Office
24-Apr	All other components of the Budget Submittal are due	Departments
April	RFP for health insurance (released April 27th)	Human Resources
Apr 26-May 4	Department Budget Submittal Meetings	Depts/Budget Team

May 2018

Su	M	Tu	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

May

5-May	City Council Election	City Council
15-May	New Councilmembers Sworn In	City Council
	Update on health insurance RFP process (RFP due May 16th)	City Council / HR
	Preliminary property value estimates released	Tarrant Appraisal
late May	Council priority settling Worksession (or early June- tbd)	City Council

June 2018

Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

June

June	Review RFP analysis and finalist recommendations	Benefits Committee
5-Jun	CC Worksession: Budget Process Overview	City Council
	CC Worksession: Insurance recommendations (or 6/19)	City Council
8-Jun	Publish CCCPD budget public hearing notice (Board)	City Manager's Office
21-Jun	Budget Worksession (review of preliminary numbers)	City Council
19-Jun	CCCPD budget public hearing & Worksession (before CC mtg)	CCCPD Board

July 2018

Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

July

2-Jul	CCCPD budget adoption (before City Council meeting)	CCCPD Board
2-Jul	Approve insurance contracts (7/17 if necessary)	City Council
	Discussion on updates to fees/charges (if needed)	City Council
6-Jul	Publish CCCPD budget public hearing notice (Governing body)	City Manager's Office
19-Jul	Budget Worksession (CIP & Mostly Final Expenditure Budget)	City Council
17-Jul	1st Reading CCCPD budget/public hearing by governing body	City Council
25-Jul	Certified tax roll released	Tarrant Appraisal

August 2018						
Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August

3-Aug	City Manager's proposed budget distributed to City Council	City Manager's Office
7-Aug	Worksession- Presentation of the Proposed Budget Submission of certified appraisal roll & collection rate Submission of effective and rollback tax calculations 2nd Reading of CCCPD budget - approval by the governing body	City Council
14-Aug	Colleyville Eco. Dev. Corporation (CEDC) Budget Worksession	CEDC Board
14-Aug	City Council Special Meeting - Approval of a proposed tax rate (for public hearings & notices) - Schedule Public Hearings on the tax rate (if needed)	City Council
16-Aug	Publish Combined Notice of Effective and Rollback Tax Rate Publish Notice of Budget Public Hearing	City Manager's Office
28-Aug	Colleyville Economic Development Corporation meeting - Adoption of Budget, EDCIP, and Annual Activity Report	CEDC Board
28-Aug	City Council Special Meeting - 1st Public Hearing on Tax Rate (if needed)	City Council

September 2018						
Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

September

4-Sep	Presentation of the CEDC annual activity report 1st reading of budget ordinance and budget public hearing 1st reading of tax rate ordinance (2nd public hearing, if needed) 1st reading of CEDC budget ordinance 1st reading of current FY year-end budget amendment 1st reading of ordinance for any fee changes (if needed) 1st reading of ordinance for utility base rate changes (if needed) Resolution adopting the EDCIP	City Council
18-Sep	2nd reading of budget ordinance (official adoption) 2nd reading of tax rate ordinance (official adoption) 2nd reading of CEDC budget ordinance 2nd reading of current FY year-end budget amendment 2nd reading of ordinance for any fee changes (if needed) 2nd reading of ordinance for utility base rate changes (if needed) Resolution adopting the 5-Year CIP	City Council

October 2018						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

October

1-Oct	Fiscal year begins	
October	Distribute Agency Contracts for execution	City Secretary
October	Prepare Adopted Budget Book	City Manager's Office

November 2018						
Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

November

November	Create vouchers and mail checks for Agency Contracts	City Secretary
20-Nov	1st reading of ordinance for utility volumetric rate changes	

December 2018						
Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

December

December	Adopted Budget due to GFOA 90 days after adoption	City Manager's Office
4-Dec	2nd reading of ordinance for utility volumetric rate changes	



City of Colleyville City Council Agenda Briefing

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

Agenda Number WS-3

Agenda Date 06/05/2018

Type Worksession

Department City Secretary

Title

Discussion of dates for a City Council goals and objectives worksession

Strategic Plan

1.4 Communicate thoroughly and strategically

6.1 Articulate a compelling vision and direction for the community

Explanation

The following dates are available for consideration, to schedule a Worksession for discussion of the City Council's goals and objectives:

Wednesday, June 13

Monday, June 18

Wednesday, June 20

Monday, June 25

Thursday, July 5

Monday, July 9

Wednesday, July 11

Thursday, July 12

Attachments



City of Colleyville City Council Agenda Briefing

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

Agenda Number WS-4

Agenda Date 06/05/2018

Type Worksession

Department City Secretary

Title

Discussion of the City Council portrait

Strategic Plan

Explanation

This item provides an opportunity to discuss the City Council's preference for the type of portrait and display. Mayor Pro Tem Bobby Lindamood will lead this discussion.

Attachments



City of Colleyville City Council Agenda Briefing

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

Agenda Number WS-5

Agenda Date 06/05/2018

Type Worksession

Department City Secretary

Title

Discussion of the June 5, 2018, 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
Type Executive Session
Department City Secretary

Agenda Date 06/05/2018

Title

Section 551.071 - Legal - Consultation with attorney on legal issues raised by items on the agenda

Section 551.071 - Legal - Consultation with attorney regarding contemplated and/or pending litigation, including:

- Glade Road eminent domain cases for Parcels 150 and 159

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

- Glade Road Project Phases 1B and 2
- Acquisition of real property along SH26

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-18-4266

**A RESOLUTION APPROVING COUNCIL ACTION
REGARDING EXECUTIVE SESSION ITEMS AT THE REGULAR
CITY COUNCIL MEETING OF JUNE 5, 2018**

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 5TH DAY OF JUNE 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 3, Kathy Wheat	_____
Place 4, George Dodson	_____	Place 5, Chuck Kelley	_____
Place 6, Callie Rigney	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor



City of Colleyville City Council Agenda Briefing

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

Agenda Number 3

Agenda Date 06/05/2018

Type Election of Mayor Pro Tem

Department City Secretary

Title

Election of Mayor Pro Tem

Strategic Plan

There is no Strategic Plan connection for this item.

Explanation

The City of Colleyville Charter, Section 3.06 states, *"...the new City Council shall in its first regular meeting, elect from among its members a Mayor Pro Tem who shall serve for the term of one (1) year."* This item provides for the election of a Mayor Pro Tem to serve a term to May 2019.

Attachments



City of Colleyville City Council Agenda Briefing

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

Agenda Number 4

Agenda Date 06/05/2018

Type Announcements, Proclamations, and Presentations

Department City Manager

Title

Presentation of the new City vehicle tailgate wraps – Mayor Newton and Public Information Specialist Dustin Dangli

Presentation of the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award for the Fiscal Year 2018 budget - Mayor Richard Newton and CFO Shereen Gendy

Attachments

RESOLUTION R-18-4267

A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER CONSENT ITEMS AT THE REGULAR CITY COUNCIL MEETING OF JUNE 5, 2018

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 Special City Council meeting of May 15, 2018
 - b. Approval of the minutes of the regular City Council meeting of May 15, 2018
 - c. Approval of a contract with Merrell Bros., Inc., in an amount not to exceed \$388,520, for the dredging of the Kimzey Park pond, and authorizing the City Manager to execute the contract
 - d. Approval of an amendment to the agreement for professional services with Freese and Nichols, Inc. in an amount not to exceed \$183,020 for an additional scope of work, including development of construction documents for the City plaza, and authorizing the City Manager to execute the amendment
 - e. Approval of a construction contract with GRA-Tex Utilities, Inc., for the Manning Drive Wastewater Project 3 and Paving Improvements Project, in an amount not to exceed \$606,193.50 which includes a \$30,000 contingency, and authorizing the City Manager to execute the contract and any associated change orders

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _ AYES, _ NAYS AND _ ABSTENTIONS ON THIS
THE 5TH DAY OF JUNE 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 3, Kathy Wheat	_____
Place 4, George Dodson	_____	Place 5, Chuck Kelley	_____
Place 6, Callie Rigney	_____		

ATTEST:	CITY OF COLLEYVILLE
----------------	----------------------------

Christine Loven, TRMC City Secretary	Richard Newton Mayor
---	-------------------------



City of Colleyville City Council Special Meeting Minutes

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

May 15, 2018
4:45 p.m.

Council Chambers
Third Floor, City Hall

Mayor Richard Newton called the Special Meeting of the Colleyville City Council to order on Tuesday, May 15, 2018, at 4:45 p.m.

ROLL CALL: Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood, and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, and Mike Taylor

Absent: Councilmember Nancy Coplen

City Manager Jerry Ducay, Assistant City Manager Mark Wood, Assistant City Manager Adrienne Lothery, and City Secretary Christine Loven were also present

2. RESOLUTION(S): READING AND PUBLIC HEARING

2a Resolution R-18-4261

Resolution R-18-4261 - Canvassing the results of the City of Colleyville General Election for Councilmembers Place 5 and Place 6, held on May 5, 2018

Mayor Newton read Resolution R-18-4261 in its entirety.

Mayor Newton opened the public hearing at 4:46 p.m. There was no one present wishing to speak and Mayor Newton closed the public hearing at 4:46 p.m.

Councilmember Taylor made a motion to approve Resolution R-18-4261 and Mayor Pro Tem Lindamood seconded the motion.

The motion carried with the following vote:

Aye: 6 – Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood, and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, and Mike Taylor

Absent: 1 – Councilmember Nancy Coplen

3. ADJOURNMENT

There being no further business before the City Council, Mayor Newton adjourned the City Council special meeting at 4:47 p.m.

APPROVED BY A VOTE OF 6 AYES, 0 NAYS, AND 0 ABSTENTIONS ON THIS THE 5TH DAY OF JUNE 2018.

Minutes taken and prepared by:

Christine Loven, TRMC
City Secretary



City of Colleyville City Council Minutes - Draft

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

Tuesday, May 15, 2018

Council Chambers

Mayor Richard Newton called the Colleyville City Council Worksession to order on Tuesday, May 15, 2018, at 5:00 p.m.

ROLL CALL: Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood, and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Nancy Coplen and Mike Taylor.

City Manager Jerry Ducay, Assistant City Manager Mark Wood, Assistant City Manager Adrienne Lothery, Fire Chief Brian Riley, Community Development Director Ben Bryner, Library and Special Events Director Mary Rodne, Parks and Recreation Director Lisa Escobedo, Information Services Manager Chris Pena, City Attorney Whitt Wyatt, and City Secretary Christine Loven.

Mayor Newton invited Councilmembers Elect Chuck Kelley and Callie Rigney to be seated at the table.

WS-1 Presentation on Colleyville Center Improvements

Colleyville Center Manager Leslie Hill, introduced Colleyville Center Advisory Committee members Chase Browning and Julie George. Manager Hill introduced Aaron Babcock with Hidell and Associates, who reviewed the preliminary design and list of improvements and answered questions of the City Council.

Discussion regarding the addition of the patio included number of doors, air flow, live screening, ADA compliance, air conditioning, and noise control. Council directed staff and Hidell to move forward and to also include an alternate bid request for four doors.

WS-2 Discussion of Kimzey Park pond dredging project

Parks and Recreation Director Lisa Escobedo updated the City Council regarding the dredging project.

Councilmember Dodson asked if the dredged material will be irrigated and if there will be damage to the irrigation system. Director Escobedo responded the material will be irrigated and there is clause in the proposal stating the site will be returned to pre-dredging condition.

Mayor Pro Tem Lindamood asked if a time-line penalty can be added. City Manager Ducay stated the City would have to have some tolerance, but there was still time to review the proposal.

City Council directed staff to bring a resolution forward at a future meeting.

WS-3 Discussion of dates for an objective setting worksession

City Council established the date of May 31, 2018 at 4:00 p.m. for an objectives setting worksession.

WS-4 Discussion of a sidewalk policy

City Manager Jerry Ducay presented this item and answered questions of the City Council. City Council directed staff to move forward with updating the map and be prepared to bring a resolution forward at a future City Council Meeting.

WS-5 Discussion of an appointment to the North Central Texas Council of Governments Regional Transportation Council

Councilmember Taylor explained the nomination and terms of service. The City Council agreed to support Jim Griffith and Nick Sanders as the primary and alternate respectively, as the City's choice of representative to the RTC.

Mayor Newton stated the City is applying for NCTCOG grants and he and the City Manager are meeting with the director.

WS-6 Discussion regarding annexation/de-annexation of the Timarron subdivision

City Manager Jerry Ducay presented this item. Mayor Newton stated he feels we need to investigate if there are problems, understand any problems, and fix the problems.

The City Council agreed de-annexation will not be considered at this time.

WS-7 Discussion of the May 15, 2018, City Council regular agenda items

There was no discussion of this item.

Mayor Newton closed the worksession at 6:25 p.m.

Mayor Newton called the Executive Session to order at 6:25 p.m. and called the roll.

ROLL CALL: Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood, and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Nancy Coplen and Mike Taylor.

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 items on the agenda

Section 551.071 - Legal - Consultation with attorney regarding contemplated and/or pending litigation, including:

- Glade Road eminent domain cases for Parcels 150 and 159
- Contemplated litigation with Spectrum Cable concerning franchise fees

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

- Glade Road Project Phases 1B and 2

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 Newton stated 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 action taken during this time, however, a resolution will move forward on the regular meeting agenda. Executive Session was adjourned at 7:10 p.m.

Mayor Newton called the regular meeting of the Colleyville City Council to order at 7:32 p.m.

ROLL CALL: Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood, and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Nancy Coplen and Mike Taylor.

INVOCATION: Pastor Dave Jung, Crown of Life

PLEDGE OF ALLEGIANCE: City Attorney Whitt Wyatt

2. EXECUTIVE SESSION READING AND PUBLIC HEARING: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - RESOLUTION R-18-4262

Mayor Newton read Resolution R-18-4262 in its entirety.

Assistant City Manager Adrienne Lothery explained how cable franchise fees are collected and audited.

Mayor Newton opened the public hearing at 7:38 p.m. There was no one present wishing to speak and Mayor Newton closed the public hearing at 7:38 p.m.

Councilmember Taylor made a motion to approve Resolution R-18-4262, Councilmember Wheat seconded the motion.

The motion to approve carried with the following vote:

Aye: 7 – Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Nancy Coplen, and Mike Taylor

3. OATH OF OFFICE

Chuck Kelley, Place 5
Callie Rigney, Place 6

Mayor Newton thanked Councilmembers Coplen and Taylor for their service.

Mayor Newton joined City Secretary Christine Loven to administer the Oath of Office to Place 5 Councilmember Chuck Kelley and Place 6 Councilmember Callie Rigney.

4. RECEPTION FOR INCOMING COUNCILMEMBERS

Mayor Newton recessed the City Council Meeting at 7:43 p.m. for a reception for newly seated Councilmembers Chuck Kelley and Callie Rigney. Mayor Newton reconvened the meeting at 8:03 p.m. and called the roll.

ROLL CALL: Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood, and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Chuck Kelley, and Callie Rigney.

5. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

Announcements of civic and charitable events

Presentation of calendar events and updates

Announcements of awards and recognition

Mayor Newton stated there will be a financial report later on the agenda but he was happy to report our sales tax is up two percent over last year's figures and encouraged everyone to view the financials online.

Mayor Newton announced the Fire Department Open House on May 19, and stated Chief Police Michael C. Miller will begin employment on May 23 and there will be a swearing in ceremony on June 1 at Colleyville Center and invited the public to attend.

Mayor Newton reminded everyone of the Farmers Market, every Saturday on the south lawn at City Hall.

Councilmember Nakamura encouraged everyone to register for summer programs and announced the Splash Pad is open daily from 10:00 a.m. to 8:00 p.m. until October 1.

Councilmember Wheat announced the opening of the Library Summer Reading Program: Stomp, Chomp, Read! which opens June 1.

Mayor Pro Tem Lindamood wished his daughter Harper a happy birthday and announced the new City website will launch May 19. Mayor Pro Tem Lindamood also recognized the flags were at half-staff in recognition of Police Memorial Day and expressed his appreciation to all who serve.

Proclamation in recognition of National Police Week - May 13-19, 2018 - Interim Police Chief Hillary Wreay and Mayor Richard Newton

Mayor Newton recognized the Colleyville Police Department and presented Interim Police Chief Hillary Wreay a proclamation in recognition of National Police Week.

Proclamation in recognition of National Public Works Week - May 20-26, 2018 - Public Works Director Cheryl Taylor and Mayor Richard Newton

Mayor Newton recognized the Colleyville Public Works Department and presented Acting Public Works Director Cheryl Taylor with a proclamation in recognition of National Public Works Week.

Presentation of the Q2P Receipt Race prize winners - Mayor Richard Newton and Assistant City Manager Mark Wood

Mayor Newton and Assistant City Manager Mark Wood presented the results of the Q2P Receipt Race and presented checks to:

- 1st place – Heritage Middle School, \$5,000
- 2nd place – Bransford Elementary School, \$3,000
- 3rd place – Heritage Elementary School, \$1,000

In recognition of the Featured Business of the Month Scooter's Coffee, 7171 Colleyville Boulevard, Megan Voissem, Franchise Operator - Mayor Richard Newton and Assistant City Manager Mark Wood

Mayor Richard Newton and Assistant City Manager Mark Wood welcomed Megan Voissem, franchise operator of the featured business of the month, Scooter's Coffee. Ms. Voissem thanked the Mayor and Council for this recognition and invited all to try Scooter's Coffee.

6. CONSENT: READING AND PUBLIC HEARING- RESOLUTION R-18-4263

- 6a** Approval of the minutes of the regular City Council meeting of May 1, 2018
- 6b** Approval of a contract with Weaver and Tidwell, L.L.P. for auditing services for fiscal year ending September 30, 2018, in the amount of \$48,250 for the audit of 2018 financial statements and Comprehensive Annual Financial Report (CAFR) preparation and printing, \$5,000 for the single audit, and \$1,500 for reports related to bond sales, if applicable
- 6c** Approval to participate in the Texas Local Government Investment Pool (TexPool) and assigning authorized signers
- 6d** Approval to participate in Texas Cooperative Liquid Assets Securities System Trust (Texas CLASS), and assigning authorized signers
- 6e** Approval to participate in the Texas Short Term Asset Reserve Program (TexSTAR) and assigning authorized signers
- 6f** Approval of a Pledge Agreement with the Bank of New York Mellon for bank depository collateral
- 6g** Approval of a Professional Services Agreement with MESA Design Associates, Inc. for landscape architectural services for State Highway 26 (SH26) corridor landscape and hardscape improvements, and authorizing the city manager to execute the agreement

Mayor Newton read Resolution R-18-4263 in its entirety.

Chief Financial Officer Shereen Gendy presented items 6b, 6c, 6d, 6e, and 6f. She was assisted by the following for each item and answered questions of the City Council.

- Item 6b – Jennifer Ripka, Senior Manager, Weaver and Tidwell

- Item 6c – Jerry Landrum, Senior Vice President, TexPool Service
- Item 6d – Karen Proctor, Regional Director, Texas CLASS and Sheila Duffy, Director, Public Trust Advisors
- Item 6e – Mica Owens, Vice President, TexSTAR
- Item 6f – CFO Gendy and City Manager Ducay

Parks and Recreation Director Lisa Escobedo presented item 6g and introduced Erin Duncan, Principal and Stan Cowan, Senior Principal, MESA Design, who introduced their firm and answered questions of the City Council.

Mayor Newton opened the public hearing at 9:15 p.m.

Kathy Hadley, 204 Timberline North, spoke regarding 6g, reminding the City, Colleyville is a Tree City USA city with a country atmosphere. She encouraged working with the Garden Club and said she does not like a hardscape plan.

There were no others present wishing to speak and Mayor Newton closed the public hearing at 9:17 p.m.

Councilmember Nakamura made a motion to approve Resolution R-18-4263 and Councilmember Dodson seconded the motion.

The motion to approve carried with the following vote:

Aye: 7 – Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Chuck Kelley and Callie Rigney

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

Councilmember Chuck Kelley recused himself from discussion on Ordinance O-18-2042, Ordinance O-18-2043, and Resolution R-18-4264

7a Ordinance O-18-2042

Consideration of a zoning change from the AG-Agricultural and R-40 Single Family Residential zoning districts to the R-30 Single Family Residential zoning district on Lot 2R, Block 1, of the Falcon Point Addition, located at 200 Bandit Trail, Case ZC18-005

Mayor Newton read the caption of Ordinance O-18-2042.

Community Development Director Ben Bryner presented this item and answered questions of the City Council.

Director Bryner stated this item requires a super majority vote.

There was discussion regarding building setbacks, traffic, size of lots, and what the concerns of those opposed are.

Mayor Newton opened the public hearing at 9:37 p.m.

Kathy Hadley, 204 Timberline North, spoke in opposition to this item with a desire to maintain a country atmosphere.

Mayor Newton asked if there was anyone present who is opposed to this item. No one responded.

There were no others present wishing to speak and Mayor Newton closed the public hearing at 9:39 p.m.

Councilmember Wheat made a motion to approve Ordinance O-18-2042, amending the Ordinance to approve R-40 zoning only, Councilmember Dodson seconded the motion.

The motion to approve carried with the following vote:

Aye: 6 – Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, and Callie Rigney

Recused: 1 – Councilmember Chuck Kelley

Mayor Newton stated they will skip 7b Ordinance O-18-2043 and move forward to Resolution R-18-4264 as it relates to the property in Ordinance O-18-2042, and then will return to address 7b Ordinance O-18-20433.

7b Ordinance O-18-2043

Consideration of a zoning change from the AG-Agricultural zoning district to the R-20 Single Family Residential zoning district on Tract 1R09, Abstract 1619, in the S C H Whitten Survey, located at 2313 Hall-Johnson Road, Case ZC18-007

Mayor Newton read the caption of Ordinance O-18-2043.

Community Development Director Ben Bryner presented this item and answered questions of the City Council.

Director Bryner stated this item requires a super majority vote.

Mayor Newton opened the public hearing at 9:59 p.m.

Kathy Hadley, 204 Timberline North, spoke in favor of this item.

There were no others present wishing to speak and Mayor Newton closed the public hearing at 10:03 p.m.

Councilmember Dodson made a motion to approve Ordinance O-18-2043, Councilmember Nakamura seconded the motion.

The motion to approve carried with the following vote:

Aye: 6 – Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, and Callie Rigney

Recused: 1 – Councilmember Chuck Kelley

8. RESOLUTION(S): READING AND PUBLIC HEARING

8a Resolution R-18-4264

Consideration of a replat for Lots 2R1 and 2R2, Block 1, of the Falcon Point Addition, located at 200 Bandit Trail, Case PC18-001

Mayor Newton read Resolution R-18-4264 in its entirety.

Community Development Director Ben Bryner presented this item and answered questions of the City Council.

There was general discussion regarding lot size, drainage, and minimum lot standards.

Mayor Newton opened the public hearing at 9:53 p.m. There was no one present wishing to speak and Mayor Newton closed the public hearing at 9:53 p.m.

Mayor Pro Tem Lindamood made a motion to approve Resolution R-18-4264, with the following amendments: The lot area of approximately 33,280 square feet and lot with of approximately 135 feet shall be allowed for Lot 2R2, Councilmember Wheat seconded the motion.

The motion to approve carried with the following vote:

Aye: 6 – Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, and Callie Rigney

Recused: 1 – Councilmember Chuck Kelley

Councilmember Chuck Kelley returned to the dais at 10:05 p.m.

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

Clif LeBlanc, 6301 Volterra Court, representing the Tuscany HOA, spoke regarding SH26 construction and it's effect on the 31 homes in the subdivision. Mr. LeBlanc provided photographs of the conditions.

Kathy Hadley, 204 Timblerline North, spoke regarding the lane markers on SH26, saying the markings are confusing and hazardous. She thanked the City Council for working together.

10. REPORTS

Monthly Financial Report - April 2018

Assistant City Manager Mark Wood reviewed the financial report and answered questions of the City Council.

Quarterly Investment Report for the quarter ended March 31, 2018

Assistant City Manager Mark Wood reviewed the quarterly investment report and answered questions of the City Council.

Quarterly Performance Management Report

Assistant City Manager Adrienne Lothery reviewed the quarterly performance report and answered questions of the City Council.

Sign Board of Appeals Meeting Minutes - April 11, 2017

There was no discussion of this item.

11. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR MAY 15, 2018 - READING AND PUBLIC HEARING - RESOLUTION R-18-4266

This resolution was not needed.

12. ADJOURNMENT

There being no further business before the City Council, Mayor Newton adjourned the City Council meeting at 10:24 p.m.

APPROVED BY A VOTE OF _ AYES, _ NAYS, AND _ ABSTENTIONS ON THIS THE 5TH DAY OF JUNE 2018.

Minutes taken and prepared by:

*Christine Loven, TRMC
City Secretary*



City of Colleyville City Council Agenda Briefing

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

Agenda Number 5c

Agenda Date 06/05/2018

Number Resolution R-18-4267

Type Resolution

Department Parks and Recreation

Title

Approval of a contract with Merrell Bros., Inc., in an amount not to exceed \$388,520, for the dredging of the Kimzey Park pond, and authorizing the City Manager to execute the contract

Strategic Plan

5.3 Provide attractive facilities for leisure and recreation

Explanation

Reading and Public Hearing

On January 31, Magnolia Fisheries conducted a silt depth analysis on the Kimzey Park Pond. The data collected was used to calculate the estimated volume of silt material in the pond. The information obtained from the analysis was used to create the bid specifications for the project. The siltation report indicated that in its current state, the pond is only at 55% of its holding capacity due to heavy siltation. Dredging the pond to its original depth will increase the volume of the pond by 4.4 acre feet, which means it may hold an additional 1.4 million gallons.

The bid was advertised in the Star Telegram on April 4 and 11. Seven (7) sealed bids were received on April 23. Bids were evaluated according to the criteria listed in the bid documents. The criteria consisted of:

- The total project pricing
- The reputation of the bidder and bidder's services
- The quality of the bidder's proposed plan
- The quality of the bidder's service
- The extent to which the bidder's services meet the City's needs
- The bidder's proposed timeline for the project completion
- The bidder's past business relationship with the City

On May 1 and May 15 presentations at Council Worksessions provided information on the bids. After evaluating the bids, Merrell Bros was identified as the best value for this project at \$388,520. They have extensive experience in similar and larger size scope projects. They have exceptional references and are regarded as a dependable and respected company in the industry. Their project timeline is two (2) months. Their suggested method of dredging is to mechanically excavate the sediment from the pond, let it dry on the bank and finally haul it away. The material will dry much

quicker this way as well, versus pumping it with a hydraulic dredge. This in turn shortens the length of the project. Since it is in a neighborhood, Merrell Bros is sensitive to getting in and out as quickly as possible, as to have minimal impact on the residents. They have identified and made it a priority to minimize their impact on the neighborhood and park. Including minimal environmental and aquatic life impact.

Financial Impact

Funding for this project is available in the FY 2018 CEDC budget.

Recommendation

Approve

Attachments

1. Kimzey Pond Dredging - Consent - June 5
2. Contractor Agreement re Kimzey Park Pond Project
3. Kimzey Pond Dredging Bid Tabulation & Evaluation

Kimzey Park Pond Dredging Project

Merrell Bros., Inc.

City Council Meeting
June 5, 2018

- Identified as the BEST VALUE for the Project
- Proposed project timeline is 2 months
- Experience in similar and larger size and scope of projects
- Exceptional references
- Identified least impact on neighborhood and park
- Minimal environmental and aquatic life impact
- Project Cost: \$388,520

CONTRACTOR SERVICES AGREEMENT
Kimzey Park Pond Siltation Dredge Project

This **CONTRACTOR SERVICES AGREEMENT** ("Agreement") is made as of the Effective Date by and between Merrell Bros., Inc., hereinafter called "CONTRACTOR", and the **City of Colleyville, Texas**, hereinafter called "CITY".

RECITALS

WHEREAS, CITY desires CONTRACTOR to perform certain work and services set forth in Section 1, Scope of Services and

WHEREAS, CONTRACTOR has expressed a willingness to perform said work and services, hereinafter referred to only as "services", specified in the Contract Documents, and enumerated under Section 1, of this Agreement;

NOW, THEREFORE, for and in consideration of the covenants and promises made one to the other herein, CITY and CONTRACTOR agree as follows:

Section 1. Scope of Services

Upon issuance of a written Notice to Proceed by CITY, CONTRACTOR agrees to provide to CITY professional dredge exertion for the excessive siltation in the Kimzey Park Pond located adjacent to the intersection of Meade Drive and Broadoak Way ("the Project"), such services being more fully described herein and pursuant to the specifications provided in the Contract Documents. Prior to completion of the Project, CONTRACTOR shall ensure all areas surrounding the pond are fully restored, including restoration of all grass and irrigation facilities. Notwithstanding the specifications contained in the Contract Documents, CONTRACTOR shall be required to submit a final report containing accurate measurements of the final depth of the water and any remaining silt. The depth measurement data for the final report shall be obtained using the latest suitable technology (e.g., sonar) to ensure accurate measurements.

Section 2. Term of Agreement

The term of this Agreement shall begin on the last date of execution hereof (the "Effective Date") and end upon completion of the Project and CITY'S final acceptance of CONTRACTOR's services, unless sooner terminated as provided in Section 9, below.

Section 3. Contract Documents

- A. This Agreement is a part of the Contract Documents, which include:
- 1) This Agreement, including all exhibits and addenda hereto;
 - 2) CITY'S Specifications and Contract Documents for the Project ("Bid Packet");
 - 3) CITY'S written notice(s) to proceed to the CONTRACTOR;
 - 4) Properly authorized change orders;
 - 5) The CONTRACTOR's Bid Proposal ("Proposal" and/or "Response"); and
 - 6) Any other materials distributed by the City that relate to the Project.

Section 4. Contractor Obligations

A. CONTRACTOR shall devote such time as reasonably necessary for the satisfactory performance of the work under this Agreement. Should CITY require additional services not included under this Agreement, CONTRACTOR shall make reasonable effort to provide such additional services at

mutually agreed charges or rates, and within the time schedule prescribed by CITY; and without decreasing the effectiveness of the performance of services required under this Agreement.

B. To the extent reasonably necessary for CONTRACTOR to perform the services under this Agreement, CONTRACTOR shall be authorized to engage the services of any agents, assistants, persons, or corporations that CONTRACTOR may deem proper to aid or assist in the performance of the services under this Agreement with the prior written approval of CITY. The cost of such personnel and assistance shall be a reimbursable expense to CONTRACTOR only if authorized in writing in advance by CITY.

C. Unless otherwise agreed, CONTRACTOR shall provide and pay for all materials, supplies, machinery, equipment, tools, superintendence, labor, insurance, and all water, light, power, fuel, transportation and all other facilities necessary for the execution and completion of the work covered by the Scope of Services. Unless otherwise specified, all materials shall be new and both workmanship and materials shall be of a good quality. CONTRACTOR shall, if required, furnish satisfactory evidence as to the kind and quality of materials. Materials or work described in words that so applied have well known, technical or trade meaning shall be held to refer to such recognized standards.

D. CONTRACTOR shall comply with all laws, ordinances, rules and regulations governing CONTRACTOR's performance of this Agreement.

E. All minor details of the work not specifically mentioned in the Scope of Services or Project Drawings but obviously necessary for the proper completion of the work, such as the proper connection of new work to old, shall be considered as incidental to and a part of the work for which the prices are set forth in this Agreement. CONTRACTOR will not be entitled to any additional compensation therefor unless specifically stated otherwise. Otherwise the term "extra work" as used in this Agreement shall be understood to mean and include all work that may be required by CITY to be done by CONTRACTOR to accomplish any alteration or addition to the work as shown on the Project Drawings. It is agreed that CONTRACTOR shall perform all extra work under the direction of the City's Representative when presented with a written work order signed by the City's Representative, subject, however, to the right of CONTRACTOR to require written confirmation of such extra work order by CITY. Payment for extra work shall be as agreed in the work order.

F. CONTRACTOR agrees to indemnify, defend, and save CITY harmless from all claims growing out of any demands of subcontractors, laborers, workmen, mechanics, materialmen, and suppliers of machinery and parts thereof, equipment, power tools, all supplies incurred in the furtherance of the performance of this Agreement. When CITY requests, CONTRACTOR shall furnish satisfactory evidence that all obligations of the nature hereinabove designated have been paid, discharged or waived.

Section 5. Payment

A. CITY agrees to pay CONTRACTOR for all services authorized in writing and properly performed by CONTRACTOR. The total not-to-exceed amount for CONTRACTOR's services under this Agreement is Three Hundred and Eighty-Eight Thousand, Five Hundred and Twenty Dollars (\$388,520.00). Payment to CONTRACTOR shall be monthly based on the CONTRACTOR'S monthly progress report and detailed monthly itemized statement for services that shows the names of the CONTRACTOR'S employees, agents, contractors performing the services, the time worked, the actual services performed, and the rates charged for such services, in a form reasonably acceptable to CITY. CITY shall pay such monthly statements within thirty (30) days after receipt and CITY verification of the services.

B. CITY may deduct from any amounts due or to become due to CONTRACTOR any sum or sums owing by CONTRACTOR to CITY. In the event of any breach by CONTRACTOR of any provision or obligation of this Agreement, or in the event of the assertion by other parties of any claim or lien against

CITY, or the CITY's premises, arising out of CONTRACTOR's performance of this Agreement, CITY shall have the right to retain out of any payments due or to become due to CONTRACTOR an amount sufficient to completely protect the CITY from any and all loss, damage or expense therefrom, until the breach, claim or lien has been satisfactorily remedied or adjusted by CONTRACTOR.

C. CITY may, on account of subsequently discovered evidence, withhold the whole or part of any payment to such extent as may be necessary to protect itself from loss on account of:

- (1) Defective work not remedied;
- (2) Claims filed or reasonable evidence indicating possible filing of claims;
- (3) Failure of CONTRACTOR to make payments promptly to subcontractors or for material or labor which CITY may pay as an agent for the CONTRACTOR; or
- (4) Damages to another contractor or subcontractor.

When the above grounds are removed, or CONTRACTOR provides a surety bond satisfactory to CITY which will protect CITY in the amount withheld because of said grounds, CITY will release the amounts withheld.

Section 6. Responsibilities

A. CONTRACTOR shall be responsible for the professional quality, technical accuracy, and the coordination of all materials, construction, installation and other services furnished by CONTRACTOR under this Agreement. CONTRACTOR shall, without additional compensation, correct or revise any errors or deficiencies in the installation and construction of the Project components to conform as shown in the Project drawings and specifications.

B. Neither CITY's review, approval or acceptance of, nor payment for any of the services required under this Agreement, shall be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement, and CONTRACTOR shall be and remain liable to CITY in accordance with applicable law for all damages to CITY caused by CONTRACTOR's negligent performance of any of the services furnished under this Agreement.

C. The rights and remedies of CITY under this Agreement are as provided by law.

Section 7. Time for Performance

A. CONTRACTOR shall perform all services as provided for under this Agreement in a proper, efficient, timely, and professional manner in accordance with CITY's requirements.

B. In the event CONTRACTOR's performance of this Agreement is delayed or interfered with by acts of the CITY or others, CONTRACTOR may request an extension of time for the performance of same as hereinafter provided, but shall not be entitled to any increase in fee or price, or to damages or additional compensation as a consequence of such delays.

C. No allowance of any extension of time, for any cause whatever, shall be claimed or made to CONTRACTOR, unless CONTRACTOR shall have made written request upon CITY for such extension within forty-eight (48) hours after the cause for such extension occurred, and unless CITY and CONTRACTOR have agreed in writing upon the allowance of additional time to be made.

D. The Contractor understands and agrees that time is of the essence of this contract, and that for each day of delay beyond the number of calendar days herein agreed upon for the completion of the work herein specified and contracted for (after due allowance for such extension of time as may otherwise be provided for extension of time herein), CITY may withhold permanently from the CONTRACTOR's total compensation an amount equal to \$1,000.00 per day.

E. In case CONTRACTOR should abandon and fail or refuse to resume work within ten (10) days after written notification from the City, or if CONTRACTOR fails to comply with the orders of the CITY, when such orders are consistent with the Contract Documents, then, and in that case, where performance and payment bonds exist, the Sureties on these bonds may be notified in writing by CITY and directed to complete the work (at CITY'S sole discretion), and a copy of said notice shall be delivered to CONTRACTOR. After receiving said notice of abandonment, CONTRACTOR shall not remove from the work any machinery, equipment, tools, materials or supplies then on the job, but the same, together with any materials and equipment under contract for the work, may be held for use on the work by the CITY or the Surety on the performance bond, or another contractor in completion of the work; and CONTRACTOR shall not receive any rental or credit therefor, it being understood that the use of such equipment and materials will ultimately reduce the cost to complete the work and be reflected in the final settlement. Nothing in this section shall be deemed a waiver of any remedy available to the CITY under this Agreement and the CITY shall retain all remedies upon default provided in Section 14 herein.

(1) In case the Surety should fail to commence compliance with the notice for completion hereinbefore provided for, written ten (10) days after service of such notice, then the CITY may provide for completion of the work in either of the following elective manners:

- a. The CITY may employ such force of labor and use such machinery, equipment, tools, materials and supplies as said CITY may deem necessary to complete the work and charge the expense of such labor, machinery, equipment, tools, materials and supplies to said CONTRACTOR, and expense so charged shall be deducted and paid by the CITY out of such moneys as may be due, or that may thereafter at any time become due to the CONTRACTOR under and by virtue of this Agreement. In case such expense is less than the sum which would have been payable under this contract, if the same had been completed by the CONTRACTOR, then said CONTRACTOR shall receive the difference. In case such expense is greater than the sum which would have been payable under this Agreement, if the same had been completed by said CONTRACTOR, then the CONTRACTOR and/or its Surety shall pay the amount of such excess to the CITY; or
- b. The CITY under sealed bids, when and in the manner required by law, may let the contract for the completion of the work under substantially the same terms and conditions which are provided in this Agreement. In the case of any increase in cost to the CITY under the new contract as compared to what would have been the cost under this Agreement, such increase shall be charged to the CONTRACTOR and the Surety shall be and remain bound therefor. However, should the cost to complete any such new contract prove to be less than what would have been the cost to complete under this Agreement, the CONTRACTOR and/his Surety shall be credited therewith.

Section 8. Ownership of Project; Bill of Sale

A. CONTRACTOR warrants that title to all work, including all equipment and materials incorporated into the Project, will pass to CITY no later than the time of final payment. CONTRACTOR further warrants that upon payment by CITY, all work for which payments have been received from CITY shall be free and clear of liens, claims, security interests or other encumbrances in favor of CONTRACTOR or any other person or entity whatsoever.

B. CONTRACTOR agrees to assign to CITY at the time of completion of the Scope of Services all manufacturer's warranties relating to equipment, materials and labor used in the Project and further agrees to perform the Project in such manner to preserve all manufacturer's warranties. If necessary as a matter of law, CONTRACTOR may retain the right to enforce directly any such manufacturers' warranties during the one-year period following the date of acceptance of the Project by CITY.

Section 9. Termination

A. CITY may suspend or terminate this Agreement for cause or without cause at any time by giving written notice to CONTRACTOR. In the event suspension or termination is without cause, payment to CONTRACTOR, in accordance with the terms of this Agreement, will be made based on services reasonably determined by CITY to be satisfactorily performed to the date of suspension or termination. Such payment will be due upon delivery of all instruments of service to CITY.

B. If CITY requires a modification of this Agreement with CONTRACTOR, and in the event CITY and CONTRACTOR fail to agree upon a modification to this Agreement, CITY shall have the option of terminating this Agreement and CONTRACTOR's services hereunder at no additional cost other than the payment to CONTRACTOR, in accordance with the terms of this Agreement, for the services reasonably determined by CITY to be properly performed by CONTRACTOR prior to such termination date.

Section 10. Insurance

A. CONTRACTOR shall during the term hereof maintain in full force and effect the following insurance: (i) a comprehensive general liability policy of insurance for bodily injury, death and property damage insuring against all claims, demands or actions relating to the CONTRACTOR's performance of services pursuant to this Agreement with a minimum combined single limit of not less than \$2,000,000.00 per occurrence for injury to persons (including death), and for property damage; (ii) policy of automobile liability insurance covering any vehicles owned and/or operated by CONTRACTOR, its officers, agents, and employees, and used in the performance of this Agreement with policy limits of not less than \$500,000.00 combined single limit and aggregate for bodily injury and property damage; (iii) statutory Worker's Compensation Insurance at the statutory limits and Employers Liability covering all of CONTRACTOR's employees involved in the provision of services under this Agreement with policy limit of not less than \$500,000.00.

B. All insurance and certificate(s) of insurance shall contain the following provisions: (1) name CITY, its officers, and employees as additional insureds as to all applicable coverage with the exception of Workers Compensation Insurance; (2) provide for at least thirty (30) days prior written notice to CITY for cancellation or non-renewal of the insurance; (3) provide for a waiver of subrogation against CITY for injuries, including death, property damage, or any other loss to the extent the same is covered by the proceeds of insurance. Contractor shall provide written notice to CITY of any material change of or to the insurance required herein.

C. All insurance companies providing the required insurance shall be authorized to transact business in Texas and rated at least "A" by AM Best or other equivalent rating service.

D. A certificate of insurance evidencing the required insurance and all endorsements shall be submitted prior to commencement of services.

Section 11. Indemnification.

CITY SHALL NOT BE LIABLE FOR ANY LOSS, DAMAGE, OR INJURY OF ANY KIND OR CHARACTER TO ANY PERSON OR PROPERTY ARISING FROM THE SERVICES OF CONTRACTOR PURSUANT TO THIS AGREEMENT. CONTRACTOR HEREBY WAIVES ALL CLAIMS AGAINST CITY, ITS OFFICERS, AGENTS AND EMPLOYEES (COLLECTIVELY REFERRED TO IN THIS SECTION AS "CITY") FOR DAMAGE TO ANY PROPERTY OR INJURY TO, OR DEATH OF, ANY PERSON ARISING AT ANY TIME AND FROM ANY CAUSE OTHER THAN THE NEGLIGENCE OR WILLFUL MISCONDUCT OF CITY OR BREACH OF CITY'S OBLIGATIONS HEREUNDER. CONTRACTOR AGREES TO INDEMNIFY AND SAVE HARMLESS CITY FROM AND AGAINST ANY AND ALL LIABILITIES, DAMAGES, CLAIMS, SUITS, COSTS (INCLUDING COURT COSTS, REASONABLE ATTORNEYS' FEES AND COSTS OF INVESTIGATION) AND ACTIONS OF ANY KIND BY REASON OF INJURY TO OR DEATH OF ANY PERSON OR DAMAGE TO OR LOSS OF PROPERTY TO THE EXTENT CAUSED BY CONTRACTOR'S NEGLIGENT PERFORMANCE OF SERVICES UNDER THIS AGREEMENT OR BY REASON OF ANY NEGLIGENT ACT OR OMISSION ON THE PART OF CONTRACTOR, ITS OFFICERS, DIRECTORS, SERVANTS, EMPLOYEES, REPRESENTATIVES, CONSULTANTS, LICENSEES, SUCCESSORS OR PERMITTED ASSIGNS (EXCEPT WHEN SUCH LIABILITY, CLAIMS, SUITS, COSTS, INJURIES, DEATHS OR DAMAGES ARISE FROM OR ARE ATTRIBUTED TO NEGLIGENCE OF CITY, IN WHOLE OR IN PART, IN WHICH CASE CONTRACTOR SHALL INDEMNIFY CITY ONLY TO THE EXTENT OR PROPORTION OF NEGLIGENCE ATTRIBUTED TO CONTRACTOR AND/OR ITS OFFICERS, DIRECTORS, SERVANTS, EMPLOYEES, REPRESENTATIVES, CONSULTANTS, LICENSEES, SUCCESSORS OR PERMITTED ASSIGNS AS DETERMINED BY A COURT OR OTHER FORUM OF COMPETENT JURISDICTION). CONTRACTOR'S OBLIGATIONS UNDER THIS SECTION SHALL NOT BE LIMITED TO THE LIMITS OF COVERAGE OF INSURANCE MAINTAINED OR REQUIRED TO BE MAINTAINED BY CONTRACTOR UNDER THIS AGREEMENT. THIS PROVISION SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.

Section 12. Assignment

CONTRACTOR shall not assign or sublet this Agreement, or any part thereof, without the prior written consent of CITY.

Section 13. Applicable Laws

CONTRACTOR shall comply with all Federal, State, County and Municipal laws, ordinances, regulations, safety orders, resolutions and building codes relating or applicable to services to be performed under this Agreement. The laws of the State of Texas shall govern this Agreement; and venue for any action concerning this Agreement shall be in the State District Court of Tarrant County, Texas. The parties agree to submit to the personal and subject matter jurisdiction of said court

Section 14. Default of CONTRACTOR

In the event CONTRACTOR fails to comply or becomes disabled and unable to comply with the provisions of this Agreement as to the quality or character of the service or time of performance, and the failure is not corrected within ten (10) days after written notice by CITY to CONTRACTOR, CITY may, at its sole discretion without prejudice to any other right or remedy:

A. Terminate this Agreement and be relieved of the payment of any further consideration to CONTRACTOR except for all work determined by CITY to be satisfactorily completed prior to termination. Payment for work satisfactorily completed shall be for actual costs, including reasonable salaries and travel expenses of CONTRACTOR to and from meetings called by CITY at which CONTRACTOR is required to attend, but shall not include any loss of profit of CONTRACTOR. In the event, of such termination, CITY may proceed to complete the services in any manner deemed proper by CITY, either by the use of its own forces or by resubletting to others.

B. CITY may, without terminating this Agreement or taking over the services, furnish the necessary materials, equipment, supplies and/or help necessary to remedy the situation, at the expense of CONTRACTOR.

Section 15. Adjustments in Services

No claims for extra services, additional services or changes in the services will be made by CONTRACTOR without a written agreement with CITY prior to the performance of such services.

Section 16. Execution Becomes Effective

This Agreement will be effective upon signing of the Agreement by authorized representatives of CONTRACTOR and CITY.

Section 17. Agreement Amendments

This Agreement contains the entire understanding of the parties with respect to the subject matter hereof and there are no oral understandings, statements or stipulations bearing upon the meaning or effect of this Agreement which have not been incorporated herein. This Agreement may only be modified, amended, supplemented or waived by a written instrument executed by the parties except as may be otherwise provided therein.

Section 18. Severability.

In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.

Section 19. Independent Contractor.

In satisfying the conditions of and providing the services under this Agreement, CONTRACTOR is acting independently, and CITY assumes no responsibility or liabilities to any third party in connection with CONTRACTOR's actions. All services to be performed by CONTRACTOR pursuant to this Agreement shall be in the capacity of an independent contractor and not as an agent or employee of CITY. CONTRACTOR shall supervise the performance of its services and shall be entitled to control the manner

Section 25. Sales and Use Taxes

CONTRACTOR understands and acknowledges that CITY is a governmental entity and exempt from the payment of sales and use taxes for certain materials and equipment conveyed to City as part of this Project or otherwise incorporated into the Project. CITY agrees to provide CONTRACTOR such documentation as may otherwise be required by state law to allow CONTRACTOR to avoid payment of sales and uses taxes for materials and equipment with respect to the Project to the extent allowed by law.

AGREED AND SIGNED this ____ day of _____, 2018.

CITY OF COLLEYVILLE, TEXAS

By: _____
Jerry Ducay, City Manager

ATTEST:

Christine Loven, City Secretary

APPROVED AS TO FORM:

Whitt L. Wyatt City Attorney
(WLW:5.18.2018:96960)

AGREED AND SIGNED this _____ day of _____, 2018.

CONTRACTOR

By: _____

Name: _____

Title: _____

THE STATE OF TEXAS §
§
THE COUNTY OF TARRANT §

THAT WE, _____, as Principal, (“Contractor”) and the other subscriber hereto _____, as Surety, do hereby acknowledge ourselves to be held and firmly bound to the City of Colleyville, Texas (“City”), in the sum of _____ **Dollars (\$_____)** Contractor and Surety do bind themselves, their heirs, executors, administrators, successors, and assigns, jointly and severally.

WHEREAS, Principal has entered into a certain Contractor Agreement (“Contract”) for the Kimzey Park Pond Siltation Dredge Project within the City of Colleyville, Texas, dated the ____ day of _____, 2018 regarding certain construction, maintenance and repair work to be performed in Colleyville, Texas (the “Project” or “Work”); said Contract is hereby referred to and made a part hereof as fully and to the same extent as if copied at length herein.

NOW THEREFORE, if the said Contractor shall faithfully and strictly perform its Work pursuant to the Agreement's terms, provisions, and stipulations in accordance with its true meaning and effect, and in accordance with the Agreement Documents referred to therein and shall comply strictly with each and every provision of the Contract, including all warranties and indemnities therein and with this bond, then this obligation shall become null and void and shall have no further force and effect; otherwise the same is to remain in full force and effect.

It is further understood and agreed that the Surety does hereby relieve City or its representatives from the exercise of any diligence whatever in securing compliance on the part of the Contractor with the terms of the Contract, including the making of payments thereunder and, having fully considered Contractor's competence to perform the Contract in the underwriting of this Performance Bond, the Surety hereby waives any notice to it of any default, or delay by the Contractor in the performance of the Contract and agrees that it, the Surety, shall be bound to take notice of and shall be held to have knowledge of all acts or omissions of the Contractor in all matters pertaining to the Contract. The Surety understands and agrees that the provision in the Contract that City shall retain certain amounts due the Contractor until the expiration of thirty (30) days from the acceptance of the Work is intended for City's benefit, and City shall have the right to pay or withhold such retained amounts or any other amount owing under the Contract without changing or affecting the liability of the Surety hereon in any degree.

It is further expressly agreed by Surety that City or its representatives are at liberty at any time, without notice to the Surety, to make any change in the Agreement Documents and in the Work to be done thereunder, as provided in the Contract, and in the terms and conditions thereof, or to make any change in, addition to, or deduction from the work to be done thereunder; and that such changes, if made, shall not in any way vitiate the obligation in this bond and undertaking or release the Surety therefrom.

It is further expressly agreed and understood that the Contractor and Surety will fully indemnify and hold harmless City from any liability, loss, cost, expense, or damage arising out of or in connection with the work done by the Contractor under the Contract. In the event that City shall bring any suit or other proceeding at

law on the Contract or this bond or both, the Contractor and Surety agree to pay to City the actual amounts of attorneys' fees incurred by City in connection with such suit.

This bond and all obligations created hereunder shall be performable in Tarrant County, Texas.

Notices required or permitted hereunder shall be in writing and shall be deemed delivered when actually received or, if earlier, on the third day following deposit in a United State Postal Service post office or receptacle, with proper postage affixed (certified mail, return receipt requested), addressed to the respective other party at the address prescribed in the Contract, or at such other address as the receiving party may hereafter prescribe by written notice to the sending party.

IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this instrument this _____ day of _____, 2018.

Principal

Surety

By _____

By _____

Title _____

Title _____

Address _____

Address _____

The name and address of the Resident Agent of Surety is:

THE STATE OF TEXAS §
§
THE COUNTY OF TARRANT §

THAT WE, _____, as Contractor, hereinafter called “Principal” and the other subscriber hereto _____, a corporation organized and existing under the laws of the State of _____, licensed to business in the State of Texas and admitted to write bonds, as Surety, herein after called “Surety”, do hereby acknowledge ourselves to be held and firmly bound to the City of Colleyville, Texas, a Texas home-rule municipality, in the sum of _____ **Dollars (\$_____)** for payment whereof, the said Principal and Surety bind themselves, and their heirs, administrators, executors, successors and assigns jointly and severally.

WHEREAS, Principal has entered into a certain Contractor Agreement (“Contract”) for the Kimzey Park Pond Siltation Dredge Project within the City of Colleyville, Texas, dated the ____ day of _____, 2018 regarding certain construction, maintenance and repair work to be performed in Colleyville, Texas (the “Project”); said Contract is hereby referred to and made a part hereof as fully and to the same extent as if copied at length herein.

This Bond is executed pursuant to the provisions of Section 2253.021 of the Texas Government Code, as amended, for a public work contracts, and Section 53.201 of the Property Code, and all liabilities on this Bond shall be subject to and in accordance with the provisions of said Articles to the same extent as if they were fully copied at length herein.

Exhibit B: Payment Bond

IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this instrument this _____day of_____, 2018.

Principal

Surety

By _____

By _____

Title_____

Title_____

Address_____

Address_____

The name and address of the Resident Agent of Surety is:

THE STATE OF TEXAS §
§
THE COUNTY OF TARRANT §

THAT _____, whose address is _____, as PRINCIPAL, and _____ whose address is _____ a CORPORATION organized and existing under the laws of the State of Texas, and fully authorized to transact business in the State of Texas, as Sureties, do hereby expressly acknowledge ourselves to be held and bound to pay unto City of Colleyville, Texas, hereinafter called CITY, the sum of (\$_____) which is one hundred per cent (100%) of said contract amount in lawful money of the United States, for the payment of which sum will and truly to be made unto said City of Colleyville, and its successors, said PRINCIPAL AND SURETIES do hereby bind ourselves, our heirs, executors, administrators, their assigns and successors, jointly and severally, firmly by these presents. This bond shall automatically be increased by the amount of any Change Order or Supplemental Agreement which increases the Contract price, but in no event shall a Change Order or Supplemental Agreement which reduces the Contract price decreases the sum of this Bond.

WHEREAS, said Contract was entered into pursuant to the requirements of the CITY, and

WHEREAS, said CONTRACTOR binds itself to construct said improvements in such a manner and obtain inspection approvals in proper sequence as are required to obtain acceptance by the CITY and to repair or reconstruct the said improvements in whole or in part at any time within said two (2) years period to such an extent as the CITY deems necessary to properly correct all defects except those which have been caused by circumstances and conditions occurring after the time of construction over which the CONTRACTOR had no control and which are other than those arising from defect of construction by the CONTRACTOR; and,

Exhibit C: Maintenance Bond

WHEREAS, under the Contract Documents it is provided that the CONTRACTOR will maintain and keep in good repair the work herein contracted to be done and performed for a period of two (2) years from the date of acceptance; it being understood that the purpose of this section is to cover all defective conditions arising by reason of defective material, work, or labor performed by said CONTRACTOR; and in case the said CONTRACTOR shall fail to do so, within ten (10) days after being notified, it is agreed that the CITY may do said work and supply such materials, and charge to same against the said CONTRACTOR, AND SURETIES, on this obligation, and said CONTRACTOR AND SURETIES hereon shall be subject to the liquidated damages mentioned in said contract.

NOW THEREFORE, if the said CONTRACTOR, shall keep and perform its said agreement to maintain said work and keep the same in repair for the said maintenance period of two (2) years, as provided, then these presents shall be null and void, and have no further effect, but if default shall be made by the said CONTRACTOR in the performance of his contract to so maintain and repair said work, then these presents shall have full force and effect, and said CITY shall have and recover from said CONTRACTOR and SURETIES damages in the premises, as provided, and it is further agreed that this obligation shall be a continuing one against the PRINCIPAL and SURETIES hereon, and that successive recoveries may be had thereon for successive breaches until the full amount shall have been exhausted; and it is further understood that the obligation herein to maintain said work shall continue throughout said maintenance period, and the same shall not be changed, diminished, or in any manner - affected from any cause during said time.

PROVIDED FURTHER, that if any legal action be filed upon this Bond, exclusive venue shall lie in Tarrant County, State of Texas.

AND PROVIDED FURTHER, that the said Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the term of the Contract or to the work to be performed thereunder or the specifications accompanying the same shall in anyway affect its obligation on this Bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract or to the work or to the Specifications.

This Bond complies with the provisions of Chapter 2253 of the Texas Government Code, and any other applicable statutes of the State of Texas.

The undersigned and designated agent is hereby designated by the Surety herein as the Resident agent in City of Colleyville to whom any requisite notices may be delivered and on whom service of process may be had in matters arising out of such suretyship, as provided by Article 7.19-1 of the Insurance Code, Vernon's Annotated Civil Statutes of the State of TEXAS.

[Signature page to follow]

IN WITNESS WHEREOF, the said _____ has caused these presents to be executed by _____
them; and the said _____ has caused these presents to be executed by its ATTORNEY -IN-FACT
and the said ATTORNEY-IN-FACT has hereto set his hand this _____ day of _____, 2018.

IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this instrument this
_____day of __, 2018.

Principal

Principal

By _____

By _____

Title _____

Title _____

Address _____

Address _____

The name and address of the Resident Agent of Surety is:

Kimzey Pond Dredge Bid Opening - 4/23/2018 - 2:00pm		
Bid Tabulation		
Contractor	Dredging Method	Total Cost
Rimrock Ent.	Hydraulic	\$263,835.00
Bullock Construction	Hydraulic	\$291,000.00
Solitude	Hydraulic	\$335,140.00
Merrell Brothers	Excavation	\$388,520.00
Dredg It	Hydraulic	\$475,000.00
Texas Dewatering	Hydraulic	\$476,400.00
Shirley & Sons Construction	Excavation	\$703,987.62

Kimzey Pond Dredging Evaluation Criteria								
Contractor	Total Price	Reputation/Services	Plan	Quality Services	City Needs	Timeline	City Relationship	Total
Rimrock Ent.	14	1	11	1	11	6	0	44
Bullock Construction	12	0	6	0	5	2	0	25
Solitude	10	8	8	8	8	8	0	50
Merrell Brothers	8	14	12	14	13	11	0	72
Dredg It	6	12	7	12	3	4	0	44
Texas Dewatering	5	0	4	0	7	11	0	27
Shirley & Sons Construction	2	14	4	14	4	14	0	52

*Each evaluation criteria is based with the highest score in each section totaling 14 points. Scores are provided from 0 - 14 in each section.



City of Colleyville City Council Agenda Briefing

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

Agenda Number 5d

Agenda Date 06/05/2018

Number Resolution R-18-4267

Type Resolution

Department City Manager

Title

Approval of an amendment to the agreement for professional services with Freese and Nichols, Inc. in an amount not to exceed \$183,020 for an additional scope of work, including development of construction documents for the City plaza, and authorizing the City Manager to execute the amendment

Strategic Plan

5.1 Create and sustain an identifiable Colleyville brand

5.2 Support a variety of community events, concerts and celebrations

Explanation

Reading and Public Hearing

In February 2018, the City engaged Freese and Nichols, Inc. to develop three conceptual designs for the plaza in front of City Hall, conduct a public engagement process, and take the input from the City Council and community to develop a final proposed conceptual design. At the April 17, 2018 City Council Worksession, a final conceptual design was presented and received positive feedback and support from the City Council. This design was a product of not only worksession discussions with the City Council, but significant community input (summary attached) gathered from two public engagement meetings, booths at community events, and a traveling exhibit and comment card box. In total, 135 comment cards were received. Now that a final conceptual design has been determined, the next phase of the project will be to develop the detailed construction documents necessary to bid the project for construction.

This agenda item provides for a contract amendment to the agreement for professional services with Freese and Nichols, Inc in an amount not to exceed \$183,020. The additional scope of services includes basic design services to develop construction documents, assistance with bidding the project for construction, and monitoring the project for compliance with the design for a total of \$169,139. Two special services are also added to the scope of work, including a geotechnical report for \$10,322 and construction services to assist staff with inspection of the vertical elements (shade structure, seat walls, and amphitheater seating) of the project for \$3,559.

Financial Impact

Funding for the plaza project is available in the Tax Increment Financing (TIF) Fund.

Recommendation

Approve

Attachments

1. Amendment - Additional Scope
2. Original Agreement for Professional Services
3. Plaza- Final Concept
4. Community Input Summary
5. Plaza - Cost Opinion

PROPOSAL FOR PROFESSIONAL SERVICES
FOR COLLEYVILLE PLAZA
Colleyville, Texas

ARTICLE VI

DESCRIPTION OF SERVICES ADDED TO THIS ATTACHMENT SC, EFFECTIVE JUNE 5, 2018:

Freese and Nichols, Inc. ("FNI") will perform professional design services for the City of Colleyville ("City") for developing Construction Documents performing construction administration for the Colleyville Plaza in Colleyville, Texas, as more particularly described in this amendment to Attachment SC. The Construction Documents will include plans, specifications, and cost opinion. FNI will prepare Construction Documents for the Plaza for the purpose of bidding the work in accordance with City standards and budgets, as well as federal, state and local laws.

This work will include landscape architectural, and engineering design services. FNI will be joined by the sub-consultant firms of Yaggi Engineering, Inc. for the lighting design and electrical engineering services, and Greenscape Pump Services (GPSI) for fountain's MEP design services on the project. The program for the Plaza, scope of work and fee schedule is based upon the completed Preliminary Design Phase, the construction budget established in the Preliminary Design Phase was \$1,740,609 as identified in FNI's Opinion of Probable Construction Costs.

TASK 7 – GEOTECHNICAL RECOMMENDATION

A. Geotechnical Recommendation

A geotechnical report will be prepared by an engineer specializing in soil mechanics and foundation engineering after reviewing available structural, geological, boring, and laboratory data.

1. Data Collection and Site Visit – to evaluate the general subsurface conditions and provide recommendations for foundation system and site preparation and earthwork compaction criteria.
2. Select and mark 3 boring locations in the field, and notify Texas 811, appropriate City department(s) and other agencies to request location and marking of existing underground utilities prior to the field exploration.
3. Testing shall be performed on samples obtained from the borings to determine soil classification and pertinent engineering properties of the subsurface materials. FNI will select samples for laboratory testing, assign tests, and review the test results.
4. Prepare a technical summary report (memorandum format) of the geotechnical investigation.
5. FNI acknowledges that City does not have in-house staff qualified to perform a substantive and/or technical review of the geotechnical report. FNI will notify the City in its memorandum if there is any reason to believe that the geotechnical evaluation is insufficient or that additional geotechnical work is required following review of the initial geotechnical report.

Deliverables:

- Geotechnical Memo with Recommendations

TASK 8 – DESIGN DEVELOPMENT

A. Design Development

1. Based upon approval of the Colleyville Plaza Master Plan Concept from the City, FNI will prepare Design Development drawings for the proposed Plaza improvements. The Design Development drawings will be prepared at an approximate 50% level of completion of Construction Documents.
2. The City will provide to FNI all front-end documents, contracts, insurance requirements, general conditions, etc. for use by FNI in preparing the specifications and contract documents.
3. Based upon the Design Development drawings, FNI will prepare a 50% level of completion cost estimate for the proposed Plaza improvements.
4. FNI will prepare a preliminary Table of Contents for the specifications and contract documents.
5. FNI will attend a Worksession with the Mayor and Council to present proposed hardscape and planting materials for the Plaza.
6. In conjunction with this submittal FNI will submit the Design Development drawings, Cost Estimate and Table of Contents for the specifications and contract documents to the City staff for review and approval.
7. The City will forward, in writing, to FNI all review comments for the Design Development drawings submittal. FNI will obtain these comments and approval from the City prior to proceeding into the final construction documents.

Deliverables:

- Design Development Drawings (24x36): 3 hard copies and an electronic pdf
- Table of Contents for Contract Documents Booklet
- Worksession Presentation with Proposed Hardscape Materials and Plantings
- Design Development Cost Opinion at 50% level of completion of Construction Documents

TASK 9 – FINAL CONSTRUCTION DOCUMENTS

A. Final Construction Documents

1. Based upon approval from the City for the Design Development Drawings, FNI will prepare Final Construction Documents at an approximate 95% level of completion. The Construction Documents will be comprised of both the drawings and the specifications.
2. The City will provide to FNI all contracts, insurance requirements, general conditions, etc. for use by FNI in preparing the specifications and contract documents.
3. Based upon the 95% Construction Documents, FNI will prepare a Final Cost Opinion for all the proposed improvements.

4. FNI will attend a Worksession with the Mayor and Council for their final plan review.
5. FNI will submit three (3) sets of 95% Construction Documents and Cost Opinion to the City for final review and comments. The City will provide FNI final, written comments for all revisions requested to the Final Construction Documents.
6. FNI will attend one (1) meeting with the City to review the 95% Construction Documents and Cost Estimate to confirm the overall design and obtain client approval before finalizing this phase of work.
7. Based upon the final written comments received from the City and, FNI will prepare 100% Construction Documents for the City to utilize in bidding the project.
8. FNI will submit the Final Construction Documents to an approved independent contract provider for submittal to the Texas Department of Licensing and Regulation (TDLR) for the State required accessibility review. The accessibility review will include compliance with TAS and ADA requirements. Fees associated with this review will be included as a reimbursable expense, provided, the fees will not be subject to a multiplier and will be billed to the City at actual cost.

Deliverables:

- 95% Construction Documents (24x36): 3 hard copies and an electronic pdf
- Final Cost Opinion at 95%
- Worksession Presentation for final plan review
- 100% Construction Documents (24x36): 5 hard copies and an electronic pdf
- Submission of Construction Documents for TDLR review
- One (1) Contract Manual with Technical Specifications and Bid Proposal
- CD with final “executed” plans & contract document in pdf format.

TASK 10 – BID PHASE

A. Bid Phase

1. FNI will attend a pre-bid meeting with City representatives and the potential bidders.
2. FNI will prepare addendum(s), if required, during the bid phase.
3. FNI will assist the City in reviewing the Contractor’s bids and providing a Bid Tabulation and a recommendation to the City for award of contract.

Deliverables:

- Bid Tabulation
- Review of Contractor’s bids and letter of recommendation for award of contract

TASK 11 – CONSTRUCTION ADMINISTRATION

A. Construction Administration

1. Upon completion of the bid or negotiation phase services, FNI will proceed with the performance of construction phase services as described below. FNI will endeavor to protect Owner in providing these services however, it is understood that FNI does not guarantee the Contractor's performance, nor is FNI responsible for supervision of the Contractor's operation and employees. FNI shall not be responsible for the means, methods, techniques, sequences or procedures of construction selected by the Contractor, or any safety precautions and programs relating in any way to the condition of the premises, the work of the Contractor or any Subcontractor. FNI shall not be responsible for the acts or omissions of any person (except its own employees or agents) at the Project site or otherwise performing any of the work of the Project.
2. FNI will assist the City by attending a pre-construction meeting, a construction kickoff meeting, a maximum of four (4) 2-hour progress meetings during construction to evaluate completion of work by the Contractor. Should the number of required meetings or the amount of meeting time increase, such time can be provided by FNI as an additional service as requested and approved by the City in writing.
3. FNI will not provide day-to-day construction administration or construction inspections during construction.
4. FNI will prepare a written Field Reports as necessary, or upon the City's request, for meetings attended during the construction of the project.
5. FNI will process submittal and shop drawing reviews as submitted by the Contractor during the construction process. Pay applications will also be reviewed each month by FNI and will then be forwarded to the City with the appropriate recommendation.
6. FNI will review to all requests of information (RFIs) submitted by the Contractor and ensure the City receives a copy prior to issuing a response. FNI will respond to all RFIs unless City and FNI mutually agree otherwise.
7. FNI will assist the City in attending one (1) final project walk-through meeting with the Contractor and his subcontractors to review the completion of work. FNI will provide written comments to the City for the preparation of a final "punch list" for work to be completed by the Contractor.
8. FNI will revise the construction drawings in accordance with the information furnished by construction Contractor(s) reflecting changes in the Project made during construction. Two (2) sets of prints of "Record Drawings" shall be provided by FNI to OWNER.
9. Upon the Contractor's successful submittals of inspection reports (called for in the applicable specifications) related to all structural elements, the FNI will prepare a memo to the City that states, "Based on our field observations and the provided inspection reports (provided by the Contractor), the structures appear to be built as intended/designed."

Deliverables:

- Field reports for progress meetings/reviews as necessary
- Processing of submittals and RFI's
- Final punch list from the final project walk-thru
- Record Drawings

- Structural Memo

TASK 12 – FOUNTAIN DESIGN

A. Fountain Design

1. Design Development - Based on the approved water feature in the Colleyville Plaza Master Plan Concept, FNI and GPSI will begin preparing the Design Development drawings for the water feature. GPSI will provide the necessary details and further completion of the plans to deliver signed and sealed construction drawings for the project.
2. Construction Documents - Based on the approved water features from the Design Development Phase, FNI and GPSI will begin preparing the Construction Documents drawings for the water features. FNI and GPSI will provide the necessary details and further completion of the plans to deliver signed and sealed construction drawings for the project.
3. Construction Administration – FNI and GPSI will respond to requests of information (RFIs), review and advise on submittals; shop drawings, product information, samples, etc. Develop punch list of corrective work prior to Owner’s acceptance of installation and operation. Two (2) site visits to perform a site evaluation and a punch list.

Deliverables:

- 100% Construction Documents (24x36): 5 hard copies and an electronic pdf
- Technical Specifications and Bid Proposal
- CD with final “executed” fountain/water feature plans & contract document in pdf format.

TASK 13 –CONSTRUCTION SERVICES

- A. CONSTRUCTION PHASE – Upon completion of the bid or negotiation phase services, FNI will proceed with the performance of construction phase services as described below. FNI will endeavor to protect the City in providing these services however, it is understood that FNI does not guarantee the Contractor’s performance, nor is FNI responsible for supervision of the Contractor’s operation and employees. FNI shall not be responsible for the means, methods, techniques, sequences or procedures of construction selected by the Contractor, or any safety precautions and programs relating in any way to the condition of the premises, the work of the Contractor or any Subcontractor. FNI shall not be responsible for the acts or omissions of any person (except its own employees or agents) at the Project site or otherwise performing any of the work of the Project.

These services are based on the use of FNI standard General Conditions for construction projects. Modifications to these services required by use of other general conditions or contract administration procedures is an additional service. If general conditions other than FNI standards are used, the Client agrees to include provisions in the construction contract documents that will require the Construction Contractor to include FNI and their subconsultants on this project to be listed as an additional insured on Contractor’s insurance policies.

1. All work in this phase is limited to the proposed Shade Structure, Seat Walls, and Amphitheater Style Seating.
2. Attend the pre-construction conference(s) with the Contractor(s) and review construction schedules prepared by the Contractor(s) pursuant to the requirements of the construction contract.
3. Establish communication procedures with the Client and Contractor.
4. Make 5 visits appropriate to the stage of construction to the site (as distinguished from the continuous services of a Resident Project Representative) to observe the progress and the quality of work on the shade structure, seat walls, and amphitheater style seating and to attempt to determine in general if the work is proceeding in accordance with the Construction Contract Documents. In this effort FNI will endeavor to protect the Client against defects and deficiencies in the work of Contractors and will report any observed deficiencies to Owner. Visits to the site in excess of the specified number are an additional service.
5. Notify the Contractor of non-conforming work observed on site visits. Review quality related documents provided by the Contractor such as test reports, equipment installation reports or other documentation required by the Construction contract documents.
6. Interpret the drawings and specifications for Client and Contractor(s). Investigations, analyses, and studies requested by the Contractor(s) and approved by Client, for substitutions of equipment and/or materials or deviations from the drawings and specifications is an additional service.
7. FNI will review to all requests of information (RFIs) submitted by the Contractor and ensure the City receives a copy prior to issuing a response. FNI will respond to all RFIs unless City and FNI mutually agree otherwise.

Task B Deliverables:

- **Attend one (1) Pre-Construction Meeting**
- **Make five (5) visits**

ARTICLE VII

TIME OF COMPLETION: FNI is authorized to commence work on Tasks 7 through 12 upon written Notice-to-Proceed from the City and agrees to complete the services within the following Schedule.

Final 100% Construction Documents shall be completed and delivered to the City within 180 days after Notice-to-Proceed is given to FNI by the City. FNI has no control over the permitting agencies review and approval schedules and therefore the completion of the construction documents is contingent upon the agencies approval of the project. FNI will immediately notify the City in writing should FNI have reason to believe that the Construction Documents will not be completed and delivered to the City within 180 days after Notice-to-Proceed. Any such notice shall include the anticipated reason for delay and a new proposed date for completion and delivery.

If FNI's services are delayed through no fault of FN and FNI has provided prior written notice to the City, FNI shall be entitled to adjust contract schedule consistent with the number of days of delay, subject to the City's approval. These delays may include but are not limited to delays in City or regulatory reviews, delays on the flow of information to be provided to FNI, governmental approvals, etc. The City and FNI may mutually agree to an adjustment to compensation as outlined on the face of this Agreement and in Attachment CO.

I. BASIS OF COMPENSATION

The cost for performing these services set forth herein will be as follows:

Special Services

Task 7 – Geotechnical Recommendation (Lump Sum)	\$10,322.00
Task 13 – Construction Services (Lump Sum).....	\$3,559.00

Construction Documents

Task 8 – Design Development (Lump Sum)	\$44,784.00
Task 9 - Final Construction Documents (Lump Sum)	\$64,744.00
Task 10 – Bid Phase (Lump Sum)	\$6,066.00
Task 11 – Construction Administration (Lump Sum)	\$18,730.00
Task 12 – Fountain Design (Lump Sum).....	\$33,340.00
Reimbursable Expenses (Lump Sum).....	\$1,475.00
TOTAL – Basic Design Services.....	\$169,139.00

TOTAL - Special Services, Construction Documents, Bid Phase, Construction Administration, and Reimbursables\$183,020.00

AGREEMENT FOR PROFESSIONAL SERVICES

STATE OF TEXAS §

COUNTY OF TARRANT §

This Agreement is entered into by the City of Colleyville, Texas hereinafter called "City" and Freese and Nichols, Inc., hereinafter called "FNI." In consideration of the Agreements herein, the parties agree as follows:

- I. **EMPLOYMENT OF FNI:** In accordance with the terms of this Agreement: City agrees to employ FNI; FNI agrees to perform professional services in connection with the Project; City agrees to pay to FNI compensation. The Project is described as follows: Village Plaza Project
- II. **SCOPE OF SERVICES:** FNI shall render professional services in connection with Project as set forth in Attachment SC - Scope of Services and Responsibilities of City which is attached to and made a part of this Agreement.
- III. **COMPENSATION:** City agrees to pay FNI for all professional services rendered under this Agreement in accordance with Attachment CO - Compensation which is attached hereto and made a part of this Agreement. FNI shall perform professional services as outlined in the "Scope of Services" for a lump sum fee of \$42,947. Details concerning the fee are included in Attachment CO.

If FNI's services are delayed or suspended by City, or if FNI's services are extended for more than 60 days through no fault of FNI, FNI shall be entitled to equitable adjustment of rates and amounts of compensation to reflect reasonable costs incurred by FNI in connection with such delay or suspension and reactivation and the fact that the time for performance under this Agreement has been revised.
- IV. **TERMS AND CONDITIONS OF AGREEMENT:** The Terms and Conditions of Agreement as set forth as Attachment TC shall govern the relationship between the City and FNI.

Nothing under this Agreement shall be construed to give any rights or benefits in this Agreement to anyone other than City and FNI, and all duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of City and FNI and not for the benefit of any other party.

The laws of the State of Texas shall govern this Agreement without regard to any conflict of law rules; and venue for any action concerning this Agreement shall be in the State District Court of Tarrant County, Texas. The City and FNI agree to submit to the personal and subject matter jurisdiction of said court.

This Agreement constitutes the entire Agreement between City and FNI and supersedes all prior written or oral understandings.

This contract is executed in two counterparts.

IN TESTIMONY HEREOF, they have executed this Agreement, the 12 day of February, 2018.

ATTEST:

Christine Loven

City of Colleyville, Texas
(City)

By:

Jerry Ducay
City Manager

Print or Type Name and Title

ATTEST:

Stephen Kuchta

Freese and Nichols, Inc.
(FNI)

By:

Wendy D. Shabay
WENDY D. SHABAY, PRINCIPAL

Print or Type Name and Title

SCOPE OF SERVICES AND RESPONSIBILITIES OF OWNER**ARTICLE I**

BASIC SERVICES: FNI shall render the following professional services in connection with the development of the Project:

PROJECT DESCRIPTION

Freese and Nichols, Inc. ("FNI") will perform professional design services for the City of Colleyville ("City") for developing Preliminary Design documents for the Plaza Project in Colleyville, Texas. The intent of the Preliminary Design will be to prepare a conceptual plan identifying proposed improvements for the Plaza. It will be a tool that City officials can use to plan and guide the future development of the proposed amenities for the site.

This scope of work includes professional survey and landscape architectural design services. FNI will be joined by the sub-consultant firms of Spooner and Associates for the topographic surveying services, Yaggi Engineering, Inc. for the lighting conceptual design and Greenscape Pump Services (GPSI) for fountain's conceptual design on the project. The program for the Plaza, scope of work and fee schedule is based upon the preliminary construction budget of \$500,000 as identified by the City's RFQ - #18-001 and during a scoping meeting with FNI and City of Colleyville on January 29, 2018.

FNI shall not enter into private property without lawful right-of-access to perform the required surveys, or other necessary investigations. FNI will take reasonable precautions to minimize damage to the private and public property in the performance of such surveys and investigations. Any right-of access to public or private property shall be obtained in accordance with this Scope of Services.

TASK 1 - TOPOGRAPHIC SURVEY

- A. TOPOGRAPHIC SURVEY: Spooner and Associates will perform an on the ground survey of the property and will locate horizontally and vertically visible surface features within the project area, under the direct supervision of a Registered Professional Land Surveyor.

Included in this item:

1. Horizontal and vertical control.
2. Contours on one-foot intervals.
3. Mapping included to the centerline of all bounding roadways.
4. Location, common name and trunk diameter of all trees.
5. Location of visible utilities and appurtenances.
6. Location and sizes of underground utilities based on available record information.
7. Easements or setbacks of which the surveyor has knowledge or has been made aware. This item does not include an abstract of title.

8. Research and retrieval of subdivision plats, maps and/or deeds delineating the ownership for the properties in the project area.
9. Limited field measurements to only those existing boundary monuments deemed necessary by the surveyor to approximate the locations of rights-of-way and property lines.
10. Graphic depiction of the approximate location of the property lines, easement, and rights-of-way based on recorded deeds and plats.

Deliverables:

Topographic Survey

TASK 2 – PRELIMINARY DESIGN

A. BASE MAPPING AND PROGRAM DEVELOPMENT

1. FNI will conduct a walk-through of the site and general area with the City to visually inventory the existing site features.
2. FNI will utilize the topographic survey information for the Plaza, as prepared by Spooner and Associates in this scope of services. The City will also provide FNI any readily available information required to perform this Scope of Services for on-site and off-site conditions including, but not limited to: above and below ground utilities; easements; property lines; right-of-ways; subdivision layouts; roadways; vegetation; soils / geotechnical information; hydrology/drainage information; etc. Based upon the existing survey and additional information provided by the City, FNI will prepare existing conditions base map(s) for use in Preliminary Design and Final Construction Documents. Should any other additional site survey information be necessary, the City will be responsible for providing this information.
3. During the base mapping phase, FNI will meet with the City staff to discuss the Plaza's Program and specifically define the City's goals for the improvements. This meeting will also confirm the final budget allocation by the City for the construction of the improvements.

Deliverables:

Existing Conditions Base Map
Plaza Development Program
Project Schedule

B. PRELIMINARY DESIGN

1. Based on the City's approved vision, goals and program, FNI will prepare three (3) Preliminary Design Concept Alternatives plans for the proposed improvements. These concept plans will be, provided to the City, full size and to a measurable scale.
2. FNI will prepare one (1) 3D SketchUp rendering for each Preliminary Design Concept Alternative for a total of three (3) 3D renderings.

3. FNI will prepare a Preliminary Opinion of Probable Costs for the three (3) Preliminary Design Concept Alternatives.
4. FNI will attend three (3) meetings as outlined in the RFQ to present Preliminary Design Concept Alternatives to City Council, Village Owner Association, and a Public Engagement meeting to obtain input from City Council, Owners Association, City Staff, and citizens regarding the Preliminary Design Concept Plans for the project. During these meetings, FNI team members will confirm the development goals and program items and document any potential changes to the program. These public meetings will be scheduled and coordinated by the City. Should extra public input meetings be required to complete this task, FNI will review with the City the required additional fees necessary to cover the increase in scope of work.
5. FNI will do a conference call with City representatives to review and discuss the Preliminary Design Concept Alternatives and the results from the public meetings. During this meeting, a consensus for the Plaza Plan will be agreed upon which satisfies the program goals of the City.
6. FNI will prepare a Final Consensus Plan which will be a color illustrative plan for the City to use in public presentations and as a guide for the future development of the project.
7. FNI will prepare a Preliminary Opinion of Probable Costs for the proposed improvements.
8. FNI will attend one (1) City Council Meeting to present the Final Illustrative Plan for the Plaza
9. If the City substantially, as solely determined by the City, increases the program and construction budget, FNI will review with the City the required additional fees necessary to cover the increase in scope of work.

Deliverables:

- Three (3) Preliminary Design Concept Alternatives
- One (1) 3D Sketchup Rendering for Each Preliminary Design Concept Alternative for a Total of Three (3) 3D Renderings
- Three (3) Preliminary Opinions of Probable Costs
- Final Illustrative Plan (plan view)
- Opinion of Probable Costs for Final Illustrative Plan

ASSUMPTIONS

- A. The City has designated a construction budget of approximately \$500,000 for the improvements. Should this construction budget increase substantially, as solely determined by the City, or the City should require a significant number of alternate bid items to be included in the construction document package, FNI and the City staff will re-evaluate this scope of work and determine the basis of compensation in accordance with revisions to the design services.
- B. FNI will not duplicate the design or major elements of this design within a 50-mile radius of the project site without the City's written consent.

- C. The City will provide as expeditiously as possible all readily available base information that it currently has in its possession, necessary to complete the Scope of Services described herein. Should FNI need any additional survey information, the City will provide this information to FNI. All information provided by the City is assumed to be accurate and complete to the level of methods and tools used at the time the information was collected, unless indicated otherwise by the City. Any information required to complete this Scope of Services that cannot be readily provided by the City will remain the responsibility of the City. All such information shall be provided to FNI and any costs associated with acquisition of information will be borne by the City.
- D. Other than those identified in this contract, no additional public meetings and/or presentations are provided within this Scope of Services
- E. The City will pay for all required governmental processing fees and public notice advertising costs.
- F. This Scope of Services does not include the structural design of a pavilion, pavilion structural slab or structural piers.
- G. This Scope of Services does not include any traffic studies, alleyway realignments, additions, or associated engineering or design.
- H. This scope of services does not include any schematic design, design development, construction documents, specifications or bid documents.

ARTICLE II

ADDITIONAL SERVICES: Additional Services to be performed by FNI, if authorized by City, which are not included in the above described basic services, are described as follows:

- A. Providing renderings, model, and mock-ups requested by the City. Additional 3D renderings can be done for \$1,500.
- B. Making revisions to drawings or other report documents when such revisions are 1) not consistent with approvals or instructions previously given by City or 2) due to other causes not solely within the control of FNI.
- C. Providing services to investigate existing conditions or facilities, or to make measured drawings thereof, or to verify the accuracy of drawings or other information furnished by City.
- D. Meeting or trips in excess of the number of meetings included in Article I for site visits, coordination meetings, or other activities. Additional meetings can be requested by the City for a cost of \$350 per each FNI team member requested to attend the proposed meeting.
- E. Preparing applications and supporting documents for government grants, loans, or planning advances and providing data for detailed applications.
- F. Preparing data and reports for assistance to City in preparation for hearings before regulatory agencies, courts, arbitration panels or any mediator, giving testimony, personally or by deposition, and preparations therefore before any regulatory agency, court, arbitration panel or mediator.

- G. Design, contract modifications, studies or analysis required to comply with local, State, Federal or other regulatory agencies that become effective after the date of this agreement.
- H. Providing basic or additional services on an accelerated time schedule. The scope of this service include cost for overtime wages of employees and consultants, inefficiencies in work sequence and plotting or reproduction costs directly attributable to an accelerated time schedule directed by the City.
- I. Preparing statements for invoicing or other documentation for billing other than for the standard invoice for services attached to this professional services agreement.
- J. Providing document revisions in excess of those outlined in Article I.

ARTICLE III

TIME OF COMPLETION: FNI is authorized to commence work on the Project upon execution of this Agreement and agrees to complete the services within the following Schedule.

If FNI's services are delayed through no fault of FNI, FNI shall be entitled to adjust contract schedule consistent with the number of days of delay. These delays may include but are not limited to delays in City or regulatory reviews, delays on the flow of information to be provided to FNI, governmental approvals, etc. These delays may result in an adjustment to compensation as outlined on the face of this Agreement and in Attachment CO.

Schedule:

- | | |
|------------------------------------|---------|
| A. Task 1 - Topographic Survey | 4 weeks |
| B. Task 2 – Preliminary Design | 7 weeks |
| (Task 1 & 2 to run simultaneously) | |

ARTICLE IV

RESPONSIBILITIES OF OWNER: City shall perform the following in a timely manner so as not to delay the services of FNI:

- A. Provide meeting space and coordinate equipment needs, room set up, and logistics for meetings outlined in Article 1.
- B. Contact meeting invitees for stakeholder and public meeting. This includes email, mail, newsletter or other forms of notification.
- C. Designate in writing a person to act as City's representative with respect to the services to be rendered under this Agreement. Such person shall have contract authority to transmit instructions, receive information, interpret and define City's policies and decisions with respect to FNI's services for the Project.
- D. Arrange for access to and make all provisions for FNI to enter upon public and private property as required for FNI to perform services under this Agreement.
- E. Examine and provide prompt feedback on all submittals, draft reports, sketches, drawings, and other documents presented by FNI within a reasonable time so as not to delay the services of FNI.
- F. Furnish, or direct FNI to provide, Additional Services as stipulated in Attachment SC, Article II of this Agreement or other services as required.
- G. Bear all costs incident to compliance with the requirements of this Article IV.

ARTICLE V

DESIGNATED REPRESENTATIVES: FNI and City designate the following representatives:

Owner's Designated Representative

Name: Adrienne Lothery
Address: 100 Main St.
Colleyville, TX 76034
Phone: 817-503-1112
Email: alothery@colleyville.com

Owner's Accounting Representative –

Name: Shereen Gendy
Address: 100 Main St.
Colleyville, TX 76034
Phone: 817-503-1014
Email: sgendy@colleyville.com

FNI's Designated Representative –

Shane Friese
2711 North Haskell Avenue, Suite 3300
Dallas, Texas 75204
(213) 217-2299
Shane.Friese@freese.com

FNI's Accounting Representative –

Stephanie Kirchstein
2711 North Haskell Avenue, Suite 3300
Dallas, Texas 75204
(214) 217-2212
Stephanie.Kirchstein@freese.com

COMPENSATION

Compensation to FNI shall be Forty-Two Thousand Nine Hundred Forty-Seven Dollars (\$42,947). All lump sum amounts contained in this Attachment CO are considered the total not to exceed amounts and shall be payable in accordance with the terms of this AGREEMENT upon final completion and acceptance of the corresponding Task. If FNI sees the Scope of Services changing so that additional services are needed, including but not limited to those services described as Additional Services in Attachment SC, FNI will notify City for City's approval before proceeding. Additional Services shall be computed based on the Schedule of Charges.

Schedule of Charges:

<u>Position</u>	<u>Rate</u>
Professional - 1	107
Professional - 2	130
Professional - 3	146
Professional - 4	169
Professional - 5	197
Professional - 6	225
Construction Manager - 1	85
Construction Manager - 2	111
Construction Manager - 3	131
Construction Manager - 4	164
CAD Technician/Designer - 1	91
CAD Technician/Designer - 2	117
CAD Technician/Designer - 3	145
Corporate Project Support - 1	87
Corporate Project Support - 2	105
Corporate Project Support - 3	139
Intern/ Coop	53
Senior Advisor	175

Rates for In-House Services**Technology Charge**

\$8.50 per hour

Travel

Standard IRS Rates

Bulk Printing and Reproduction

	<u>B&W</u>	<u>Color</u>
Small Format (per copy)	\$0.10	\$0.25
Large Format (per sq. ft.)		
Bond	\$0.25	\$0.75
Glossy / Mylar	\$0.75	\$1.25
Vinyl / Adhesive	\$1.50	\$2.00
Mounting (per sq. ft.)	\$2.00	
Binding (per binding)	\$0.25	

OTHER DIRECT EXPENSES:

Other direct expenses are reimbursed at actual cost times a multiplier of 1.10. They include outside printing and reproduction expense, communication expense, travel, transportation and subsistence away from the FNI office and other miscellaneous expenses directly related to the work, including costs of laboratory analysis, test, and other work required to be done by independent persons other than staff members. For Resident Representative services performed by non-FNI employees and CAD services performed In-house by non-FNI employees where FNI provides workspace and equipment to perform such services, these services will be billed at cost times a multiplier of 2.0. This markup approximates the cost to FNI if an FNI employee was performing the same or similar services.

These rates will be adjusted annually in February.

D22015



I. BASIS OF COMPENSATION

The cost for performing these services set forth herein will be as follows:

Survey (Special Service)

Task 1 – Topographic Survey (Lump Sum)\$4,136

Preliminary Design

Task 2 – Preliminary Design:

Base Mapping and Program Development (Lump Sum)\$10,340

Preliminary Design (Lump Sum)\$28,211

Reimbursable Expenses (Lump Sum)\$260

Total – Preliminary Design and Topographic Survey\$42,947

Geotechnical Investigation (Special Service)

Task 3 – Geotechnical Recommendation..... Not in this Scope

Construction Documents (Construction Documents for the design that does not include fountain)

Task 4 - Final Construction Documents (Lump Sum) Not in this Scope

Task 5 – Bid Phase (Lump Sum) Not in this Scope

Task 6 – Construction Administration (Lump Sum) Not in this Scope

Reimbursable Expenses (Lump Sum)..... Not in this Scope

TOTAL - Special Services, Preliminary Design Services,, Construction Documents, Bid Phase, Construction Administration, and ReimbursablesTBD

Optional Services (If Required)

Task 7 – Optional Services:

Fountain Design (Not to Exceed)..... Not in this Scope

TOTAL – Optional Services (If Required) TBD



TERMS AND CONDITIONS OF AGREEMENT

1. **DEFINITIONS:** The term City as used herein refers to the City of Colleyville, Texas. The term FNI as used herein refers to Freese and Nichols, Inc., its employees and agents; also its subcontractors and their employees and agents. As used herein, Services refers to the professional services performed by Freese and Nichols pursuant to the AGREEMENT.
2. **INDEPENDENT CONTRACTOR:** It is understood and agreed by and between the City and FNI that FNI in satisfying the conditions of this AGREEMENT is acting independently, and that the City assumes no responsibility or liabilities to any third party in connection with these actions. All services to be performed by FNI pursuant to this Agreement shall be in the capacity of an independent contractor, and not as an agent or employee of the City. FNI shall supervise the performance of its services and shall be entitled to control the manner and means by which its services are performed, subject to the terms of this AGREEMENT.
3. **CHANGES:** City, without invalidating the AGREEMENT, may order changes within the general scope of the WORK required by the AGREEMENT by altering, adding to and/or deducting from the WORK to be performed. If any change under this clause causes an increase or decrease in FNI's cost of, or the time required for, the performance of any part of the Services under the AGREEMENT, an equitable adjustment will be made by mutual agreement and the AGREEMENT modified in writing accordingly.
4. **AMENDMENTS:** This AGREEMENT may be amended by the mutual written agreement of FNI and the City.
5. **TERMINATION:** The obligation to provide services under this AGREEMENT may be terminated by either party upon ten days' written notice. In the event of termination, FNI will be paid for all services rendered and reimbursable expenses incurred to the date of termination and, in addition, all reimbursable expenses directly attributable to termination.
6. **CONSEQUENTIAL DAMAGES:** In no event shall FNI or its subcontractors be liable in contract, tort, strict liability, warranty, or otherwise for any special, indirect, incidental or consequential damages, such as loss of product, loss of use of the equipment or system, loss of anticipated profits or revenue, non-operation or increased expense of operation or other equipment or systems.
7. **INFORMATION FURNISHED BY CITY:** City will assist FNI by placing at FNI's disposal all available information pertinent to the Project including previous reports and any other data relative to design or construction of the Project. FNI shall have no liability for defects or negligence in the Services attributable to FNI's reliance upon or use of data, design criteria, drawings, specifications or other information furnished by City. FNI shall disclose to City, prior to use thereof, defects or omissions in the data, design criteria, drawings, specifications or other information furnished by City to FNI that FNI may reasonably discover in its review and inspection thereof.
8. **INSURANCE:** FNI shall provide to City certificates of insurance which shall contain the following minimum coverage:

Commercial General Liability	Workers' Compensation
General Aggregate	Each Accident
\$2,000,000	\$1,000,000
Automobile Liability (Any Auto)	Professional Liability
CSL	\$3,000,000 Annual Aggregate
\$1,000,000	
9. **SUBCONTRACTS:** If, for any reason, at any time during the progress of providing Services, City determines that any subcontractor for FNI is incompetent or undesirable, City will notify FNI accordingly and FNI shall take immediate steps for cancellation of such subcontract. Subletting by subcontractors shall be subject to the same regulations. Nothing contained in the AGREEMENT shall create any contractual relation between any subcontractor and City.
10. **OWNERSHIP OF DOCUMENTS:** All drawings, reports data and other project information developed in the execution of the Services provided under this AGREEMENT shall be the property of the City upon payment of FNI's fees for services. FNI may retain copies for record purposes. City agrees such documents are not intended or represented to be suitable for reuse by City or others. Any reuse by City or by those who obtained said documents from City without written verification or adaptation by FNI will be at City's sole risk and without liability or legal exposure to FNI, or to FNI's independent associates or consultants. Any such verification or adaptation will entitle FNI to further reasonable compensation. FNI may reuse all drawings, report data and other project information in the execution of the Services provided under this AGREEMENT in FNI's other activities. Any reuse by FNI will be at FNI's sole risk and without liability or legal exposure to City, and FNI shall indemnify and hold harmless City from all claims, damages, losses and expenses including attorneys' fees arising out of or resulting therefrom.

11. **POLLUTANTS AND HAZARDOUS WASTES:** It is understood and agreed that FNI has neither created nor contributed to the creation or existence of any hazardous, radioactive, toxic, irritant, pollutant, or otherwise dangerous substance or condition at the site, if any, and its compensation hereunder is in no way commensurate with the potential risk of injury or loss that may be caused by exposures to such substances or conditions. The parties agree that in performing the Services required by this AGREEMENT, FNI does not take possession or control of the subject site, but acts as an invitee in performing the services, and is not therefore responsible for the existence of any pollutant present on or migrating from the site. Further, FNI shall have no responsibility for any pollutant during clean-up, transportation, storage or disposal activities.
12. **OPINION OF PROBABLE COSTS:** FNI will furnish an opinion of probable project development cost based on present day cost but does not guarantee the accuracy of such estimates. Opinions of probable cost, financial evaluations, feasibility studies, economic analyses of alternate solutions and utilitarian considerations of operations and maintenance costs prepared by FNI hereunder will be made on the basis of FNI's experience and qualifications and represent FNI's judgment as an experienced and qualified design professional. It is recognized, however, that FNI does not have control over the cost of labor, material, equipment or services furnished by others or over market conditions or contractors' methods of determining their prices.
13. **CONSTRUCTION REPRESENTATION:** If required by the AGREEMENT, FNI will furnish Construction Representation according to the defined scope for these services. FNI will observe the progress and the quality of work to determine in general if the work is proceeding in accordance with the Contract Documents. In performing these services, FNI will endeavor to protect City against defects and deficiencies in the work of Contractors; FNI will report any observed deficiencies to City, however, it is understood that FNI does not guarantee the Contractor's performance, nor is FNI responsible for the supervision of the Contractor's operation and employees. FNI shall not be responsible for the means, methods, techniques, sequences or procedures of construction selected by the Contractor, or the safety precautions and programs incident to the work of the Contractor. FNI shall not be responsible for the acts or omissions of any person (except his own employees or agent) at the Project site or otherwise performing any of the work of the Project. If City designates a person to serve in the capacity of Resident Project Representative who is not a FNI's employee or FNI's agent, the duties, responsibilities and limitations of authority of such Resident Project Representative(s) will be set forth in writing and made a part of this AGREEMENT before the Construction Phase of the Project begins.
14. **PAYMENT:** Progress payments may be requested by FNI based on the amount of services completed. Payment for the services of FNI shall be due and payable upon submission of a statement for services to CITY and in acceptance of the services as satisfactory by the CITY. Statements for services shall not be submitted more frequently than monthly. Any applicable new taxes imposed upon services, expenses, and charges by any governmental body after the execution of this AGREEMENT will be added to FNI's compensation.

If CITY fails to make any payment due FNI for services and expenses within thirty (30) days after receipt of FNI's statement for services therefore, the amounts due FNI will be increased at the rate of one percent (1%) per month from said thirtieth (30th) day, and, in addition, FNI may, after giving seven (7) days' written notice to CITY, suspend services under this AGREEMENT until FNI has been paid in full, all amounts due for services, expenses and charges.

15. **ARBITRATION:** No arbitration arising out of, or relating to, this AGREEMENT involving one party to this AGREEMENT may include the other party to this AGREEMENT without their approval.
16. **SUCCESSORS AND ASSIGNMENTS:** CITY and FNI each are hereby bound and the partners, successors, executors, administrators and legal representatives of CITY and FNI are hereby bound to the other party to this AGREEMENT and to the partners, successors, executors, administrators and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements and obligations of this AGREEMENT.

Neither CITY nor FNI shall assign, sublet or transfer any rights under or interest in (including, but without limitation, moneys that may become due or moneys that are due) this AGREEMENT without the written consent of the other, except to the extent that any assignment, subletting or transfer is mandated by law or the effect of this limitation may be restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this AGREEMENT. Nothing contained in this paragraph shall prevent FNI from employing such independent associates and consultants as FNI may deem appropriate to assist in the performance of services hereunder.

17. **PURCHASE ORDERS:** If a Purchase Order is used to authorize FNI's Services, only the terms, conditions/instructions typed on the face of the Purchase Order shall apply to this AGREEMENT. Should there be any conflict between the Purchase Order and the terms of this AGREEMENT, then this AGREEMENT shall prevail and shall be determinative of the conflict.
18. **INDEMNIFICATION:** FNI DOES HEREBY CONVEY AND CONTRACT TO WAIVE ANY AND ALL CLAIMS, RELEASE, INDEMNIFY, AND HOLD HARMLESS THE CITY, ITS CITY COUNCIL, OFFICERS, EMPLOYEES, AND AGENTS, FROM AND AGAINST ALL LIABILITY, CAUSES OF ACTION, CITATIONS, CLAIMS, COSTS,

DAMAGES, DEMANDS, EXPENSES, FINES, JUDGEMENTS, LOSSES, PENALTIES OR SUITS, CAUSED BY OR RESULTING FROM THE NEGLIGENCE, INTENTIONAL TORT, INTELLECTUAL PROPERTY INFRINGEMENT, OR FAILURE TO PAY A SUBCONTRACTOR OR SUPPLIER COMMITTED BY FNI, ITS AGENTS, ITS CONSULTANTS UNDER CONTRACT, OR ANY OTHER ENTITY OVER WHICH THE PROFESSIONAL EXERCISES CONTROL SUBJECT TO THE LIMITATION IN TEXAS § 271.904 AND TEXAS CIVIL PRACTICE AND REMEDIES CODE § 130.002 (B).

INDEMNIFIED ITEMS SHALL INCLUDE LOCAL GOVERNMENT CODE, REASONABLE ATTORNEYS' FEES AND COSTS, COURT COSTS, AND SETTLEMENT COST IN PROPORTION TO FNI'S LIABILITY.

FNI'S OBLIGATION UNDER THIS SECTION SHALL NOT BE LIMITED TO THE LIMITS OF COVERAGE OF INSURANCE MAINTAINED OR REQUIRED TO BE MAINTAINED BY FNI UNDER THIS AGREEMENT. THIS PROVISION SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.

19. **SEVERABILITY:** in the event any one of the provisions contained in this AGREEMENT shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions, and the AGREEMENT shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.



COLLEYVILLE PLAZA MASTER PLAN



COLLEYVILLE PLAZA MASTER PLAN

Community Input on Plaza at City Hall

Participation	
Estimated Attendance	Total Comment Cards

14-Mar	50	34
16-Mar	280	19
24-Mar	1000	76
19-23 Mar		2
3-Apr		4
Total		135

Shape/Design Preference		
Pro Rectangle	Pro Oval	No shape preference indicated

24	5	5
14	4	1
36	18	22
2	0	0
3	0	1
79	27	29
59%	20%	21%

Input Opportunities:

14-Mar Public Engagement Mtg
 16-Mar Movie in The Village
 24-Mar Farmers Market
 19-23 Mar Traveling Exhibit
 3-Apr Public Engagement Mtg

General Comments:

- 1 - really love the looks
- 1 - lovely designs; love the look of lush landscaping & ample permanent seating
- 1 - designs are very well done for the limited space
- 1 - really look forward to enjoying the plaza
- 1 - wonderful, beyond expectations
- 1 - great idea, Colleyville needs this!
- 1 - I'd like it to stay a green space

Fountain		
Like water feature	Prefer no fountain	No specific comment on fountain yes/no

14-Mar	13	5	16
16-Mar	10	3	6
24-Mar	30	0	46
19-23 Mar	1	0	1
3-Apr	2	0	2
Total	56	8	71
	41%	6%	53%

Road Closure		
Like it	Do not like it	Did not mention road closure

3	2	29
3	0	16
4	0	72
0	0	2
2	0	2
12	2	121
9%	1%	90%

Parking		
Indicated layout was worth it	Mentioned concerns	Did not mention concerns

5	7	22
3	0	19
3	2	71
0	0	2
0	0	4
11	9	118
8%	7%	87%

Other Fountain Comments:

- 3 - prefer interactive water feature
- 1 - concern about drought time
- 2 - sensitive to maintenance costs
- 1 - likes option to have seasonal color change
- 1 - fountain draws people in

Other Parking Comments:

- 2 - make Casa Lane resident only parking
- 1 - wants more parking added
- 1 - consider forward parking not parallel

Design Features

Design Feature Comments:

- 13 - like/desire shade areas & seating
- 2 - like removable bollards
- 2 - make pole design less modern/more Mediteranean
- 8 - like the lighting plan/string lights
- 1 - want sidewalks across grass
- 1 - concern shade structure looks "cheap"
- 1 - consider grass or flower beds in corners of B2 vs. pavers
- 2 - amphitheater faces sun
- 2 - make sure stage area is large enough for plays/choirs
- 1 - maybe add shade sails
- 4 - have as much fixed seating as possible
- 1 - plan for underground electrical for speakers/equip.
- 1 - love uplighting in the trees
- 1 - add drinking fountain and pet fountain
- 1 - ok with astroturf being considered in lawn area
- 1 - consider including ability to add shade covers for events
- 1 - keep it dog friendly
- 1 - like having trees and nature included in design
- 1 - add quotes on risers of steps (like Celestial Park in Addison)
- 1 - make sure there is a tube underground to run cables during events to A/V table
- 1 - also have children's toys



COLLEYVILLE PLAZA MASTER PLAN

Colleyville, Texas

Preliminary Design Concept

April 13, 2018

No.	Item Description	Quantity	Unit	Unit Price	Subtotal
1.	SITE PREPARATION AND GRADING				
A.	Moving On-Site Cut/Fill (assumes 18" over 1 acre)	2,450	CY	\$10.00	\$24,500
B.	Importing Fill, Grade Prep, & Fine Grading	1,030	CY	\$40.00	\$41,200
C.	Demolition of Concrete Curb & Gutter	700	LF	\$5.00	\$3,500
D.	Demolition of Concrete Pavement	1,060	SY	\$10.00	\$10,600
E.	Site Clearing	1	LS	\$5,000.00	\$5,000
F.	Erosion Control Measures	1	LS	\$2,500.00	\$2,500
G.	Traffic Control	4	MO	\$4,000.00	\$16,000
H.	Tree Removal	11	EA	\$350.00	\$3,850
TOTAL					\$107,150
2.	PARKING AND ROAD				
A.	Enhanced Roadway Pavers with Concrete Base	2,605	SF	\$20.00	\$52,100
B.	6" Concrete Curb and Gutter	385	LF	\$16.00	\$6,160
C.	8" Thick Concrete Pavement for the Alley	1,500	SF	\$7.00	\$10,500
D.	8" Thick Misc. Concrete Pavement	2,060	SF	\$8.50	\$17,510
TOTAL					\$86,270
3.	SHADE STRUCTURE / STAGE AREA				
A.	Shade Structure Structure	1	LS	\$120,000.00	\$120,000
B.	Shade Structure Foundation/Installation	1	LS	\$55,000.00	\$55,000
C.	Enhanced Limestone Columns	4	EA	\$7,500.00	\$30,000
D.	Elevated Platform and Steps	1	LS	\$9,500.00	\$9,500
E.	Furnishings (Tables and Chairs)	6	EA	\$2,500.00	\$15,000
TOTAL					\$229,500
4.	AMPHITHEATER SEATING & HANDRAILS				
A.	Amphitheater Seating Structure	1	LS	\$68,000.00	\$68,000
B.	Limestone Veneer	1	LS	\$22,500.00	\$22,500
C.	Limestone End Columns	2	EA	\$3,900.00	\$7,800
TOTAL					\$98,300

No.	Item Description	Quantity	Unit	Unit Price	Subtotal
5.	TRAILS AND WALK PAVING				
	A. 6" Depth Conc. Sidewalk and Misc. Site Paving	5,145	SF	\$6.50	\$33,443
	B. Enhanced Sidewalk Pavers with Concrete Base	5,845	SF	\$15.00	\$87,675
	C. ADA Barrier-Free Ramp	4	EA	\$2,250.00	\$9,000
TOTAL					\$130,118
6.	LANDSCAPE DEVELOPMENT				
	A. 4" Caliper Large Shade Tree	19	EA	\$750.00	\$14,250
	B. Small Shade/Ornamental Trees	22	EA	\$350.00	\$7,700
	C. Groundcover	6,400	SF	\$8.00	\$51,200
	D. Sod	13,600	SF	\$0.60	\$8,160
	E. Irrigation	20,000	SF	\$0.50	\$10,000
TOTAL					\$91,310

No.	Item Description	Quantity	Unit	Unit Price	Subtotal
7.	SITE FURNISHINGS & MISC. ELEMENTS				
	A. Benches	8	EA	\$1,800.00	\$14,400
	B. 18" Height Limestone Seat Walls	470	LF	\$210.00	\$98,700
	C. Enhanced Limestone Columns at Walls	16	EA	\$1,300.00	\$20,800
	D. Limestone Kiosk	1	EA	\$3,500.00	\$3,500
	E. Misc. Site Furnishings (Trash Receptacles, Drinking Fountain, Bike Racks)	1	LS	\$12,000.00	\$12,000
	F. Removable Bollards	10	EA	\$2,000.00	\$20,000
TOTAL					\$169,400
8.	SITE UTILITIES & LIGHTING				
	A. Storm Sewer (Storm and sanitary sewer drain line, water line, inlet)	1	LS	\$30,000.00	\$30,000
	B. 1" Water Service Tap and Meter	1	EA	\$3,000.00	\$3,000
	C. 4" Water Service Tap and Meter	1	EA	\$7,500.00	\$7,500
	D. Transformer Relocation	1	LS	\$20,000.00	\$20,000
	E. Electrical Power to Shade Structure (includes service, outlets, and fixture)	1	LS	\$62,460.00	\$62,460
	F. Area Lighting (Pole and Fixture)	1	LS	\$163,500.00	\$163,500
TOTAL					\$286,460
9.	WATER FEATURE				
	A. Fountain Equipment and Lighting	1	LS	\$225,000.00	\$225,000
	B. Utility Connection	1	LS	\$12,000.00	\$12,000
	C. Fountain Finish Materials	1	LS	\$15,000.00	\$15,000
TOTAL					\$252,000

No.	Item Description	Quantity	Unit	Unit Price	Subtotal
SUMMARY OF CONSTRUCTION TOTALS:					
1.	SITE PREPARATION AND GRADING				\$107,150
2.	PARKING AND ROAD				\$86,270
3.	SHADE STRUCTURE / STAGE AREA				\$229,500
4.	AMPHITHEATER SEATING & HANDRAILS				\$98,300
5.	TRAILS AND WALK PAVING				\$130,118
6.	LANDSCAPE DEVELOPMENT				\$91,310
7.	SITE FURNISHINGS & MISC. ELEMENTS				\$169,400
8.	SITE UTILITIES & LIGHTING				\$286,460
9.	WATER FEATURE				\$252,000
	TOTAL				
	BASE TOTAL				\$1,450,508
	+ 20% CONTINGENCY				\$290,102
	CONSTRUCTION TOTAL				\$1,740,609



City of Colleyville City Council Agenda Briefing

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

Agenda Number 5e
Type Resolution
Department Engineering

Agenda Date 06/05/2018

Number Resolution R-18-4267

Title

Approval of a construction contract with GRA-Tex Utilities, Inc., for the Manning Drive Wastewater Project 3 and Paving Improvements Project, in an amount not to exceed \$606,193.50 which includes a \$30,000 contingency, and authorizing the City Manager to execute the contract and any associated change orders

Strategic Plan

- 3.1 Upgrade the condition of major roads and neighborhood streets
- 3.2 Ensure regular repair and replacement of water and wastewater facilities

Explanation

Reading and Public Hearing

The current comprehensive Five Year Capital Improvement Program (CIP) adopted by City Council on November 7, 2017, by attached Resolution R-17-4198, includes the construction of the Manning Drive Waste Water Project 3 to replace an existing 6-inch sanitary sewer line with an 8-inch sanitary sewer line as prioritized in the 2014 Water and Wastewater Master Plan list of projects for replacement due to maintenance issues with the existing grades being too flat. In February 2017, the City executed a Professional Services Agreement with Westra Consultants, LLC for the design of the replacement sanitary sewer line on Manning Drive.

On November 7, 2017, the City Council approved Resolution R-17-4199 for the 2018 Local Street Maintenance Program which includes the rehabilitation of Stafford Drive, Oak Knoll Drive, and Bowman Drive and identifies the rehabilitation of Manning Drive.

The Local Street Maintenance Program planned for Manning Drive and Stafford Drive as mill and overlay and Oak Knoll Drive and Bowman Drive as overlay only. The total planned cost of the maintenance of these streets was estimated at \$310,000. As part of this project, each of the streets listed will be milled and overlaid, and will include the replacement of a section of curb along Oak Knoll Drive that is in need of repair, as well as base repairs at various locations on Oak Knoll and Bowman. Base repairs and milling of the streets will produce a better roadway section by removing any surface cracking, allow for smoother tie ins to the existing driveways, enhance the ride ability of the roads, and prolong the life of these local streets for many more years.

This contract will replace the sanitary sewer line, and perform maintenance on multiple streets in the vicinity to complete all planned construction in this neighborhood at one time. This will improve efficiencies and complete several projects with a single

contractor.

Public notification of the invitation for bids was advertised in the Fort Worth Star-Telegram on April 1, 8, 15, 22, and 29, 2018. The notice to bidders and bid packet were posted on CivCast for free downloading and distributed to the Dodge Lead Center, BlueBook Building and Construction Network, and Construct Connect, which includes ISqFt, CMD, CDC, and Bid Clerk. Additionally, staff directly notified a list of local contractors who may be interested in the bid opportunity. The project had 132 plan holders, of which 51 were general contractors and 5 plan rooms.

The City received 5 sealed bids, which were opened and publicly read aloud on May 10, 2018.

The bids were separated into a base bid of open cut and alternate bid of pipeburst installation of the new sanitary sewer line, and another alternate bid for the mill and overlay of Manning Drive, Stafford Drive, Oak Knoll Drive, and Bowman Drive. The alternate bids allowed for the city to gauge the costs of the bids received, determine which options would be financially appropriate, and provide the most value to the city prior to award of the contract.

The bids received are as follows:

<u>Bidder</u>	<u>Open Cut</u>	<u>Pipeburst</u>	<u>Paving</u>	<u>Total Price</u>	<u>Days</u>
GRA-Tex Utilities, Inc.	\$290,260.00	No Bid	\$315,933.50	\$606,193.50	80
Ragle, Inc.	\$410,440.00	\$469,935.00	\$285,915.65	\$696,355.65	150
Excel 4 Construction, LLC	\$303,899.00	\$279,945.00	\$417,621.00	\$721,520.00	100
Serco Construction	\$458,907.50	\$461,244.00	\$437,732.00	\$896,639.50	100
JRB Pipeline	\$287,033.00	No Bid	No Bid	n/a	85

Per the attached bid tabulation, the low bid with the shortest duration was submitted by GRA-Tex Utilities, Inc. with a total bid amount of \$606,193.50 for open cut installation of over 2,200 linear feet of sanitary sewer line, as well as the mill and overlay of 7,920 LF of asphalt along Manning Drive, Stafford Drive, Oak Knoll Drive, and Bowman Drive. The bids were in line with the preliminary engineer's estimated cost of \$651,000.00. Approval of the contract includes a \$30,000 contingency allowance which is less than 5% of the total contract cost. The contingency will be

controlled by the City to address any field changes that may be necessary and/or to cover any cost overages that may occur during construction. The contractor's qualifications and references have been verified by the design consultant. The current construction market is busy and contractors are able to be selective about taking on new projects.

Prior to beginning work, a public notification letter will be sent to all residents and homeowners associations that will be affected by the construction to communicate the project and share the timeline of construction. The contractor anticipates beginning construction in the next 30 to 60 days as their schedule allows, and the contract time for the project is 80 calendar days, as bid by GRA-Tex Utilities, Inc.

Staff recommends approval of the award to GRA-Tex, Utilities, Inc. for the Manning Drive Waste Water Project 3 & Paving Improvements in an amount not to exceed \$606,193.50 which includes a \$30,000 contingency, and authorize the city manager to execute the contract and any associated change orders. The Engineer's Recommendation Letter and Bid Tabulation are attached.

Financial Impact

Funding for the construction of the Manning Drive Waste Water Project 3 was originally planned in the FY 2017 CIP in the amount of \$300,000 for construction. The 2018 Local Street Maintenance Program includes the rehabilitation of Stafford Drive, Oak Knoll Drive, and Bowman Drive.

Additional funding of \$96,156.50 from the Utility Fund is proposed to be allocated to cover the construction cost of the project. Total funding for the project is as follows:

Utility Fund	\$396,156.50
Capital Projects Fund	\$210,037.00
Total Project Cost	\$606,193.50

Form 1295 - Acknowledged by City

Recommendation

Approve

Attachments

1. WW Project 3 presentation
2. Construction Contract GRA-Tex
3. Recommendation Letter
4. Bid Tabulation
5. Location Map
6. Resolution R-17-4198
7. Resolution R-17-4199
8. Form 1295
9. Form CIQ

5e. Wastewater Project 3 and Paving Improvements Project



Location Map

Legend

- Wastewater Project 3
- Mill Overlay

- Approval of a construction contract with GRA-Tex Utilities, Inc. for the Manning Drive Wastewater Project 3 and Paving Improvement Project in an amount not to exceed \$606,193.50, and authorizing the city manager to execute the contract
- The contract will replace an existing 6" sanitary sewer line with an 8" line along Manning Drive and includes an asphalt mill and overlay on Manning Drive, Stafford Drive, Oak Knoll Drive, and Bowman Drive

5e. Wastewater Project 3 and Paving Improvements Project



The project was originally bid in January 2018. As per council directive the project was bid a second time in May 2018. The result is a contract savings of \$47,698.

<u>Bidder</u>	January 25, 2018 Bid Tabulation		May 10, 2018 Bid Tabulation	
	<u>Total Price</u>	<u>Days</u>	<u>Total Price</u>	<u>Days</u>
GRA-Tex Utilities, Inc.	\$ 653,891.50	85	\$ 606,193.50	80
Ragle, Inc.	n/a	n/a	\$ 696,355.65	150
Excel 4 Construction, LLC	\$ 736,736.50	90	\$ 721,520.00	100
Serco Construction	n/a	n/a	\$ 896,639.50	100
JRB Pipeline	n/a	n/a	Did not bid on all items	85
IPR South Central	\$ 894,608.00	120	n/a	n/a

CONSTRUCTION SERVICES AGREEMENT
[Manning Drive Wastewater and Paving Improvements]

This **CONSTRUCTION SERVICES AGREEMENT** ("Agreement") is made as of the Effective Date by and between Gra-Tex Utilities, hereinafter called "CONTRACTOR", and the **City of Colleyville, Texas**, hereinafter called "CITY".

RECITALS

WHEREAS, CITY desires CONTRACTOR to perform certain work and services set forth in Section 1, Scope of Services and

WHEREAS, CONTRACTOR has expressed a willingness to perform said work and services, hereinafter referred to only as "services", specified in the Contract Documents, and enumerated under Section 1, of this Agreement;

NOW, THEREFORE, for and in consideration of the covenants and promises made one to the other herein, CITY and CONTRACTOR agree as follows:

Section 1. Scope of Services

Upon issuance of a written Notice to Proceed by CITY, CONTRACTOR agrees to provide to CITY the necessary professional services, labor, equipment and supplies related to waste water and paving work to be performed a in conjunction with the Manning Drive Waste Water Project 3 and Paving Improvements Project ("the Project"), such services being more fully described herein and pursuant to the specifications provided in the Contract Documents.

Section 2. Term of Agreement

The term of this Agreement shall begin on the last date of execution hereof (the "Effective Date") and shall continue until CONTRACTOR completes the services required herein to the satisfaction of CITY and has been paid in full by City, unless sooner terminated as provided in Section 9, below.

Section 3. Contract Documents

- A. This Agreement is a part of the Contract Documents, which include:
- 1) This Agreement, including all exhibits and addenda hereto;
 - 2) CITY'S Specifications and Contract Documents for the Project ("Bid Packet");
 - 3) CITY'S written notice(s) to proceed to the CONTRACTOR;
 - 4) Properly authorized change orders;
 - 5) CONTRACTOR's Bid Proposal ("Proposal" and/or "Response"); and
 - 6) Any other materials distributed by the CITY that relate to the Project.

Section 4. Contractor Obligations

A. CONTRACTOR shall devote such time as reasonably necessary for the satisfactory performance of the work under this Agreement. Should CITY require additional services not included under this Agreement, CONTRACTOR shall make reasonable effort to provide such additional services at mutually agreed charges or rates, and within the time schedule prescribed by CITY; and without decreasing the effectiveness of the performance of services required under this Agreement.

B. To the extent reasonably necessary for CONTRACTOR to perform the services under this Agreement, CONTRACTOR shall be authorized to engage the services of any agents, assistants, persons, or corporations that CONTRACTOR may deem proper to aid or assist in the performance of the services under this Agreement with the prior written approval of CITY. The cost of such personnel and assistance shall be a reimbursable expense to CONTRACTOR only if authorized in writing in advance by CITY.

C. Unless otherwise agreed, CONTRACTOR shall provide and pay for all materials, supplies, machinery, equipment, tools, superintendence, labor, insurance, and all water, light, power, fuel, transportation and all other facilities necessary for the execution and completion of the work covered by the Scope of Services. Unless otherwise specified, all materials shall be new and both workmanship and materials shall be of a good quality. CONTRACTOR shall, if required, furnish satisfactory evidence as to the kind and quality of materials. Materials or work described in words that so applied have well known, technical or trade meaning shall be held to refer to such recognized standards.

D. CONTRACTOR shall comply with all laws, ordinances, rules and regulations governing CONTRACTOR's performance of this Agreement.

E. All minor details of the work not specifically mentioned in the Scope of Services or Project Drawings but obviously necessary for the proper completion of the work, such as the proper connection of new work to old, shall be considered as incidental to and a part of the work for which the prices are set forth in this Agreement. CONTRACTOR will not be entitled to any additional compensation therefor unless specifically stated otherwise. Otherwise the term "extra work" as used in this Agreement shall be understood to mean and include all work that may be required by CITY to be done by CONTRACTOR to accomplish any alteration or addition to the work as shown on the Project Drawings. It is agreed that CONTRACTOR shall perform all extra work under the direction of the City's Representative when presented with a written work order signed by the City's Representative, subject, however, to the right of CONTRACTOR to require written confirmation of such extra work order by CITY. Payment for extra work shall be as agreed in the work order.

F. CONTRACTOR agrees to indemnify, defend, and save CITY harmless from all claims growing out of any demands of subcontractors, laborers, workmen, mechanics, materialmen, and suppliers of machinery and parts thereof, equipment, power tools, all supplies incurred in the furtherance of the performance of this Agreement. When CITY requests, CONTRACTOR shall furnish satisfactory evidence that all obligations of the nature hereinabove designated have been paid, discharged or waived.

Section 5. Payment

A. CITY agrees to pay CONTRACTOR for all services authorized in writing and properly performed by CONTRACTOR in a total amount not to exceed SIX HUNDRED SIX THOUSAND ONE HUNDRED NINETY THREE AND 50/100 DOLLARS (\$606,193.50) ("Contract Price"), subject to additions or deletions for changes or extras agreed upon in writing. Unless otherwise provided herein, payment to CONTRACTOR shall be monthly based on the CONTRACTOR'S monthly progress report and detailed monthly itemized statement for services that shows the names of the CONTRACTOR'S employees, agents, contractors performing the services, the time worked, the actual services performed, and the rates charged for such services, in a form reasonably acceptable to CITY. CITY shall pay such monthly statements within thirty (30) days after receipt and CITY verification of the services.

B. CITY may deduct from any amounts due or to become due to CONTRACTOR any sum or sums owing by CONTRACTOR to CITY. In the event of any breach by CONTRACTOR of any provision

or obligation of this Agreement, or in the event of the assertion by other parties of any claim or lien against CITY, or the CITY'S premises, arising out of CONTRACTOR's performance of this Agreement, CITY shall have the right to retain out of any payments due or to become due to CONTRACTOR an amount sufficient to completely protect the CITY from any and all loss, damage or expense therefrom, until the breach, claim or lien has been satisfactorily remedied or adjusted by CONTRACTOR.

C. CITY may, on account of subsequently discovered evidence, withhold the whole or part of any payment to such extent as may be necessary to protect itself from loss on account of:

- (1) Defective work not remedied;
- (2) Claims filed or reasonable evidence indicating possible filing of claims;
- (3) Failure of CONTRACTOR to make payments promptly to subcontractors or for material or labor which CITY may pay as an agent for the CONTRACTOR; or
- (4) Damages to another contractor or subcontractor.

When the above grounds are removed, or CONTRACTOR provides a surety bond satisfactory to CITY which will protect CITY in the amount withheld because of said grounds, CITY will release the amounts withheld.

Section 6. Responsibilities

A. CONTRACTOR shall be responsible for the professional quality, technical accuracy, and the coordination of all materials, construction, installation and other services furnished by CONTRACTOR under this Agreement. CONTRACTOR shall, without additional compensation, correct or revise any errors or deficiencies in the installation and construction of the Project components to conform as shown in the Project drawings and specifications.

B. Neither CITY's review, approval or acceptance of, nor payment for any of the services required under this Agreement, shall be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement, and CONTRACTOR shall be and remain liable to CITY in accordance with applicable law for all damages to CITY caused by CONTRACTOR's negligent performance of any of the services furnished under this Agreement.

C. The rights and remedies of CITY under this Agreement are as provided by law.

Section 7. Time for Performance

A. CONTRACTOR shall perform all services as provided for under this Agreement in a proper, efficient, timely, and professional manner in accordance with CITY'S requirements.

B. In the event CONTRACTOR's performance of this Agreement is delayed or interfered with by acts of the CITY or others, CONTRACTOR may request an extension of time for the performance of same as hereinafter provided, but shall not be entitled to any increase in fee or price, or to damages or additional compensation as a consequence of such delays.

C. No allowance of any extension of time, for any cause whatever, shall be claimed or made to CONTRACTOR, unless CONTRACTOR shall have made written request upon CITY for such extension within forty-eight (48) hours after the cause for such extension occurred, and unless CITY and

CONTRACTOR have agreed in writing upon the allowance of additional time to be made.

D. Liquidated Damages. CONTRACTOR understands and agrees that time is of the essence of this contract, and that for each day of delay beyond the number of calendar days herein agreed upon for the completion of the work herein specified and contracted for (after due allowance for such extension of time as may otherwise be provided for extension of time herein), the Owner may withhold permanently from the Contract Price an amount equal to \$500.00 per day.

E. Abandonment by Contractor. In case CONTRACTOR should abandon and fail or refuse to resume work within ten (10) days after written notification from the City, or if CONTRACTOR fails to comply with the orders of the CITY, when such orders are consistent with the Contract Documents, then, and in that case, where performance and payment bonds exist, the Sureties on these bonds may be notified in writing by CITY and directed to complete the work (at CITY'S sole discretion), and a copy of said notice shall be delivered to CONTRACTOR. After receiving said notice of abandonment, CONTRACTOR shall not remove from the work any machinery, equipment, tools, materials or supplies then on the job, but the same, together with any materials and equipment under contract for the work, may be held for use on the work by the CITY or the Surety on the performance bond, or another contractor in completion of the work; and CONTRACTOR shall not receive any rental or credit therefor, it being understood that the use of such equipment and materials will ultimately reduce the cost to complete the work and be reflected in the final settlement. Nothing in this section shall be deemed a waiver of any remedy available to the CITY under this Agreement and the CITY shall retain all remedies upon default provided in Section 14 herein.

(1) In case the Surety should fail to commence compliance with the notice for completion hereinbefore provided for, written ten (10) days after service of such notice, then the CITY may provide for completion of the work in either of the following elective manners:

- a. The CITY may employ such force of labor and use such machinery, equipment, tools, materials and supplies as said CITY may deem necessary to complete the work and charge the expense of such labor, machinery, equipment, tools, materials and supplies to said CONTRACTOR, and expense so charged shall be deducted and paid by the CITY out of such moneys as may be due, or that may thereafter at any time become due to the CONTRACTOR under and by virtue of this Agreement. In case such expense is less than the sum which would have been payable under this contract, if the same had been completed by the CONTRACTOR, then said CONTRACTOR shall receive the difference. In case such expense is greater than the sum which would have been payable under this contract, if the same had been completed by said CONTRACTOR, then the CONTRACTOR and/or its Surety shall pay the amount of such excess to the CITY; or
- b. The CITY under sealed bids, when and in the manner required by law, may let the contract for the completion of the work under substantially the same terms and conditions which are provided in this Agreement. In the case of any increase in cost to the CITY under the new contract as compared to what would have been the cost under this Agreement, such increase shall be charged to the CONTRACTOR and the Surety shall be and remain bound therefor. However, should the cost to complete any such new contract prove to be less than what would have been the cost to complete under this Agreement, the CONTRACTOR and/his Surety shall be credited therewith.

Section 8. Ownership of Project; Bill of Sale

A. CONTRACTOR warrants that title to all work, including all equipment and materials incorporated into the Project, will pass to CITY no later than the time of final payment. CONTRACTOR further warrants that upon payment by CITY, all Work for which payments have been received from CITY shall be free and clear of liens, claims, security interests or other encumbrances in favor of CONTRACTOR or any other person or entity whatsoever.

B. CONTRACTOR agrees to assign to CITY at the time of completion of the Scope of Services all manufacturer's warranties relating to equipment, materials and labor used in the Project and further agrees to perform the Project in such manner to preserve all manufacturer's warranties. If necessary as a matter of law, CONTRACTOR may retain the right to enforce directly any such manufacturers' warranties during the one year period following the date of acceptance of the Project by City.

Section 9. Termination

A. CITY may suspend or terminate this Agreement for cause or without cause at any time by giving written notice to CONTRACTOR. In the event suspension or termination is without cause, payment to CONTRACTOR, in accordance with the terms of this Agreement, will be made based on services reasonably determined by CITY to be satisfactorily performed to the date of suspension or termination. Such payment will be due upon delivery of all instruments of service to CITY.

B. If CITY requires a modification of this Agreement with CONTRACTOR, and in the event CITY and CONTRACTOR fail to agree upon a modification to this Agreement, CITY shall have the option of terminating this Agreement and CONTRACTOR's services hereunder at no additional cost other than the payment to CONTRACTOR, in accordance with the terms of this Agreement, for the services reasonably determined by CITY to be properly performed by CONTRACTOR prior to such termination date.

Section 10. Insurance

A. CONTRACTOR shall during the term hereof maintain in full force and effect the following insurance: (i) a comprehensive general liability policy of insurance for bodily injury, death and property damage insuring against all claims, demands or actions relating to the CONTRACTOR's performance of services pursuant to this Agreement with a minimum combined single limit of not less than \$1,000,000.00 per occurrence for injury to persons (including death), and for property damage; (ii) policy of automobile liability insurance covering any vehicles owned and/or operated by CONTRACTOR, its officers, agents, and employees, and used in the performance of this Agreement with policy limits of not less than \$500,000.00 combined single limit and aggregate for bodily injury and property damage; (iii) statutory Worker's Compensation Insurance at the statutory limits and Employers Liability covering all of CONTRACTOR's employees involved in the provision of services under this Agreement with policy limit of not less than \$500,000.00.

B. All insurance and certificate(s) of insurance shall contain the following provisions: (1) name CITY, its officers, and employees as additional insureds as to all applicable coverage with the exception of Workers Compensation Insurance; (2) provide for at least thirty (30) days prior written notice to CITY for cancellation or non-renewal of the insurance; (3) provide for a waiver of subrogation against CITY for injuries, including death, property damage, or any other loss to the extent the same is covered by the proceeds of insurance. Contractor shall provide written notice to CITY of any material change of or to the insurance required herein.

C. All insurance companies providing the required insurance shall be authorized to transact business in Texas and rated at least “A” by AM Best or other equivalent rating service.

D. A certificate of insurance evidencing the required insurance and all endorsements shall be submitted prior to commencement of services.

Section 11. Indemnification.

CITY SHALL NOT BE LIABLE FOR ANY LOSS, DAMAGE, OR INJURY OF ANY KIND OR CHARACTER TO ANY PERSON OR PROPERTY ARISING FROM THE SERVICES OF CONTRACTOR PURSUANT TO THIS AGREEMENT. CONTRACTOR HEREBY WAIVES ALL CLAIMS AGAINST CITY, ITS OFFICERS, AGENTS AND EMPLOYEES (COLLECTIVELY REFERRED TO IN THIS SECTION AS “CITY”) FOR DAMAGE TO ANY PROPERTY OR INJURY TO, OR DEATH OF, ANY PERSON ARISING AT ANY TIME AND FROM ANY CAUSE OTHER THAN THE NEGLIGENCE OR WILLFUL MISCONDUCT OF CITY OR BREACH OF CITY’S OBLIGATIONS HEREUNDER. CONTRACTOR AGREES TO INDEMNIFY AND SAVE HARMLESS CITY FROM AND AGAINST ANY AND ALL LIABILITIES, DAMAGES, CLAIMS, SUITS, COSTS (INCLUDING COURT COSTS, REASONABLE ATTORNEYS’ FEES AND COSTS OF INVESTIGATION) AND ACTIONS OF ANY KIND BY REASON OF INJURY TO OR DEATH OF ANY PERSON OR DAMAGE TO OR LOSS OF PROPERTY TO THE EXTENT CAUSED BY CONTRACTOR’S NEGLIGENT PERFORMANCE OF SERVICES UNDER THIS AGREEMENT OR BY REASON OF ANY NEGLIGENT ACT OR OMISSION ON THE PART OF CONTRACTOR, ITS OFFICERS, DIRECTORS, SERVANTS, EMPLOYEES, REPRESENTATIVES, CONSULTANTS, LICENSEES, SUCCESSORS OR PERMITTED ASSIGNS (EXCEPT WHEN SUCH LIABILITY, CLAIMS, SUITS, COSTS, INJURIES, DEATHS OR DAMAGES ARISE FROM OR ARE ATTRIBUTED TO NEGLIGENCE OF CITY, IN WHOLE OR IN PART, IN WHICH CASE CONTRACTOR SHALL INDEMNIFY CITY ONLY TO THE EXTENT OR PROPORTION OF NEGLIGENCE ATTRIBUTED TO CONTRACTOR AND/OR ITS OFFICERS, DIRECTORS, SERVANTS, EMPLOYEES, REPRESENTATIVES, CONSULTANTS, LICENSEES, SUCCESSORS OR PERMITTED ASSIGNS AS DETERMINED BY A COURT OR OTHER FORUM OF COMPETENT JURISDICTION). CONTRACTOR’S OBLIGATIONS UNDER THIS SECTION SHALL NOT BE LIMITED TO THE LIMITS OF COVERAGE OF INSURANCE MAINTAINED OR REQUIRED TO BE MAINTAINED BY CONTRACTOR UNDER THIS AGREEMENT. THIS PROVISION SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.

Section 12. Assignment

CONTRACTOR shall not assign or sublet this Agreement, or any part thereof, without the prior written consent of CITY.

Section 13. Applicable Laws

CONTRACTOR shall comply with all Federal, State, County and Municipal laws, ordinances, regulations, safety orders, resolutions and building codes relating or applicable to services to be performed under this Agreement. The laws of the State of Texas shall govern this Agreement; and venue for any action concerning this Agreement shall be in the State District Court of Tarrant County, Texas. The parties agree to submit to the personal and subject matter jurisdiction of said court

Section 14. Default of CONTRACTOR

In the event CONTRACTOR fails to comply or becomes disabled and unable to comply with the provisions of this Agreement as to the quality or character of the service or time of performance, and the failure is not corrected within ten (10) days after written notice by CITY to CONTRACTOR, CITY may, at its sole discretion without prejudice to any other right or remedy:

A. Terminate this Agreement and be relieved of the payment of any further consideration to CONTRACTOR except for all work determined by CITY to be satisfactorily completed prior to termination. Payment for work satisfactorily completed shall be for actual costs, including reasonable salaries and travel expenses of CONTRACTOR to and from meetings called by CITY at which CONTRACTOR is required to attend, but shall not include any loss of profit of CONTRACTOR. In the event, of such termination, CITY may proceed to complete the services in any manner deemed proper by CITY, either by the use of its own forces or by resubletting to others.

B. CITY may, without terminating this Agreement or taking over the services, furnish the necessary materials, equipment, supplies and/or help necessary to remedy the situation, at the expense of CONTRACTOR.

Section 15. Adjustments in Services

No claims for extra services, additional services or changes in the services will be made by CONTRACTOR without a written agreement with CITY prior to the performance of such services.

Section 16. Execution Becomes Effective

This Agreement will be effective upon signing of the Agreement by authorized representatives of CONTRACTOR and CITY.

Section 17. Agreement Amendments

This Agreement contains the entire understanding of the parties with respect to the subject matter hereof and there are no oral understandings, statements or stipulations bearing upon the meaning or effect of this Agreement which have not been incorporated herein. This Agreement may only be modified, amended, supplemented or waived by a written instrument executed by the parties except as may be otherwise provided therein.

Section 18. Severability.

In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.

Section 19. Independent Contractor.

In satisfying the conditions of and providing the services under this Agreement, CONTRACTOR is acting independently, and CITY assumes no responsibility or liabilities to any third party in connection with CONTRACTOR's actions. All services to be performed by CONTRACTOR pursuant to this Agreement shall be in the capacity of an independent contractor and not as an agent or employee of CITY. CONTRACTOR shall supervise the performance of its services and shall be entitled to control the

manner and means by which its services are to be performed, subject to the terms of this Agreement. There is no intended third-party beneficiary to this Agreement.

Section 20. Right-Of-Access.

CITY will obtain and/or furnish right-of-access on any project site for CONTRACTOR to perform any required studies, surveys, tests or other necessary investigations in relation to the Scope of Services. CONTRACTOR will take reasonable precautions to minimize damage to the personal or real property in the performance of such surveys, tests, studies and investigations.

Section 21. Notice.

Any notice required or permitted to be delivered hereunder may be sent by first class mail, overnight courier or by confirmed telefax or facsimile to the address specified below, or to such other party or address as either party may designate in writing, and shall be deemed received three (3) days after delivery set forth herein:

If to CITY:

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

With copy to:

**Whitt L. Wyatt
Nichols, Jackson, Dillard, Hager & Smith, L.L.P.
500 North Akard, Suite 1800
Dallas, Texas 75201**

If to CONTRACTOR:

Section 22. Counterparts.

This Agreement may be executed by the parties hereto in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute one and the same instrument. Each counterpart may consist of any number of copies hereof each signed by less than all, but together signed by all of the parties hereto.

Section 23. Exhibits.

The exhibits attached hereto are incorporated herein and made a part hereof for all purposes.

Section 24. Survival of Obligations.

Any of the representations and obligations of the parties, as well as any rights and benefits of the parties pertaining to a period of time following the termination of this Agreement shall survive termination.

Section 25. Sales and Use Taxes

CONTRACTOR understands and acknowledges that CITY is a governmental entity and exempt from the payment of sales and use taxes for certain materials and equipment conveyed to City as part of this Project or otherwise incorporated into the Project. CITY agrees to provide CONTRACTOR such documentation as may otherwise be required by state law to allow CONTRACTOR to avoid payment of sales and uses taxes for materials and equipment with respect to the Project to the extent allowed by law.

(Signature page to follow)

AGREED AND SIGNED this ____ day of _____, 2018.

CITY OF COLLEYVILLE, TEXAS

By: _____
Jerry Ducay, City Manager

ATTEST:

Christine Loven, City Secretary

APPROVED AS TO FORM:

Whitt L. Wyatt City Attorney
(WLW:1.16.18:95081v1)

AGREED AND SIGNED this _____ day of _____, 2018.

CONTRACTOR

By: _____

Name: _____

Title: _____

May 29, 2018

Via e-mail: ctaylor@colleyville.com

Cheryl Taylor, PE
Public Works Director
City of Colleyville
100 Main Street
Colleyville, Texas 76034

**RE: Recommendation of Award for Manning Drive Waste Water Project 3 and Paving Improvements
Westra Project #: COL16043**

Dear Ms. Taylor:

Bids for the referenced project were received and opened publicly on Thursday, May 10, 2018 at the City of Colleyville. The project was advertised for five consecutive weeks and posted on www.civcast.usa with a total of 132 plan holders. Of the bids received the only error discovered was an incorrect summation of Gra-Tex Utilities Base Bid A. They listed a total bid of \$290,260 when the actual sum of the bid items is \$285,260.00.

The following is a summary of the results along with the engineering cost projection. Bids were received in 3 parts. The first part, Base Bid A, is to replace the Manning Drive Sewer by Open Cut construction methods. The second part, Base Bid B, involves the same replacement using Pipe Bursting techniques. The third part is an additive bid item to Mill and Overlay all or part of Manning Drive, Stafford Drive, Oak Knoll Drive, and Bowman Drive.

Contractor	Base Bid A	Base Bid B	Additive Bid 1
GRA-Tex Utilities, Inc.	\$285,260.00 (70 days)	No Bid	\$315,933.50 (10 days)
JRB Pipeline Services, LLC	\$287,033.00 (85 days)	No Bid	No Bid
Excel 4 Construction, LLC	\$303,899.00 (90 days)	\$279,945 (100 days)	\$417,621.00 (10 days)
Ragle, Inc.	\$410,440.00 (140 days)	\$469,935.00 (120 days)	\$285,915.65 (10 days)
Serco Construction Group	\$458,907.50 (90 days)	\$461,244.00 (90 days)	\$437,732.00 (10 days)
Westra OPCC	\$261,000.00	\$272,000.00	\$390,000.00

To construct the sewer line and pavement repair, the most advantageous option is to award Base Bid A and Additive Bid 1 to Gra-Tex Utilities for a total price of \$601,193.50 and a total time of 80 days. That combination of award is less than the engineer's cost projection of \$651,000.00 and is less than our original estimated construction time of 120 days.

We contacted the references for Gra-Tex Utilities and received favorable reviews for the work they performed and are currently performing on similar type projects. Most responded that Gra-Tex Utilities was timely and met the construction schedule and there were no construction quality issues with their work. All references responded that there were some change orders and Gra-Tex Utilities was reasonable and fair to deal with. All respondents recommended Gra-Tex Utilities.

Based on references and our evaluation of bids received, we have found nothing significant to warrant the disqualification of Gra-Tex Utilities bid and therefore recommend award of the project to them.

Sincerely,

Westra Consultants

A handwritten signature in black ink, appearing to read "Michael Wellbaum", is written over the printed name.

Michael Wellbaum, PE, CFM
Principal

Att. Bid Tabulation
 Reference Check

BASE BID A - Sewer (Open Cut)				GRA-Tex Utilities		Serco Construction Group		Ragle, Inc		Excel 4 Construction		JRB Pipeline Services, LLC	
NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Mobilization and Bonds	LS	1	\$ 25,000.00	\$ 25,000.00	\$ 12,150.00	\$ 12,150.00	\$ 30,000.00	\$ 30,000.00	\$ 5,000.00	\$ 5,000.00	\$ 13,500.00	\$ 13,500.00
2	Detours and Barricades	LS	1	\$ 6,500.00	\$ 6,500.00	\$ 7,500.00	\$ 7,500.00	\$ 30,000.00	\$ 30,000.00	\$ 4,000.00	\$ 4,000.00	\$ 3,200.00	\$ 3,200.00
3	6" Concrete Driveway Repair	EA	12	\$ 3,000.00	\$ 36,000.00	\$ 1,500.00	\$ 18,000.00	\$ 5,000.00	\$ 60,000.00	\$ 1,000.00	\$ 12,000.00	\$ 2,700.00	\$ 32,400.00
4	Sodding/Tuff grass Planting	LF	2625	\$ 5.00	\$ 13,125.00	\$ 6.50	\$ 17,062.50	\$ 8.00	\$ 21,000.00	\$ 4.00	\$ 10,500.00	\$ 8.00	\$ 21,000.00
5	Stormwater Pollution Prevention Plan	LS	1	\$ 1,500.00	\$ 1,500.00	\$ 2,500.00	\$ 2,500.00	\$ 30,000.00	\$ 30,000.00	\$ 2,500.00	\$ 2,500.00	\$ 4,500.00	\$ 4,500.00
6	PVC Open Cut Gravity Sewer Pipe (8-inch)(SDR 26)	LF	2237	\$ 55.00	\$ 123,035.00	\$ 135.00	\$ 301,995.00	\$ 70.00	\$ 156,590.00	\$ 77.00	\$ 172,249.00	\$ 59.00	\$ 131,983.00
7	New Sanitary Sewer Manhole (Complete)	EA	4	\$ 4,500.00	\$ 18,000.00	\$ 4,725.00	\$ 18,900.00	\$ 4,800.00	\$ 19,200.00	\$ 7,000.00	\$ 28,000.00	\$ 4,800.00	\$ 19,200.00
8	Sanitary Sewer Manhole (Extra Depth greater than 6-feet)	VF	20	\$ 275.00	\$ 5,500.00	\$ 375.00	\$ 7,500.00	\$ 350.00	\$ 7,000.00	\$ 520.00	\$ 10,400.00	\$ 350.00	\$ 7,000.00
9	PVC Sanitary Sewer Service SHORT (4-inch SDR 26)	EA	11	\$ 1,100.00	\$ 12,100.00	\$ 1,800.00	\$ 19,800.00	\$ 1,300.00	\$ 14,300.00	\$ 800.00	\$ 8,800.00	\$ 1,300.00	\$ 14,300.00
10	PVC Sanitary Sewer Service LONG (4-inch SDR 26)	EA	11	\$ 1,500.00	\$ 16,500.00	\$ 2,500.00	\$ 27,500.00	\$ 1,450.00	\$ 15,950.00	\$ 950.00	\$ 10,450.00	\$ 1,450.00	\$ 15,950.00
11	Manhole Coating System (New & Existing)	EA	4	\$ 2,000.00	\$ 8,000.00	\$ 1,500.00	\$ 6,000.00	\$ 1,600.00	\$ 6,400.00	\$ 5,000.00	\$ 20,000.00	\$ 1,000.00	\$ 4,000.00
12	Construction Contingency Allowance (Sanitary Sewer)	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
	Total Calendar Days			70		90		140		90		85	
	Subtotal:				\$ 285,260.00		\$ 458,907.50		\$ 410,440.00		\$ 303,899.00		\$ 287,033.00

BASE BID B - Sewer (Pipeburst)				GRA-Tex Utilities		Serco Construction Group		Ragle, Inc		Excel 4 Construction		JRB Pipeline Services, LLC	
NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Mobilization and Bonds	LS	1	NO BID		\$ 12,150.00	\$ 12,150.00	\$ 30,000.00	\$ 30,000.00	\$ 5,000.00	\$ 5,000.00	NO BID	
2	Detours and Barricades	LS	1			\$ 7,500.00	\$ 7,500.00	\$ 30,000.00	\$ 30,000.00	\$ 4,000.00	\$ 4,000.00		
3	TV Inspection of Sanitary Sewer (Pre-Construction)	LF	2237			\$ 7.00	\$ 15,659.00	\$ 5.00	\$ 11,185.00	\$ 2.00	\$ 4,474.00		
4	Sodding/Tuff grass Planting	SY	125			\$ 15.00	\$ 1,875.00	\$ 8.00	\$ 1,000.00	\$ 7.00	\$ 875.00		
5	Stormwater Pollution Prevention Plan	LS	1			\$ 2,500.00	\$ 2,500.00	\$ 30,000.00	\$ 30,000.00	\$ 2,500.00	\$ 2,500.00		
6	HDPE Trenchless Gravity Sewer Pipe (8-inch)(DR 21)	LF	2237			\$ 130.00	\$ 290,810.00	\$ 100.00	\$ 223,700.00	\$ 58.00	\$ 129,746.00		
7	Point Repair for Existing Line (15-foot max)	EA	5			\$ 5,100.00	\$ 25,500.00	\$ 4,500.00	\$ 22,500.00	\$ 4,100.00	\$ 20,500.00		
8	Point Repair for Existing Line (Greater than 15-foot)	LF	30			\$ 185.00	\$ 5,550.00	\$ 85.00	\$ 2,550.00	\$ 75.00	\$ 2,250.00		
9	Sanitary Sewer Manhole (Complete)	EA	4			\$ 4,725.00	\$ 18,900.00	\$ 11,700.00	\$ 46,800.00	\$ 7,200.00	\$ 28,800.00		
10	Sanitary Sewer Manhole (Extra Depth greater than 6-feet)	VF	20			\$ 375.00	\$ 7,500.00	\$ 550.00	\$ 11,000.00	\$ 550.00	\$ 11,000.00		
11	PVC Sanitary Sewer Service SHORT (4-inch SDR 26)	EA	11			\$ 1,800.00	\$ 19,800.00	\$ 1,300.00	\$ 14,300.00	\$ 1,300.00	\$ 14,300.00		
12	PVC Sanitary Sewer Service LONG (4-inch SDR 26)	EA	11			\$ 2,500.00	\$ 27,500.00	\$ 1,500.00	\$ 16,500.00	\$ 1,500.00	\$ 16,500.00		
13	Manhole Coating System (New & Existing)	EA	4			\$ 1,500.00	\$ 6,000.00	\$ 2,600.00	\$ 10,400.00	\$ 5,000.00	\$ 20,000.00		
14	Construction Contingency Allowance (Sanitary Sewer)	LS	1			\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00		
	Total Calendar Days					90		120		100			
	Subtotal:						\$ 461,244.00		\$ 469,935.00		\$ 279,945.00		

ADDITIVE BID 1 - Mill & Overlay				GRA-Tex Utilities		Serco Construction Group		Ragle, Inc		Excel 4 Construction		JRB Pipeline Services, LLC	
NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Mobilization and Bonds	LS	1	\$ 8,500.00	\$ 8,500.00	\$ 10,500.00	\$ 10,500.00	\$ 1,000.00	\$ 1,000.00	\$ 5,000.00	\$ 5,000.00	NO BID	
2	Detours and Barricades	LS	1	\$ 2,500.00	\$ 2,500.00	\$ 7,500.00	\$ 7,500.00	\$ 1,000.00	\$ 1,000.00	\$ 4,000.00	\$ 4,000.00		
3	Mill Existing Pavement (2 inch thick) (Manning & Stafford)	SY	13462	\$ 3.00	\$ 40,386.00	\$ 3.50	\$ 47,117.00	\$ 2.55	\$ 34,328.10	\$ 4.00	\$ 53,848.00		
4	Wedge Mill Existing Pavement (Oak Knoll & Bowman)	LF	5450	\$ 2.35	\$ 12,807.50	\$ 2.00	\$ 10,900.00	\$ 2.00	\$ 10,900.00	\$ 3.00	\$ 16,350.00		
5	8" Base Failure Repair	SY	1000	\$ 45.00	\$ 45,000.00	\$ 94.00	\$ 94,000.00	\$ 50.00	\$ 50,000.00	\$ 64.00	\$ 64,000.00		
6	Hot Mix Asphaltic Concrete Type "D" (2 inch thick)	TONS	2101	\$ 90.00	\$ 189,090.00	\$ 120.00	\$ 252,120.00	\$ 82.55	\$ 173,437.55	\$ 123.00	\$ 258,423.00		
7	Remove Curb and Gutter	LF	150	\$ 18.00	\$ 2,700.00	\$ 6.60	\$ 990.00	\$ 10.00	\$ 1,500.00	\$ 15.00	\$ 2,250.00		
8	Concrete Curb and Gutter 6" Barrier	LF	150	\$ 33.00	\$ 4,950.00	\$ 30.70	\$ 4,605.00	\$ 25.00	\$ 3,750.00	\$ 25.00	\$ 3,750.00		
9	Construction Contingency Allowance (Mill & Overlay)	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00		
	Total Calendar Days			10		10		10		10			
	Subtotal:				\$ 315,933.50		\$ 437,732.00		\$ 285,915.65		\$ 417,621.00		

Open Cut & Mill and Overlay Total:					\$ 601,193.50		\$ 896,639.50		\$ 696,355.65		\$ 721,520.00	No Bid Paving	\$ 287,033.00
Pipe Bursting & Mill and Overlay Total:				No Bid Alt B	\$ -		\$ 898,976.00		\$ 755,850.65		\$ 697,566.00	No Bid	\$ -

REFERENCE CHECK FORM: GRA-TEX UTILITIES

1. **George Fanous – City of Grand Prairie – 972.237.8138 – Review: Good**
 - a. *What was the project name?* Miscellaneous Water Replacements
 - b. *What type of work was involved in the project?* Utilities and wastewater replacement
 - c. *Was the contractor timely, and did they meet the schedule?* No problems. All schedules were reasonably met.
 - d. *Were there any construction quality issues?* None that stood out. If so, they were well taken care of.
 - e. *What is their history of working together?* Good history and has worked with this contractor several times.
 - f. *When was the project completed?* George is currently working with Gra-Tex on a water sewer project.
 - g. *Who did they work with at the company?* Sheldon, the owner
 - h. *Were there change orders? If so, were they reasonable to deal with?* There were some change orders, but Sheldon was reasonable to deal with. Will not nickel and dime.

2. **Lori Du – City of Arlington – 817.459.6636 - Review: Above Average**
 - a. *What was the project name?* Basin 15 Water & Sewer Project
 - b. *What type of work was involved in the project?* Sewer and waterline replacement w/ pavement reclamation
 - c. *Was the contractor timely, and did they meet the schedule?* Yes
 - d. *Were there any construction quality issues?* No quality issues on the job.
 - e. *What is their history of working together?* Been working with Gra-Tex for 18 years
 - f. *When was the last project completed?* Currently working with Gra-Tex
 - g. *Who did they work with at the company?* Sheldon, the owner
 - h. *Were there change orders? If so, were they reasonable to deal with?* There were a few change orders, but any were very reasonably dealt with.

3. **Steve Schell – City of Arlington – 972.822.3362 – Review: Good**
 - a. *What was the project name?* Residential Rebuild w/ Water and Sewer
 - b. *What type of work was involved in the project?* Utilities and mostly pavement reclamation
 - c. *Was the contractor timely, and did they meet the schedule?* Contractor set back due to design issues but handled issues in timely manner.
 - d. *Were there any construction quality issues?* None
 - e. *What is their history of working together?* Worked with Gra-Tex while working for City of Arlington. Left shortly after
 - f. *When was the last project completed?* N/A, left the City shortly after working with Gra-Tex

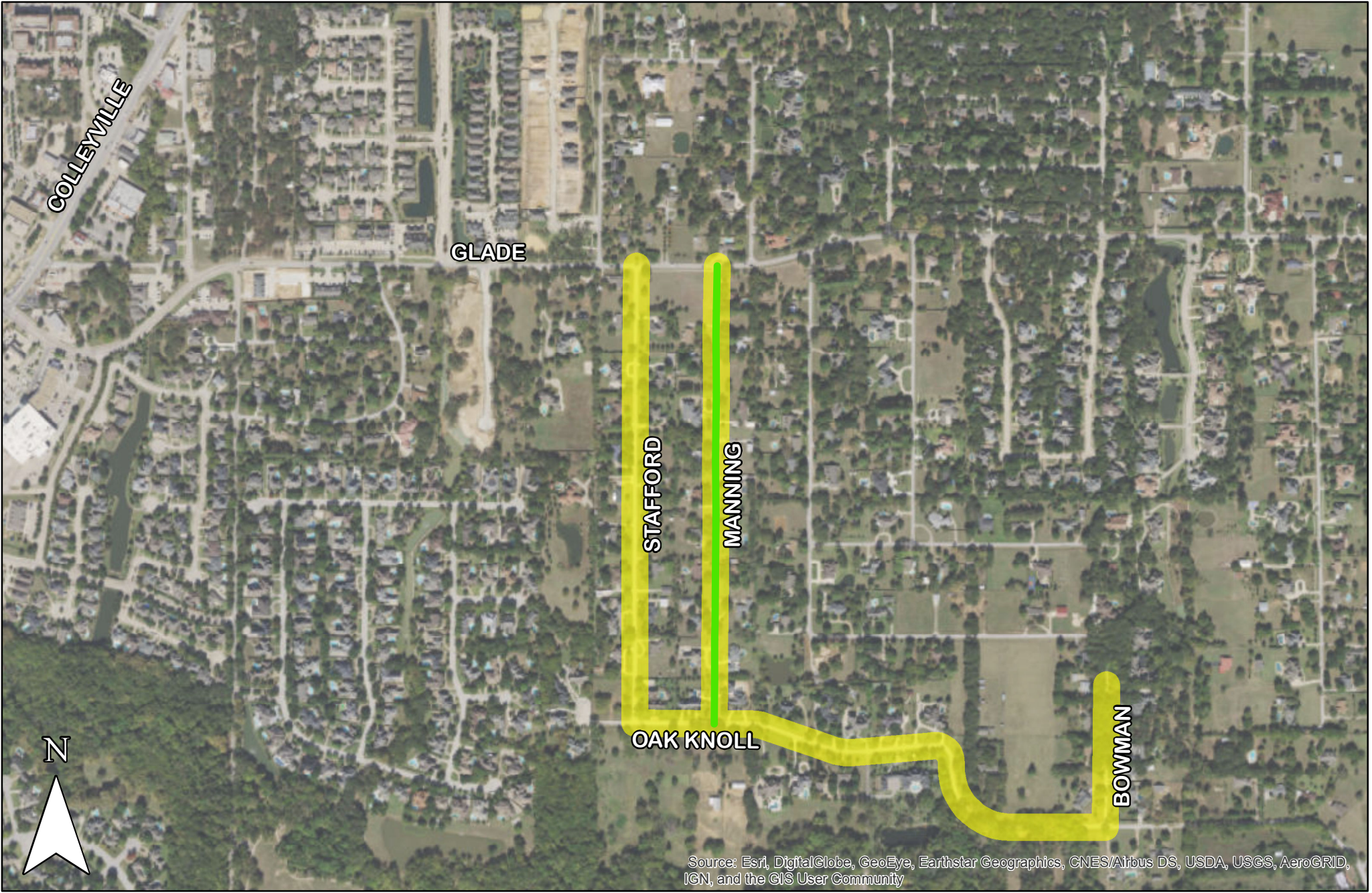
REFERENCE CHECK FORM: GRA-TEX UTILITIES

- g. *Who did they work with at the company?* Sheldon, the owner
- h. *Were there change orders? If so, were they reasonable to deal with?* There were several change orders and all were very fair pricing

Water Project 3: Manning Drive
Bid Tab

May 10, 2018

<u>Bidder</u>	<u>Open Cut</u>	<u>Pipeburst</u>	<u>Paving</u>	<u>Total Price</u>	<u>Days</u>
GRA-Tex Utilities, Inc.	\$290,260.00	No Bid	\$315,933.50	\$606,193.50	80
Ragle, Inc.	\$410,440.00	\$469,935.00	\$285,915.65	\$696,355.65	150
Excel 4 Construction, LLC	\$303,899.00	\$279,945.00	\$417,621.00	\$721,520.00	100
Serco Construction	\$458,907.50	\$461,244.00	\$437,732.00	\$896,639.50	100
JRB Pipeline	\$287,033.00	No Bid	No Bid	n/a	85



Location Map

Legend

-  Wastewater Project 3
-  Mill Overlay

RESOLUTION R-17-4198

A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER CONSENT ITEMS AT THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 7, 2017

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 October 10, 2017
 - b. Approval of the minutes of the regular City Council meeting of October 17, 2017
 - c. Amending the Fiscal Year 2018-2022 Capital Improvement Program (CIP)
 - d. Approval of an engineering services agreement with MSA Professional Services, Inc., in an amount not to exceed \$156,679, for the design of the intersection improvement project at the McDonwell School Road at Westcoat Drive intersection, and authorize the city manager to execute the agreement

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF 7 AYES, 0 NAYS AND 0 ABSTENTIONS ON THIS
THE 7TH DAY OF NOVEMBER 2017.

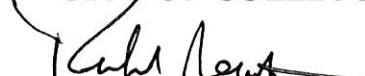
Mayor Richard Newton	<u>AYE</u>	Mayor Pro Tem Bobby Lindamood	<u>AYE</u>
Place 1, Tammy Nakamura	<u>AYE</u>	Place 3, Kathy Wheat	<u>AYE</u>
Place 4, George Dodson	<u>AYE</u>	Place 5, Nancy Coplen	<u>AYE</u>
Place 6, Mike Taylor	<u>AYE</u>		

ATTEST:



Christine Loven, TRMC
City Secretary

CITY OF COLLEYVILLE



Richard Newton
Mayor

FY 2018 -2022 CIP (Amended)

	Total Project Cost	Capital Projects Fund	CEDC (Parks, Trails & Libraries)	County Funding	Crime Control and Prevention District	Drainage Fund	FHA/TxDOT	Perimeter Street Fees	Impact Fees - Area II (West of 26)	TIF	Utility Capital Projects Fund	Water Impact Fees								
Estimated 9/30/17 Available Balances	\$	3,751,321	\$	-	\$	-	\$	987,581	\$	1,510,515	\$	2,024,564	\$	19,000,000	\$	5,000,184	\$	2,238,827		
(+) Year-end surplus/draw down	\$	800,000	\$	-	\$	-	\$	-	\$	-	\$	390,281	\$	-	\$	176,593	\$	-		
(+) FY18 Budgeted Contribution	\$	1,500,000	\$	859,470	\$	-	\$	-	\$	-	\$	4,000,000	\$	-	\$	176,593	\$	-		
Estimated 10/1/17 Available Balances	\$	6,051,321	\$	859,470	\$	-	\$	987,581	\$	1,510,515	\$	2,024,564	\$	23,000,000	\$	5,567,058	\$	2,238,827		
2018																				
Bransford Water Tank Rehabilitation - DESIGN	\$80,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$80,000.00	\$0.00								
Central Fire Station Repairs	\$147,322.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$147,322.00	\$0.00	\$0.00								
Cheek-Sparger Road (San Bar to Brown Trail) - DESIGN & ROW	\$399,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$399,000.00	\$0.00	\$0.00								
Fire Station 2 Repairs	\$67,300.00	\$67,300.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00								
Folding Doors- Fire Station #3	\$115,000.00	\$115,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00								
Glade Road (Phase 2 - Manning to Pool) - CONSTRUCTION	\$5,484,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$342,897.00	\$0.00	\$4,724,103.00	\$0.00	\$417,000.00								
Library Renovations	\$459,470.00	\$0.00	\$459,470.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00								
Kimzey Park Pond Dredging	\$170,000.00	\$0.00	\$170,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00								
L. D. Lockett Rehab. (Westcoat Dr to Pleasant Run) - CONSTRUCTION	\$220,000.00	\$220,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00								
L.D. Lockett Park Drainage Improvements	\$130,000.00	\$0.00	\$130,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00								
McDonwell School Rd and Westcoat Dr Roundabout - CONSTRUCTION	\$1,400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,400,000.00	\$0.00	\$0.00	\$0.00								
McDonwell School Rd Westcoat Dr Roundabout - ROW ACQUISITION	\$250,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$250,000.00	\$0.00	\$0.00								
Street Maintenance Program	\$842,000.00	\$842,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00								
Roberts Road - CONSTRUCTION	\$2,100,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,100,000.00	\$0.00	\$0.00								
Streetlighting for Pedestrian Crosswalks - CONSTRUCTION	\$50,000.00	\$50,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00								
Supervisory Control and Data Acquisition (SCADA) Replacement	\$250,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$250,000.00	\$0.00								
Water Project 10: Apple Valley/Rustic Oaks/Bills Lane Water Lines and Road Rehabilitation on Black Drive	\$935,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$935,000.00	\$0.00								
Water Project 8: Install Pressure Relief and Flow Control Valves - CONSTRUCTION	\$348,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$348,000.00	\$0.00								
Webb House Repairs	\$100,000.00	\$0.00	\$100,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00								
WW Project 3 (Completion): Replacement of 6" and 8" Pipelines on Manning Drive and in the Vicinity of I	\$300,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$300,000.00	\$0.00								
	\$13,847,092.00	\$1,294,300.00	\$859,470.00	\$0.00	\$0.00	\$0.00	\$0.00	\$342,897.00	\$1,400,000.00	\$7,620,425.00	\$1,913,000.00	\$417,000.00								
(+) Year-end surplus/draw down	\$	600,000	\$	-	\$	-	\$	-	\$	-	\$	500,000	\$	192,000						
(+) FY19 Budgeted Contribution	\$	1,500,000	\$	150,000	\$	-	\$	-	\$	-	\$	176,593	\$	-						
Estimated 10/1/18 Available Balances	\$	6,857,021	\$	150,000	\$	-	\$	987,581	\$	N/A	\$	1,167,618	\$	624,564	\$	19,479,575	\$	4,330,651	\$	2,013,827
2019																				
Bransford Rehab. - County Project (Glade to LD Lockett) - CONSTRUCTION	\$706,000.00	\$423,600.00	\$0.00	\$282,400.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00								
Bransford Water Tank Rehabilitation - CONSTRUCTION	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$500,000.00	\$0.00								
Cheek-Sparger Road (San Bar to Brown Trail) - CONSTRUCTION	\$2,085,395.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,660,395.00	\$0.00	\$0.00	\$425,000.00	\$0.00	\$0.00								
Street Maintenance Program	\$500,000.00	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00								
City Hall/Library - HVAC Replacement	\$327,600.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$327,600.00	\$0.00	\$0.00								
Flood Gates Upgrade	\$425,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$425,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00								
Replacement of Palladium Windows	\$150,000.00	\$0.00	\$150,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00								
SH-26 Lighting	\$2,500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,500,000.00	\$0.00	\$0.00								
Water Project 11: Tinker Road Water Lines - DESIGN	\$123,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$123,000.00	\$0.00								
Water Project 5: Upsize and Replace Water Lines in Brighton Oaks Subdivision and Rehab. Streets - CONS	\$2,550,000.00	\$650,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,900,000.00								
WW Project 5: Quails Path and Chestnut Bend Sewer Line Replacement - DESIGN	\$91,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$91,000.00	\$0.00								
	\$9,957,995.00	\$1,573,600.00	\$150,000.00	\$282,400.00	\$0.00	\$425,000.00	\$1,660,395.00	\$0.00	\$0.00	\$3,252,600.00	\$714,000.00	\$1,900,000.00								
(+) Year-end surplus/draw down	\$	600,000	\$	-	\$	-	\$	245,976	\$	-	\$	-	\$	500,000	\$	192,000				
(+) FY20 Budgeted Contribution	\$	1,500,000	\$	-	\$	167,200	\$	-	\$	-	\$	4,200,000	\$	176,593	\$	-				
Estimated 10/1/19 Available Balances	\$	7,383,421	\$	-	\$	167,200	\$	808,557	\$	N/A	\$	1,167,618	\$	624,564	\$	20,426,975	\$	4,293,244	\$	305,827

FY 2018 -2022 CIP (Amended)

	Total Project Cost	Capital Projects Fund	CEDC (Parks, Trails & Libraries)	County Funding	Crime Control and Prevention District	Drainage Fund	FHA/TxDOT	Perimeter Street Fees	Impact Fees - Area II (West of 26)	TIF	Utility Capital Projects Fund	Water Impact Fees
2020												
County Project (TBD) - CONSTRUCTION	\$800,000.00	\$400,000.00	\$0.00	\$400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Street Maintenance Program	\$500,000.00	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Justice Center - Metal Roof Coating	\$167,200.00	\$0.00	\$0.00	\$0.00	\$167,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Water Project 11 (Partial): Tinker Road Water Lines - CONSTRUCTION	\$1,110,000.00	\$450,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$660,000.00	\$0.00
Water Project 12 (Partial): Woodbriar Estate Water Lines Replacement - DESIGN	\$70,020.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$70,020.00	\$0.00
Water Project 6: Upsize and Replace Water Lines in Woodbriar Estates and Quail Crest Subdivisions - DESIGN	\$145,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$145,000.00	\$0.00
WW Project 1: Replace Sewer Lines in Woodbriar Estates and Quail Crest Subdivisions - DESIGN	\$361,700.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$361,700.00	\$0.00
WW Project 5: Quails Path and Chestnut Bend Sewer Line Replacement and Road Rehabilitation - CONSTRUCTION	\$829,000.00	\$110,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$719,000.00	\$0.00
	\$3,982,920.00	\$1,460,000.00	\$0.00	\$400,000.00	\$167,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,955,720.00	\$0.00
(+) Year-end surplus/draw down	\$ 600,000	\$ -	\$ -	\$ 225,173	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500,000	\$ 192,000	
(+) FY21 Budgeted Contribution	\$ 1,500,000	\$ -	\$ 325,052	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,300,000	\$ 176,593	\$ -	
Estimated 10/1/20 Available Balances	\$ 8,023,421	\$ -	N/A	\$ 325,052	\$ 1,033,730	N/A	\$ 1,167,618	\$ 624,564	\$ 24,726,975	\$ 3,014,117	\$ 497,827	
2021												
City Hall - Flooring Rehab	\$87,808.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$87,808.00	\$0.00	\$0.00
County Project (TBD) - CONSTRUCTION	\$800,000.00	\$400,000.00	\$0.00	\$400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Street Maintenance Program	\$500,000.00	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Justice Center - Carpet and VCT Tile	\$88,052.00	\$0.00	\$0.00	\$0.00	\$88,052.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Justice Center - HVAC Replacement	\$237,000.00	\$0.00	\$0.00	\$0.00	\$237,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Pleasant Run Road Bridge at Big Bear (White Chapel Bridge) - CONSTRUCTION	\$1,200,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,200,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Water Project 12/Partial Woodbriar Estate Water Lines Replacement - CONSTRUCTION	\$433,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$433,000.00	\$0.00
Water Project 3: New Elevated Water Storage Tank & Distribution Lines - DESIGN	\$545,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$545,000.00
Water Project 6: Upsize and Replace Water Lines in Woodbriar Estates and Quail Crest Subdivisions - CONSTRUCTION	\$745,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$745,000.00	\$0.00
Woodbriar, Quail Crest Estates Rehab. (Companion to Water Proj. #6 and 12/Portion and Wastewater Project 1)	\$2,768,000.00	\$2,768,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
WW Project 1: Replace Sewer Lines in Woodbriar Estates and Quail Crest Subdivisions - CONSTRUCTION	\$1,900,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,900,000.00	\$0.00
	\$9,303,860.00	\$3,668,000.00	\$0.00	\$400,000.00	\$325,052.00	\$1,200,000.00	\$0.00	\$0.00	\$0.00	\$87,808.00	\$3,078,000.00	\$545,000.00
(+) Year-end surplus/draw down	\$ 600,000	\$ -	\$ -	\$ 213,809	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500,000	\$ 192,000	
(+) FY22 Budgeted Contribution	\$ 1,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,400,000	\$ 176,593	\$ -
Estimated 10/1/21 Available Balances	\$ 6,455,421	\$ -	N/A	\$ -	\$ 47,539	N/A	\$ 1,167,618	\$ 624,564	\$ 29,039,167	\$ 612,710	\$ 144,827	
2022												
County Project (TBD) - CONSTRUCTION	\$800,000.00	\$400,000.00	\$0.00	\$400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Street Maintenance Program	\$500,000.00	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Library - Flooring Rehab	\$95,210.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$95,210.00	\$0.00	\$0.00
Water Project 3: New Elevated Water Storage Tank and Distribution Lines - CONSTRUCTION	\$4,500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,500,000.00	\$0.00	\$0.00
	\$5,895,210.00	\$900,000.00	\$0.00	\$400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,595,210.00	\$0.00	\$0.00
(+) Year-end surplus/draw down	\$ 600,000	\$ -	\$ -	\$ 324,519	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500,000	\$ 192,000	
(+) FY23 Budgeted Contribution	\$ 1,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,500,000	\$ 176,593	\$ -
Estimated 10/1/22 Available Balances	\$ 7,655,421	\$ -	N/A	\$ -	\$ 372,058	N/A	\$ 1,167,618	\$ 624,564	\$ 28,943,957	\$ 1,289,303	\$ 336,827	

RESOLUTION R-17-4199

A RESOLUTION APPROVING THE LOCAL STREET MAINTENANCE PROGRAM AND ADOPTION OF THE FISCAL YEAR 2018 STREET PROJECT LISTING

WHEREAS, the Colleyville City Council is committed to the best interests of the health, safety, and welfare of the citizens of Colleyville; and

WHEREAS, the Colleyville City Council adopted Resolution R-17-4175 on September 19, 2017, approving a Comprehensive Five-Year Capital Improvement Program for Fiscal Years 2018-2022; and

WHEREAS, the Colleyville City Council adopted Resolution R-17-4198 on November 7, 2017, approving an amended Comprehensive Five-Year Capital Improvement Program for Fiscal Years 2018-2022; and

WHEREAS, the amended Comprehensive Five-Year Capital Improvement Program for Fiscal Years 2018-2022 includes a project titled "Street Maintenance Program" for each fiscal year to identify resources for the Local Street Maintenance Program.

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

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

Sec. 2. THAT the Local Street Maintenance Program, attached as Exhibit "A", is hereby approved.

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF 7 AYES, 0 NAYS, AND 0 ABSTENTIONS ON THIS THE 7TH DAY OF NOVEMBER 2017.

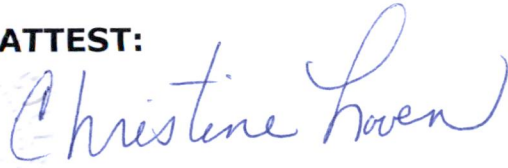
Mayor Richard Newton
Place 1, Tammy Nakamura
Place 4, George Dodson
Place 6, Mike Taylor

AYE
AYE
AYE
AYE

Mayor Pro Tem Bobby Lindamood
Place 3, Kathy Wheat
Place 5, Nancy Coplen

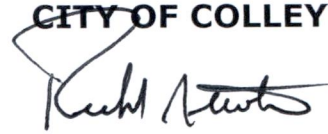
AYE
AYE
AYE

ATTEST:

A handwritten signature in blue ink that reads "Christine Loven".

Christine Loven, TRMC
City Secretary

CITY OF COLLEYVILLE

A handwritten signature in blue ink that reads "Richard Newton".

Richard Newton
Mayor

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

**OFFICE USE ONLY
CERTIFICATION OF FILING****1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**

gra-tex utilities inc
arlington, TX United States

Certificate Number:
2018-357028

Date Filed:
05/22/2018

Date Acknowledged:
05/22/2018

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

city of colleyville

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

eng18-1361
construction

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.**6 UNSWORN DECLARATION**

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of _____, 20____.
(month) (year)

Signature of authorized agent of contracting business entity
(Declarant)

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:
2018-357028

Date Filed:
05/22/2018

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.
gra-tex utilities inc
arlington, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.
city of colleyville

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.
eng18-1361
construction

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.



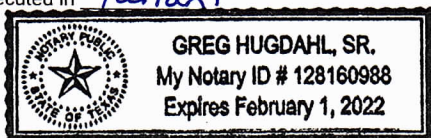
6 UNSWORN DECLARATION

My name is Michael S. Rosenbaum, and my date of birth is 05-05-1966.

My address is 605 Prairie ST, Arlington, Tx, 76011, Tarrant
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Tarrant County, State of Texas, on the 22nd day of May, 20 18.
(month) (year)



Hug Hugdahl Sr.
Signature of authorized agent of contracting business entity
(Declarant)

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

5/22/2018

1 Name of vendor who has a business relationship with local governmental entity.

NA

2 ☐ Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

NA

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes

☐ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes

☐ No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7 Gra-Tex Utilities Inc.
Michael J. R.
Signature of vendor doing business with the governmental entity

5-21-18
Date



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6a

Agenda Date 06/05/2018

Number Ordinance O-18-2044

Type Ordinance

Department Community Development

Title

Consideration of an amendment to the PUD-R Planned Unit Development-Commercial zoning district to allow for a drive-through services on Lot 3, Block 11, Longwood Estates at Ross Downs, located at 7181 Colleyville Boulevard, Case ZC18-009

Strategic Plan

There is no Strategic Plan connection for this item.

Explanation

First Reading and Public Hearing

Mike Sartain, the applicant, has submitted a request for an amendment to the existing PUD-C ordinance on Lot 3A, Block 11, of the Longwood Estates at Ross Downs, being approximately 1.18 acres, and zoned PUD-C Planned Unit Development – Commercial. The purpose is to amend the approved PUD-C's ordinance to allow for a drive-through restaurant (e.g. fast food restaurant or drink establishment).

Existing Conditions/Background: The subject property, at 7181 Colleyville Boulevard, has PUD-C zoning and is located on the southwest corner of Colleyville Boulevard and Longwood Drive. The subject property has been platted but remains as the last undeveloped property in the Longwood Estates at Ross Downs Development.

PUD Amendment Request:

Request – The applicant is requesting approval of a PUD amendment to allow for a "restaurant with drive-through service," which the current PUD-C ordinance prohibits. The applicant proposes to build a commercial strip center complementing the existing commercial development to the south along Colleyville Boulevard. The adjacent lot in the existing commercial development has a restaurant drive-through that was allowed by a PUD amendment approved in 2009.

Analysis: This site is located at the far north end of the Colleyville Boulevard Commercial Corridor which contains restaurants with drive-through service. The site currently allows restaurants and drive-through uses, such as dry cleaners or a pharmacy, just not a restaurant with a drive through.

Surrounding Development: The properties immediately to the south and west have developed as a part of the same PUD-C with mostly office uses and a small commercial strip building. Further to the south along Longwood Drive, has developed with

relatively small lot residential. Across Longwood Drive remains undeveloped with PUD-C and ML zoning, but has been designated as park land area. Residential development with a golf course resides to the north across Colleyville Boulevard. Traveling south along Colleyville Boulevard has mostly commercial and light manufacturing development. Going north along Colleyville Boulevard is Grapevine.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property as 'commercial.' This request to amend the PUD-C ordinance does not conflict with the Comprehensive Plan.

Public Notification: Staff-mailed notices to all 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.

Staff Recommendation: The proposed PUD-C amendment does not dramatically change the character of the potential development. Furthermore, a restaurant with drive-through service would not conflict with the character of existing development. With no evident adverse effects, and compliance with the comprehensive plan, staff recommends approval of the PUD-C amendment request.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval of the amendment with the condition that a physical separation be provided between the drive-thru land and the fire lane at their May 14, 2018 meeting by a vote of 7-0.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Site Plan and Building Elevations
6. Proposed Use
7. Business Proposal
8. Ordinance O-95-987
9. Ordinance O-04-1474
10. Ordinance O-09-1705

11. Notification Map
12. Notification List
13. Property Owner Notification
14. Ordinance O-18-2044

Aerial Map

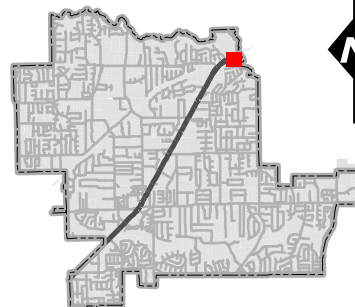


ZC18-009

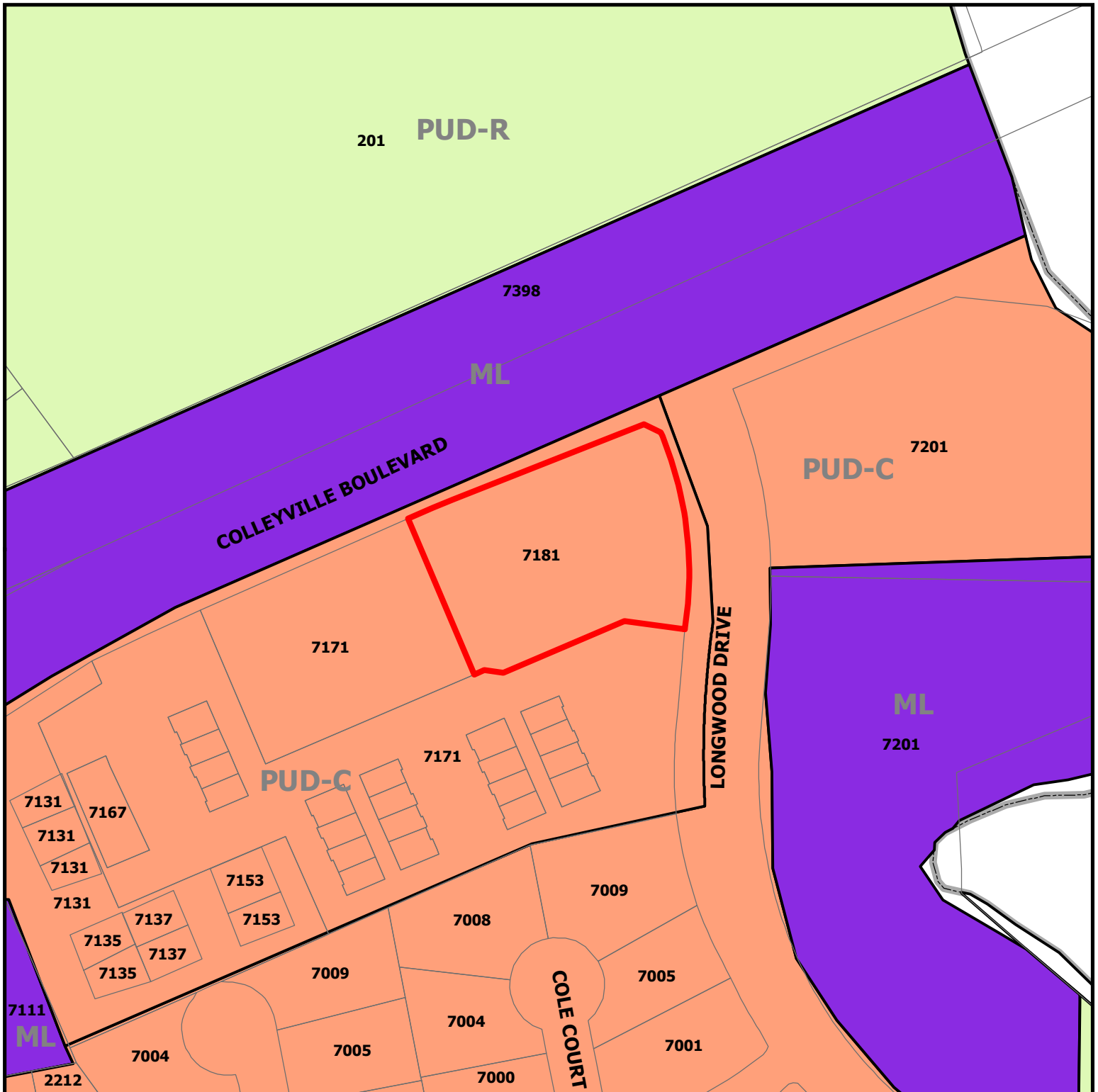
7181 Colleyville Blvd

DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

 Subject Property



Zoning Map

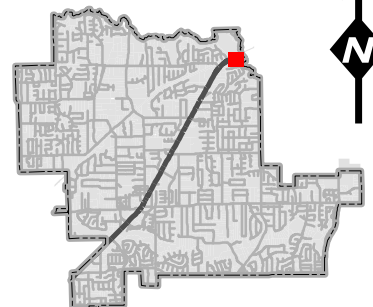


ZC18-009

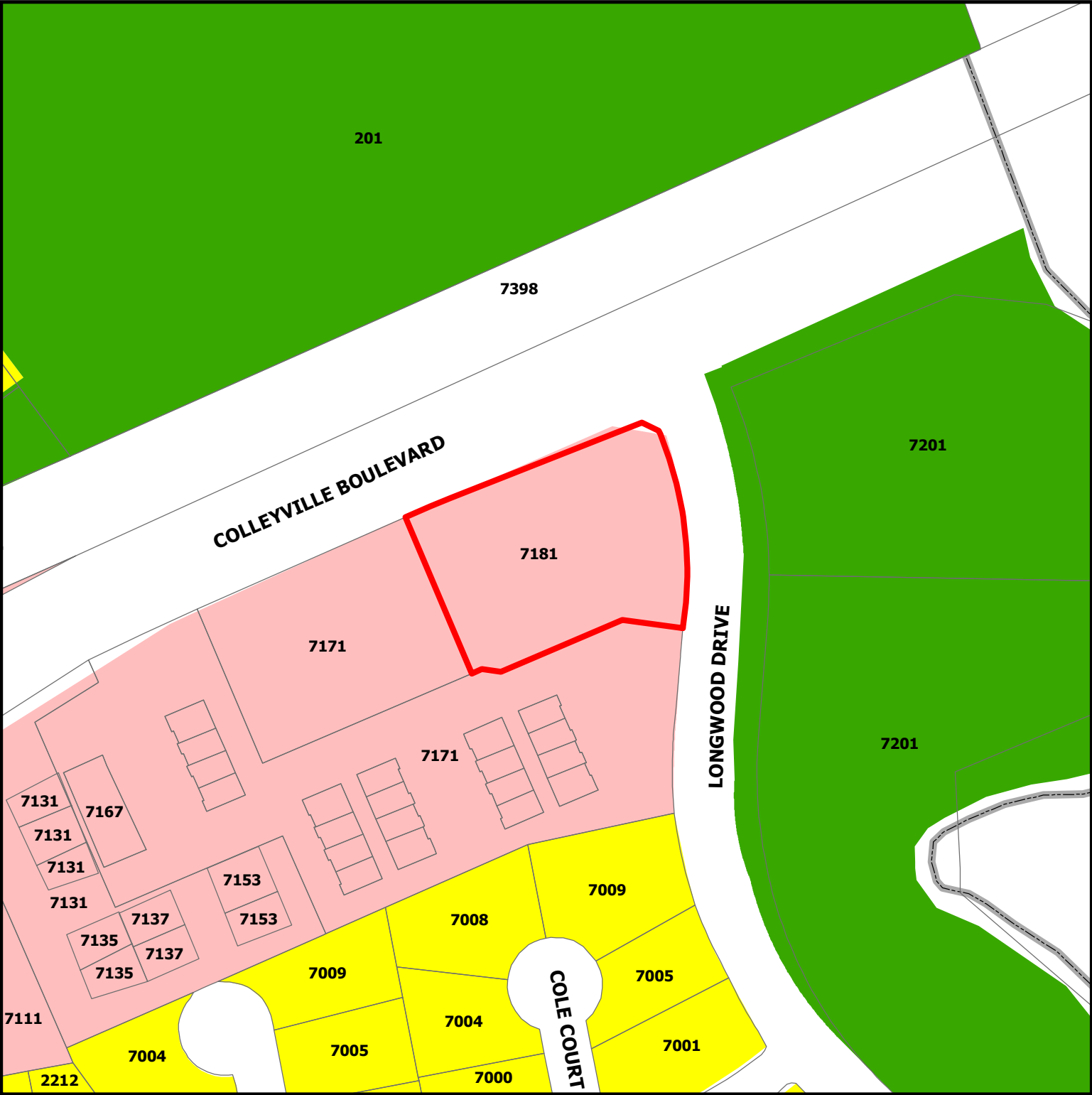
7181 Colleyville Blvd

DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

 Subject Property



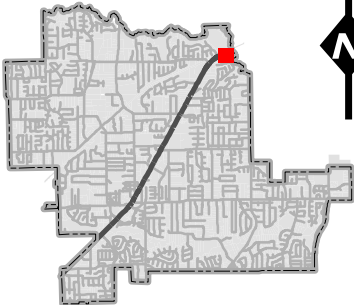
Future Land Use Map



DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

ZC18-009 7181 Colleyville Blvd

-  Subject Property
-  Residential
-  Colleyville Blvd Corridor
-  Open Space; Parks



Statement of Planning Objectives

March 2, 2018

Property:

7181 Colleyville Blvd
Colleyville, TX 76034

Owners:

Mike Sartain
Howard Nycum
Longwood Drive Partners L.P.

Builder/Manager:

Mike Sartain
7113 Cedar Court
Colleyville, TX 76034

Development Schedule:

Financing Approved
Breaking Ground as soon as May 15, 2018

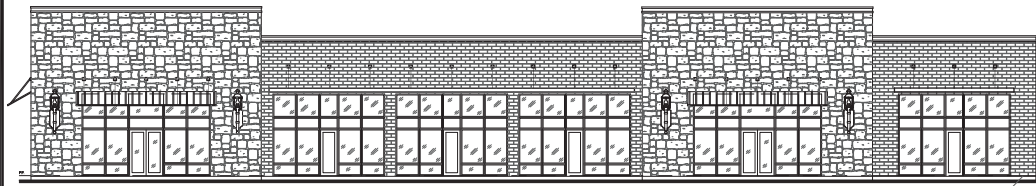
Objective

Allow for a drive thru window on the Southwest side of the proposed building. It would accommodate a window for a prospective tenant, such as a dry cleaners/laundry, a frozen non-alcoholic drink establishment (Smoothie King type). <http://fiizDrinks.com> is currently looking at the space but is requiring a drive thru.

I do not wish to limit myself to just a soda shop concept and would like to include a dry cleaner/laundry, etc.

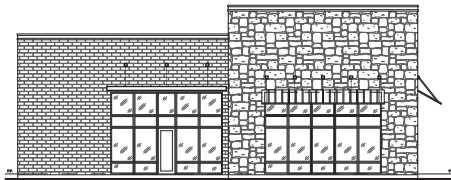
The proposed building will be approximately 10,686 square feet of retail with 70 parking spaces.

Site Plan and Building Elevations

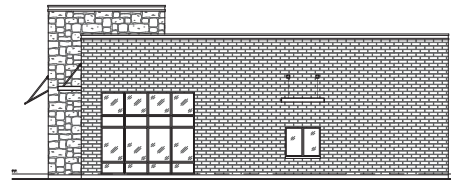


10,686 SQ.FT.
70 SPACES

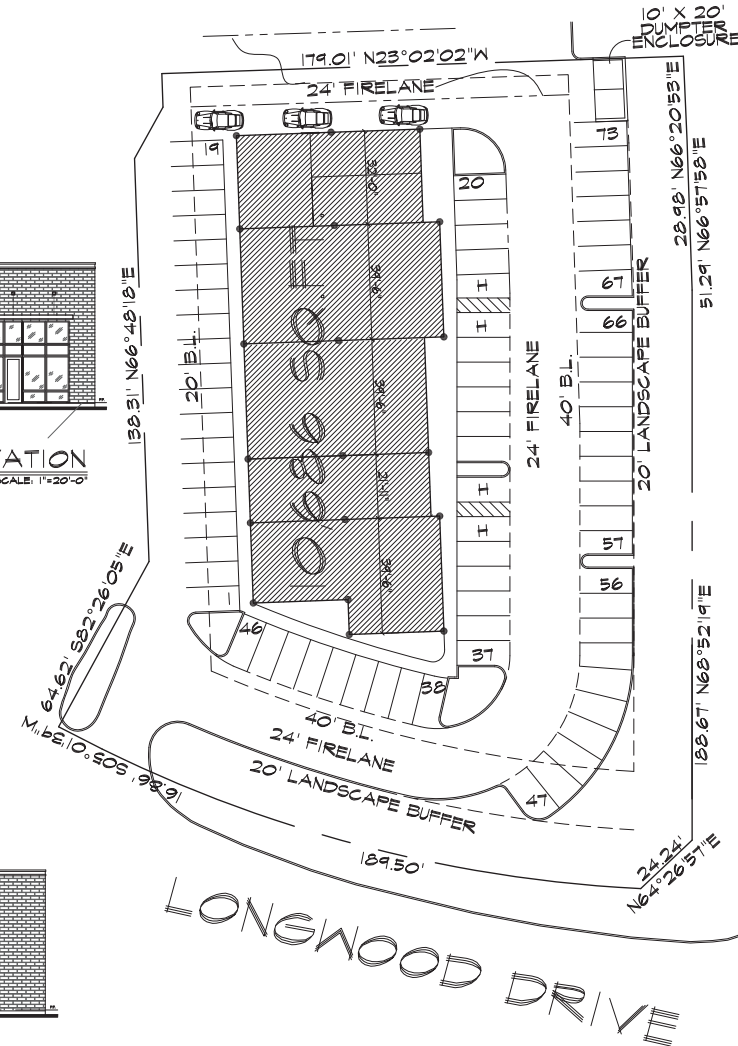
FRONT ELEVATION
SCALE: 1"=20'-0"



LEFT SIDE ELEVATION
SCALE: 1"=20'-0"



RIGHT SIDE ELEVATION
DRIVE THRU
SCALE: 1"=20'-0"



LOT:3 BLOCK: 11
LONGWOOD ESTATES AT ROSS DOWNS
CITY OF COLLEYVILLE
TARRANT COUNTY



SITE PLAN
SCALE: 1"=20'-0"

DAVID COLEY
DRAFTING & DESIGN
CELL# 817-713-6770
FAX# 817-704-0057
8116 CHAMIZAL DR. FORT WORTH, TEXAS 76137

JOB# 1626

LONGWOOD 26 LLC
STREET, SOUTHLAKE TEXAS

SHEET
SP-1
OF 1 SHEETS

Proposed Use

Coming Soon!!!

Restaurant/Medical/Retail
10,686 sq ft



Contact:
Mike Sartain 214-957-3180
Howard Nyeum 214-352-2880

96"

Business Proposal



Serious Drink Experience

FIIZ FAVORITES (PRICES VARY)



Life in the Coconut

<http://fizzdrinks.com/>

KIDS' DRINKS

Pink Poodle

Cotton Candy Cream
Soda w/ Whipped
Cream

Business Proposal

Lime in the Coconut

Lime & Coconut

Cocalada

Pineapple, Coconut & Cream

Razzbear

Raspberry Purée, Vanilla & Cream

Cocomo

Coconut & Chocolate

Cherry

Classic Cherry

Chocolate

Classic Chocolate

Vanilla

Classic Vanilla

Threat Level Midnight

Raspberry Purée & Blackberry

Mojava

Iced Coffee taste w/ NO COFFEE

Roy Rogers

Grenadine & Cherries



DewBerry

Berry Purée

Xanadew

Passion Fruit, Blue Curacao

Ice Queen

Blue Raspberry
Freeze w/ Whipped Cream

Rubber Ducky

Blue Raspberry
Sprite w/ Whipped Cream & Peep

Sharks in the Water

Blue Raspberry
Sprite w/ Gummy Sharks

Kermie

Green Apple or Kiwi
Sprite w/ Gummy Frogs

Wiggly Worm

Root Beer, Cherry,
Whipped Cream w/ Worms

Stormy Day

Fruity Sprite

ITALIAN SODAS (16oz)

Italian Sodas

Italian Cream Sodas

Italian Cream Sodas w/ Whipped Cream

Business Proposal



Pepperlada

Pineapple, Coconut & Cream

Nailed It!

Blackberry & Coconut

Pineapple Upside Down Cake

Pineapple & Cherry

Yowza

Raspberry, Coconut & Cream

Berry Good Doctor

Strawberry Purée, Vanilla,
Coconut & Cream

Lola Pop

Peach Purée & Fresh Lime

Sprite & Sprite 0 Drinks

Scotch and Soda

Vanilla, Lemon & Lemon
Syrup

Lime in the Coconut

Fresh Lime & Coconut

Xanasprite

Passion Fruit & Blue Curacao

Lime Rickey

Fresh Lime & Grape

MoMojito

Fresh Lime, Lime Juice &
Mojito Mix

Strawberry Shortcake

Chocolate Chip

Peanut Butter

Red Velvet

SWEET & SALTY

Popcorn

Macarons

Cupcakes

Chips and Salsa

PEBBLE ICE

Sold by the Bag!

Business Proposal

Strawberry Shortcake

Strawberry, Vanilla, Cupcake
& Cream

North Shore

Peach & Mango Purée,
Coconut & Fresh Lime

Pretty in Pink

Lemonade, Cherry &
Grapefruit

Summer Nights

Peach Purée, Raspberry &
Whipped Cream

FIIZ CLASSICS

Iron Port

Rootbeer FiiZ

Orange Cream FiiZ

Red Cream FiiZ

Shirly Temple

Roy Rogers

Business Proposal

Your local stop for treats, specialty drinks, &
Italian sodas!

Drive thru for quick convenience or stop &
hang!

At most locations the Lobby closes one hour
before Drive Thru

BOUNTIFUL

801-872-2761 (tel:801-872-2761)

45 W 400 N

Bountiful, UT 84010

map

(<https://www.google.com/maps/place/FiiZ+Drinks/@40.8932073,-111.8817776,17z/data=!4m7!1m4!3m3!1s0x8752f821c5d58d27:0x612c58b0f75d3bf8!2s45+W+400+N,+Bountiful,+UT+84010!3b1!3m1!1s0x8752f821c4302a9f:0x8953ecf7581957ab>)

Mon-Thurs

7:30 am - 10:00 pm

Friday

7:30 am - 11:00 pm

Saturday

9:00 am - 11:00 pm

closed Sunday

KAYSVILLE

315 N Main Street

Kaysville, UT 84037

map

(<https://www.google.com/maps/place/315+N+Main+St,+Kaysville,+UT+84037/@41.039976,-111.94142,17z/data=!3m1!4b1!4m2!3m1!1s0x875301fadb572b53:0x2a1ffc6c69cc8751>)

Mon-Thurs

7:30 am - 10:00 pm

Friday

7:30 am - 11:00 pm

Saturday

9:00 am - 11:00 pm

closed Sunday

SYRACUSE

1642 S 2000 W

Syracuse, UT 84075

map

(<https://www.google.com/maps/place/1642+S+2000+W,+Syracuse,+UT+84075/@41.090065,-112.0649979,17z/data=!3m1!4b1!4m2!3m1!1s0x87531b5bf38d2fa3:0x8cc48fb0eeab26ee0>)

Mon-Thurs

7:30 am - 10:00 pm

Friday

7:30 am - 11:00 pm

Saturday

9:00 am - 11:00 pm

closed Sunday

STATION PARK

121 N East Promontory

Farmington, UT 84025

map

(<https://www.google.com/>

NORTH OGDEN

2592 N 400 E

North Ogden, UT 84414

map

(<https://www.google.com/>

Saturday

9:00 am - 11:00 pm

closed Sunday**TAYLORSVILLE**

2530 W 4700 S

Taylorsville, UT 84129

map

(<https://www.google.com/maps/place/FiiZ+Drinks/@40.8246852,-112.2510885,10.06z/data=!4m5!1m2!2m1!1sfiiZ+taylorsville+84129!3m1!1s0x0000000000000000:0x18a0257ab3b77e0c>)

Mon-Thurs

7:30 am - 10:00 pm

Friday

7:30 am - 11:00 pm

Saturday

9:00 am - 11:00 pm

closed Sunday**FIIZ TRUCK UTAH**

Mobile and Ready for your event!

email for price and availability

fiiZtruck@gmail.com

FIIZ TRUCK ARIZONA

Mobile and Ready for your event!

email for price and

Business Proposal

4202 E Main Street

Mesa, AZ 85213

map

(<https://www.google.com/maps/place/4202+E+Main+St,+Mesa,+AZ+85205/@33.4155535,-111.7419231,17z/data=!3m1!4b1!4m2!3m1!1s0x872baf5e7cadede5:0xe63bd056ceebfd5b>)

Mon-Thurs

7:30 am - 10:00 pm

Friday

7:30 am - 11:00 pm

Saturday

9:00 am - 11:00 pm

closed Sunday**OGDEN JUNCTION**

2356 Kiesel Ave

Ogden, UT 84401

map

(<https://www.google.com/maps/place/2356+Kiesel+Ave,+Ogden,+UT+84401/@41.2236068,-111.973864,17z/data=!3m1!4b1!4m2!3m1!1s0x87530edc3d77e3ad:0x10e454b4f1a64cbe>)

Mon-Thurs

10:00 am - 10:00 pm

Friday

10:00 am - 11:00 pm

Saturday

10:00 am - 11:00 pm

closed Sunday

1028 Idaho St

Elko, NV 89801

map

(<https://www.google.com/maps/place/1028+Idaho+St,+Elko,+NV+89801/@40.8368457,-115.7587653,19z/data=!4m7!1m4!3m3!1s0x80a6072d4854ec8d:0x79994dd150e8e6a7!2s1028+Idaho+St,+Elko,+NV+89801!3b1!3m1!1s0x80a6072d4854ec8d:0x79994dd150e8e6a7>)

Mon-Thurs

7:00 am - 10:00 pm

Friday

7:00 am - 11:00 pm

Saturday

9:00 am - 11:00 pm

Sunday**SOUTH OGDEN**

6029 Fashion Point Dr

South Ogden, UT 84403

map

(<https://www.google.com/maps/place/6029+Fashion+Point+Dr,+South+Ogden,+UT+84403/@41.1536945,-111.9387445,17z/data=!3m1!4b1!4m5!3m4!1s0x875306646552b865:0x15f1d706ae4bd2a!8m2!3d41.1536945!4d-111.9365558>)

Mon-Thurs

7:30 am - 10:00 pm

Friday

ORDINANCE 0-95-987

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF 21.299 ACRES OUT OF THE M.W. DAVENPORT SURVEY, ABSTRACT 432; THE J.N. GIBSON SURVEY, ABSTRACT 591, TRACTS 4A3, 4A1, 4A3B AND THE ROBERT CHOWNING SURVEY, ABSTRACT 294, TRACT 1E AND A PORTION OF TRACT 1, IN THE CITY OF COLLEYVILLE, TEXAS FROM THE ML (LIGHT MANUFACTURING) DISTRICT TO THE PUD-C (PLANNED UNIT DEVELOPMENT-COMMERCIAL WITH 28 RESIDENTIAL LOTS) DISTRICT; PROVIDING A PENALTY AND AUTHORIZING PUBLICATION.

WHEREAS, an application for zoning change was filed by John Cole, Colleyville Development Limited Partnership on February 22, 1995, under Case No. Z-95-007; and,

WHEREAS, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 10 days before such hearing; and,

WHEREAS, notice of a public hearing before the City Council was published in a newspaper of general circulation in Colleyville at least 15 days before such hearing; and,

WHEREAS, notices were posted on the subject land as provided by the zoning ordinance; and,

WHEREAS, public hearings to change the zoning and the Master Plan on the property herein described were held before both the Planning and Zoning Commission and the City Council; and,

WHEREAS, the City Council is of the opinion that the zoning change herein effectuated furthers the purpose of zoning as set forth in the Zoning Ordinance and is in the best interest of the citizens of the City of Colleyville;

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

Sec. 1. THAT the Master Plan, the Zoning Ordinance of the City of Colleyville, Texas, and the accompanying Zoning Map (as indicated in Exhibit A) are hereby amended insofar as they relate to certain land located in Colleyville, Texas, described by metes and bounds (Exhibit B) by changing the zoning of said property from the ML (Light Manufacturing) district to the PUD-C (Planned Unit Development-Commercial) district together with all site plans,

supporting documents, and other conditions and restrictions imposed and approved by the Council which are incorporated herein by reference including, but not limited to: the Development Standards, which are Attachment 1 to this ordinance, and the Conceptual Site Plans, which are Attachment 2 to this ordinance. Attachments 1 and 2 shall be incorporated in this ordinance for all purposes.

Sec. 2. Any person, firm or corporation violating any of the provisions of this ordinance as read together with the Zoning Ordinance of the City of Colleyville and accompanying official Zoning Map thereto shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00). Each and every day such violation continues shall constitute a separate offense and shall be punishable as such.

Sec. 3. The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 21st day of March, 1995.

The second reading and public hearing being conducted on the 4th day of April, 1995.

The third reading and public hearing being conducted on the 18th day of April, 1995.

ATTEST:

CITY OF COLLEYVILLE


Jean Harris, CMC
City Secretary

Cheryl Feigel
Mayor

APPROVED AS TO FORM AND LEGALITY:


Ross T. Foster
City Attorney

SECTION 3.14 OF CITY CHARTER:
IF THE MAYOR SHALL NEGLECT
TO APPROVE OR OBJECT TO ANY
SUCH PROCEEDINGS FOR A LONG-
ER PERIOD THAN SEVEN (7)
DAYS AFTER ORDINANCE OR RES-
OLUTION IS PLACED IN THE
OFFICE OF THE CITY SECRETARY
AS AFORESAID, THE SAME SHALL
BECOME EFFECTIVE IMMEDIATELY
UPON PUBLICATION AS REQUIRED
BY LAW.

EFFECTIVE MAY 15, 1995



PUD-R

TILLER
1

PROPOSED CHANGE

ML

TROPICANA
FUELS

**CANNABIS
BUSINESS
PLAN**

ML
to
PU

3D	3D3	3D2	3D
3E	3E3	3E2	3E

3J

AG

PUD-R

TR A

EXHIBIT A
ORDINANCE O-95-987

LEGAL DESCRIPTION

BEING all that certain tract, parcel, or lot of land located in the ROBERT CHOWNING SURVEY, Abstract No. 294, the J. N. GIBSON SURVEY, Abstract No. 591, the M. W. DAVENPORT SURVEY, Abstract No. 432, and the A. J. LOTT SURVEY, Abstract No. 963, Tarrant County, Texas, and more particularly described as follows;

BEGINNING at a point in the south right-of-way line of State Highway No. 26 (Colleyville Boulevard) and the west right-of-way line of Longwood Drive, for the beginning of a curve to the right with a central angle of 26°29'29", a radius of 470.00 feet, a tangent length of 110.63 feet, and a chord bearing of S 08°14'44" E, with a chord length of 215.38 feet;

THENCE an arc length of 217.31 feet along said curve;

THENCE S 05°00'00" W, 85.45 feet to the beginning of a tangent curve to the left, with a central angle of 59°48'02", a radius of 530.00 feet, a tangent length of 304.77 feet, and a chord bearing of S 24°54'01" E, with a chord length of 528.40 feet;

THENCE an arc length of 553.17 feet along said tangent curve;

THENCE S 54°48'02" E, 22.38 feet to the beginning of a tangent curve to the right, with a central angle of 13°13'52", a radius of 475.02 feet, a tangent length of 55.09 feet, and a chord bearing of S 48°11'11" E, with a chord length of 109.45 feet;

THENCE an arc length of 109.70 feet along said tangent curve to the beginning of a non-tangent line;

THENCE S 78°49'39" W, 527.87 feet;

THENCE S 79°37'39" W, 737.55 feet;

THENCE N 01°13'48" E, 269.94 feet;

THENCE N 89°31'06" W, 23.99 feet;

THENCE N 00°04'22" W, 120.70 feet;

THENCE N 79°37'39" E, 301.03 feet;

THENCE N 23°47'43" W, 163.09 feet;

THENCE N 86°48'58" W, 229.10 feet;

THENCE N 00°17'24" W, 22.11 feet;

THENCE S 89°42'25" W, 59.16 feet to the beginning of a non-tangent curve to the right, with a central angle of 04°52'27", a radius of 2814.79 feet, a tangent length of 119.80 feet, and a chord bearing of N 54°55'14" E, with a chord length of 239.38 feet;

THENCE an arc length of 239.45 feet along said non-tangent curve to the beginning of a non-tangent line;

THENCE N 66°56'39" E, 137.41 feet;

ALLBDY.FNS

February 22, 1995

THENCE N 67°07'40" E, 502.20 feet;

THENCE N 66°11'40" E, 206.12 feet to the POINT OF BEGINNING, containing 17.926 Acres (780,840 square feet) of land, more or less.

ALLBDY.FNS

February 22, 1995

EXHIBIT B
ORDINANCE O-95-987

**LEGAL DESCRIPTION
TRACT 2**

BEING all that certain tract, parcel, or lot of land located in the J.N. GIBSON SURVEY, Abstract No. 591, Tarrant County, Texas, and more particularly described as follows;

BEGINNING at a point in the south right-of-way line of Colleyville Boulevard (State Highway 26);

THENCE N 66°11'40" E, 379.76 feet;

THENCE S 34°56'20" E, 309.90 feet;

THENCE S 04°01'40" W, 136.64 feet;

THENCE S 90°00'00" W, 494.49 feet to a point in the east right-of-way line of Longwood Drive (a 60' R.O.W.);

THENCE N 05°00'00" E, 28.93 feet to the beginning of a tangent curve to the left, with a central angle of 22°48'12", a radius of 530.00 feet, a tangent length of 106.88 feet, and a chord bearing of N 06°24'06" W, with a chord length of 209.55 feet;

THENCE an arc length of 210.94 feet along said tangent curve to the POINT OF BEGINNING, containing 3.456 Acres, (150,545 square feet) of land, more or less

DEVELOPMENT STANDARDS

6.97 ACRE COMMERCIAL TRACT COLLEYVILLE DEVELOPMENT LIMITED PARTNERSHIP

1. The Site Plan submitted at the time of approval of the PUD-C zoning for the subject tract is conceptual in nature. A revised Site Plan will be submitted for approval by City Staff prior to issuance of Building Permits.
2. The minimum rear setback along the southern and western edge of the property shall be 25 feet.
3. The final site plan submittal shall include elevation designs of all sides of the buildings.
4. All mechanical equipment and dumpsters shall be screened from all views.
5. All facades will be in accordance with stipulations and regulations of the City of Colleyville Building Codes. Design features may include decorative tile, stone, brick or block provided such design features conform to all City requirements.
6. All conditions listed here shall be in addition to the requirements for the site set forth in the Zoning Ordinance and Building Code.
7. Building signage will be coordinated by the Developer to insure consistency and aesthetics and be subject to approval by the City Staff.
8. A screening fence shall be erected along the southern and western edge of the property.
9. Sidewalks shall be provided in accordance with the Sidewalk Ordinance on or adjacent to the rights-of-way of Highway 26 and Longwood Drive.
10. Building frontage along Longwood Drive will be a minimum of 120 feet.
11. All landscaping will be done in accordance with the City of Colleyville Landscape Ordinance.
12. If no parking is provided between the proposed buildings and the street, then the building setback line can be varied to zero.

COLE PROPERTY:
Development Standards

1. Residential Use

- a. Single-family dwellings only, not to exceed two stories.

2. Size and Condition of House

- a. Minimum house size to be 2,000 s.f. (single story) and 2,300 s.f. (two story).
- b. 85% constructed of brick, stone or approved masonry on the first floor.

3. Landscaping and Retaining Walls

- a. All retaining walls, planter walls and mail boxes visible from any public right-of-way shall be constructed of brick, stone, wrought iron or a combination thereof.

4. Garages

- a. Maximum of three car garage.
- b. Minimum of two car garage.
- c. Front, side or rear entry (corner lots require matching masonry wing screening wall acceptable to the Architectural Control Committee on side street if garage is to be accessed from side street).

5. Roof

- a. 8/12 pitch
- b. Slate, copper, clay tile or Architectural Control Committee approved composition shingle.

6. Exterior Surface

Site plan and all elevations shall be approved by the Architectural Control Committee.

7. Sidewalks and Driveways

Front sidewalks will be required. All driveways and sidewalks shall be of concrete or of clay brick or concrete brick pavers approved by the Architectural Control Committee.

8. Fences and Walls

Fences and walls shall be no higher than 8 feet. All fence designs must be approved by the Architectural Control Committee.

9. Storage of Non-Motorized Vehicles and Equipment

None allowed where visible from streets, Common Area and adjacent lots.

10. Covenant to Complete Construction

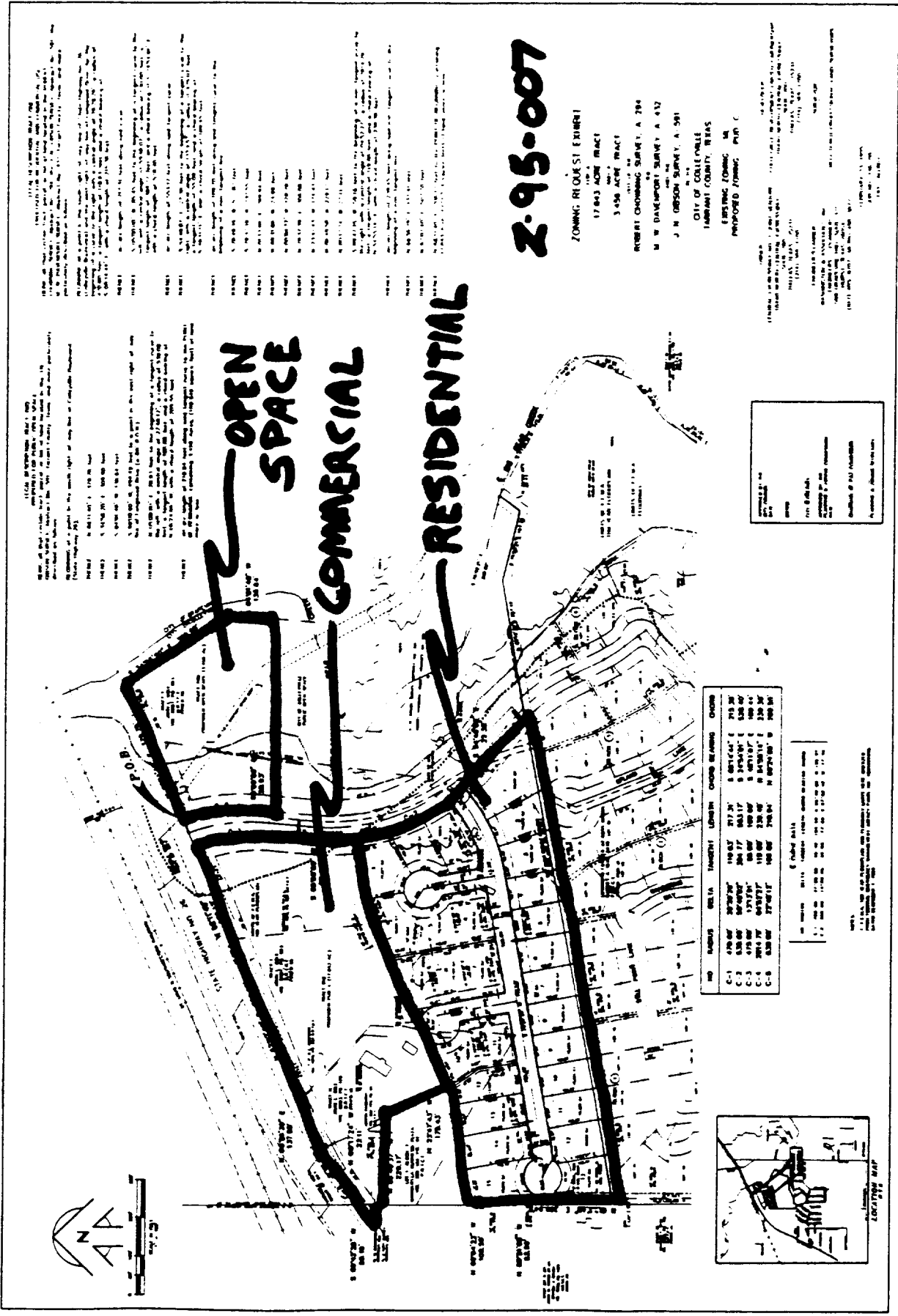
- a. Construction must begin within one year from acquisition of the lot.
- b. Construction must be complete within six months.

11. Antennas

- a. No radio or TV antennas visible on the property.
- b. Satellite dishes must be screened and shall not be visible from streets and adjacent lots.
- c. No ground mounted radio antennas will be permitted.

12. Vehicles

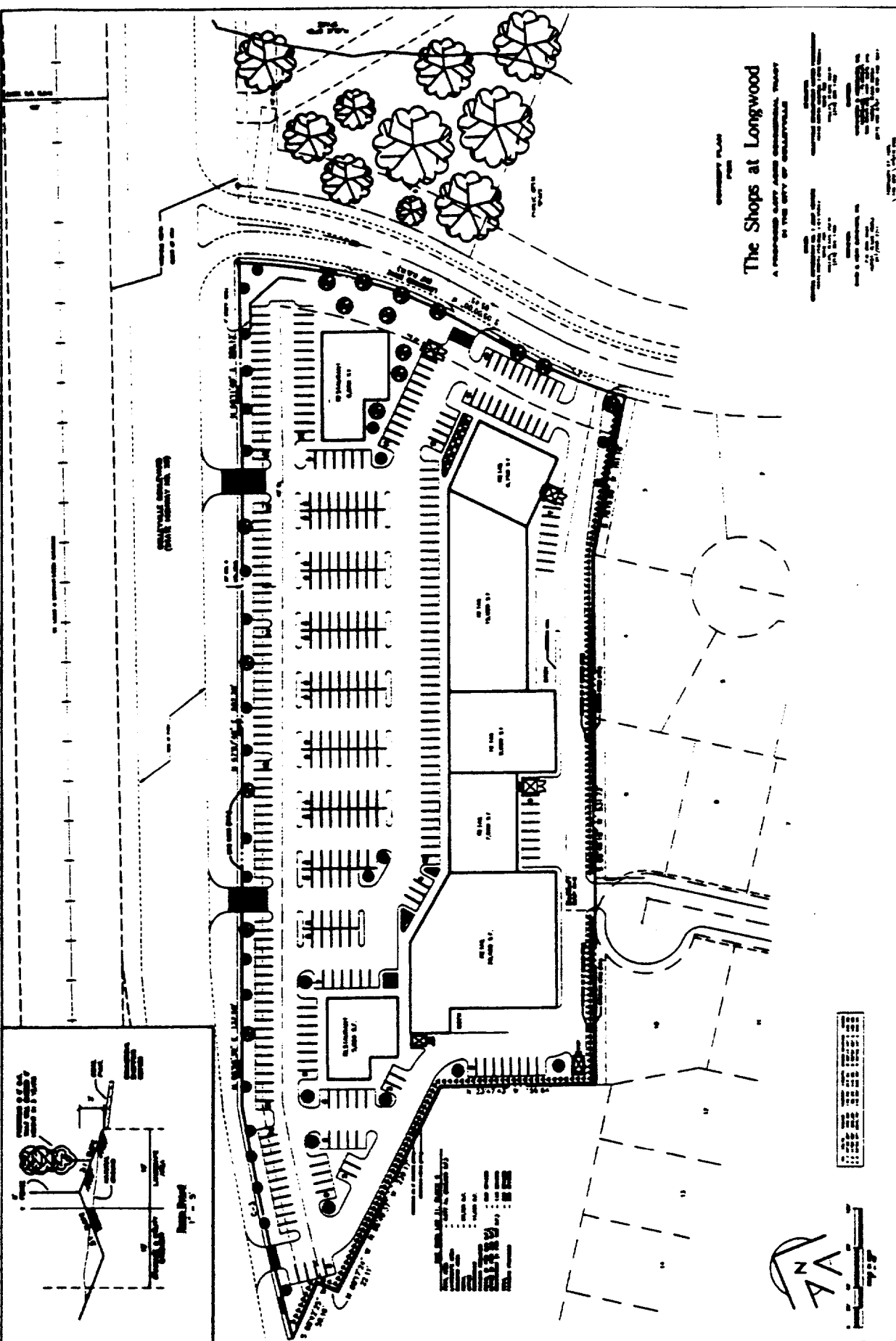
- a. No vehicle may be parked on public right-of-way over 24 hours.
- b. Storage of trucks or other oversized vehicles shall not be allowed in driveways.



2.95-007

ZONING REQUEST EXHIBIT
 17.843 ACRE TRACT
 3.456 ACRE TRACT
 ROBERT CHRONING SURVEY, A 294
 M W DAVENPORT SURVEY, A 432
 J H JOHNSON SURVEY, A 591
 CITY OF COLLEVILLE
 JEFFERSON COUNTY, MISSOURI
 EXISTING ZONING IN
 PROPOSED ZONING MAP C

1. THE CITY OF COLLEVILLE, MISSOURI, HAS ADOPTED THE FOLLOWING ZONING MAP C, WHICH SHALL BE EFFECTIVE ON THE DATE OF ADOPTION BY THE CITY COUNCIL.
 2. THE ZONING MAP C SHALL BE ADOPTED BY THE CITY COUNCIL ON OR BEFORE THE DATE OF THE NEXT REGULAR MEETING OF THE CITY COUNCIL.
 3. THE ZONING MAP C SHALL BE ADOPTED BY THE CITY COUNCIL ON OR BEFORE THE DATE OF THE NEXT REGULAR MEETING OF THE CITY COUNCIL.
 4. THE ZONING MAP C SHALL BE ADOPTED BY THE CITY COUNCIL ON OR BEFORE THE DATE OF THE NEXT REGULAR MEETING OF THE CITY COUNCIL.
 5. THE ZONING MAP C SHALL BE ADOPTED BY THE CITY COUNCIL ON OR BEFORE THE DATE OF THE NEXT REGULAR MEETING OF THE CITY COUNCIL.



Revo. 2/27/95

ORDINANCE O-04-1474

AN ORDINANCE AMENDING CHAPTER 3, LAND USE OF THE LAND DEVELOPMENT CODE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING ORDINANCE O-95-987 AS IT RELATES TO THE COMMERCIAL DEVELOPMENT STANDARDS FOR LOT 1, BLOCK 11, LONGWOOD ESTATES AT ROSS DOWNS; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; AUTHORIZING PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an application for a zoning change was filed by Cloudloft Investments on June 21, 2004, under Case No. Z-04-025; and

WHEREAS, the City of Colleyville has complied with the notification requirements of the Texas Local Government Code and the Colleyville Land Development Code; and

WHEREAS, the Planning and Zoning Commission has held a public hearing and made a recommendation on the proposed zoning amendment; and

WHEREAS, the City Council has determined that the proposed zoning amendment is in the best interests of the City of Colleyville.

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

Sec. 1. THAT the Master Plan, the Land Development Code of the City of Colleyville, Texas, and the Official Zoning Map are hereby amended insofar as they relate to certain land located in Colleyville, Texas, as shown on the Zoning Map attached as Exhibit "A", and described by legal description as Lot 1, Block 11, Longwood Estates at Ross Downs, by amending Ordinance O-95-987, including any other conditions and restrictions imposed and approved by the City Council, which are incorporated herein.

Sec. 2. THAT the development standards for Lot 1, Block 11, Longwood Estates at Ross Downs shall be amended to read as follows:

1. GENERAL

- a. The purpose of this PUD-C is for retail, restaurant, and office uses.
- b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.

2. PERMITTED AND PROHIBITED USES

- a. The following land uses shall be permitted within this Planned Unit Development.
 - (1) All uses allowed in the CC1 and CC2 zoning districts
 - (2) A Special Use Permit for alcoholic beverage sales for on-premise consumption is hereby authorized for this property in conjunction with a restaurant use. The Special Use Permit shall be applicable only to Lots 1 and 2, as shown on Exhibit "B".
- b. The following land uses shall be prohibited within this Planned Unit Development.
 - (1) Restaurants with drive-through service
 - (2) Convenience stores with or without gasoline sales
- c. The use of the buildings on Lots 1 and 2, as shown on Exhibit "B", shall be restricted to sales tax generating uses, and shall not be used for office uses for two (2) years from the date of the issuance of the first certificate of occupancy for an office use.

3. CONCEPTUAL SITE PLANS AND PLATTING

The arrangement, location, and footprint of buildings within the PUD-C may differ from that shown on the attached Exhibit "B" and will be determined at time of site plan approval.

4. LOT REQUIREMENTS AND SETBACKS

- a. The lot requirements and setbacks shall be the following minimum standards:

(1) Minimum Lot Size	None
(2) Building Line adjacent to street	40 feet
(3) Side or Rear Building Line adjacent to residentially-zoned property	25 feet
(4) Side or Rear Building Line adjacent to commercially-zoned property	10 feet
- b. The buildings shall not exceed thirty-five (35) feet in height.

5. OPEN SPACE AND LANDSCAPING

- a. The building site shall comply with the minimum landscaping requirements of the Land Development Code, which shall satisfy the open space requirements for the PUD-C area.
- b. There shall be constructed a landscape buffer along the south property line adjacent to Blocks 9 and 10, Longwood Estates at Ross Downs, that shall consist of a row of evergreen shrubs, which shall reach a height of eight feet within two years after development of the site. The landscape screen shall be constructed prior to the issuance of a certificate of occupancy on the property.

6. LIGHTING

- a. Lighting on the buildings shall be shielded and designed to direct the light downward and away from adjacent residential properties.

7. SIDEWALKS AND TRAILS

- a. The developer shall construct a 4-foot wide sidewalk adjacent to Longwood Drive, in accordance with the standards contained in the Land Development Code. The sidewalk shall be constructed prior to the issuance of a certificate of occupancy for any structure on the lot.

8. GENERAL DEVELOPMENT CRITERIA

- a. The architectural design score for all commercial buildings shall be a minimum of 35 points, as described in Chapter 6 of the Land Development Code.
- b. A fire lane connection shall be provided from the property to Coleman Court. The configuration of the connection shall be subject to approval by the Fire Marshal.
- c. All utility services internal within the development shall be buried underground.

Sec. 3. THAT any person, firm, or corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined a sum not to exceed Two Thousand Dollars (\$2,000.00). Each and every day such violation continues shall constitute a separate offense and shall be punishable as such.

Sec. 4. THAT the Land Development Code of the City of Colleyville, Texas, shall remain in full force and effect, except where amended by this ordinance.

Sec. 5. THAT the City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

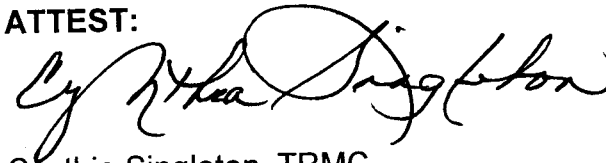
Sec. 6. THAT this ordinance shall become effective immediately upon publication.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 4th day of August 2004.

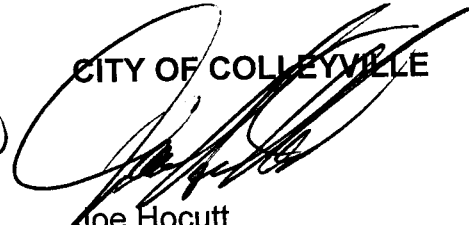
The second reading and public hearing being conducted on the 14th day of August 2004.

ATTEST:



Cynthia Singleton, TRMC
City Secretary

CITY OF COLLEYVILLE



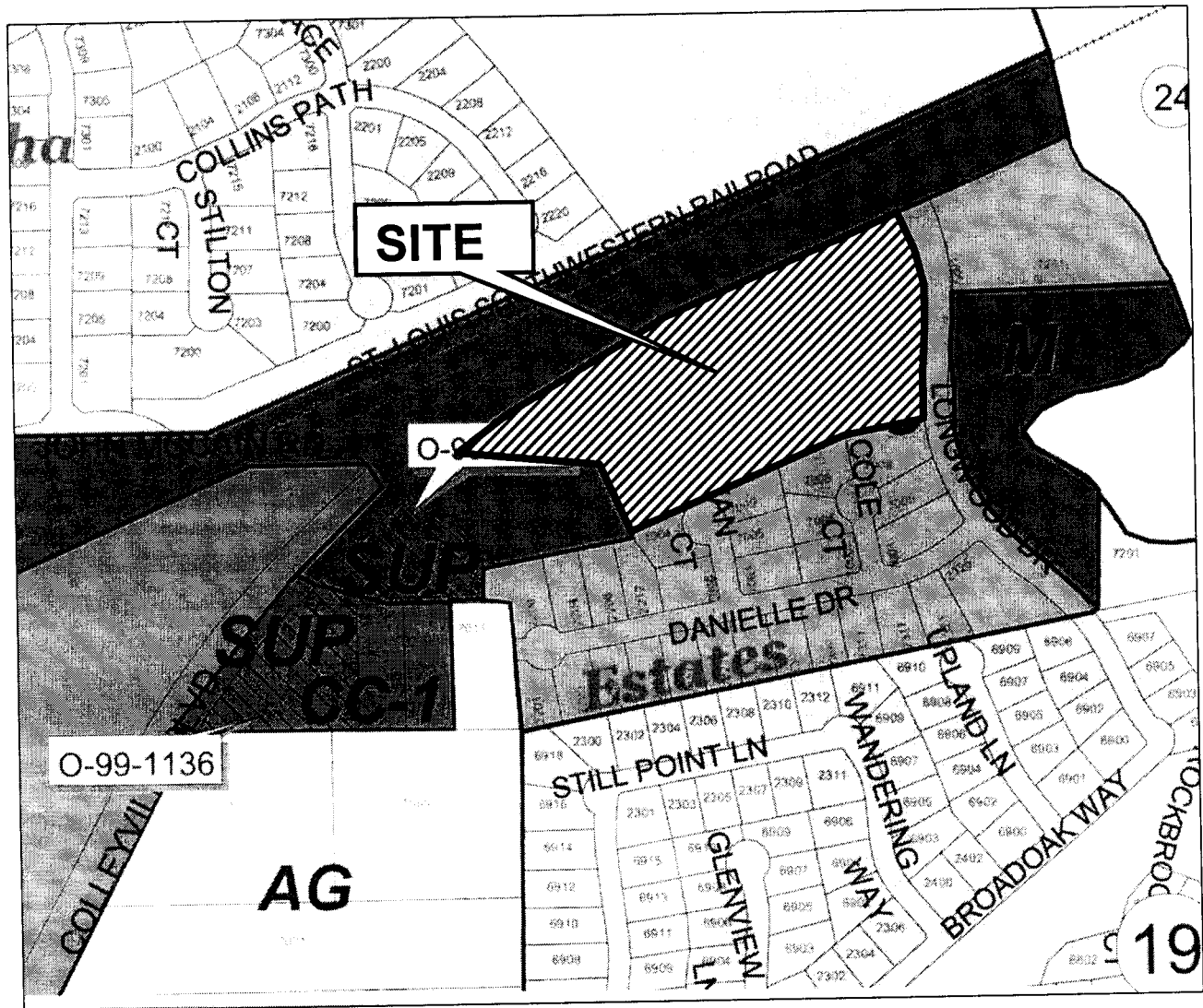
Joe Hocutt
Mayor

APPROVED AS TO FORM AND LEGALITY:



Ross T. Foster
City Attorney

EXHIBIT A – ZONING MAP



[illegible]

ZONING EXHIBIT FOR ZONING
CHANGE REQUEST FROM
PUD-C TO PUD-C

01 SITE PLAN
SCALE: 1" = 40' 0"

ORDINANCE O-09-1705

AN ORDINANCE AMENDING ORDINANCE O-04-1474 CONDITIONS; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; 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 Council approved Ordinance O-95-987 on April 18, 1995, to establish the zoning of 21.299 acres out of the M.W. Davenport Survey, Abstract 432; The J.N. Gibson Survey, Abstract 591, Tracts 4A3, 4A1, 4A3B and the Robert Chowning Survey, Abstract 294, Tract 1E and a portion of Tract 1; and

WHEREAS, the City Council approved Ordinance O-04-1474 on August 17, 2004, amending Ordinance O-95-987 to permit CC-1 and CC-2 zoning district uses, except for restaurants with drive-through services and all convenience stores, on Block 11, of the Longwood Estates at Ross Downs Addition; and

WHEREAS, the City of Colleyville has received a request for an amendment to Ordinance O-04-1474, under Case Z-08-016; 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 amending Ordinance O-04-1474.
- Sec. 3. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning of approximately 7 acres of the Longwood Estates at Ross Downs Addition, depicted on the attached Exhibit "A" labeled as Location and Zoning Map.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

PERMITTED USE

Restaurants with drive-through services, allowing for a coffee shop use only, shall be permitted in the north most leasing space of the existing building on Lot 2, Block 11, of the Longwood Estates at Ross Downs Addition. Drive-through operations shall only occur along the northern wall.

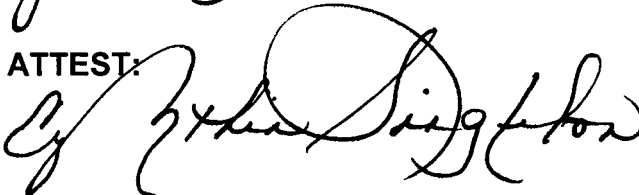
- Sec. 5. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended and as amended herein.
- Sec. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

- Sec. 7. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 8. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 9. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.
- Sec. 10. THAT Ordinance O-04-1474 shall remain in full force and effect, except where amended by this ordinance.

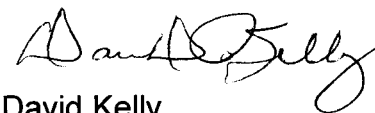
AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 6th day of January 2009.

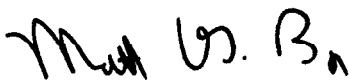
The second reading and public hearing being conducted on the 20th day of January 2009.

ATTEST:

Cynthia Singleton, TRMC, CMC
City Secretary

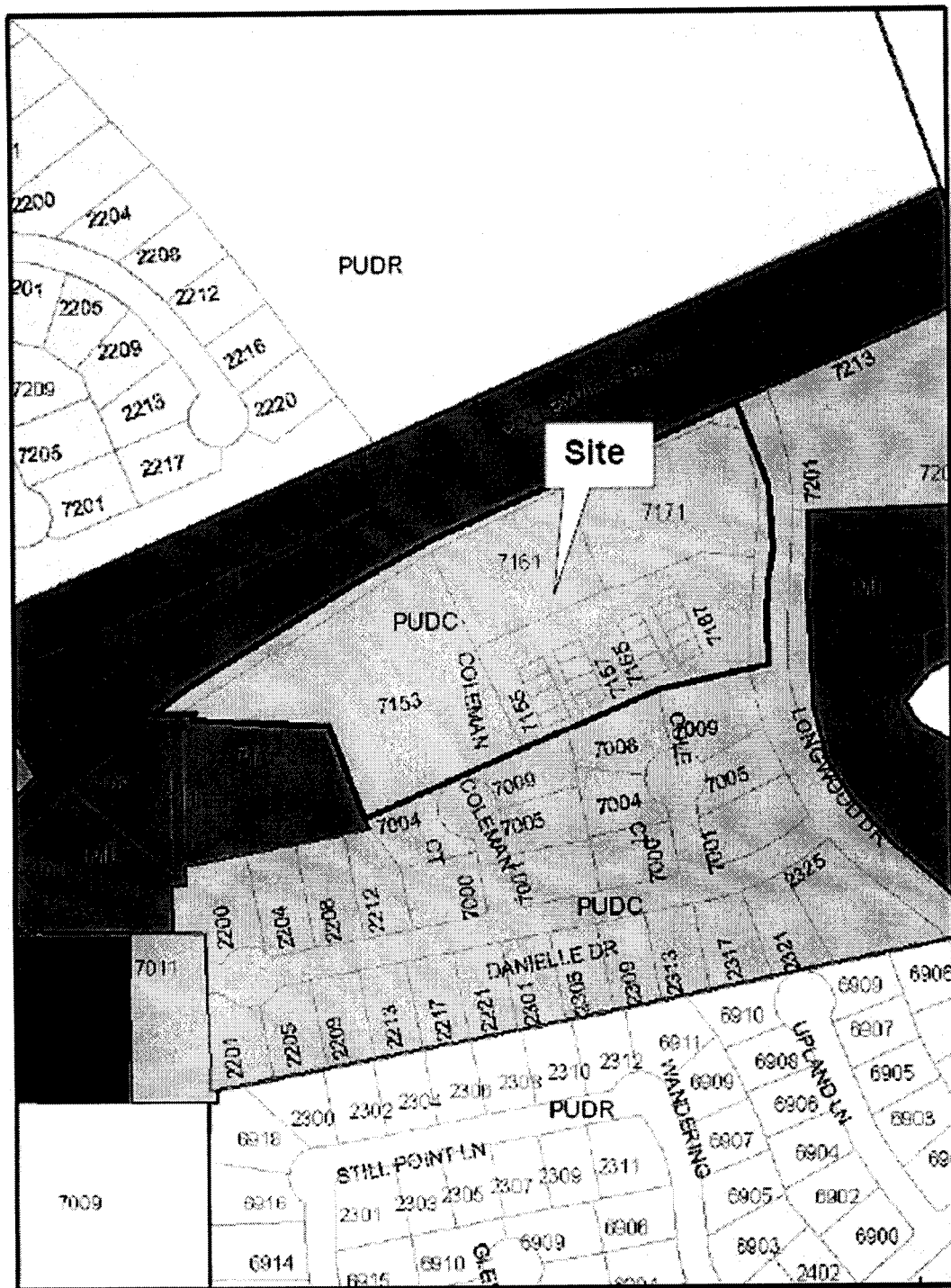
CITY OF COLLEYVILLE

David Kelly
Mayor

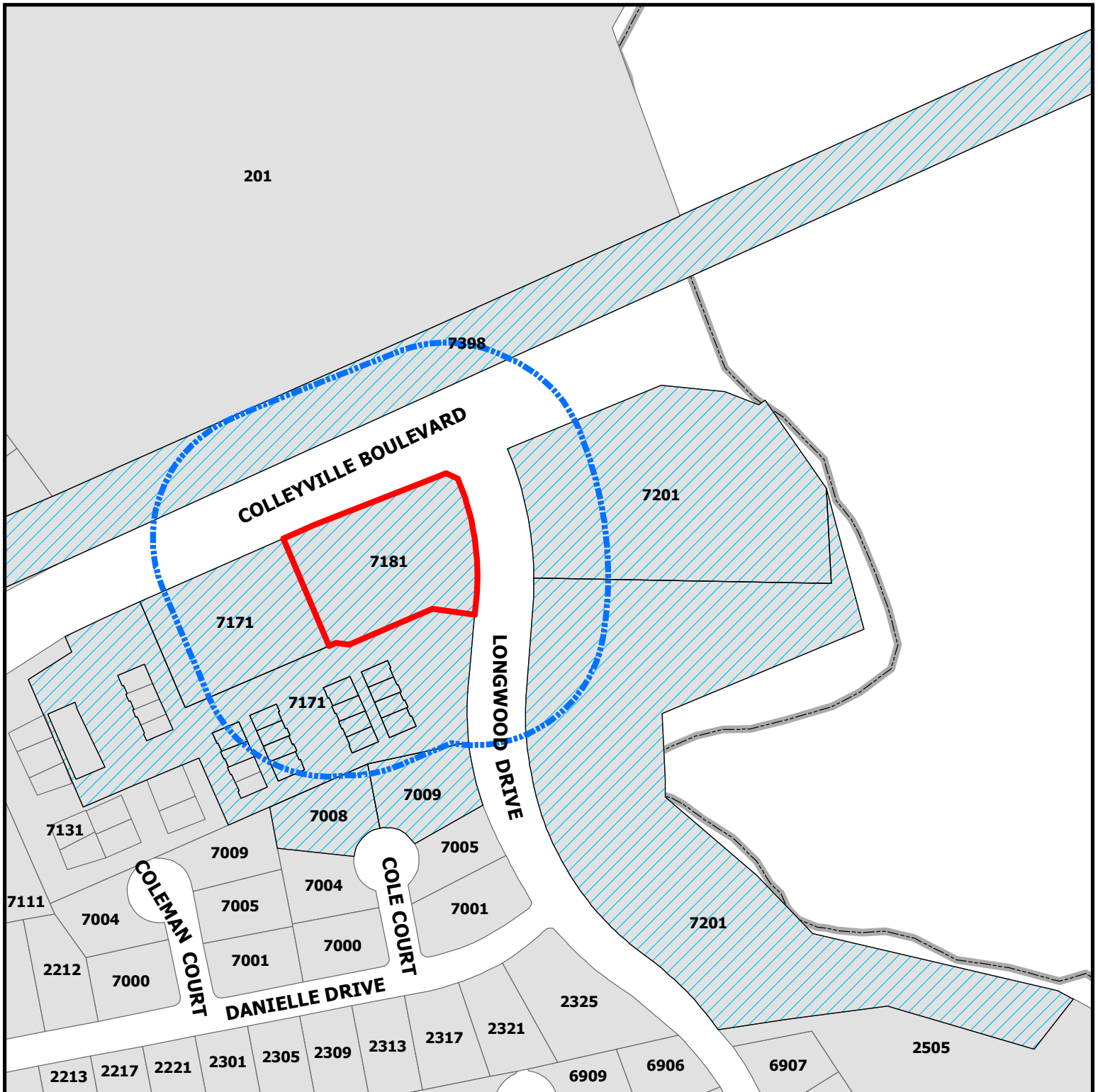
APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit "A" - Location and Zoning Map



Notification Map



ZC18-009

7181 Colleyville Blvd



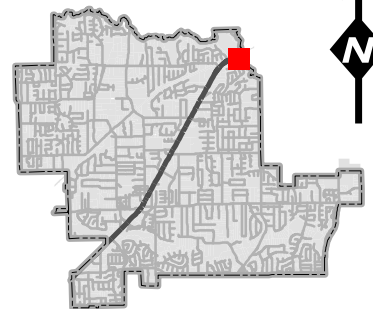
Subject Property



200ft Buffer



Properties within 200ft



DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
AGHDAM, LIDA G	6710 VINES CT	COLLEYVILLE, TX	76034	7155 COLLEYVILLE BLVD
MOON, WOO J	7009 COLE CT	COLLEYVILLE, TX	76034	7009 COLE CT
7165 COLLEYVILLE LLC	5650 KROGER DR	FORT WORTH, TX	76244	7165 COLLEYVILLE BLVD
PRO-DIEM INC	702 LAKEHURST CT	SOUTHLAKE, TX	76092	7157 COLLEYVILLE BLVD
J T DAVA PROPERTIES LLC	PO BOX 12080	DALLAS, TX	75225	7165 COLLEYVILLE BLVD
RAK PROPERTY GRUOP LLC	175 CREEKWAY BND	SOUTHLAKE, TX	76092	7157 COLLEYVILLE BLVD
LONGWOOD/26 LTD	8713 AIRPORT FWY STE 100	NORTH RICHLAND HILLS, TX	76180	7171 COLLEYVILLE BLVD
7165 COLLEYVILLE LLC	5650 KROGER DR	FORT WORTH, TX	76244	7165 COLLEYVILLE BLVD
LYNBA INC & VIKRAM JANGAM	1012 WHITTINGTON PL	SOUTHLAKE, TX	76092	7157 COLLEYVILLE BLVD
KRIKORIAN, GABRIEL Y	7008 COLE CT	COLLEYVILLE, TX	76034	7008 COLE CT
CTM CAPITAL LLC	305 S BROADWAY AVE STE 301	TYLER, TX	75702	7167 COLLEYVILLE BLVD
7157 COLLEYVILLE LLC	115 SAM BASS RIDGE RD	SOUTHLAKE, TX	76092	7157 COLLEYVILLE BLVD
SANDADI, PRAVEEN	7416 STONEY POINT DR	PLANO, TX	75025	7155 COLLEYVILLE BLVD
REGIONAL RAIL ROW CO	PO BOX 660163	DALLAS, TX	75266	7398 COLLEYVILLE BLVD
FORD, PHYLLIS	7167 COLLEYVILLE BLVD STE 101	COLLEYVILLE, TX	76034	7167 COLLEYVILLE BLVD
PRMJRM LLC	3045 PONDER PATH	KELLER, TX	76248	7167 COLLEYVILLE BLVD
CTM CAPITAL LLC	305 S BROADWAY AVE STE 301	TYLER, TX	75702	7167 COLLEYVILLE BLVD
7165 COLLEYVILLE LLC	5650 KROGER DR	FORT WORTH, TX	76244	7165 COLLEYVILLE BLVD
LONGWOOD PLAZA PARTNERS LP	1901 N AKARD ST	DALLAS, TX	75201	7171 COLLEYVILLE BLVD
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	7201 COLLEYVILLE BLVD
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	7201 COLLEYVILLE BLVD
LONGWOOD DRIVE PARTNERS LP	11511 ROSSER RD	DALLAS, TX	75229	7181 COLLEYVILLE BLVD
TIMARRON-CASCADES AT TIMARRON	700 WENTWOOD DRIVE	SOUTHLAKE, TX	76092	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOOD AVE	GRAPEVINE, TX	76051	STATE REQUIRED
SARTAIN, MIKE	7113 CEDAR COURT	COLLEYVILLE, TX	76034	APPLICANT

Public hearing notices were mailed on Friday, April 27, 2018 by Araceli Botello



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC18-009
Applicant: Mike Sartain
Owner: Longwood Drive Partners
Location: 7181 Colleyville Boulevard
Property Description: Lot 3A, Block 11, of the Longwood Estates at Ross Downs
Present Zoning: PUD-R Planned Unit Development Commercial
Request: Consideration of a request to amend the PUD-C Planned Unit Development Commercial zoning district for Lot 3, Block 11, Longwood Estates at Ross Downs. The purpose is to allow for drive-through services for restaurants.

The City of Colleyville has scheduled public hearings concerning the above referenced request on the following dates and location:

Planning and Zoning Commission Meeting: Monday, May 14, 2018 at 7:00 p.m.
City Council Meetings: Tuesday, June 5, 2018 & Tuesday, June 19, 2018 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

This notice has been sent to all owners of real property within 200 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 500 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change request. If you are unable to attend, but wish to have your opinions made a part of the public record, please submit written comments prior to the public hearing, to the address below:

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

If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas. A brief project description can be found online on the Active Development Case map: <https://www.colleyville.com/zoning.html>. For additional information, please contact the Community Development Department at 817.503.1056. Please reference the zoning case number when requesting information.

Felix Landry
Principal Planner
flandry@colleyville.com

ORDINANCE O-18-2044

AMENDING ORDINANCE O-04-1474 CONDITIONS; PROVIDING A PENALTY OF FINE, NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council approved Ordinance 0-95-987 on April 18, 1995, to establish the zoning of 21.299 acres out of the M.W. Davenport Survey, Abstract 432; The J.N. Gibson Survey, Abstract 591, Tracts 4A3, 4A1, 4A3B and the Robert Chowning Survey, Abstract 294, Tract 1E and a portion of Tract 1; and

WHEREAS, the City Council approved Ordinance 0-04-1474 on August 17, 2004, amending Ordinance 0-95-987 to permit CC-1 and CC-2 zoning district uses, except for restaurants with drive-through services and all convenience stores, on Block 11, of the Longwood Estates at Ross Downs Addition; and

WHEREAS, the City of Colleyville has received a request for an amendment to Ordinance 0-04-1474, under Case Z-18-009; 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 and 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 3A, Block 11, of the Longwood Estates at Ross Downs, located at 7181 Colleyville Boulevard, from the PUD-R Planned Unit Development-Residential Zoning District to the PUD-R Planned Unit Development-Residential Zoning District, as depicted in the attached Exhibit "A".
- Sec. 3. THAT the above-described tract of land shall be subject to the following conditions:

1. General

- a. The following amendments to Ordinance O-04-1474 are hereby authorized:
- i. Section 2.2.A.3 of Ordinance O-04-1474 is hereby amended to revise the permitted uses to allow restaurants with drive-through service for Lot 3,

Block 11, of the Longwood Estates at Ross Downs Addition. There must be a physical separation between the drive-thru lane and the fire lane.

- ii. Ordinance O-04-1474 hereby remains valid and all provisions of Ordinance O-04-1474 shall remain in full force and effect except where amended herein.

- Sec. 4. 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. 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 5th day of June 2018.

The second reading and public hearing being conducted on the 19th day of June 2018.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 19TH DAY OF JUNE 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Chuck Kelley	_____
Place 3, Kathy Wheat	_____	Place 6, Callie Rigney	_____
Place 4, George Dodson	_____		

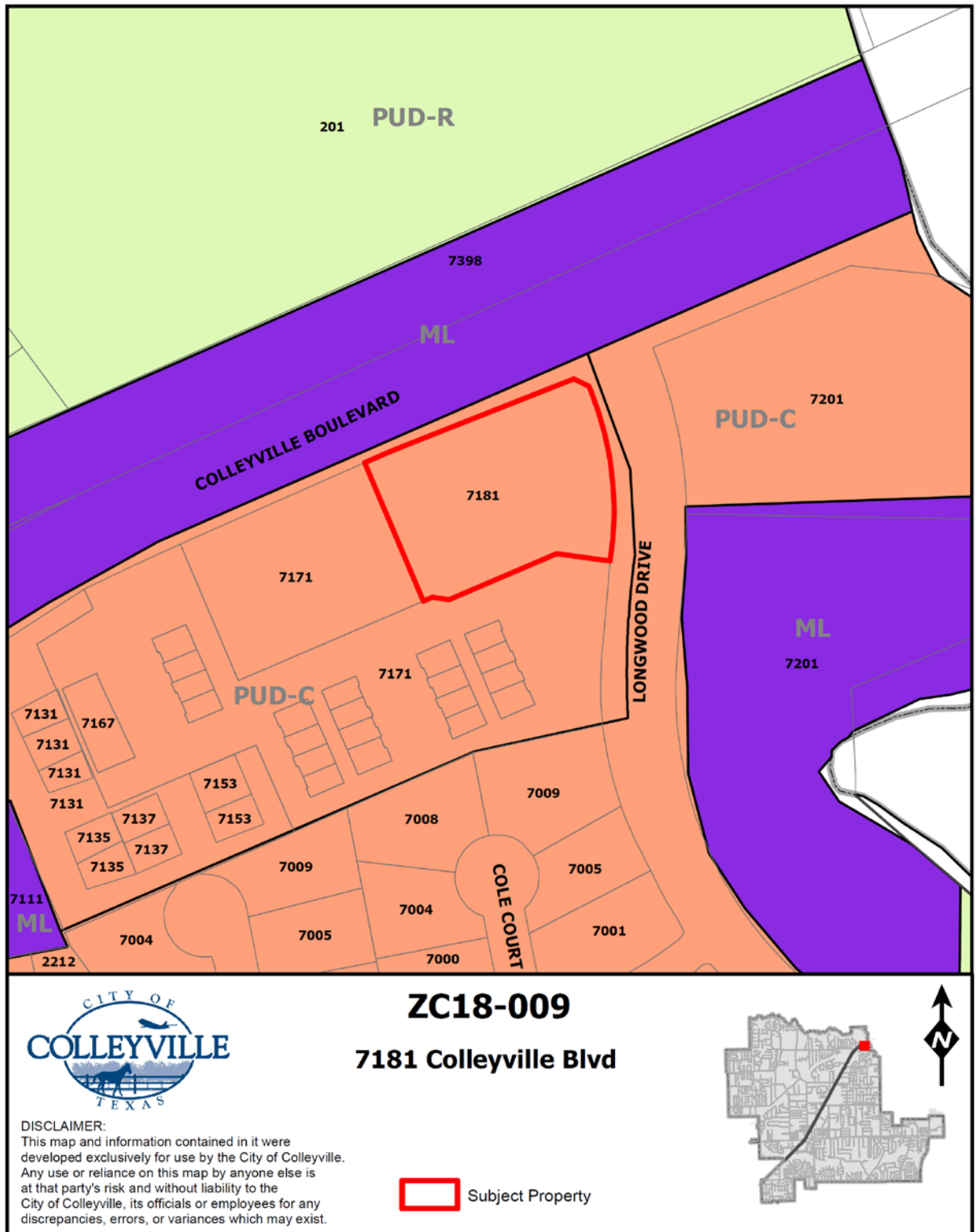
ATTEST: **CITY OF COLLEYVILLE**

Christine Loven, TRMC	Richard Newton
City Secretary	Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt L. Wyatt
City Attorney

Exhibit "A"- Zoning Map





City of Colleyville City Council Agenda Briefing

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

Agenda Number 6b

Agenda Date 06/05/2018

Number Ordinance O-18-2045

Type Ordinance

Department Community Development

Title

Consideration of a Special Use Permit to exceed the maximum number and total maximum size allowed by right for accessory buildings on Lot 1, Block 1, of the K Bar G Estates addition, located at 6401 Westcoat Drive, Case ZC18-010

Strategic Plan

There is no Strategic Plan connection for this item.

Explanation

First Reading and Public Hearing

Jeff Polk, the applicant, has submitted a request for a Special Use Permit (SUP) to exceed the maximum number and total maximum size allowed by right for accessory buildings on Lot 1, Block 1, of the K Bar G Estates, being approximately 6.77 acres, and zoned AG Agricultural. The request is to remove two existing structures and allow for construction of a new chicken coop and a new greenhouse which exceeds the maximum square footage for accessory buildings and total number of accessory buildings for the lot. The new square footage is +/- 350 square feet more than what was existing.

Existing Conditions/Background: The subject property, at 6401 Westcoat Drive, has AG Agricultural zoning and is located on the east side of Westcoat Drive, just north of White Drive. The subject property has been platted and currently has a single family residence.

SUP Request:

Request – The applicant is requesting approval of an SUP to exceed the maximum allowable square footage and number of accessory structures allowed on a property.

Ordinance – Section 3.27 Accessory Buildings and Residential Carport Regulations of the Land Development Code establishes the maximum size and number of accessory buildings to be permitted by staff on a residential lot:

"2. Maximum Size and Number of Buildings:

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

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

2. For the purpose of this Section, the size of an accessory building shall be the square footage of the building footprint.

3. An application to exceed the total square footage shown in the above table may be approved as a Special Use Permit (SUP)."

Currently, the site has 7,712 square feet of accessory structures. With the proposed net gain or more square feet of accessory structures, that total area number would rise to 8,053 square feet.

Analysis: The purpose of a Special Use Permit 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.

The proposed expansion to the accessory building will not comply with the following provisions of the Land Development Code:

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

The maximum number of accessory buildings allowed per lot shall be three (3) buildings. For lots greater than 3 acres in size, the maximum size allowed for all accessory buildings on the site is 2,500 square feet.

The subject property covers approximately six and one-half acres of land. The applicant proposes to replace older existing structures with new, well-designed structures. The placement of the new structures increase the distance from the southern property line.

The proposed accessory building complies with all other requirements of Section 3.27. The site plan and elevations have been included as attachments for your review.

Surrounding Development: The properties to the north and east are zoned AG Agricultural district and is part of the farm or developed with single family homes. The properties to the south and west are of mix of R-10 Single Family Residential, R-20 Single Family Residential, and R-40 Single Family Residential districts and developed with single family homes.

Public Notification: Staff-mailed notices to all 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.

Staff Recommendation: The proposed SUP request provides a means to enhance the architectural features of the property, while also slightly expanding the buffer from the southern property line. The proposed improvements do not negatively impact the surrounding properties in any apparent manner. In light of these observations, staff recommends approval of the request.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval as presented at their May 14, 2018 meeting by a vote of 7-0.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Zoning Exhibit
6. Existing Chicken Coop
7. Proposed Chicken Coop
8. Proposed Greenhouse
9. Notification Map
10. Notification List
11. Property Owner Notification
12. Ordinance O-18-2045

Aerial Map



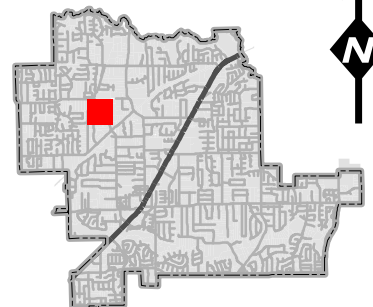
ZC18-010

6401 Westcoat Drive

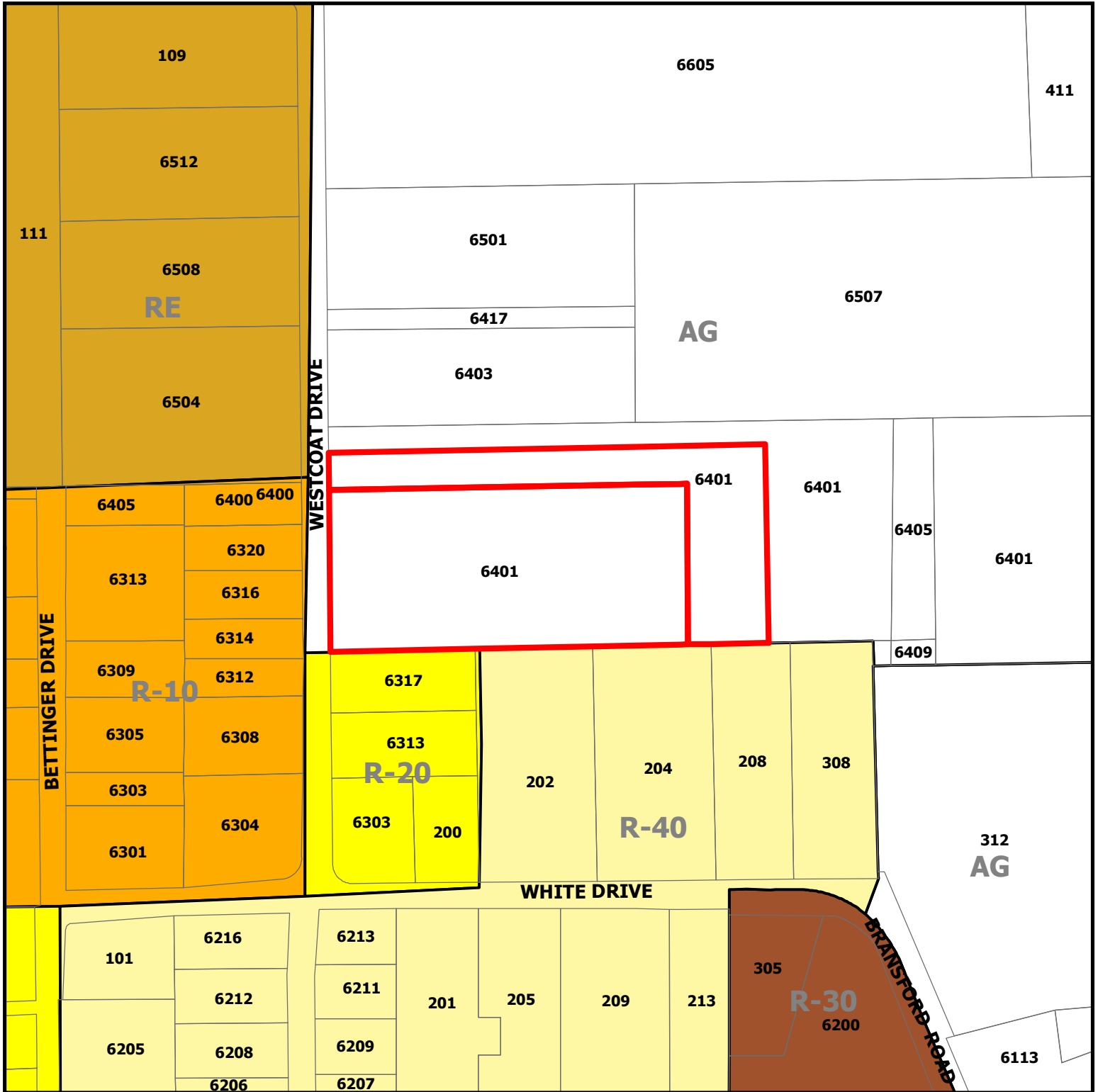
DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.



Subject Property



Zoning Map

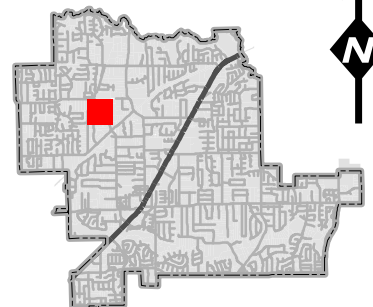


ZC18-010

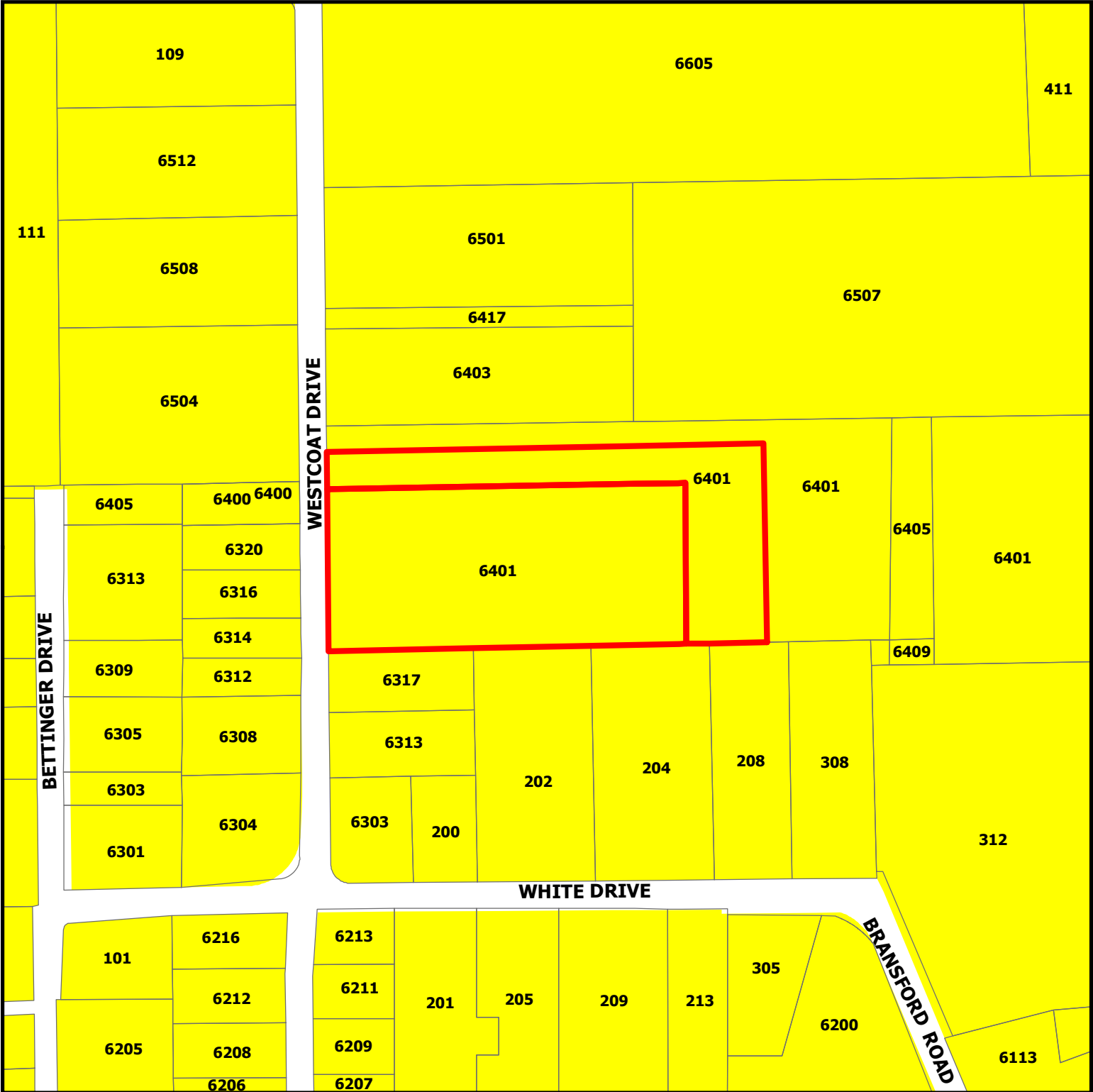
6401 Westcoat Drive

DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

 Subject Property



Future Land Use Map

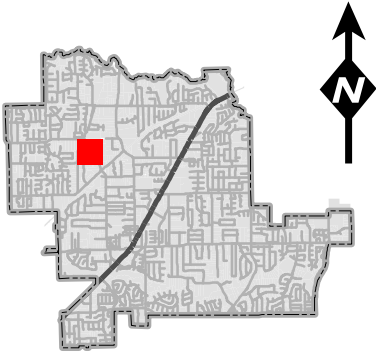


ZC18-010

6401 Westcoat Drive

DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

-  Subject Property
-  Residential



Statement of Planning Objectives

**Garrison Greenhouse – 6401 Westcoat Rd.
Variance Request - Proposed accessory building/
increase to total allowed accessory area**



Statement of Planning Objectives

Overview

We are requesting a variance to maximum accessory building area allowed in accordance with Land Development Code 3.8.E, 3.27 and 3.28. In 2017, Council unanimously approved a small addition to the cabana and approved the current number and size of accessory building which before that approval was not compliant with Development Code. Our plan to remove 2 existing accessory structures and replace each of them with two new conforming structures but the total accessory area would increase by 250-300 sf. We are proposing a luxury greenhouse / solarium and are in the process of permitting a chicken coop to replace the non-conforming chicken coop currently on the subject property. The Chicken coop is allowed without seeking a variance only because we are demolishing the existing larger and non-conforming coop. The proposed uses are both consistent with permitted uses outlined in Land Development Code Chapter 3. We are requesting a variance to exceed the current approved accessory area by 341 sf.

SPECIAL CONDITIONS AND CIRCUMSTANCES

LOT SIZE AND LOW RATIO OF BUILDING AREA TO OPEN SPACE:

The subject property at 6401 Westcoat is unique in that the total area of all land owned by my client, Mrs., Garrison is close to 60 acres. The subject lot, being Lot 1 Block 1, K- Bar G Estates Addition is 6.77 acres. As noted by staff and the City Council upon approval of the cabana addition, the total ratio of building area to open space on this property remains extremely high and fits the spirit and intent of section 3.27. As noted by staff, the 2,500 sf. Max Accessory Building area for lots over 3 acres does not properly account for much larger lots.

CURRENT ACCESSORY STRUCTURES ON SUBJECT PROPERTY ARE NON-CONFORMING AND ARE NOT ATTRACTIVE TO ADJACENT PROPERTY OWNERS:

The existing two structures, a metal pole barn chicken coop and a metal storage shed are not compliant with building code and are in dis-repair. Mrs. Garrison would like to remedy this problem with attractive and well-built structures.

APPROVAL OF REQUESTED VARIANCE WOULD NOT CONFER ON THE APPLICANT ANY SPECIAL PRIVILEGE

It is our view that this request for a marginal increase in accessory building area, especially given the lot size and the state of the existing accessory structures to be removed would be approved for any other resident with the same unique property. This belief is based on the acknowledgment of such by the Mayor and several Council members during our recent and similar variance request. In fact, we were told that part of the planned modifications to development code would address increasing the ratios for Accessory structures on large lots.

Statement of Planning Objectives

ATTACHMENTS-----

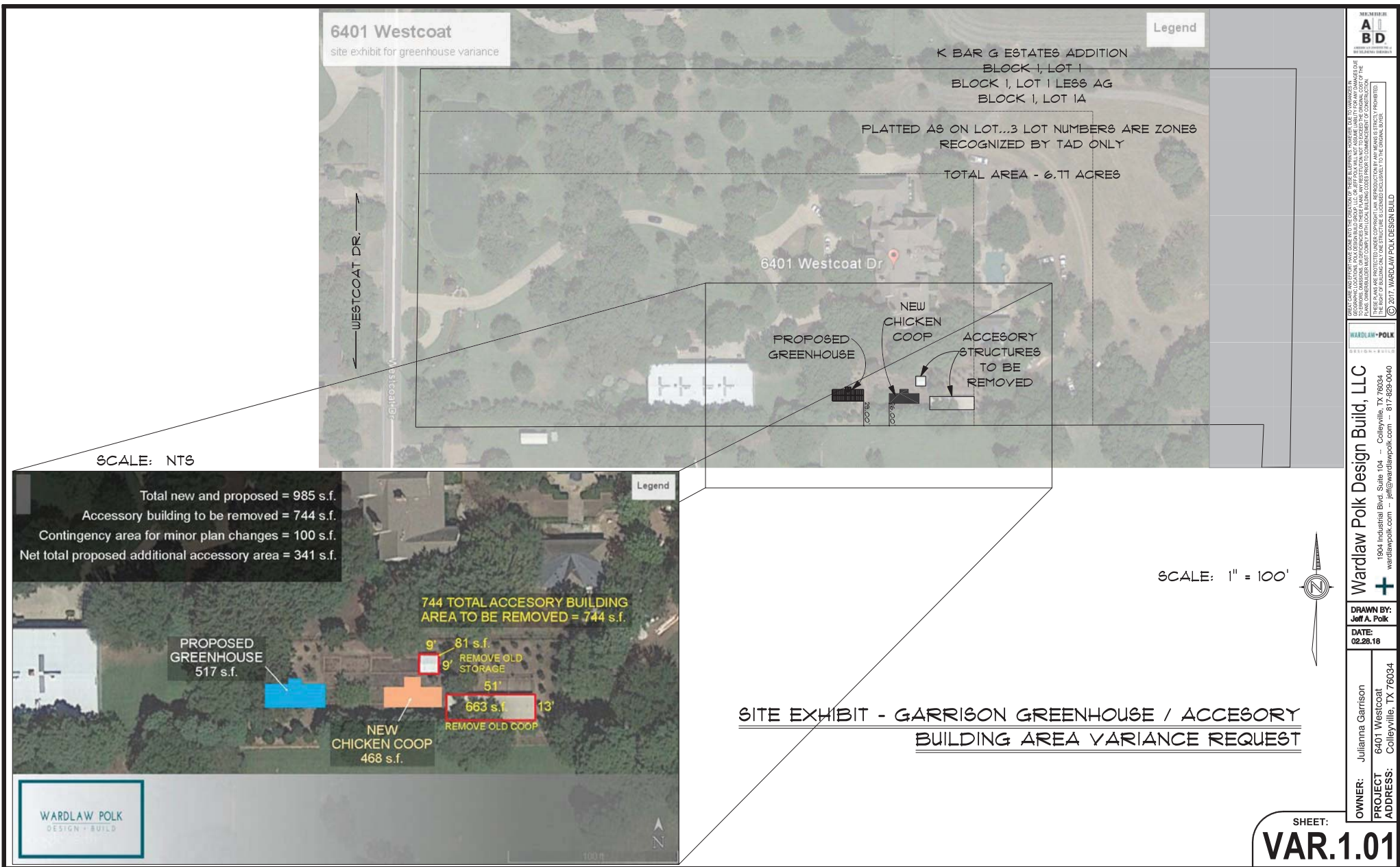
1. VAR.1.01 - Site exhibit detailing the net effect of the proposed Accessory Building area increase.
2. Greenhouse elevations and information
3. New Chicken Coop Elevation – for the purpose of better understanding the significant improvement over the existing Chicken Coop.
4. Pictures of existing accessory building to be removed if this variance is granted.

Thank you for your service to Colleyville and its residents. We ask that you please consider this variance request and trust your discernment to make a fair decision. Please call or email with any questions.

Respectfully,

Jeff Polk
Wardlaw Polk Design Build

Zoning Exhibit



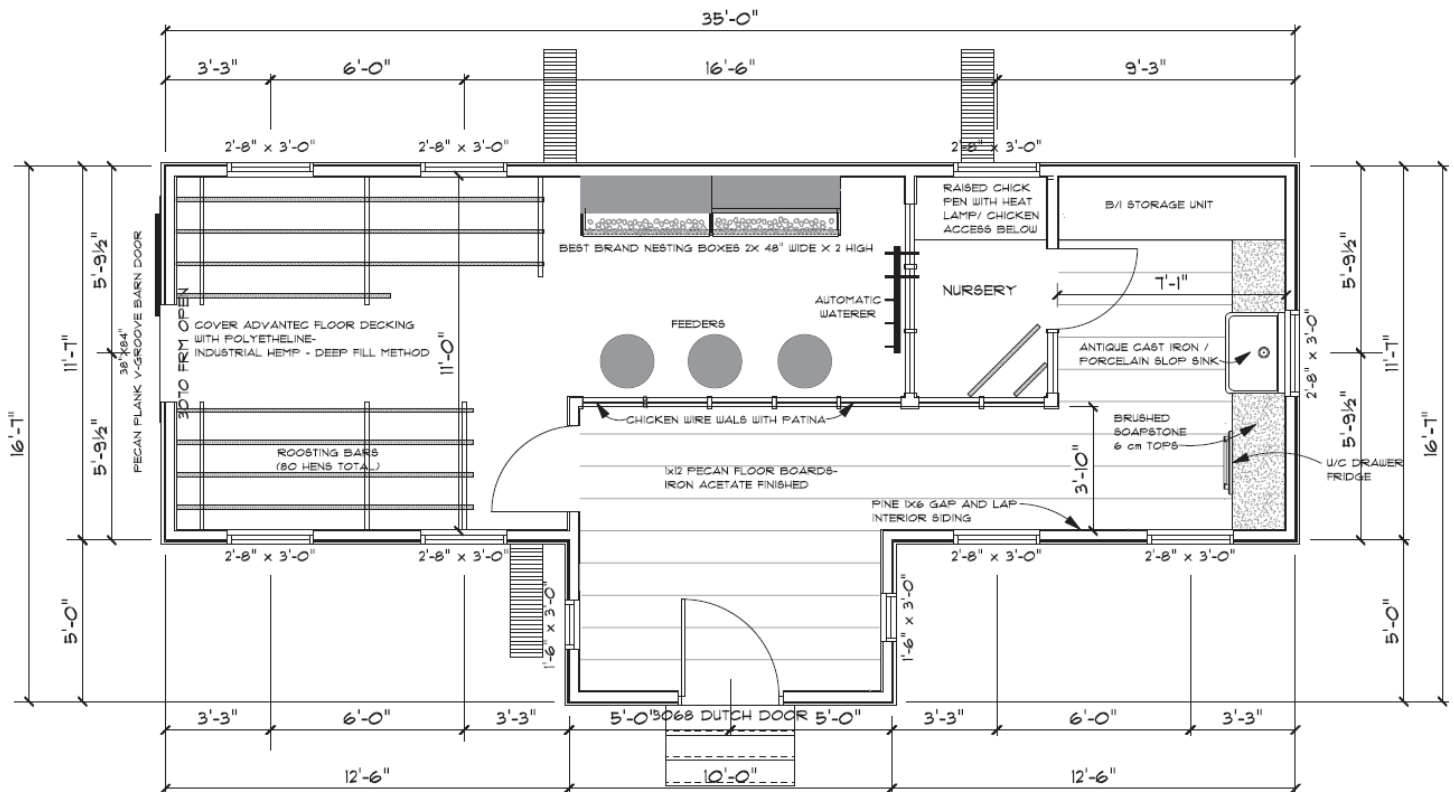
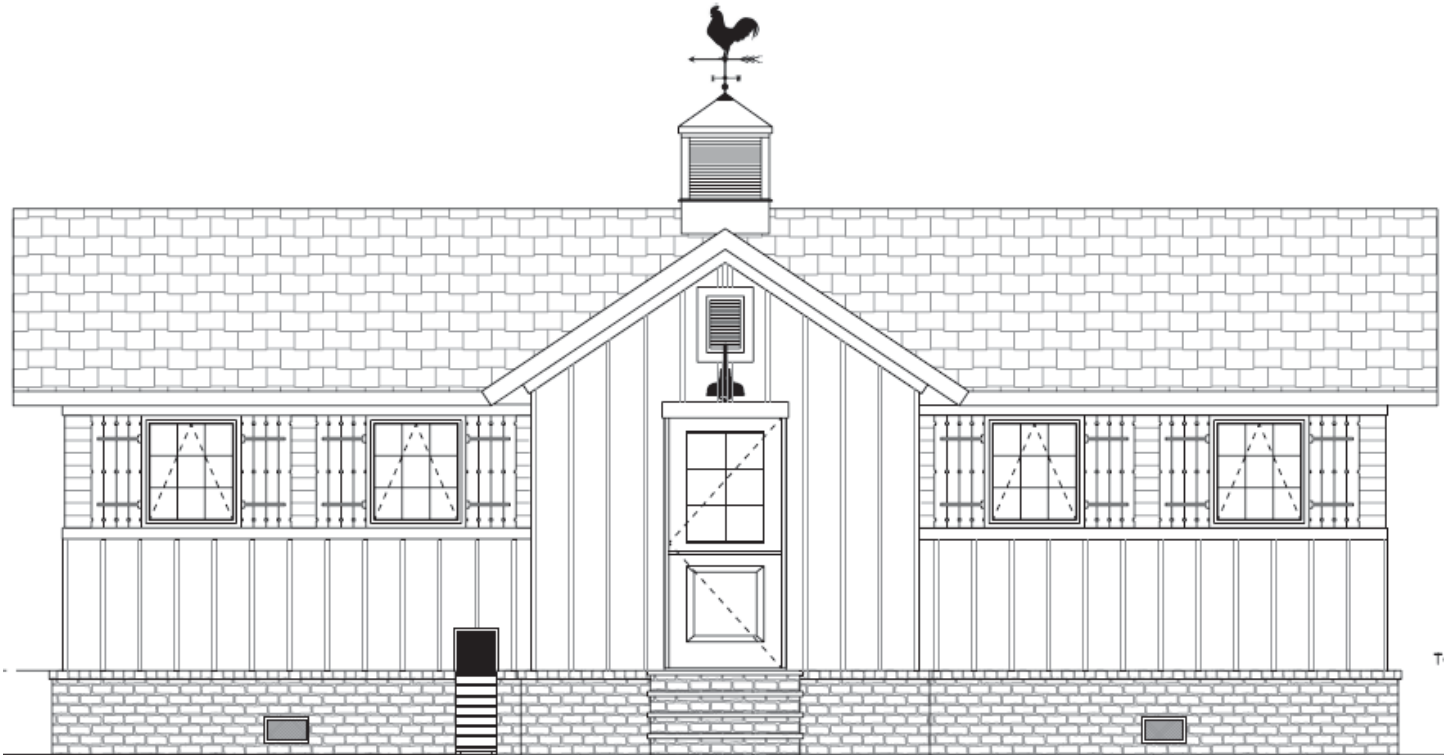
Existing Chicken Coop

EXISTING ACCESORY STRUCTURES TO BE REMOVED-----



Proposed Chicken Coop

CHICKEN COOP ELEVATION AND PLAN



Proposed Greenhouse

PROPOSED GREENHOUSE-----



Hartley Grand Manor Glasshouse – Garrison Home

February 12th, 2017

Jeff Polk
Colleyville, TX

Thanks again for your continued interest in our Hartley Glasshouses. Further to your request, I'm happy to provide you with a quotation for your requirements as follows:

Hartley Victorian GRAND MANOR GLASSHOUSE measuring 13' 6 ½" x 36' 8 ¾"

Construction: The glasshouse is **manufactured for you by Hartley Botanic in Greenfield, England** entirely in aluminium alloy 6063T6 to BS. 1474. All the framework is etch primed and polyester **powder coated White, Mist, Forest Green, Vista Grey, Country Stone, Olive Leaf, Cotswold, Verona Stone, Bronze or Black** for a virtually maintenance free finish. All fixings, nuts, bolts and self-tapping screws are manufactured from stainless steel type A4 (316), graded long term heavy duty.

Glazing: Single glazed in 4mm tempered safety glass throughout, with all edges cushioned by TPR (Thermo Plastic Rubber) glazing seals, bonded to the glass. Each pane is held within its own individual framework on all sides, meaning **NO glass to glass, glass to metal, nor overlapping glass contact**. This method of glazing, unique to Hartley, completely eliminates glass slippage. **Our Hartley Clear Span roof is designed to eliminate any need for space impeding internal supports or unattractive cross-bracing.** All glazing bar cappings are aluminium extrusions, with stainless steel fixings concealed by an aluminium infill.

Proposed Greenhouse

Photo of Hartley Grand Manor Glasshouse shown with optional coldframes and an additional central portico on rear elevation (powder coated in Forest Green)

Size: **Width:** **13' 6 ½"** **Length:** **36' 8 ¾"** **Roof pitch 45°**
 Eave height: **6' 8"** **Ridge height:** **13' 5"** **Stem wall height:** **2' 5 ½"**

Central Portico entry: TBD Upgrade 8' door

Ventilation: There are **42 opening panes** in total, comprising of **(8) 3-pane roof vents**, operated by Bayliss Hydraulicheck auto vent operators, and **(6) 3-pane vertical face vents**, manually operated. The vents are approximately 2'2" deep from top to bottom and are 3 panes wide, measuring approximately 3' 8".

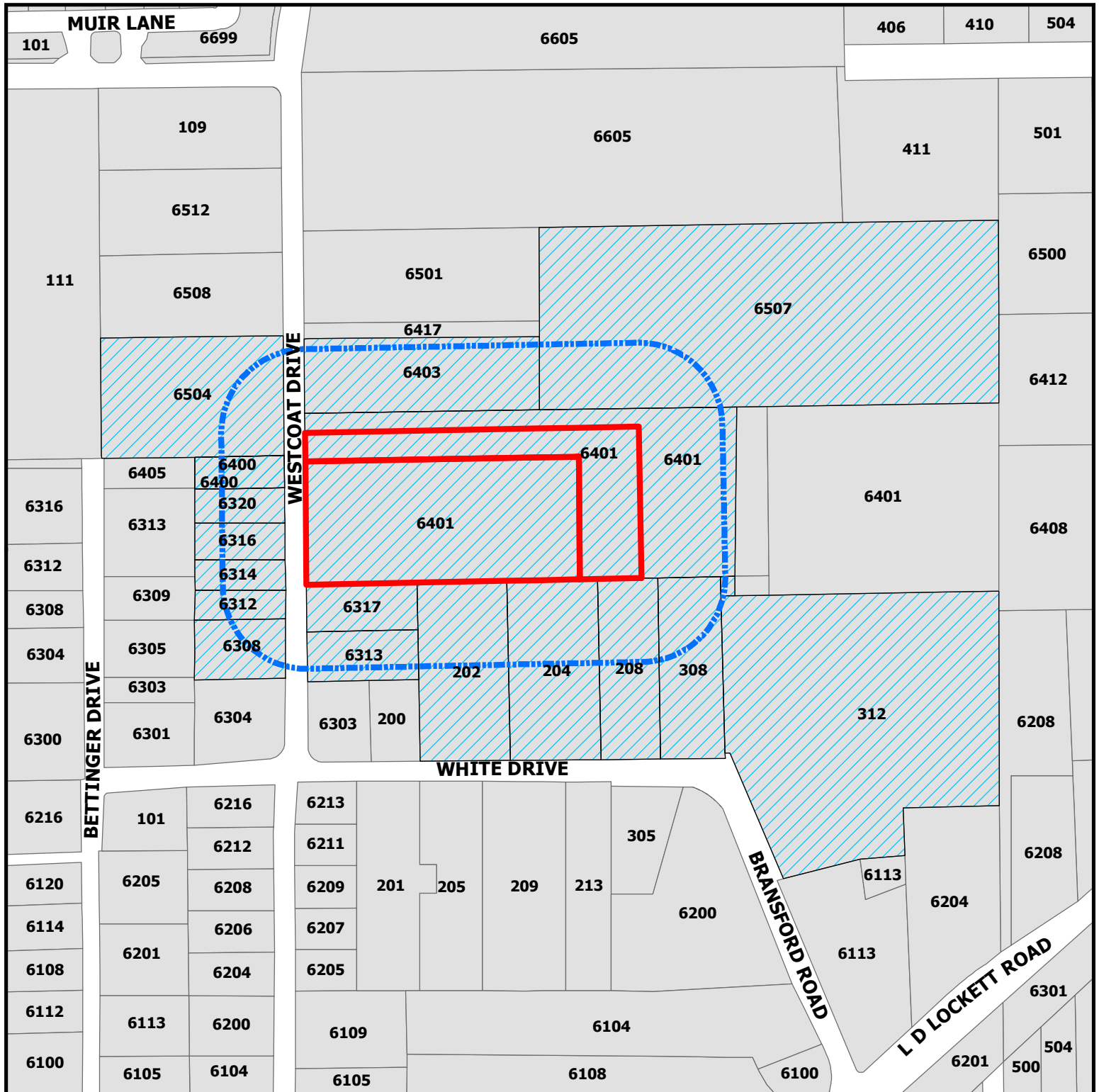
Door: A Double door with **Brass, Black, or Brushed Stainless Steel** door furniture will be fitted in the central portico entry. Hartley will provide for glass lites OR aluminium kick panels for lower half of door.
 ***(Please circle door handle preference)**

Ridge: The Grand Manor has cast aluminium Fleur De Lys cresting with matching finials at each end.
 ***Alternatively, we can eliminate all ridge cresting and you can have solid cast ball finials or spike finials. *(Please confirm preference)**

Guttering: The structure will have aluminium gutters and downpipes to the front and rear.



Notification Map

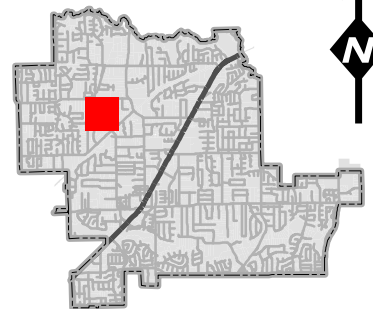


ZC18-010

6401 Westcoat Drive

DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

-  Subject Property
-  200ft Buffer
-  Properties within 200ft



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
GREYSTONE MANOR LP	6401 WESTCOAT DR	COLLEYVILLE, TX	76034	6507 WESTCOAT DR
MELISSA J HUTTON SEPARATE PR	312 WHITE DR	COLLEYVILLE, TX	76034	312 WHITE DR
ROBERTS, CORY	6314 WESTCOAT DR	COLLEYVILLE, TX	76034	6314 WESTCOAT DR
STEWART, PAM	208 WHITE DR	COLLEYVILLE, TX	76034	208 WHITE DR
CALHOON, CHRISTOPHER	6308 WESTCOAT DR	COLLEYVILLE, TX	76034	6308 WESTCOAT DR
GREYSTONE MANOR LP	6401 WESTCOAT DR	COLLEYVILLE, TX	76034	6401 WESTCOAT DR
LEVITZ, SHELLEY	6403 WESTCOAT DR	COLLEYVILLE, TX	76034	6403 WESTCOAT DR
WAYMARK LP	103 ADAMS CT	COLLEYVILLE, TX	76034	6317 WESTCOAT DR
HYDE, R W	202 WHITE DR	COLLEYVILLE, TX	76034	202 WHITE DR
GARRISON, DANIEL	6401 WESTCOAT DR	COLLEYVILLE, TX	76034	6401 WESTCOAT DR
DOODY, KEVIN J	1109 SOMERSET BLVD	COLLEYVILLE, TX	76034	6312 WESTCOAT DR
PUTNAM, CHRISTOPHER	204 WHITE DR	COLLEYVILLE, TX	76034	204 WHITE DR
OWENS, GARY A	6313 WESTCOAT DR	COLLEYVILLE, TX	76034	6313 WESTCOAT DR
GARRISON, DANIEL	6401 WESTCOAT DR	COLLEYVILLE, TX	76034	6401 WESTCOAT DR
HEATH, H DARRYL	6200 BRANSFORD RD	COLLEYVILLE, TX	76034	6316 WESTCOAT DR
HOFMANN, NANCY C	6400 WESTCOAT DR	COLLEYVILLE, TX	76034	6400 WESTCOAT DR
BROWN, WHITNEY C	308 WHITE DR	COLLEYVILLE, TX	76034	308 WHITE DR
MERCER, LEE	6504 WESTCOAT DR	COLLEYVILLE, TX	76034	6504 WESTCOAT DR
GREYSTONE MANOR LP	6401 WESTCOAT DR	COLLEYVILLE, TX	76034	6401 WESTCOAT DR
HOFMANN, NANCY C	6400 WESTCOAT DR	COLLEYVILLE, TX	76034	6400 WESTCOAT DR
WALTON, KIMBERLY A	6320 WESTCOAT DR	COLLEYVILLE, TX	76034	6320 WESTCOAT DR
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOOD AVE	GRAPEVINE, TX	76051	STATE REQUIRED
POLK, JEFF	1804 INDUSTRIAL BOULEVARD, STE 104	COLLEYVILLE, TX	76034	APPLICANT

Public hearing notices were mailed on Friday, April 27, 2018 by Araceli Botello



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC18-010
Applicant: Jeff Polk
Owner: Julianna Garrison
Location: 6401 Westcoat Drive
Property Description: Lot 1, Block 1, of the K Bar G Estates addition
Present Zoning: AG Agricultural District
Request: Consideration of a Special Use Permit to exceed the maximum number and total maximum size allowed by right for accessory buildings. The purpose of the request is to replace 2 existing accessory buildings which will increase the total square footage by approximately 341 square feet.

The City of Colleyville has scheduled public hearings concerning the above referenced request on the following dates and location:

Planning and Zoning Commission Meeting: Monday, May 14, 2018 at 7:00 p.m.
City Council Meeting: Tuesday, June 5, 2018 & Tuesday, June 19, 2018 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

This notice has been sent to all owners of real property within 200 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 500 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change request. If you are unable to attend, but wish to have your opinions made a part of the public record, please submit written comments prior to the public hearing, to the address below:

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

If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas. A brief project description can be found online on the Active Development Case map: <https://www.colleyville.com/zoning.html>. For additional information, please contact the Community Development Department at 817.503.1056. Please reference the zoning case number when requesting information.

Felix Landry
Principal Planner
flandry@colleyville.com

ORDINANCE O-18-2045

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING OF LOT 1, BLOCK 1, K BAR G ESTATES ADDITION, LOCATED AT 6401 WESTCOAT ROAD, BY AUTHORIZING A SPECIAL USE PERMIT FOR ACCESSORY BUILDINGS TO EXCEED THE MAXIMUM NUMBER AND TOTAL MAXIMUM SQUARE FOOTAGE PERMITTED BY STAFF FOR ALL ACCESSORY BUILDINGS ON THE LOT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a Special Use Permit for accessory buildings to exceed the total number and total maximum square footage permitted by staff for all accessory buildings on the lot under Case No. ZC18-010; 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 accessory buildings to exceed the total number and total maximum square footage permitted by staff for all accessory buildings on the lot on Lot 1, Block 1, K Bar G Estates Addition, located at 6401 Westcoat Road, 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 Special Use Permit shall apply to the replacement of an old chicken coop and storage building with a new chicken coop and new greenhouse building.
- b. The total number of accessory buildings shall be 4 buildings on the lot and the net expansion shall only be permitted for approximately 350 square feet for the purpose of replacing the old structures with new structures.

- c. The accessory building shall be generally consistent with the, site plan and building elevations as depicted on the attached Exhibits "B" and "C".
- d. All requirements of the Land Development Code shall be met, except where amended herein.

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

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 5th day of June 2018.

The second reading and public hearing being conducted on the 19th day of June 2018.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____
ABSTENTIONS ON THIS THE 19th DAY OF JUNE 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Chuck Kelley	_____
Place 3, Kathy Wheat	_____	Place 6, Callie Rigney	_____
Place 4, George Dodson	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt L. Wyatt
City Attorney

Exhibit "A" - Location and Zoning Map

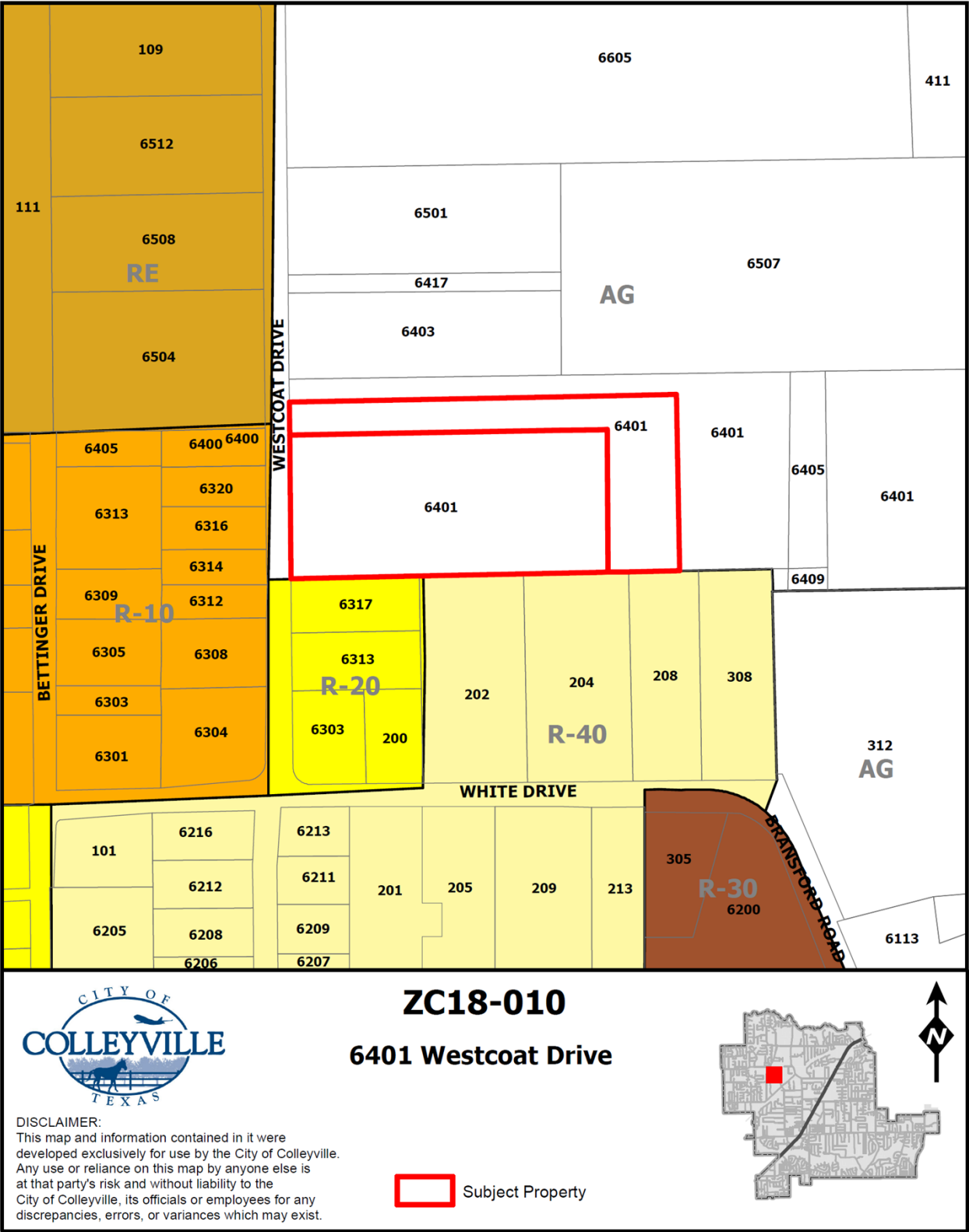
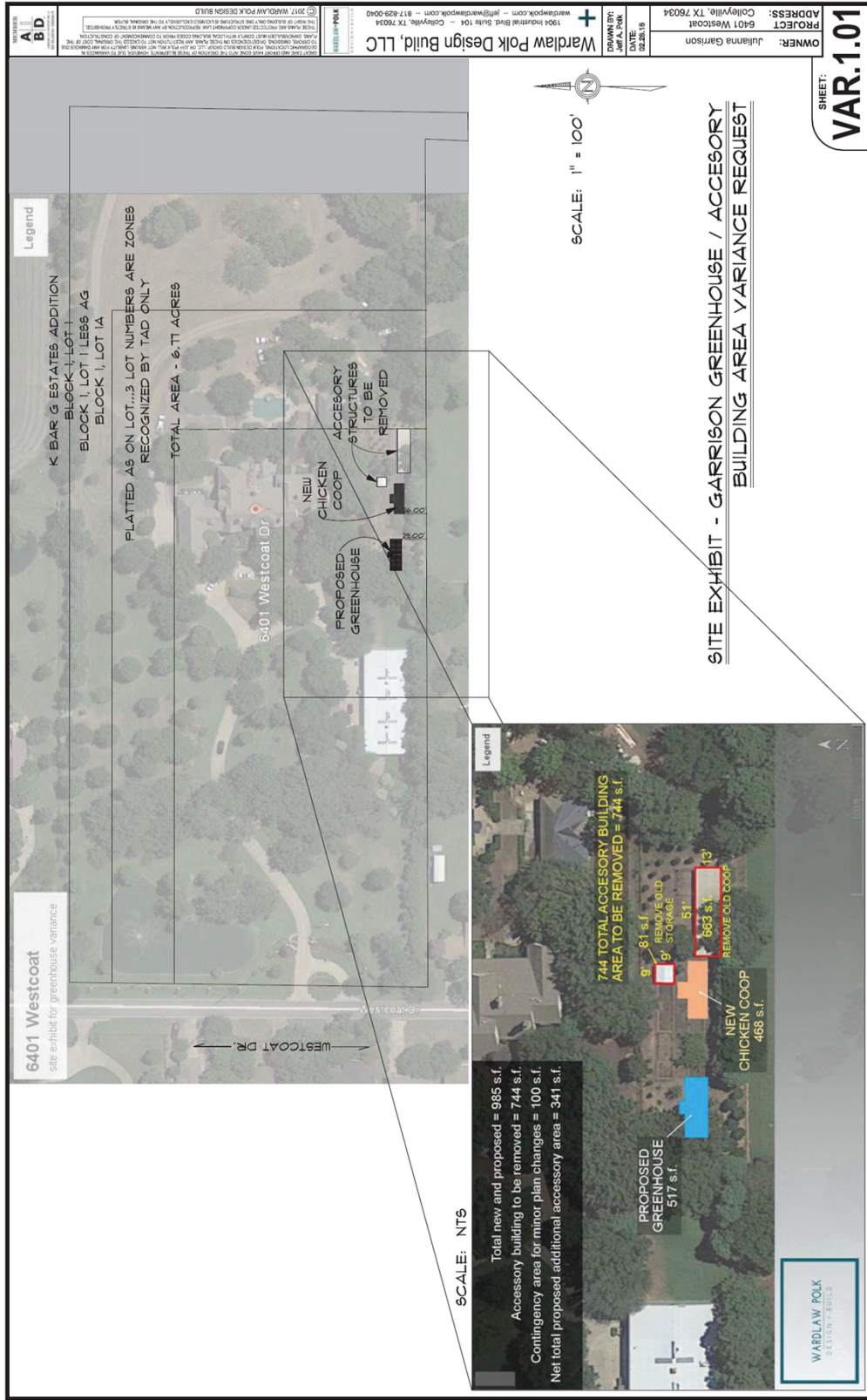


Exhibit "B" – Site Plan



CHICKEN COOP ELEVATION AND PLAN-----

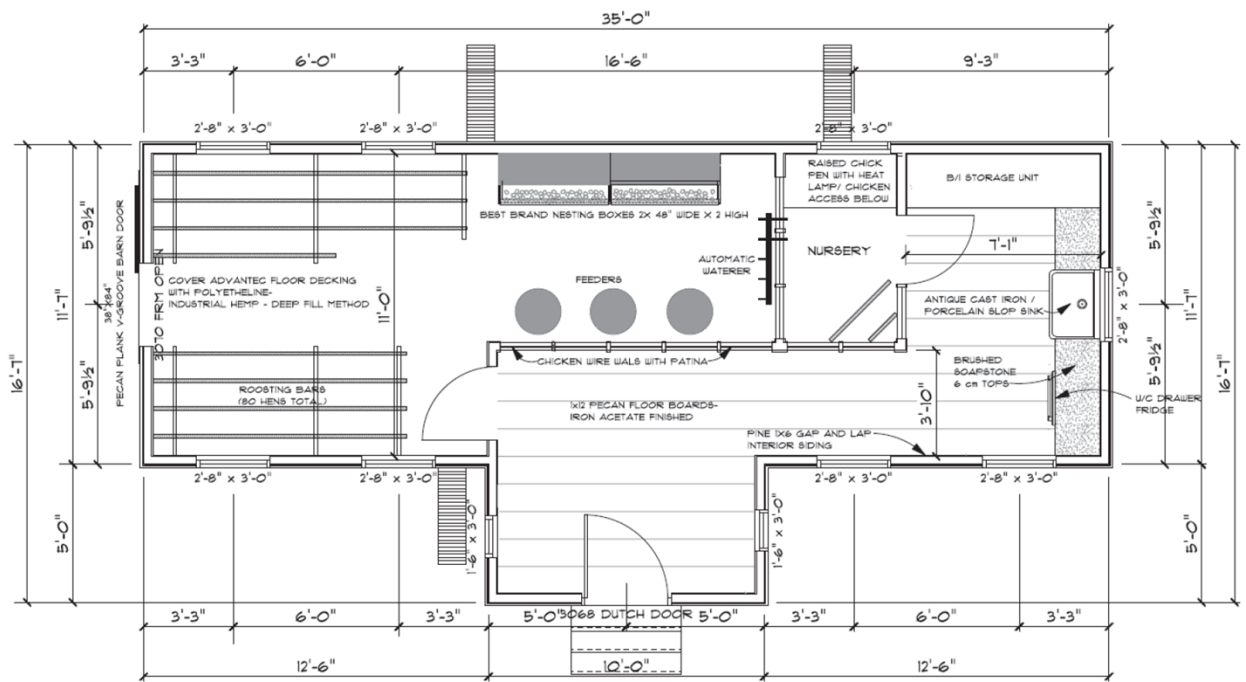


Photo of Hartley Grand Manor Glasshouse shown with optional coldframes and an additional central portico on rear elevation (powder coated in Forest Green)

Size: **Width:** 13' 6 ½" **Length:** 36' 8 ¾" **Roof pitch** 45°
 Eave height: 6' 8" **Ridge height:** 13' 5" **Stem wall height:** 2' 5 ½"
Central Portico entry: TBD Upgrade 8' door

Ventilation: There are **42 opening panes** in total, comprising of **(8) 3-pane roof vents**, operated by Bayliss Hydrauliccheck auto vent operators, and **(6) 3-pane vertical face vents**, manually operated. The vents are approximately 2'2" deep from top to bottom and are 3 panes wide, measuring approximately 3' 8".

Door: A Double door with **Brass, Black, or Brushed Stainless Steel** door furniture will be fitted in the central portico entry. Hartley will provide for glass lites OR aluminium kick panels for lower half of door.
 ***(Please circle door handle preference)**

Ridge: The Grand Manor has cast aluminium Fleur De Lys cresting with matching finials at each end.
 ***Alternatively, we can eliminate all ridge cresting and you can have solid cast ball finials or spike finials. *(Please confirm preference)**

Guttering: The structure will have aluminium gutters and downpipes to the front and rear.





City of Colleyville City Council Agenda Briefing

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

Agenda Number 6c

Agenda Date 06/05/2018

Number Ordinance O-18-2046

Type Ordinance

Department Community Development

Title

Consideration of a zoning change from the AG-Agricultural zoning district to the R-40 Single Family Residential zoning district on a portion of Lot 1, Block 1, of the Wood Estates Addition, located at 411 McDonwell School Road E, Case ZC18-011

Strategic Plan

There is no Strategic Plan connection for this item.

Explanation

First Reading and Public Hearing

Julianna Garrison, the applicant, has submitted a request for a zoning change on a portion of Lot 1, Block 1, of the Wood Estates, covering approximately 1.844 acres, and zoned AG Agricultural. The purpose is to rezone from AG to R-40 Single Family Residential district, in order to reduce the size of the lot with the existing home and plat the remainder into the adjacent AG property.

Existing Conditions/Background: The subject property, 411 McDonwell School Road E, resides on the south side of McDonwell School Road, where it terminates into Ms. Garrison's property to the west. The subject property currently has AG zoning and a single family residence.

Proposed Zoning:

Request – The applicant requests to rezone the property from the AG district to R-40 zoning district. The subject portion of the property covers approximately 1.8 acres. The minimum standards for the R-40 zoning district are as follows:

Minimum Lot Size:	40,000 square feet
Minimum Lot Width:	150 feet
Minimum Lot Depth:	150 feet
Front Building Line:	40 feet
Side Building Line:	15 feet
Rear Building Line:	25 feet

Analysis: The requested R-40 zoning allows the applicant to create a single residential lot smaller than the existing lot. The applicant has proposed the zoning change in order to facilitate a replat submittal, which would transfer the western undeveloped portion of the property into the larger agricultural tracts of land Ms. Garrison owns to the west. This would reduce the lot size below what the current AG zoning would

allow.

The proposed lot fits safely into the R-40 classification and matches the existing R-40 zoning covering the other lots on the south side of McDonwell School Road to the east. The new lot could also fit within the RE Single Family 'Estate' Residential zoning classification.

Surrounding Development: Most of the surrounding area maintains R-40, RE, and AG zoning. All of the property with R-40 or RE zoning has developed with single family homes. The AG property remains undeveloped.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property for single-family residential development. The proposed R-40 zoning does not conflict with any portion of the comprehensive plan. The proposed R-40 zoning facilitates the minimum desired residential density of 1.8 units per acre.

Public Notification: Staff-mailed notices to all property owners within 200 feet, Homeowners Associations within 500 feet, and Grapevine Colleyville ISD on Friday, April 27, 2018, regarding this request, per state law. Notice was also published in the *Fort Worth Star-Telegram* on Saturday, April 28, 2018, as required by State law and the Land Development Code. To date, staff has not received any responses.

Staff Recommendation: Staff recommends approval for the applicant's request, based on the following findings:

1. The proposed zoning meets the intent of the residential designation assigned in the Destination Colleyville comprehensive plan.
2. R-40 zoning is compatible with the zoning districts surrounding the subject property.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval at their May 14, 2018 meeting by a vote of 7-0.

Financial Impact

There is no financial impact to the City.

Recommendation

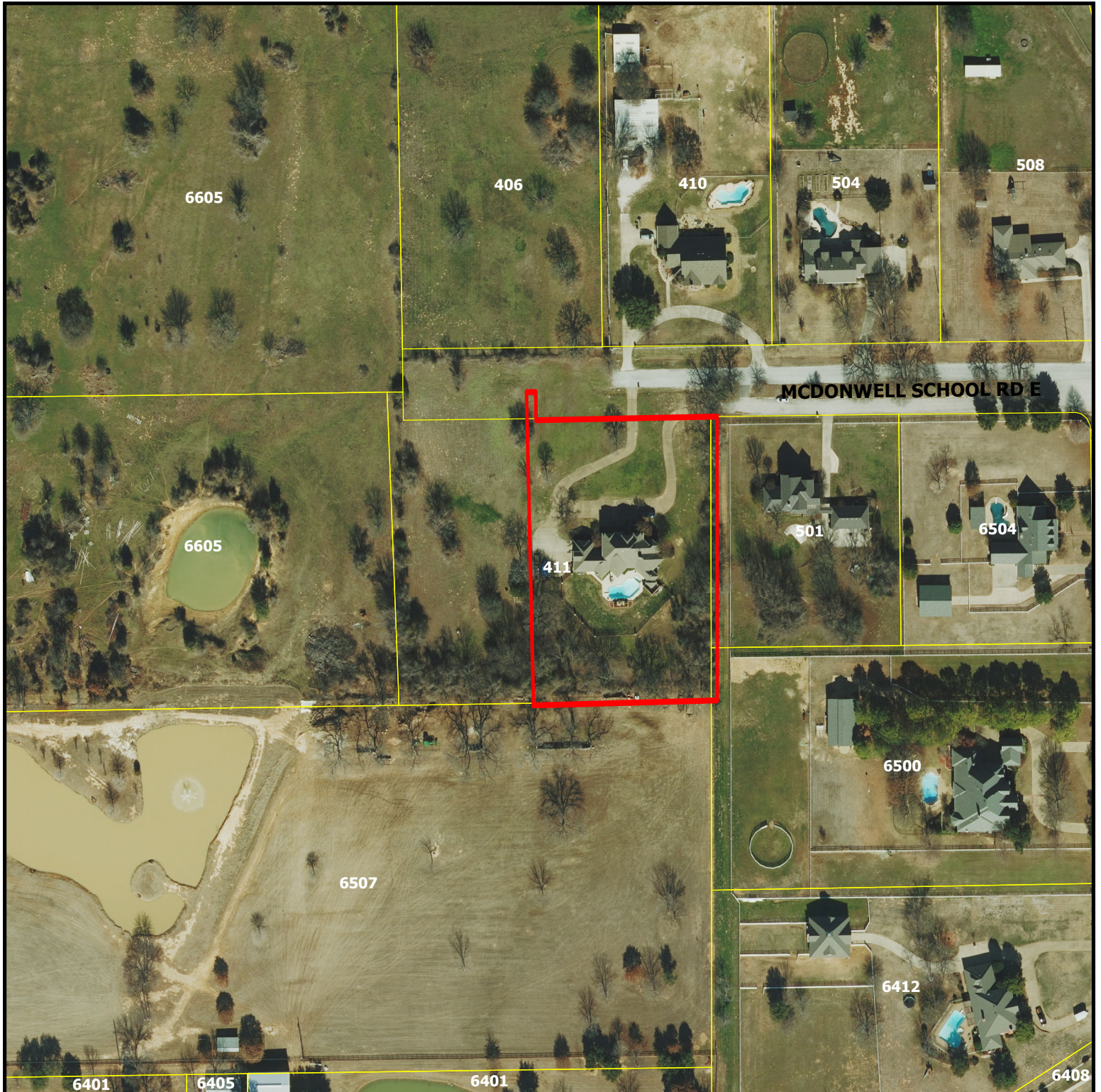
Approve

Attachments

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

6. Notification Map
7. Notification List
8. Property Owner Notification
9. Ordinance O-18-2046

Aerial Map

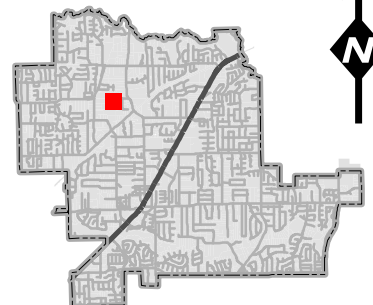


ZC18-011

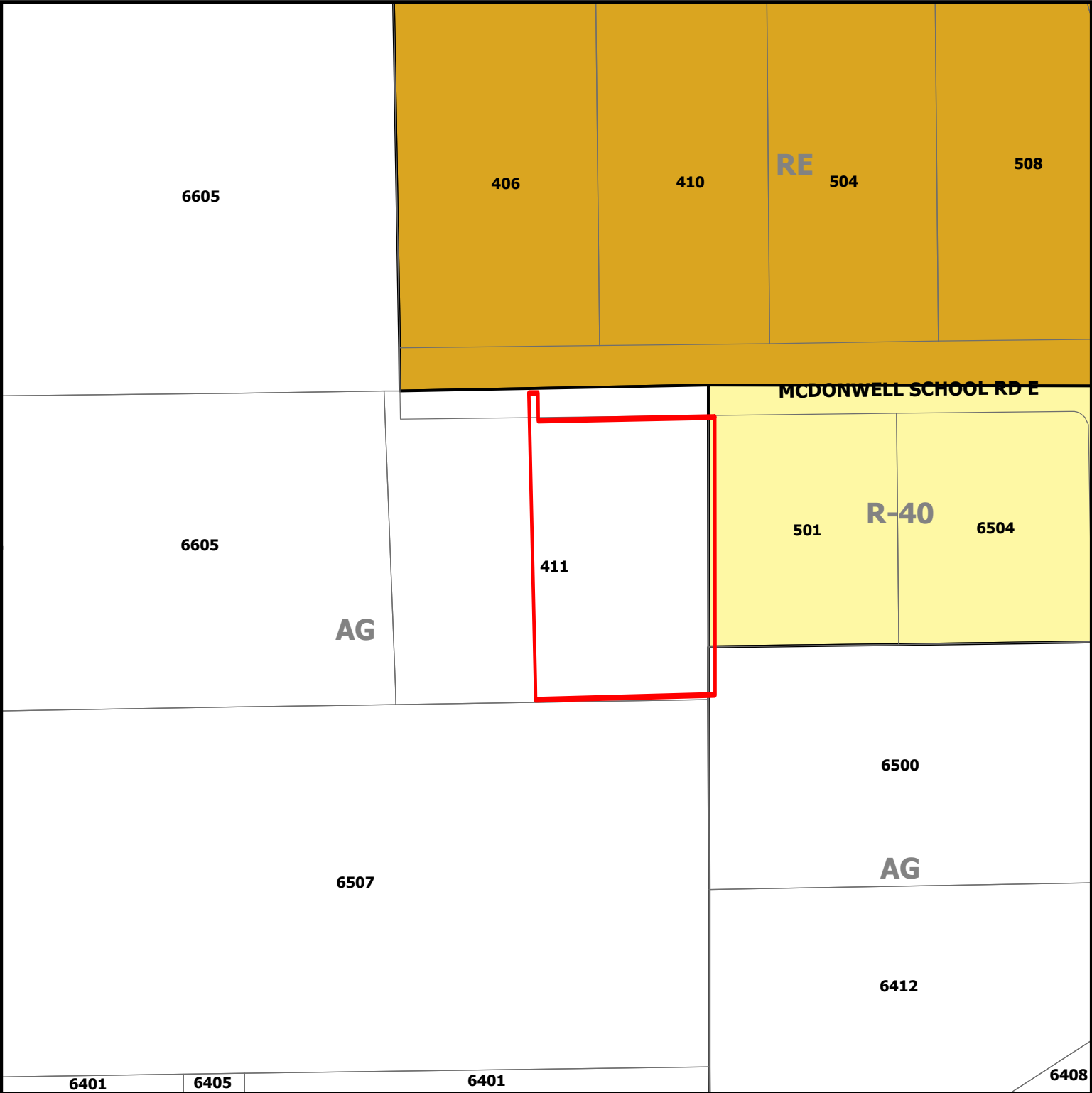
411 McDonwell School Road

DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

 Subject Property



Zoning Map



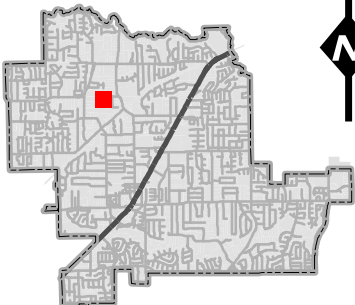
ZC18-011

411 McDonwell School Road

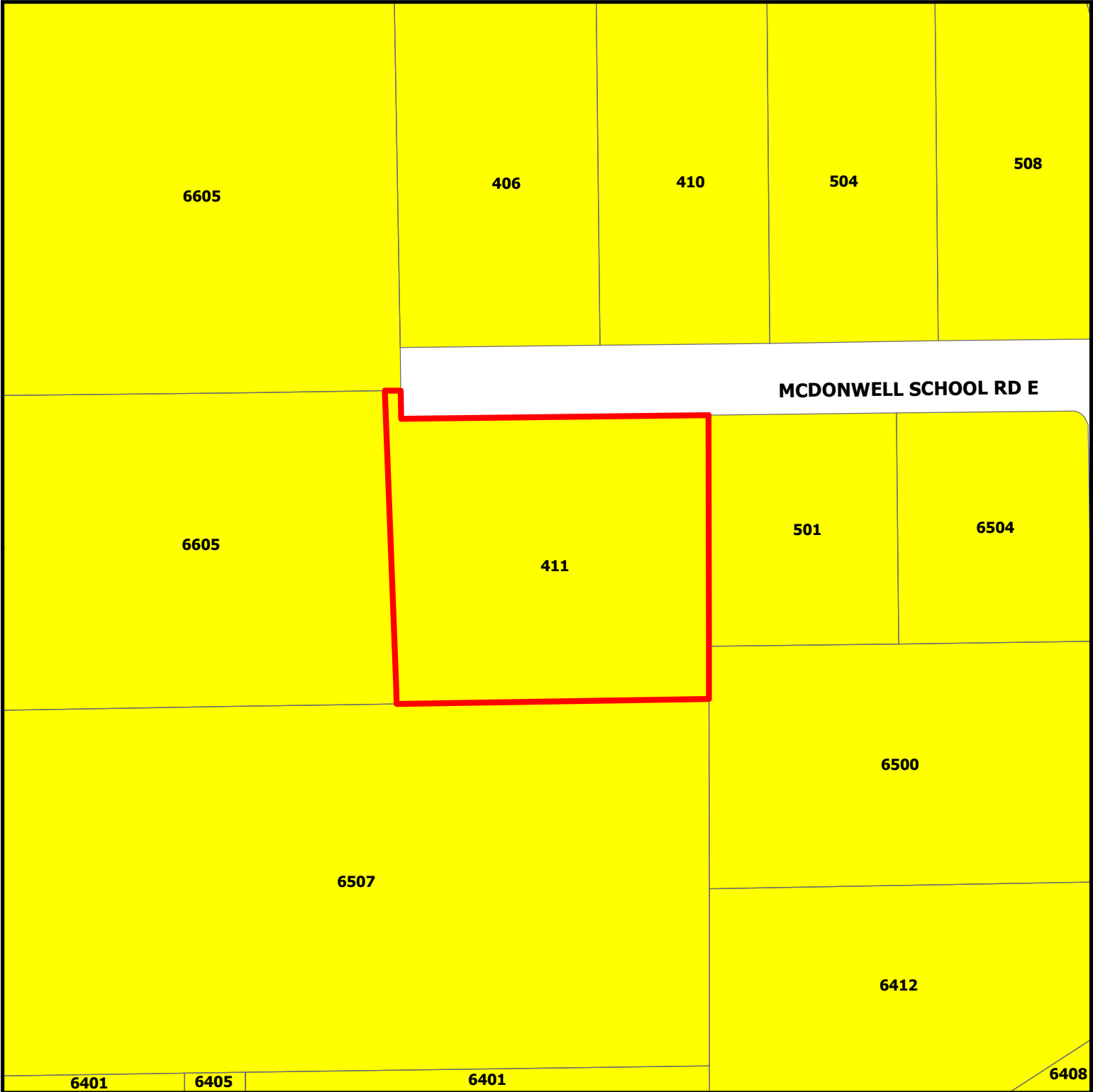
 Subject Property



DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.



Future Land Use Map

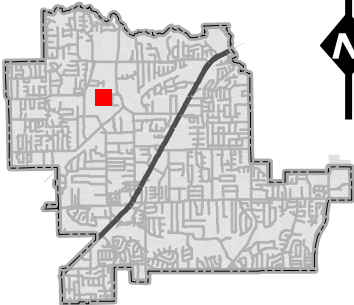


ZC18-011

411 McDonwell School Road

DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

 Subject Property



Statement of Planning Objectives

Proposed Re-Zoning of 411 McDonwell School Road from AG to R-40

The property at 411 McDonwell School Road is presently designated as Wood Estates, being zoned AG, with 3.08 acres. It is proposed to move the existing Westerly property line East by approximately 150', thereby reducing the acreage to 1.84 acres, and rezoning the property as R-40. This property already has a home on it. The Westerly 150' of land is to be incorporated into the abutting land, to be platted as Westcoat Estate, which is under the same ownership as Wood Estate.

There are no plans to develop the land at this time, as it will be left to pasture. Much of the abutting property is presently just hay field

Zoning Exhibit

Whereas Greystone Manor LP is the owner of a tract of land in the J. Williams Survey, A-1745, the O. C. Strum Survey, A-1487, and the R.B. Williams Survey, A-1674, Tarrant County, Texas, being a 26.782 acre tract conveyed to it by documents D217266497, and D217266497, Deed Records of Tarrant County, Texas being that tract shown as "Lot 1 Block 1, Westcoat Estate", an Addition to the City of Colleyville, Tarrant County, Texas, and more particularly described by metes and bounds as follows:

Legal Description: a 26.782 acre tract located on Westcoat Drive, Colleyville, Tarrant County, Texas, situated in the R.B. Williams Survey, A-1674, the O. C. Strum Survey, A-1487, and the J. Williams Survey, A-1745, being that land as described in D21603396, DTRCT, and a portion of Wood Estates, as recorded in Volume 388-216, Page 23, PRTCT, and more particularly described by metes and bounds as follows:

Beginning at a point, said point being the NW corner of this tract, being the SW corner of land of Oakbrook Hills, Instrument No. 0205220188, DTRCT, Cabinet A/ Side 3287, PRTCT, being in the approximate center line of Westcoat Drive, and being located N 89° 44' 00" W, 29.1' from a 2" metal post (fnd)

thence along the approximate center line of Westcoat Drive, by a curve to the left, having a radius of 985.00', for an arc length of 565.10', said curve having a chord bearing of S 17° 19' 47" W, for 557.38';

thence S 0° 42' 00" W by the approximate center line of Westcoat Drive for 334.60' to a point from which a 2" metal post (fnd) bears N 90° 00' 00" E 31.3';

thence N 90° 00' 00" E by land of Greystone Manor LLP, D209010578, DTRCT, (the Hiley Addition, Vol 388-159, Page 88, PRTCT), passing a 2" metal post (fnd) at 31.3' and continuing for a total of 1319.40' to a 1/2" capped IR (set);

thence N 89° 50' 42" E for 142.00' to a 1/2" capped IR (set);

thence N 0° 00' 00" E for 150.00' to a 1/2" capped IR (set);

thence N 2° 16' 12" E for 201.86' to a 1/2" capped IR (set);

thence N 0° 12' 12" W by the terminus of McDonnell School Rd for 50.00' to a 1/2" capped IR (set);

thence S 89° 47' 48" W by land of Greystone Manor LLP, D216249375, DTRCT, for 149.82' to a 1/2" capped IR (set);

thence N 0° 00' 00" E by land of said Greystone Manor LLP for 459.79' to a 1/2" IR (fnd);

thence N 89° 44' 00" W by aforesaid land of Oakbrook Hills, passing a 2" metal post at 1120.20' and continuing for a total of 1148.30' to the P.O.B. in the approximate center line of Westcoat Drive;

the Area being 26.78 Acres of which 0.62 acres lies in the Westcoat Drive right of way, and 26.16 acres is outside of said right of way.

NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:

that I, Julianna Garrison, for Greystone Manor LP, do hereby adopt this plat designating the hereinbefore described property as Lot 1, Block 1, Westcoat Estate, an Addition to the City of Colleyville, Tarrant County, Texas, and do hereby dedicate fee simple to the public use forever all streets, rights-of-ways, and alleys shown thereon, and do hereby reserve the easements shown on this plat for the mutual use and accommodation of all public utilities desiring to use the same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Colleyville, Texas.

Witness my hand this _____ day of _____, 2018

Julianna Garrison (President, Greystone Manor LP)

STATE OF TEXAS

COUNTY OF TARRANT

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Julianna Garrison, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purpose and considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office, this _____ day of _____, 2018

Notary Public in and for the State of Texas

My Commission expires on: _____

Planning and Zoning Commission Approval

Whereas the Planning and Zoning Commission of the City of Colleyville, Texas, voted affirmatively on this day of _____, 2018, to approve this plat.

Chairman, Planning and Zoning Commission _____

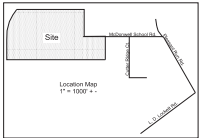
Attest: Secretary, Planning and Zoning Commission _____

City Council Approval

Whereas the City Council of the City of Colleyville, Texas, voted affirmatively on this day of _____, 2018, to approve this plat.

Mayor, City of Colleyville _____

Attest: City Secretary _____



ABANDONED PORTION OF MCDONWELL SCHOOL RD

Legal Description: Abandoned portion McDonnell School Rd, being 0.206 acres situated in the O.C. Strum Survey, A-1487, Colleyville, Tarrant County, Texas, being the most Westerly portion of the existing Road, and being more particularly described by metes and bounds as follows:

Beginning at a Point, said point being a 1/2" IR (set) at the NW corner of said McDonnell School Rd, being the SW corner of land of Greystone Manor LP, D21603396, DTRCT, and being an L corner of land of Greystone Manor LP, D 21603396, DTRCT

thence S 0° 00' 00" E by the existing Westerly terminus of McDonnell School Rd for 60.00' to a point;

thence N 89° 47' 48" E by the South line of the existing McDonnell School Rd for 149.80' to a point;

thence N 2° 16' 12" E for 10.01' to a 1/2" capped IR (set);

thence N 0° 12' 12" W for 50.00' to a 1/2" capped IR (SET);

thence S 89° 47' 48" W by land of Greystone Manor LP, D216249375, DTRCT, for 149.82' to the 1/2" IR at the Point of Beginning;

the Area being 0.206 Acres or 8,983 sq.ft.

WOOD ESTATES

Legal Description: Wood Estates, being 1.844 acres located at 411 McDonnell School Rd, Colleyville, Tarrant County, Texas, situated in the O.C. Strum Survey, Abstract 1487, being a Replat of Wood Estates as recorded in Volume 388-215, Page 23, Plat Records of Tarrant County, Texas, and more particularly described by metes and bounds as follows:

Beginning at a Point, said point being a 1/2" IR (fnd bent) for the NE corner of this tract, and being in McDonnell School Rd, a 60' r.o.w.

thence S 0° 37' 10" W by land of Tom & Carol Campbell, Volume 10639, Page 2154, DTRCT, Lot 1, Cutter Ridge Estates, Vol 388-176 Pg 29, PRTCT, and by land of Starley & Barbara Cook, Volume 9691, Page 1638, DTRCT, Lot 2, Cutter Ridge Estates, for 351.90' to a 4" wood post (fnd);

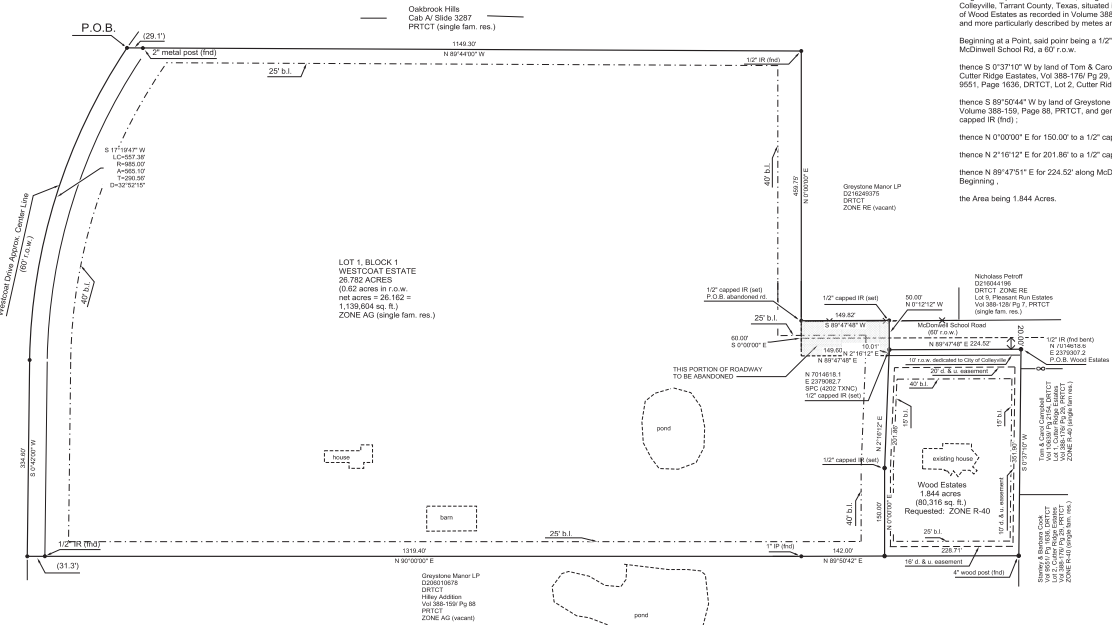
thence S 89° 50' 44" W by land of Greystone Manor LP, D209010578, DTRCT, the Hiley Addition, Volume 388-159, Page 88, PRTCT, and generally along the line of a wire fence, for 228.71' to a 1/2" capped IR (fnd);

thence N 0° 00' 00" E for 150.00' to a 1/2" capped IR (fnd);

thence N 2° 16' 12" E for 201.86' to a 1/2" capped IR (fnd);

thence N 89° 47' 51" E for 224.52' along McDonnell School Rd to the 1/2" IR at the Point of Beginning;

the Area being 1.844 Acres.



NOTES:

UTILITY EASEMENTS:
Any public utility, including the City of Colleyville, shall have the right to move and keep moved all or part of any building, fences, shrubs, other growths or improvements which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of the easements shown on the plat, and any public utility, including the City of Colleyville, shall have the right at all times of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

DRAINAGE EASEMENT RESTRICTION:
No construction or filling, without the written approval of the City of Colleyville shall be allowed within a drainage easement, and then only after detailed engineering plans and studies show that no flooding will result, that no obstruction to the natural flow of water will result, and subject to all owners of the property affected by such construction being a party to the request. Where construction is permitted, all finished floor elevations shall be a minimum of two feet above the 100-year flood elevation.

Owner Subdivider:
Greystone Manor LP
Julianna Garrison, President
8401 Westcoat Drive
Colleyville, TX
214-502-5609

Rick DeFalco - Surveyor
201 Carolyn Drive
Hurst, TX 76054
617-429-0155

Date: 03/02/2018
(field work done 03/21/2016
AND 11/02/2015)

SCALE: 1" = 100'
0 100



Surveyor's Certification

KNOW ALL MEN BY THESE PRESENTS:

That I, Richard DeFalco, a Registered Professional Land Surveyor licensed in the State of Texas, do hereby certify that this Plat is true and correct and was prepared from an actual survey made under my supervision on the ground. Further, this survey conforms to the general rules of procedures and practices of the most current Professional Land Surveying Practices Act.

According to the FIRM map #48439C0095K, dated 09/25/2009, this property is not located in a special flood hazard area. It is located in zone "X".

REPLAT

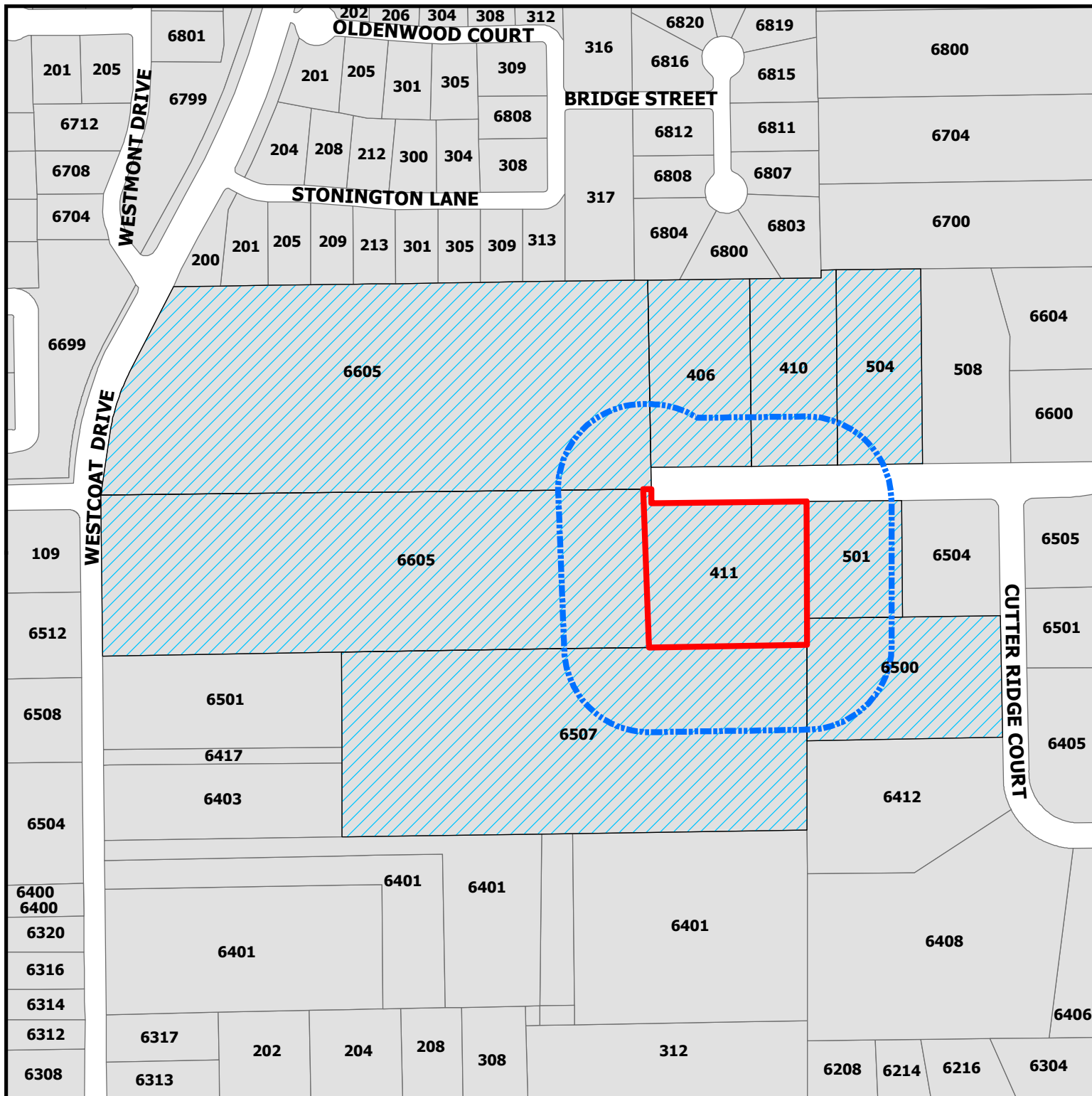
REPLAT of Wood Estates, as recorded in Volume 388-215, Page 23, Plat Records of Tarrant County, Texas.

Also showing the abandonment of a portion of McDonnell School Road, and

Lot 1, Block 1 of WESTCOAT ESTATE, an Addition to the City of Colleyville, Tarrant County, Texas, being 26.782 acres in the R.B. Williams Survey, A-1674, the O.C. Strum Survey, A-1487, and the J. Williams Survey, A-1745.

ZONING EXHIBIT FOR ZONING CHANGE: WOOD ESTATES, REQUEST FROM AG to R-40.

Notification Map

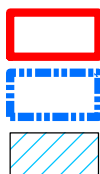


ZC18-011

411 McDonwell School Road E

DISCLAIMER:

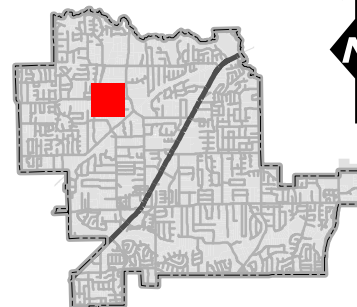
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.



Subject Property

200ft Buffer

Properties within 200ft



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
GREYSTONE MANOR LP	6401 WESTCOAT DR	COLLEYVILLE, TX	76034	6507 WESTCOAT DR
GREYSTONE MANOR LP	6401 WESTCOAT DR	COLLEYVILLE, TX	76034	6605 WESTCOAT DR
COOK, STANLEY D	6500 CUTTER RIDGE CT	COLLEYVILLE, TX	76034	6500 CUTTER RIDGE CT
GREYSTONE MANOR LP	6401 WESTCOAT DR	COLLEYVILLE, TX	76034	406 MCDONWELL SCHOOL RD E
NANSON, JERRY D	411 MCDONWELL SCHOOL RD	COLLEYVILLE, TX	76034	411 MCDONWELL SCHOOL RD E
MITCHELL, JOHN H	504 MCDONWELL SCHOOL RD	COLLEYVILLE, TX	76034	504 MCDONWELL SCHOOL RD E
PETROFF, NICHOLAS	3008 CANTON ST	DALLAS, TX	75226	410 MCDONWELL SCHOOL RD E
CAMPBELL, TOM C	501 MCDONWELL SCHOOL RD	COLLEYVILLE, TX	76034	501 MCDONWELL SCHOOL RD E
GREYSTONE MANOR LP	6401 WESTCOAT DR	COLLEYVILLE, TX	76034	6605 WESTCOAT DR
CUTTER RIDGE ESTATES ADDITION	6404 CUTTER RIDGE COURT	COLLEYVILLE, TX	76034	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOOD AVE	GRAPEVINE, TX	76051	STATE REQUIRED
GARRISON, JULIANNA	6401 WESTCOAT DR	COLLEYVILLE, TX	76034	APPLICANT

Public hearing notices were mailed on Friday, April 27, 2018 by Araceli Botello



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC18-011
Applicant: Julianna Garrison
Owner: Julianna Garrison
Location: 411 McDonwell School Road E
Property Description: Lot 1, Block 1, of the Wood Estates Addition
Present Zoning: AG Agricultural District
Request: Consideration of a zoning change from the AG Agricultural zoning district to the R-40 Single Family Residential zoning district. The purpose is to rezone to an appropriate district, which will allow a reduction to the size of the lot for the existing home and plat the remainder area into the adjacent AG property.

The City of Colleyville has scheduled public hearings concerning the above-referenced request on the following dates and location:

Planning and Zoning Commission Meeting: Monday, May 14, 2018 at 7:00 p.m.
City Council Meetings: Tuesday, June 5, 2018 & Tuesday, June 19, 2018 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

This notice has been sent to all owners of real property within 200 feet of the request, as such ownership appears on the last approved tax roll and all homeowners associations within 500 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda, as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change request. If you are unable to attend, but wish to have your opinions made a part of the public record, please submit written comments prior to the public hearing, to the address below:

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

If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas. A brief project description can be found online on the Active Development Case map: <https://www.colleyville.com/zoning.html>. For additional information, please contact the Community Development Department at 817.503.1056. Please reference the zoning case number when requesting information.

Felix Landry
Principal Planner
flandry@colleyville.com

ORDINANCE O-18-2046

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 1.84 ACRES, BEING A PORTION OF LOT 1, BLOCK 1, WESTCOAT ESTATE ADDITION, LOCATED AT 411 E. MCDONWELL SCHOOL ROAD, FROM THE AG AGRICULTURAL DISTRICT TO THE R-40 SINGLE FAMILY RESIDENTIAL 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 ZC18-011; 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 1.84 acres, being a portion of Lot 1, Block 1, Westcoat Estate Addition, located at 411 E. McDonwell School Road, from the AG Agricultural district to the R-40 Single Family Residential 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 5th day of June 2018.

The second reading and public hearing being conducted on the 19th day of June 2018.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 19TH DAY OF JUNE 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Chuck Kelley	_____
Place 2, Kathy Wheat	_____	Place 6, Callie Rigney	_____
Place 4, George Dodson	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt L. Wyatt
City Attorney

Exhibit "A"- Zoning Map

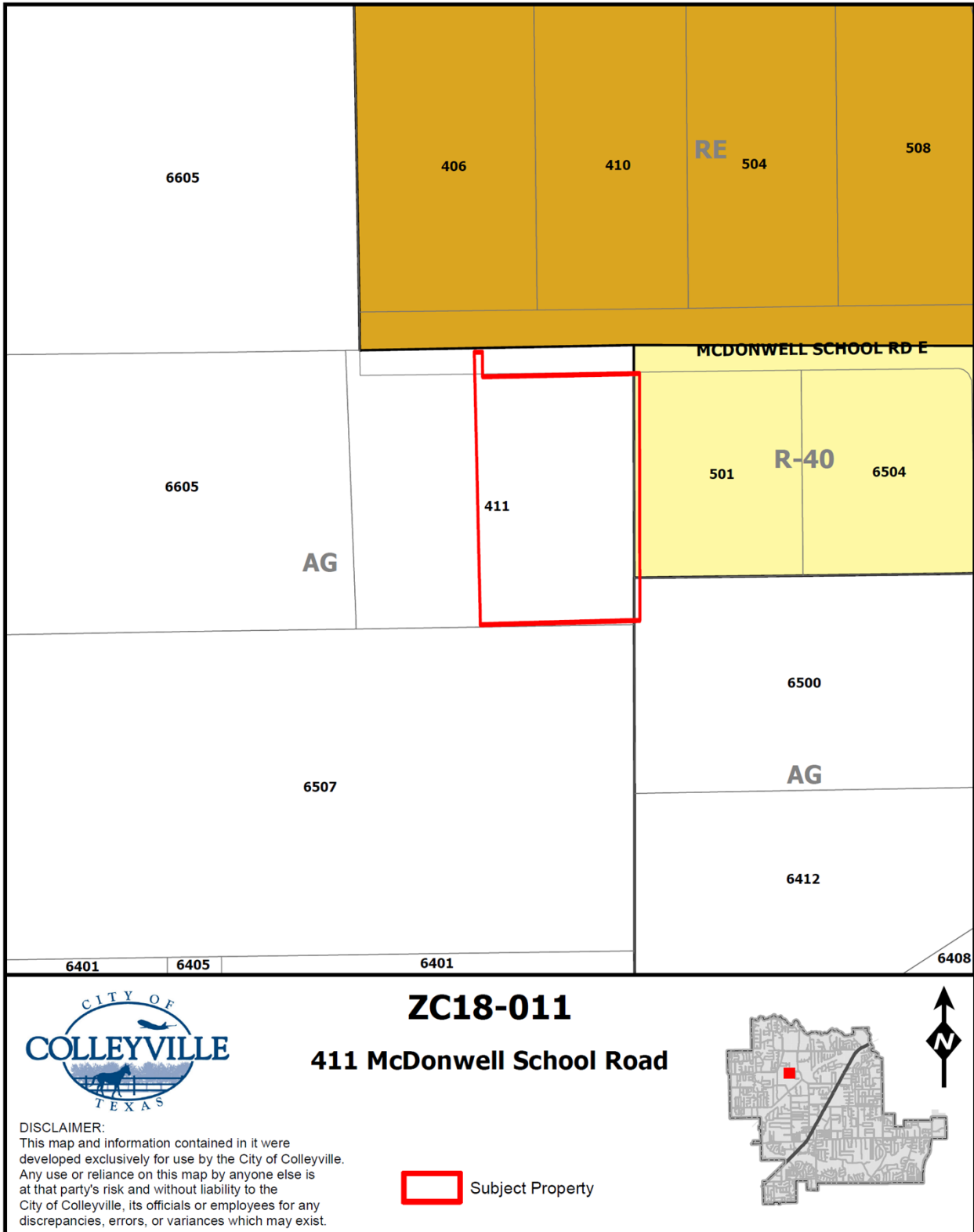


Exhibit "B"- Metes & Bounds Description

WOOD ESTATES

Legal Description: Wood Estates, being 1.844 acres located at 411 McDonwell School Rd, Colleyville, Tarrant County, Texas, situated in the O.C. Strum Survey, Abstract 1487, being a Replat of Wood Estates as recorded in Volume 388-215, Page 23, Plat Records of Tarrant County, Texas, and more particularly described by metes and bounds as follows:

Beginning at a Point, said point being a 1/2" IR (fnd bent) for the NE corner of this tract, and being in McDonwell School Rd, a 60' r.o.w.

thence S 0°37'10" W by land of Tom & Carol Campbell, Volume 10639, Page 2154, DRTCT, Lot 1, Cutter Ridge Estates, Vol 388-176/ Pg 29, PRTCT, and by land of Stanley & Barbara Cook, Volume 9551, Page 1636, DRTCT, Lot 2, Cutter Ridge Estates, for 351.90' to a 4" wood post (fnd) ;

thence S 89°50'44" W by land of Greystone Manor LP, D20601`0678, DRTCT, the Hiley Addition, Volume 388-159, Page 88, PRTCT, and generally along the line of a wire fence, for 228.71' to a 1/2" capped IR (fnd) ;

thence N 0°00'00" E for 150.00' to a 1/2" capped IR (fnd) ;

thence N 2°16'12" E for 201.86' to a 1/2" capped IR (fnd) ;

thence N 89°47'51" E for 224.52' along McDonwell School Rd to the 1/2" IR at the Point of Beginning ,

the Area being 1.844 Acres.



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6d

Agenda Date 06/05/2018

Number Ordinance O-18-2047

Type Ordinance

Department Community Development

Title

Consideration of a Special Use Permit to exceed the total maximum size allowed by right for accessory buildings and for a Servants' or Caretakers' Quarters on Tract 5B02, Abstract 294, in the Robert Chowling Survey, located at 5810 Pool Road, Case ZC18-012

Strategic Plan

There is no Strategic Plan connection for this item.

Explanation

First Reading and Public Hearing

Byron Fuller, the applicant, has submitted a request for a Special Use Permit (SUP) to exceed the maximum number of square feet allowed by right for accessory buildings, and for an accessory dwelling unit on Tract 5B02, Abstract 294, in the Robert Chowling Survey, being approximately 5.577 acres, and zoned PUD-R Planned Unit Development - Residential district.

Existing Conditions/Background: The subject property, at 5810 Pool Road, has PUD-R zoning and is located on the west side of Pool Road between Highland Meadow Drive and Highland Park Court. The subject property has been recently platted and currently has a single family residence.

SUP Request: *Request* – The applicant is requesting approval of an SUP to exceed the maximum allowable square footage of accessory structures, and to allow for an attached accessory dwelling unit.

Ordinance – Section 3.24(C)(14) Servants' or Caretaker Quarters– Servants' quarters for domestic servants employed on the premises or family members provided the gross habitable square feet of floor area shall not exceed six-hundred (600') square feet. Such quarters may be housed within the principal residential dwelling, above a residential garage, or be part of an accessory building on the same premises, and shall comply with minimum standards for light, health, safety, and occupancy in conformance with other applicable City codes and ordinances.

Ordinance – Section 3.27 Accessory Buildings and Residential Carport Regulations of the Land Development Code establishes the maximum size and number of accessory

buildings to be permitted by staff on a residential lot:

"2. Maximum Size and Number of Buildings:

1. The maximum number of accessory buildings allowed per lot shall be three (3) buildings. In addition, the combined square footage of all accessory buildings shall not exceed the maximum square footage specified in the following table.
2. For the purpose of this Section, the size of an accessory building shall be the square footage of the building footprint.
3. An application to exceed the total square footage shown in the above table may be approved as a Special Use Permit (SUP)."

Currently, the site has 2,400 square feet of accessory structures. The applicant proposes to construct a 940 sq/ft conservatory and a 546 sq/ft detached structure making the total accessory structure area to be 3,886 square feet. The applicant also proposes to construct a 569 square-foot accessory dwelling unit as part of the primary structure.

Analysis: The purpose of 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.

The applicant plans to add the requested elements as part of building a new primary residential structure. The applicant could attach the two proposed accessory structures to the primary structure, but would need to remove some of the mature trees on the lot, in order to do so. The applicant hopes to preserve as many of the mature trees as possible. The proposed configuration of the structures works to preserve most of the trees, but creates the need for the SUP.

The proposed accessory building complies with all other requirements of Section 3.27. The site plan and elevations have been included as attachments for your review.

Surrounding Development: The properties to the north, west, and south all have residential development and contain mostly R-20 zoning. A few of the lots along Pool Road maintain AG Agricultural zoning. The City of Grapevine resides across Pool Road and has residential development.

Public Notification: Staff mailed notices to all 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.

Staff Recommendation: Based on the following findings, staff recommends approval of the requested SUP: 1) The proposed SUP request results somewhat from an effort to preserve existing mature trees on the site; 2) The new accessory structures could be added to the primary structure, eliminating the need for that portion of the SUP, but would eliminate some trees worth saving; 3) The proposed accessory dwelling unit has less than 600 square feet and is intended for a close relative which may require assistance; and, 4) Architecturally the accessory dwelling unit looks like part of the main structure and appears to have no negative impact on surrounding properties.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval at their May 14, 2018 meeting by a vote of 6-1.

Financial Impact

There is no financial impact to the City.

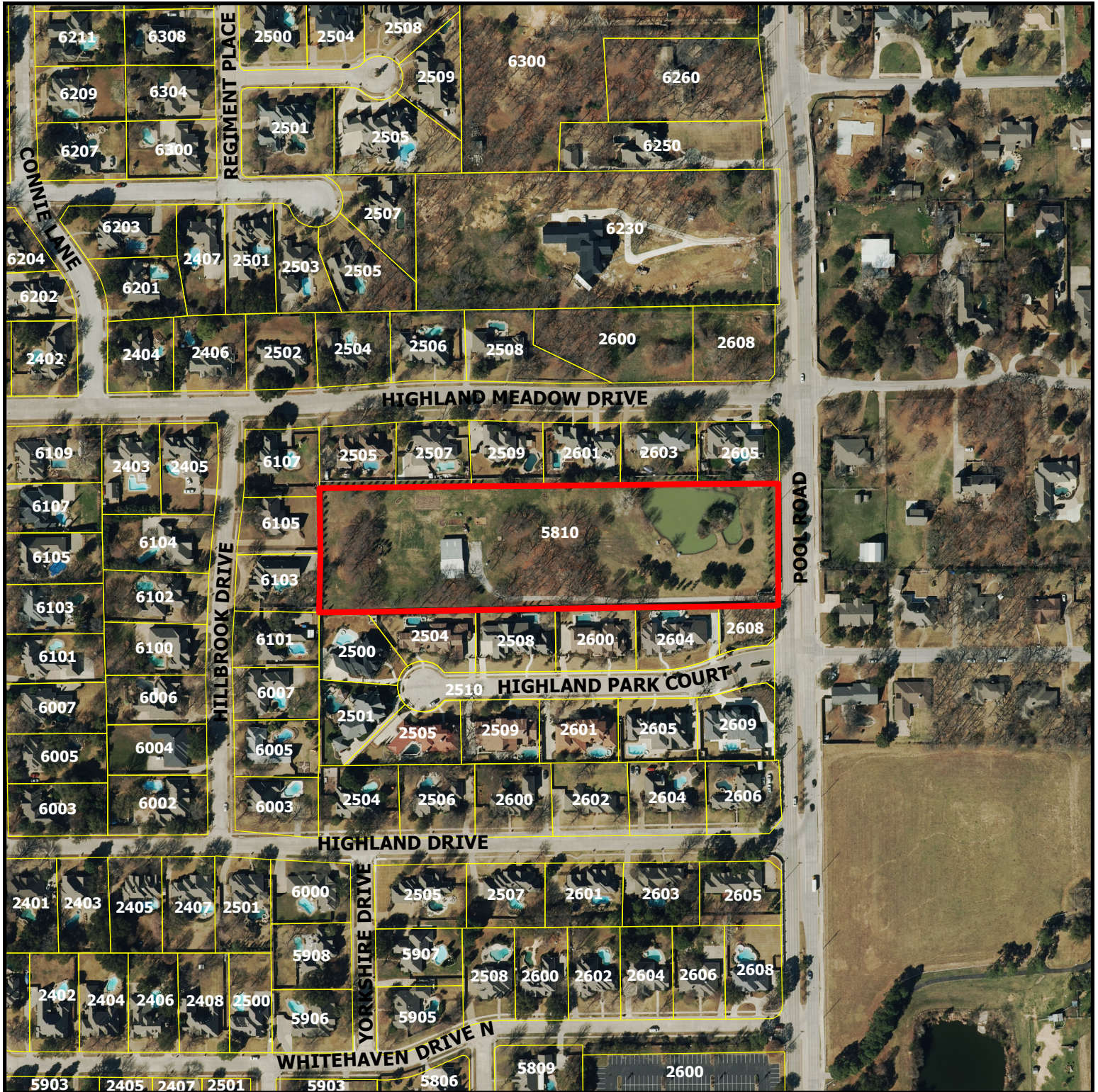
Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Zoning Exhibit
6. Floor Plan
7. Building Elevations
8. Roof Plan
9. Tree Exhibit
10. Ordinance O-99-1183
11. Notification Map
12. Notification List
13. Property Owner Notification
14. Ordinance O-18-2047

Aerial Map



ZC18-012

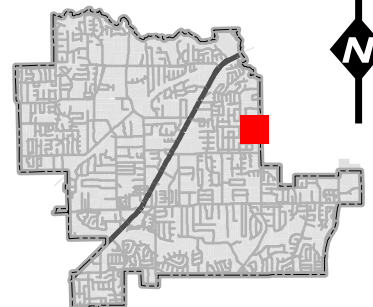
5810 Pool Road

DISCLAIMER:

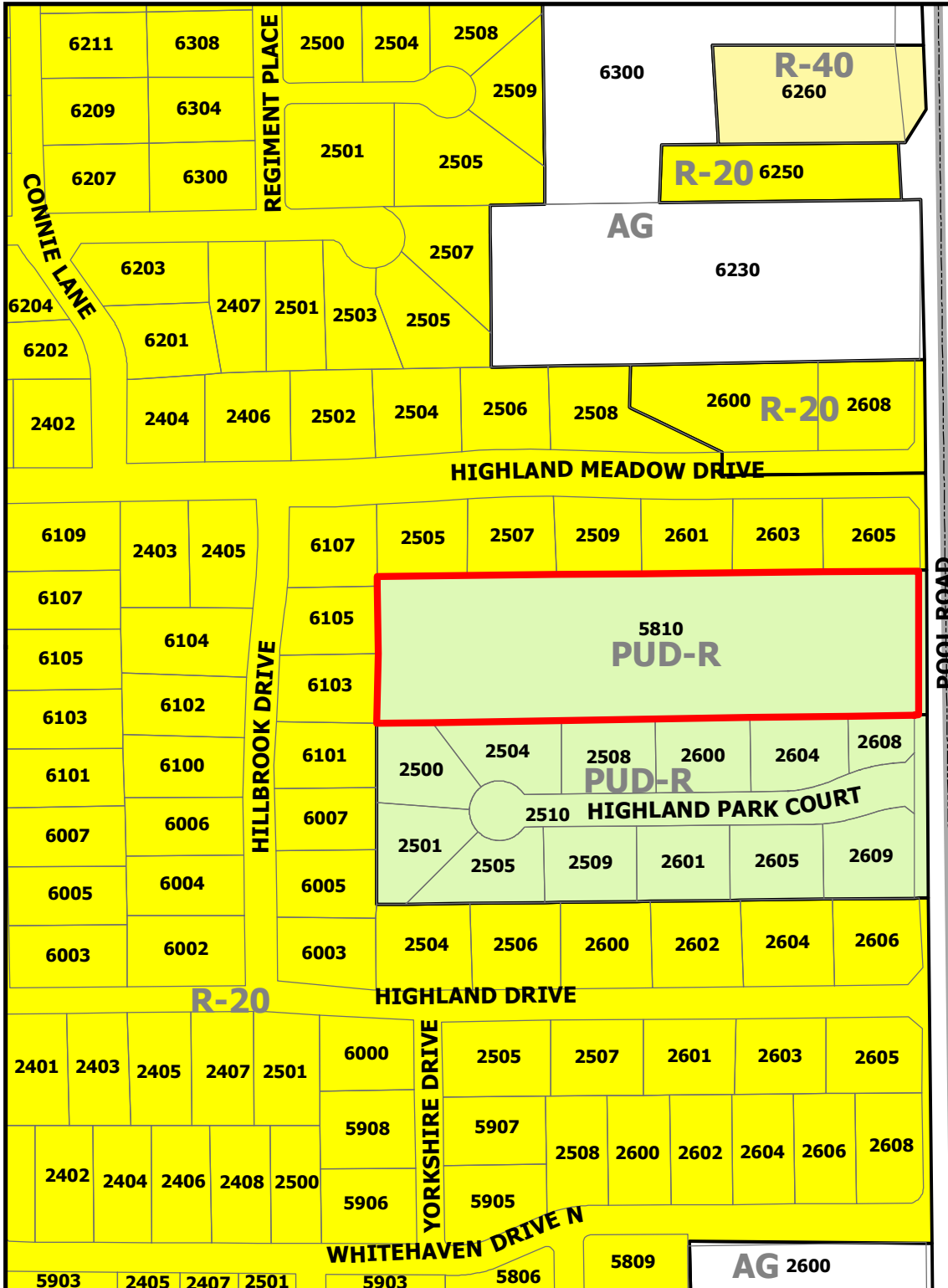
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.



Subject Property



Zoning Map

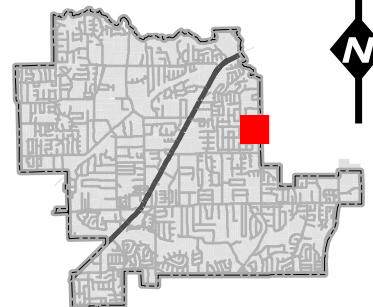


ZC18-012

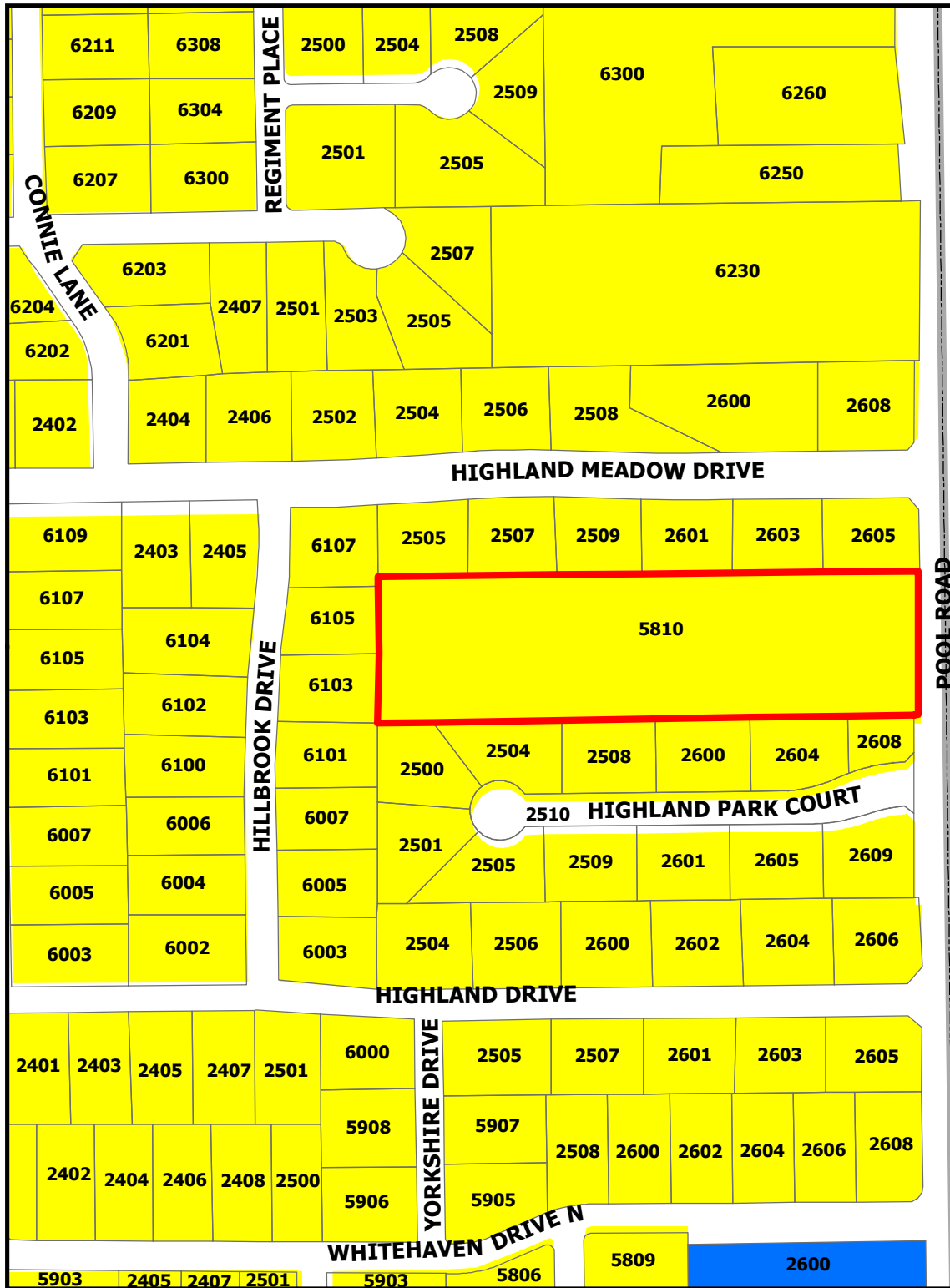
5810 Pool Road

DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

 Subject Property



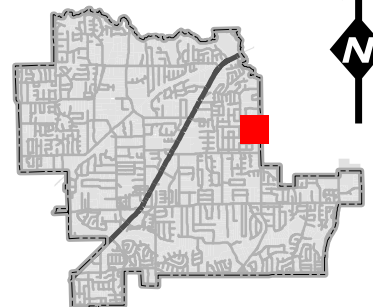
Future Land Use Map



ZC18-012

5810 Pool Road

- Subject Property
- Residential
- Institutional



DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

Statement of Planning Objectives

We are requesting to build a conservatory detached from our house. A conservatory is a decorative glass building which houses plants and is intended for relaxation. Ours will contain a koi pond in addition to various plants. It needs to be in the location it is due to the shade trees minimizing the heat it will absorb during our hot summers. It cannot be attached to the house due to a grove of trees between it and the house. We purchased the property due to its beautiful, mature trees, and it would devastate us to have to remove any of them.

Casita 2 is less than 600 sq. ft. and cannot be attached, again, due to the mature trees. In addition, the "small kitchen" will consist of a microwave, small refrigerator and a bar sink.

Casita 1 is less than 600 sq. ft., which is attached to the main house will have a more conventional small kitchen. The purpose of this is for my aged mother to be independent and allow care givers to prepare meals for her.

Thank you for your consideration.

Zoning Exhibit



GROSS AREA (PROPERTY)	5.575 ACRES/242833 SQ. FT.
<u>GROSS AREA (BUILDINGS)</u>	<u>AREA / PERCENTAGE</u>
HOUSE/GARAGE	4057 / 1.67%
PORCHES	687 / .28%
CASITA 01	569 / .23%
CASITA 02	546 / .22%
CONSERVATORY	940 / .39%
<u>EXISTING BLDG.</u>	<u>2400 / .99%</u>
TOTALS	9199 / 3.78%
 GROSS AREA (OPEN SPACE)	 233,634 SQ. FT. / 96.21%

STATE OF TEXAS
COUNTY OF TARRANT

BEPH's tract of land situated in the Robert Chouveney Survey, Abstract No. 294, Tarrant County, Texas, and being all of the certain tract of land described in the note to William C. Stearnam, Jr., Trustee of the Stearnam Mortar Trust dated August 10, 1967, as amended by Supplemental Trust Agreement No. 1, dated December 18, 1967, and recorded in Public Records (GPRTCC), and being more particularly described by metes and bounds as follows (hereinafter referred to as this Tract) containing approximately 1.6469 Acres, North-Central Zone - 4323, as established using GPS Technology in conjunction with the Texas Critical Boundary Network.

BEORIHAG's, a 1/2 inch capped iron rod marked "RUTT ZOLKAR" found in the northeast corner of the said Stearnam Tract, being common with the southeast corner of Lot 13, Block 13B, Highland Meadows Phase II, an addition to the City of Irving, Tarrant County, Texas, and being the same point as the southwest corner of COG D1783473, GPNOI, and being the west right-of-way of line of Pool Road (as indicated with east right-of-way).

THMSE's South 05°38'38" East, from the south line of the said Stearnam Tract, being common with the said well 1/2 inch capped iron pipe, a distance of 260.82 feet to a point for center at the southeast corner of the said Stearnam Tract, from which a bearing S 5/8 inch capped iron rod marked "WAGO RPLS 2014" bears South 69°37'34" East, a distance of 0.44 feet;

THENCE South 85°40'51" West, with the south line of the said Stearnam Tract, passing at a distance of 7.50 feet between the southeast corner of Lot 1, Block J, Highland Park Addition, an addition to the City of Celoville, Tarrant County, Texas, and being the same point as the southeast corner of the said Stearnam Tract, being common with the north line of a 5/8 inch capped iron rod marked "WAGO RPLS 2014" found for the southwest corner of the said Stearnam Tract and being in the east line of Lot 3C, Block 13B of said Highland Meadows Phase II;

THENCE North 05°30'57" West, with the west line of the said Stearnam Tract, being common with the west line of the said Stearnam Tract, being common with the southeast corner of Lot A, Block 13B of said Highland Meadows Phase II;

THENCE North 80°05'38" East, with the north line of the said Stearnam Tract, being common with the south line of Lot 1D through Lot 1E, Block 13B of said Highland Meadows Phase II, a distance of 916.07 feet to the POBSE or

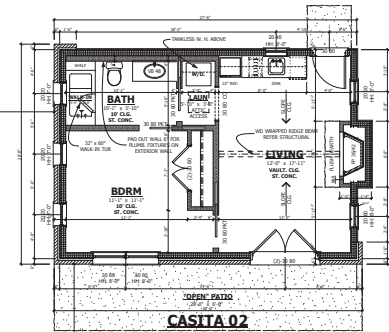


01 ZONING EXHIBIT
SCALE: 1" = 40'-0"

ZONING EXHIBIT FOR ZONING CHANGE
REQUEST FROM _____ TO _____

ZONING EXHIBIT Drawn: 3/12/2018 Scale: DVK Lot: 16-00x Sheet Number: _____	Stearman Residence 5810 Pool Road Colleyville, TEXAS	FERRIER CUSTOM HOMES	DANIEL VAN KUSCHIK DESIGN & ARCHITECTURE 10000 W. 14TH AVENUE SUITE 200 FORT WORTH, TEXAS 76135 TEL: 817-336-1111 WWW.DANIELVANUSCHIK.COM FOR THE RECORD: THIS PROJECT HAS BEEN REVIEWED BY THE CITY OF FORT WORTH, TEXAS, AND THE CITY ENGINEER HAS ISSUED A PERMIT FOR CONSTRUCTION OF THIS PROJECT. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PROJECT AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED HEREON.	Examination 20
--	--	--	--	------------------------------

Final Permit/CD set 08/16/17



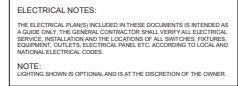
FLOOR AREAS		
NAME	STORY	AREA (sq ft)
A/C (CASITA 01)	1ST FLOOR	569. 569.
A/C (CASITA 02)	1ST FLOOR	546. 546.
A/C (MAIN HOUSE)	1ST FLOOR	3,498. 3,498.
GARAGE	1ST FLOOR	559. 559.
PORCH (MSTR BDRM)	1ST FLOOR	227. 227.
PORCH (VERANDA)	1ST FLOOR	460. 460.
CONSERVATORY	1ST FLOOR	940. 940.
		6,801.

SCALE: 3/16"= 1'-0"

[illegible]

1ST FLOOR PLAN Date: 8/16/2017 Scale: Drawn: DVK Job: 16-00x Sheet Number: A2.02 Sheet: OF	Stearman Residence 5810 Pool Road Colleyville, TEXAS	FERRIER CUSTOM HOMES	DANIEL VAN KUNENRIJK ARCHITECTS - ARCHITECT 11110 LIPPER ROAD - SUITE 200 FORT WORTH, TEXAS 76137 TEL: 817.464.4444 FAX: 817.464.4444 WWW.DANIELVAN-KUNENRIJK.COM	By:	Revision:
			CONSTRUCTION OF 1ST FLOOR OF STEARMAN RESIDENCE, 5810 POOL ROAD, COLLEYVILLE, TEXAS. PROJECT NO. 16-00X.		

Final Permit/CD set 08/16/17



- SURFACE MOUNTED CL.G. FAN
- WALL MOUNTED FIXTURE
- HANGING FIXTURE
- RECESSED CL.G. FIXTURE
- RECESSED CL.G. FIXTURE W/LENS
- RECESSED EXHAUST FAN
- RECESSED HEAT LAMP
- ADJUST. WALL WASHER
- FLUORESCENT FIXTURE
- 110V. ELECTRICAL OUTLET
- 220V. ELECTRICAL OUTLET
- CEILING OUTLET
- FLOOR PLUG
- DOUBLE FLOODLIGHTS
- 2-WAY SWITCH
- 3-WAY SWITCH
- 4-WAY SWITCH
- SMOKE DETECTOR
- TELEPHONE JACK
- CATV JACK
- TV JACK
- GAS STUB-OUT

 - CEILING FAN

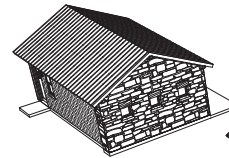
SCALE: 3/16" = 1'-0"

1ST FLX ELEC PLAN Date: 8/16/2017 By: Drawn: DVK Scale: 16-00x Sheet Number: A5.01 of:	Stearman Residence 5810 Pool Road Colleyville, TEXAS	FERRIER CUSTOM HOMES	DAVIS & BERKELEY ARCHITECTS, P.C. 11000 W. HAWTHORNE AVE., SUITE 200 DALLAS, TEXAS 75243 TEL: 972.382.1100 FAX: 972.382.1101 WWW.DAVISBERKELEYARCHITECTS.COM	By:
--	---	---------------------------------------	--	-----

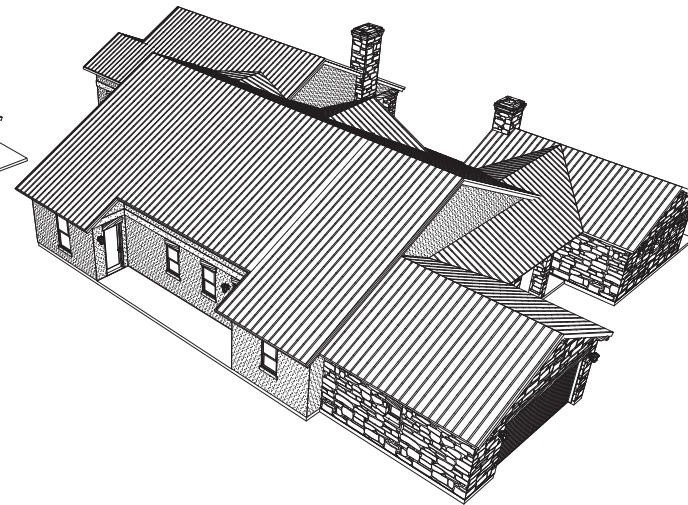
Final Permit/CD set 08/16/17



SCALE: 1/4" = 1'-0"



SCALE: 1/4" = 1'-0"



SCALE: 1/4" = 1'-0"

VIEWS	Stearman Residence 5810 Pool Road Colleyville, TEXAS	FERRIER CUSTOM HOMES	DANIEL VAN KUSCHIK DIMON + MORRISON + CONSTRUCTION 10000 W. 10TH AVE. SUITE 100, FORT WORTH, TEXAS 76137 (817) 441-1111	REVISIONS	BY:
			SHEET NUMBER: 16-00x DATE: 8/16/2017 SCALE:	DVK	REV:

By: _____

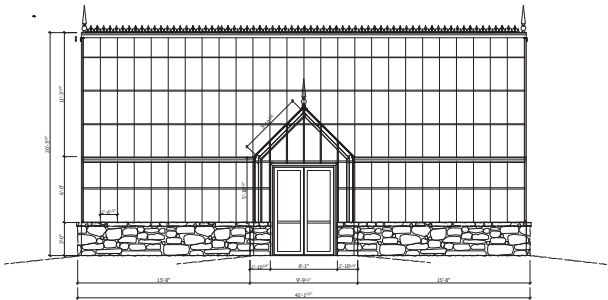
Date:	8/16/2017
Scale:	
Drawn:	DVK
Size:	16-00x
Sheet Number:	A3.01
Sheet:	Of:

Final Permit/CD set 08/16/17

ELEVS - Left & Right

Building Elevations

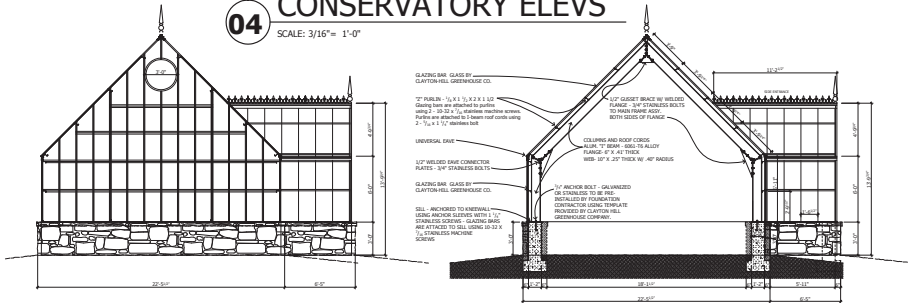
Final Permit/CD set 08/16/17



Entry Side Elevation

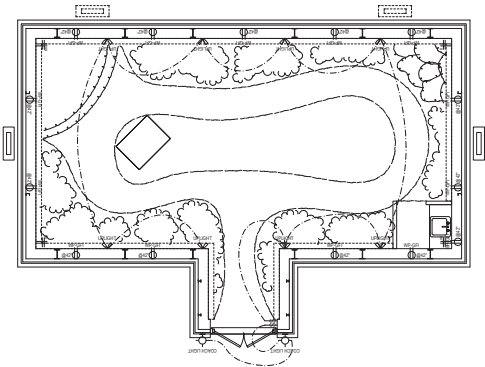
04 CONSERVATORY ELEVS

SCALE: 3/16"= 1'-0"



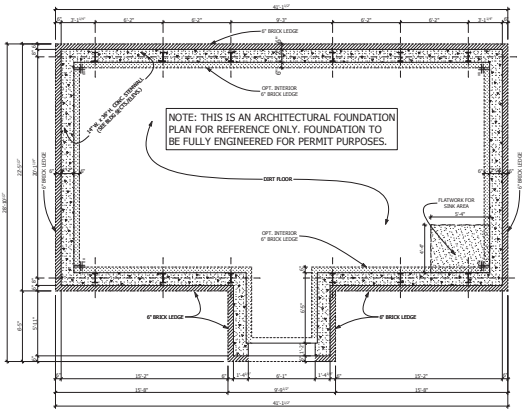
Endwall Elevation

Structural Cross Section



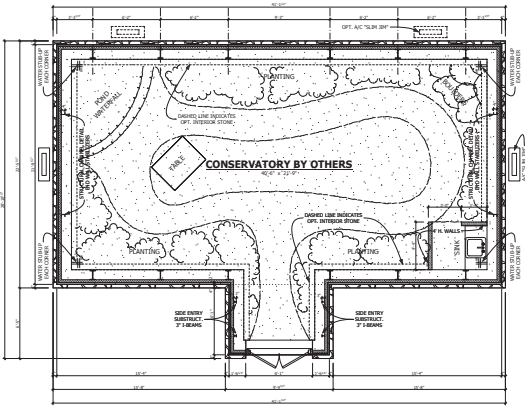
02 CONSERVATORY ELEC.

SCALE: 3/16"= 1'-0"



03 CONSERVATORY FOUND.

SCALE: 3/16"= 1'-0"

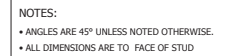


01 CONSERVATORY PLAN

SCALE: 3/16"= 1'-0"

Revisions:	By:
DANIEL VAN KUNSCHEK REGISTERED ARCHITECT 10101 W. 10TH AVE. SUITE 100 DALLAS, TEXAS 75243 TEL: 214.416.1000 WWW.DANIELVAN.COM	
FERRIER CUSTOM HOMES	
Spearman Residence 5810 Pool Road Colleyville, TEXAS	
CONSERVATORY	
Date: 8/16/2017	
Scale:	
Drawn: DVK	
Job: 16-00x	
Sheet Number:	
A6.01	
Sheet: OF	

Final Permit/CD set 08/16/17



GENERAL NOTES:
THE GENERAL CONTRACTOR SHALL EXAMINE AND VERIFY THE ACCURACY OF ALL DIMENSIONS AND CONDITIONS OF THESE DRAWINGS AND SHALL NOTIFY THE ARCHITECT IMMEDIATELY AND ORALLY OF ANY DISCREPANCIES AND/OR OMISSIONS PRIOR TO THE START OF CONSTRUCTION. (S)HE WILL BE RESPONSIBLE FOR THE REVISION/CORRECTION OF THESE DRAWINGS. THESE DRAWINGS SHALL BE THE BASIS FOR THE GENERAL CONTRACTOR'S PURPOSES ONLY AND ARE NOT TO BE USED FOR ANY OTHER PURPOSES. THE GENERAL CONTRACTOR (OR HIS/HER REPRESENTATIVE) SHALL BE ON-SITE TO SUPERVISE CONSTRUCTION AND IT SHALL BE HIS/HER RESPONSIBILITY TO VERIFY, RECORD AND NOTIFY IMMEDIATELY OF ANY DISCREPANCIES AND/OR OMISSIONS OF MATERIALS AND TO CONTROL THE QUALITY THEREOF. ALL WORK SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE CURRENT EDITION OF THE INTERNATIONAL RESIDENTIAL CODE AND ALL APPLICABLE STATE AND LOCAL ORDINANCES, CODES AND REGULATIONS. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS. THIS CONTRACT SHALL BE NOTIFIED IMMEDIATELY OF ANY DISCREPANCY WITHIN THE PERIOD OF 10 DAYS OF THE DATE OF THE DISCREPANCY. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE GENERAL CONTRACTOR TO PROVIDE ANY ENGINEERING NECESSARY TO THE STABILITY OF THE STRUCTURES OF THIS PROJECT. THIS CONTRACT DOES NOT INDICATE NOR IMPLY ANY OTHER STRUCTURAL MEMBERS HEREIN, AND THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE TO BE REVIEWED BY A QUALIFIED REGISTERED PROFESSIONAL ENGINEER.

DANIEL VAN KUNSCHIK
DESIGN • MODELING • CONSTRUCTION
TEL: (603) 663-8911 • E-MAIL: DAN@DANVANVAN.COM • WEBSITE: WWW.DANVANVAN.COM

**FERRIER
CUSTOM HOMES**

Stearman Residence
5810 Pool Road
Colleyville, TEXAS

ROOF PLAN

Date: 8/16/2017

Scale:

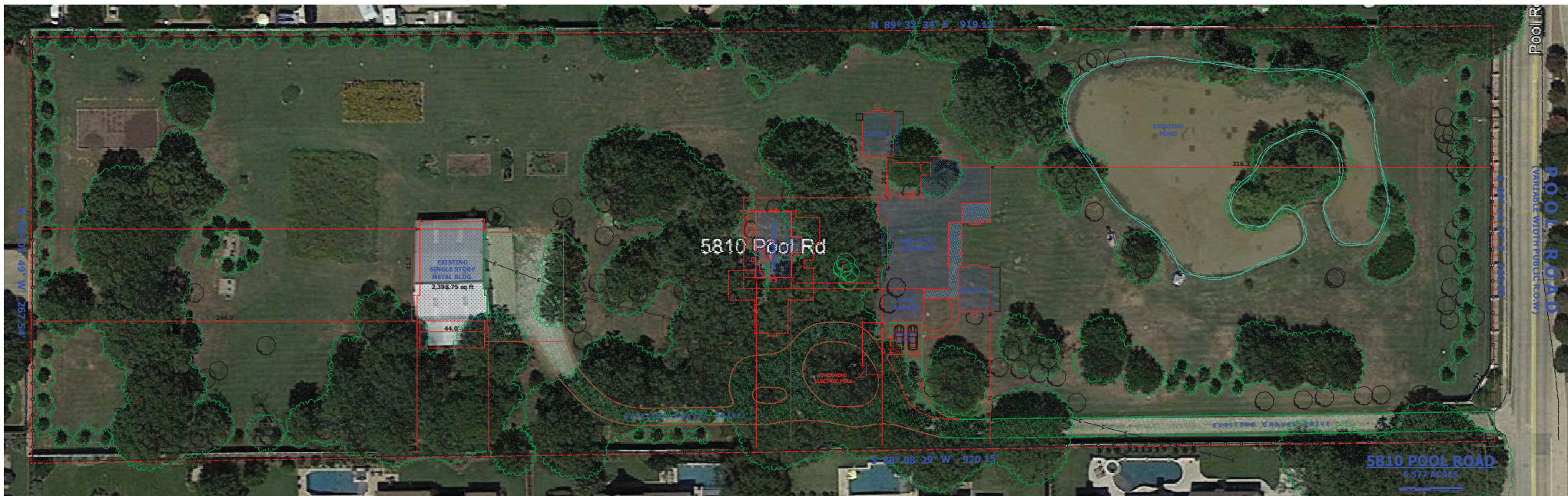
Drawn: DVK

Job:	16-00x
------	--------

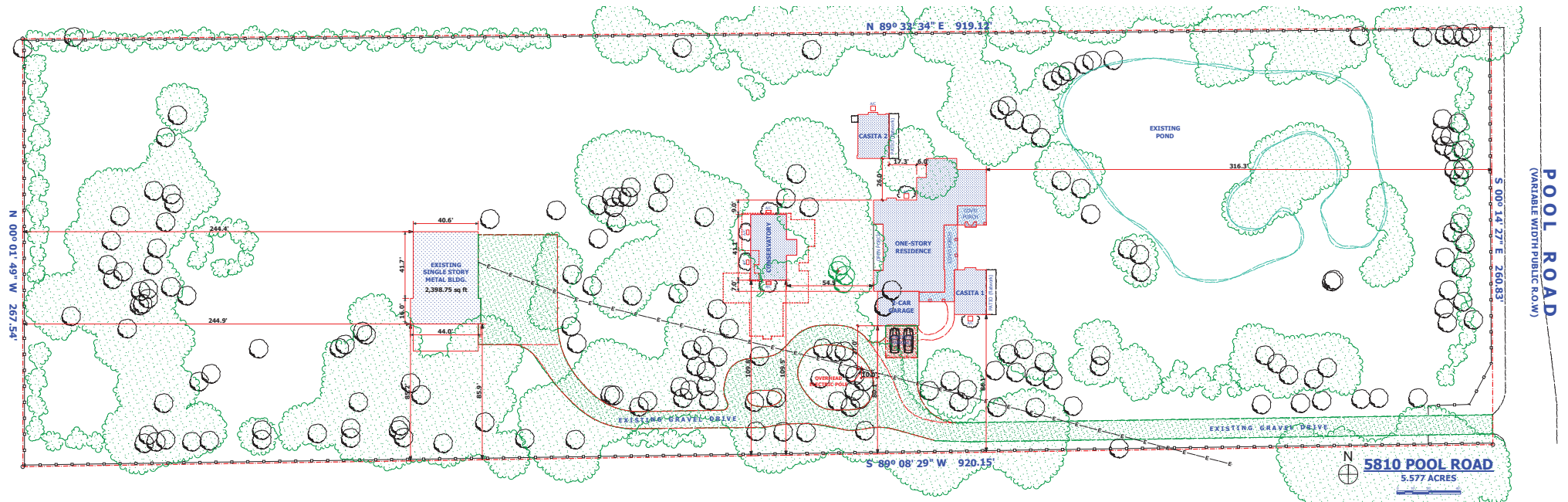
Sheet Number:
A2.03

Sheet Of

Tree Exhibit



Tree Exhibit



ORDINANCE O-99-1183

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF APPROXIMATELY 5.666 ACRES OUT OF THE R. CHOWNING SURVEY, A-294, FROM THE R20 (SINGLE FAMILY RESIDENTIAL) TO THE PUD-R (PLANNED UNIT DEVELOPMENT-RESIDENTIAL) DISTRICT; PROVIDING FOR A PENALTY FOR VIOLATIONS AND AUTHORIZING PUBLICATION:

WHEREAS, an application for a zoning change was filed by Beth Joseph on July 27, under Case No. Z-99-054; and

WHEREAS, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 10 days before such hearing; and

WHEREAS, notice of a public hearing before the City Council was published in a newspaper of general circulation in Colleyville at least 15 days before such hearing; and

WHEREAS, notices were posted on the subject land as provided by the zoning ordinance; and

WHEREAS, public hearings to change the zoning and the Master Plan on the property herein described were held before the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation; and,

WHEREAS, the City Council is of the opinion that the zoning change herein effectuated furthers the purpose of zoning as set forth in the Zoning Ordinance and is in the best interest of the citizens of the City of Colleyville.

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

Sec. 1. THAT, the Master Plan, the Zoning Ordinance of the City of Colleyville, Texas, and the accompanying Zoning Map (Exhibit A) are hereby amended insofar as they relate to certain land located in Colleyville, Texas, described by metes and bounds (Exhibit B), by changing the zoning of said property from the R20 district to the PUD-R district, together with all site plans which are conceptual in nature, supporting documents, and other conditions and restrictions

imposed and approved by the Council which are incorporated herein by reference; and subject to the following conditions:

A. LAND USE

1. The following land uses shall be permitted within this Planned Unit Development:
 - a. All Agricultural uses, with the exception of swine farming
 - b. Single family residence
 - c. Commercial equestrian boarding stable, riding school, equine ranching, and children's birthday parties
 - d. Commercial activity on the property shall be limited to the hours of 10:00 a.m to 5:00 p.m. Monday through Saturday and noon to 5:00 p.m. on Sundays
 - e. That one weekday per week, one pony class shall be allowed until 7:00 p.m.

B. LOT REQUIREMENTS AND SETBACKS

1. The minimum lot size shall be three (3) acres.
2. All building setbacks shall be in accordance with the AG Agriculture district.

C. GENERAL REQUIREMENTS

1. Commercial advertising signs shall be prohibited on this property, except one directional/information sign not to exceed six (6) square feet in area.
2. A screening fence will be constructed within 90 days of approval on the south property line beginning approximately 275 feet from the Pool Road property line (the entrance gate to the residential yard) and will extend 295 feet (to the western edge of the barn) and the fence will be continuously maintained in good repair so long as commercial activity is conducted on the property.

Sec. 2. THAT, any person, firm or corporation violating any of the provisions of this ordinance as read together with the Zoning Ordinance of the City of Colleyville shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00). Each and every day such violation continues shall constitute a separate offense and shall be punishable as such.

Sec. 3. THAT, the City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternate method of publication provided by law.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 5th day of October, 1999.

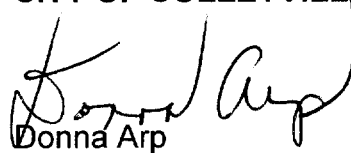
The second reading and public hearing being conducted on the 19th day of October, 1999.

ATTEST:



Jean Harris, CMC
City Secretary

CITY OF COLLEYVILLE:

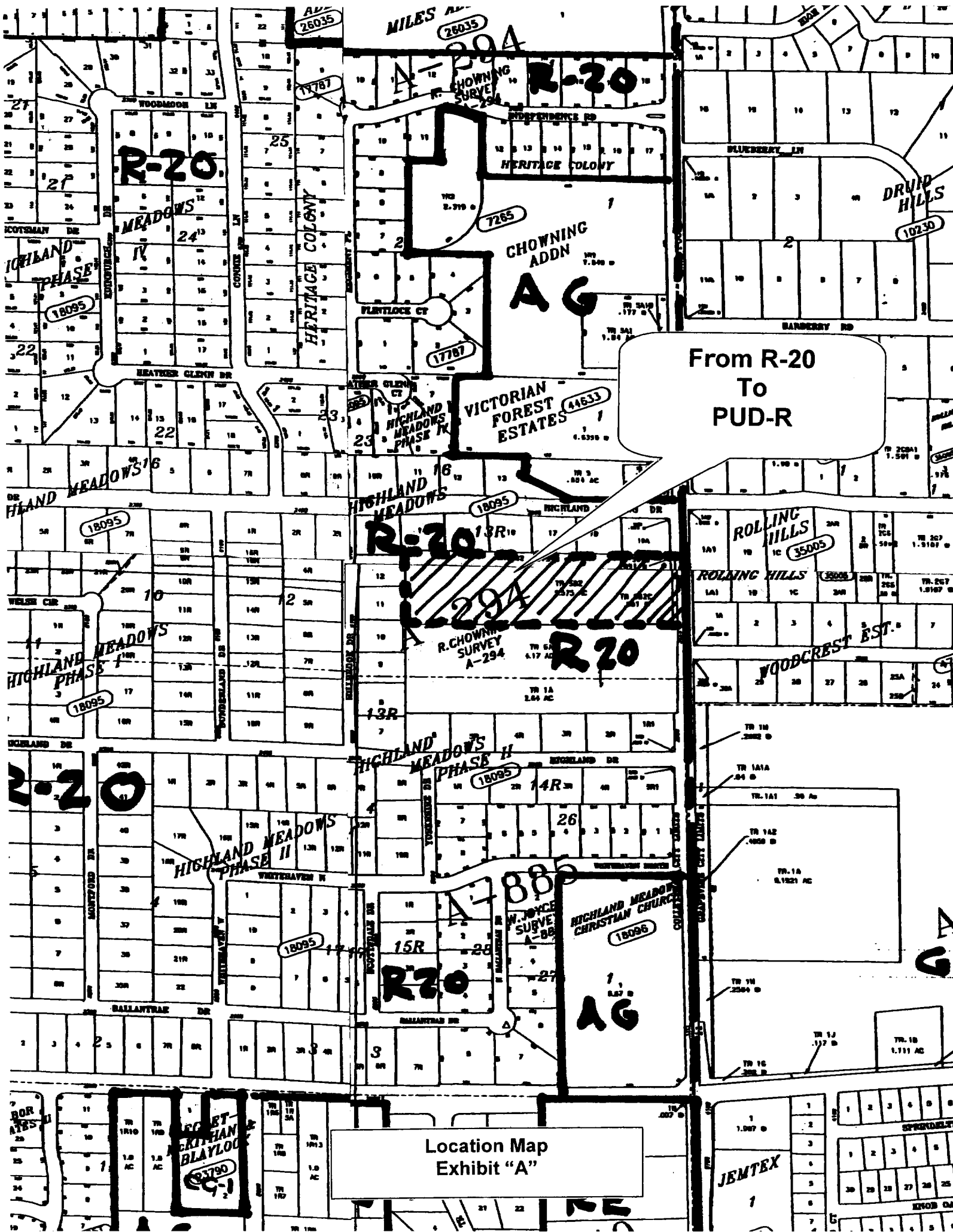


Donna Arp
Mayor

APPROVED AS TO FORM AND LEGALITY:



Ross T. Foster
City Attorney



Situated in the City of Colleyville, Tarrant County, Texas, being a tract of land in the Robert Chowning Survey, Abstract No. 294, Tarrant County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod for corner in the West right-of-way line of Pool Road, said iron rod also being in the Southeast corner of Lot 7, Block 14, Highland Meadows Phase II, an Addition to the City of Colleyville, Tarrant County, Texas, according to the plat recorded in Volume 388-181, Page 66, Plat Records, Tarrant County, Texas,

THENCE South 00 degrees 14 minutes 56 seconds East, along the West line of said Pool Road, a distance of 260.73 feet to an iron rod for corner;

THENCE South 89 degrees 08 minutes 47 seconds West, leaving the West line of said Pool Road, a distance of 935.0 feet to a 12" oak tree for corner;

THENCE North 00 degrees 02 minutes 41 seconds West, a distance of 267.45 feet to an iron rod for corner;

THENCE North 89 degrees 33 minutes 34 seconds East, a distance of 934.0 feet to the POINT OF BEGINNING.

Metes and Bounds Description
Exhibit "B"

Notification Map

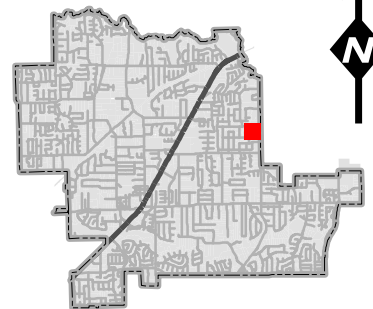


ZC18-012

5810 Pool Road

DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

-  Subject Property
-  200ft Buffer
-  Properties within 200ft



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
TUSA, JOSEPH C	2508 HIGHLAND PARK CT	COLLEYVILLE, TX	76034	2508 HIGHLAND PARK CT
ZIOLKOWSKI, RONALD J	6105 HILLBROOK DR	COLLEYVILLE, TX	76034	6105 HILLBROOK DR
SCHOOK, JOHN C	PO BOX 2814	FRISCO, TX	75034	6103 HILLBROOK DR
LUEVANO, JAVIER A	2507 HIGHLAND MEADOW DR	COLLEYVILLE, TX	76034	2507 HIGHLAND MEADOW DR
CHUKWU, ANTHONY N	PO BOX 1908	COLLEYVILLE, TX	76034	6107 HILLBROOK DR
MOHAN, PONNAIAH	2605 HIGHLAND PARK CT	COLLEYVILLE, TX	76034	2605 HIGHLAND PARK CT
HILL, DENNIS J	6101 HILLBROOK DR	COLLEYVILLE, TX	76034	6101 HILLBROOK DR
BUSKEY, MICHAEL	2509 HIGHLAND PARK CT	COLLEYVILLE, TX	76034	2509 HIGHLAND PARK CT
WEITZER, CHRISTOPHER P	2605 HIGHLAND MEADOW DR	COLLEYVILLE, TX	76034	2605 HIGHLAND MEADOW DR
TUGGEY, MATHEW	2601 HIGHLAND MEADOW DR	COLLEYVILLE, TX	76034	2601 HIGHLAND MEADOW DR
FOX, LAWRENCE S	2604 HIGHLAND PARK CT	COLLEYVILLE, TX	76034	2604 HIGHLAND PARK CT
MADISON, ANGIE	2603 HIGHLAND MEADOW DR	COLLEYVILLE, TX	76034	2603 HIGHLAND MEADOW DR
SPRIGGS, JAMES A	2505 HIGHLAND MEADOW DR	COLLEYVILLE, TX	76034	2505 HIGHLAND MEADOW DR
FRANKLIN, D BRENT	2600 HIGHLAND PARK CT	COLLEYVILLE, TX	76034	2600 HIGHLAND PARK CT
WALLACE, WILLIAM	6007 HILLBROOK DR	COLLEYVILLE, TX	76034	6007 HILLBROOK DR
KNOWLES, VICKI	2609 HIGHLAND PARK CT	COLLEYVILLE, TX	76034	2609 HIGHLAND PARK CT
STEARMAN MARITAL TRUST	4524 SOUTHERN AVE	DALLAS, TX	75205	5810 POOL RD
WAGNER, JEDEDIAH	2509 HIGHLAND MEADOW DR	COLLEYVILLE, TX	76034	2509 HIGHLAND MEADOW DR
MILLER, BRIAN S	2505 HIGHLAND PARK CT	COLLEYVILLE, TX	76034	2505 HIGHLAND PARK CT
DODD, SHERRY	2601 HIGHLAND PARK CT	COLLEYVILLE, TX	76034	2601 HIGHLAND PARK CT
HICKERSON, JOHN T	2504 HIGHLAND PARK CT	COLLEYVILLE, TX	76034	2504 HIGHLAND PARK CT
WILLSON, TERRY	2500 HIGHLAND PARK CT	COLLEYVILLE, TX	76034	2500 HIGHLAND PARK CT
HIGHLAND PARK HOA INC	PO BOX 1497	COLLEYVILLE, TX	76034	2608 HIGHLAND PARK CT
FOSTER, MICHAEL	1160 ADAMS LN	SOUTHLAKE, TX	76092	2501 HIGHLAND PARK CT
HIGHLAND PARK HOA INC	PO BOX 1497	COLLEYVILLE, TX	76034	2510 HIGHLAND PARK CT
HIGHLAND MEADOWS ADDN	2101 HIGH GATE DRIVE	COLLEYVILLE, TX	76034	COURTESY NOTICE
CITY OF GRAPEVINE	200 S. MAIN STREET	GRAPEVINE, TX	76051	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOOD AVE	GRAPEVINE, TX	76051	STATE REQUIRED
FULLER, BYRON	5017 BYER AVE	FORT WORTH, TX	76107	APPLICANT

Public hearing notices were mailed on Friday, April 27, 2018 by Araceli Botello



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC18-012
Applicant: Byron Fuller
Owner: Stearman Marital Trust
Location: 5810 Pool Road
Property Description: Tract 5B02, Abstract 294, in the Robert Chowing Survey
Present Zoning: PUD-R Planned Unit Development Residential
Request: Consideration of a Special Use Permit to exceed the total maximum size allowed by right for accessory buildings and for a Servants or Caretakers Quarters. The purpose is to allow for construction of a conservatory which will exceed the square foot allowed for accessory buildings and to allow for an accessory dwelling to house a family member.

The City of Colleyville has scheduled public hearings concerning the above referenced request on the following dates and location:

Planning and Zoning Commission Meeting: Monday, May 14, 2018 at 7:00 p.m.
City Council Meeting: Tuesday, June 5, 2018 & Tuesday, June 19, 2018 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

This notice has been sent to all owners of real property within 200 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 500 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change request. If you are unable to attend, but wish to have your opinions made a part of the public record, please submit written comments prior to the public hearing, to the address below:

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

If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas. A brief project description can be found online on the Active Development Case map: <https://www.colleyville.com/zoning.html>. For additional information, please contact the Community Development Department at 817.503.1056. Please reference the zoning case number when requesting information.

Felix Landry
Principal Planner
flandry@colleyville.com

ORDINANCE O-18-2047

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 5.577 ACRES, BEING TRACT 5B02, ABSTRACT 294, IN THE ROBERT CHOWING SURVEY, LOCATED AT 5810 POOL ROAD, BY AUTHORIZING A SPECIAL USE PERMIT FOR ACCESSORY BUILDINGS TO EXCEED THE TOTAL MAXIMUM SQUARE FOOTAGE PERMITTED BY STAFF FOR ALL ACCESSORY BUILDINGS ON THE LOT AND FOR A SERVANTS OR CARETAKERS QUARTERS; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a Special Use Permit for accessory buildings to exceed the total maximum square footage permitted by staff for all accessory buildings on the lot and for a Servants or Caretakers Quarters under Case No. ZC18-012; and

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

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

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan 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 accessory buildings to exceed the total maximum square footage permitted by staff for all accessory buildings on the lot and for a Servants or Caretakers Quarters on 5.577 acres, being Tract 5B02, Abstract 294, in the Robert Chowing Survey, located at 5810 Pool Road, 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 Special Use Permit shall apply to the construction of a new single-family residence to include a detached conservatory, a detached casita, and an attached Servants or Caretakers Quarters (casita #1).

- b. The total square footage for all accessory structures will be approximately 3,886 square feet.
- c. The accessory building shall be generally consistent with the, site plan and building elevations as depicted on the attached Exhibits "B" and "C".
- d. All requirements of the Land Development Code shall be met, except where amended herein.

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

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 5th day of June 2018.

The second reading and public hearing being conducted on the 19th day of June 2018.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____
ABSTENTIONS ON THIS THE 19th day of June 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Chuck Kelley	_____
Place 3, Kathy Wheat	_____	Place 6, Callie Rigney	_____
Place 4, George Dodson	_____		

ATTEST:

CITY OF COLLEYVILLE

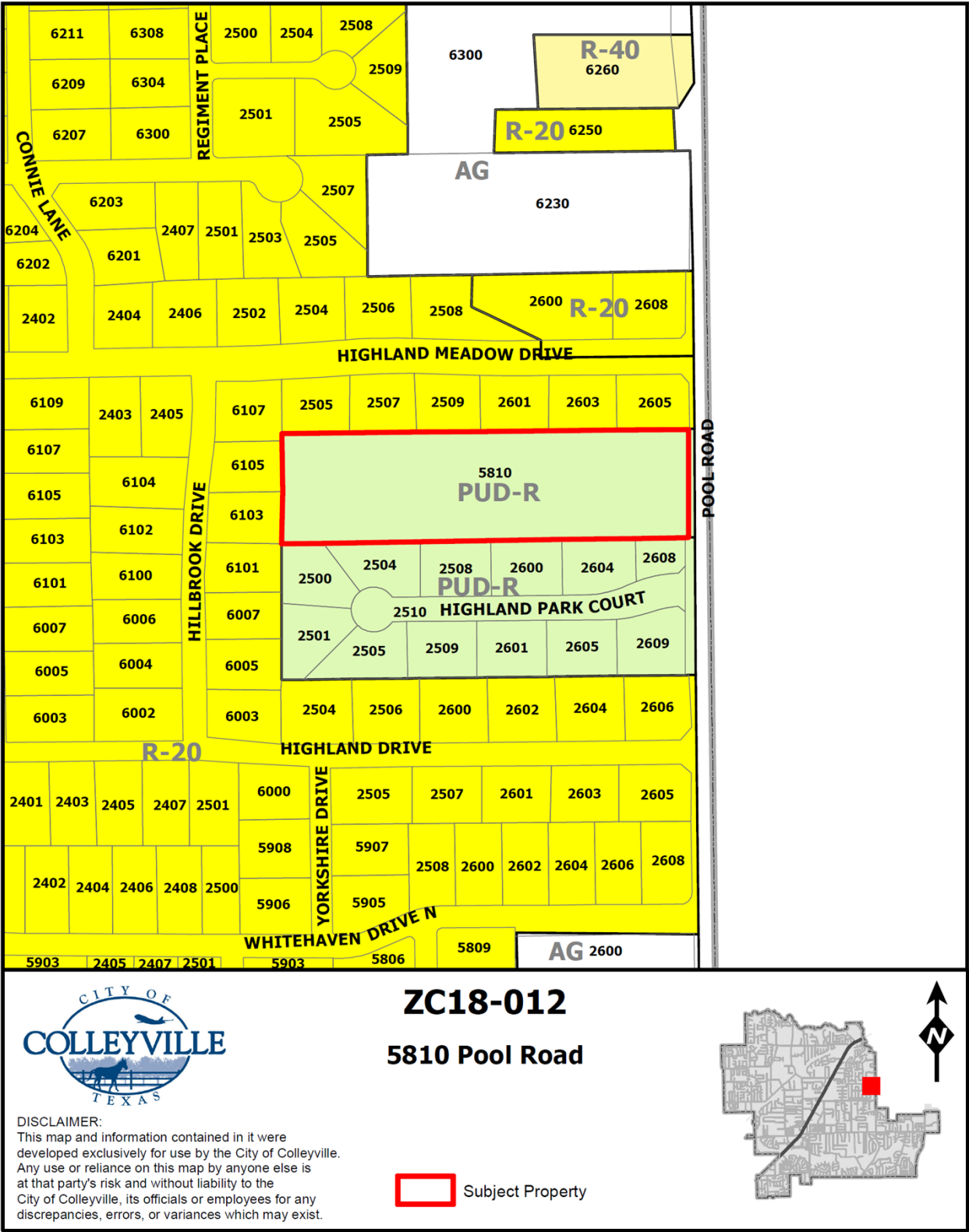
Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt Wyatt
City Attorney

Exhibit "A" - Location and Zoning Map



STEARMAN RESIDENCE 5810 Pool Road Colleyville, TEXAS	FERRIER CUSTOM HOMES	DANIEL KAY KUSHNIR DESIGN & ARCHITECTURE LLC 101 West 42nd Street, Suite 1000 New York, NY 10018-3603 Tel: 212-693-9000 Fax: 212-693-9001 Email: dkay@dkayllc.com	ZONING EXHIBIT	Date: 3/12/2018 Scale: Drawn: DWK Job: 16-006 Sheet Number:	32
--	------------------------------------	---	------------------------------	--	-----------

[illegible]

Exhibit "C" – Elevations

Final Permit/CD set 08/16/17



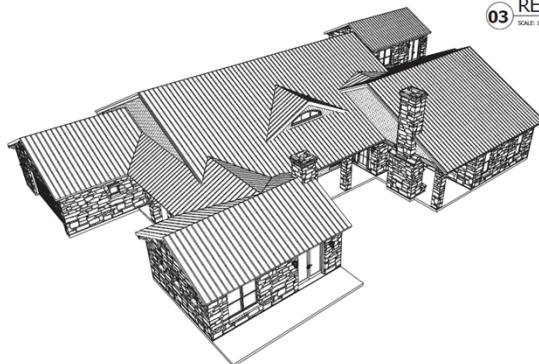
01 FRONT VIEW 03
SCALE: 1/4" = 1'-0"



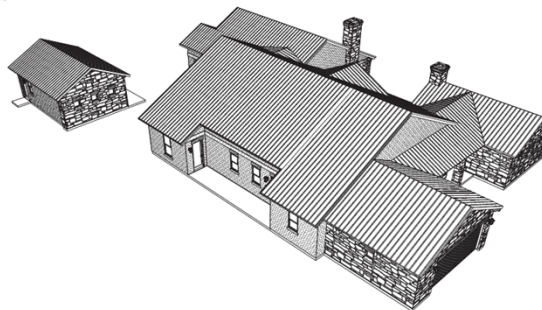
02 REAR VIEW 01
SCALE: 1/4" = 1'-0"



03 REAR VIEW 02
SCALE: 1/4" = 1'-0"

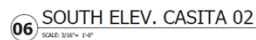


04 FRONT AERIAL



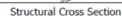
05 REAR AERIAL

Starman Residence 5810 Poind Road Colleyville, TEXAS		FERRIER CUSTOM HOMES		DANIEL VAN KUNSTEN 214-350-0000 214-350-0001 214-350-0002 214-350-0003 214-350-0004 214-350-0005 214-350-0006 214-350-0007 214-350-0008 214-350-0009 214-350-0010 214-350-0011 214-350-0012 214-350-0013 214-350-0014 214-350-0015 214-350-0016 214-350-0017 214-350-0018 214-350-0019 214-350-0020 214-350-0021 214-350-0022 214-350-0023 214-350-0024 214-350-0025 214-350-0026 214-350-0027 214-350-0028 214-350-0029 214-350-0030 214-350-0031 214-350-0032 214-350-0033 214-350-0034 214-350-0035 214-350-0036 214-350-0037 214-350-0038 214-350-0039 214-350-0040 214-350-0041 214-350-0042 214-350-0043 214-350-0044 214-350-0045 214-350-0046 214-350-0047 214-350-0048 214-350-0049 214-350-0050 214-350-0051 214-350-0052 214-350-0053 214-350-0054 214-350-0055 214-350-0056 214-350-0057 214-350-0058 214-350-0059 214-350-0060 214-350-0061 214-350-0062 214-350-0063 214-350-0064 214-350-0065 214-350-0066 214-350-0067 214-350-0068 214-350-0069 214-350-0070 214-350-0071 214-350-0072 214-350-0073 214-350-0074 214-350-0075 214-350-0076 214-350-0077 214-350-0078 214-350-0079 214-350-0080 214-350-0081 214-350-0082 214-350-0083 214-350-0084 214-350-0085 214-350-0086 214-350-0087 214-350-0088 214-350-0089 214-350-0090 214-350-0091 214-350-0092 214-350-0093 214-350-0094 214-350-0095 214-350-0096 214-350-0097 214-350-0098 214-350-0099 214-350-0100
Date: 8/16/2017 By: [Signature] Drawn: DWG Job: 26-000 Sheet Number: A0.02		Views:		





SCALE: 3/16" = 1'-0"





City of Colleyville City Council Agenda Briefing

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

Agenda Number 6e

Agenda Date 06/05/2018

Number Ordinance O-18-2048

Type Ordinance

Department Community Development

Title

Consideration of a zoning change from the AG-Agricultural and R-20 Single Family Residential zoning districts to the AG-Agricultural and R-20 Single Family Residential zoning districts on Lot 1, Block 1, of the Allzim Acres Addition, and Tracts 2A7B, 2A8C, & 2A9A, Abstract 533, in the Mary M. Freeman Survey, and Tract 4D02, Abstract 295, in the William E. Crooks Survey, located at 7209 & 7215 John McCain Road, Case ZC18-013

Strategic Plan

There is no Strategic Plan connection for this item.

Explanation

First Reading and Public Hearing

No change of zoning where exists 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. The opposition calculated for this request is 22 percent.

Wesley Dawson, the applicant, has submitted a request for a zoning change on Lot 1, Block 1, of the Allzim Acres Addition, and Tract 2A7B, 2A8C, & 2A9A, Abstract 533, in the Mary M. Freeman Survey, and Tract 4D02, Abstract 295, in the William E. Crooks Survey, being approximately 12.038 acres and zoned R-20 Single Family Residential and AG Agricultural. The purpose is to rezone the southeast portion of the property 7209 John McCain Rd from R-20 to AG and the west portion of 7215 John McCain Rd from AG to R-20 in order to allow for Single Family Residential development in the proposed R-20 zoning district and one large agricultural lot.

Existing Conditions/Background: The subject properties, 7209 & 7215 John McCain Road, reside on the west side of John McCain Road just north of Stillwater Circle. The subject property currently has R-20 and AG zoning.

Proposed

Zoning:

Request – The applicant requests to rezone a portion of the property currently zoned AG to R-20 and a larger portion of the property currently zoned R-20 to AG. The applicant plans to subdivide the proposed R-20 property into single-family residential

lots, while keeping the AG portion of the property to develop as a single residential lot.

Overall, this would result in a development covering a total of 12.038 acres with 11 residential lots, achieving a density of 0.914 units per acre.

The minimum standards for the R-20 zoning district are as follows:

Minimum Lot Size:	20,000 square feet
Minimum Lot Width:	100 feet
Minimum Lot Depth:	125 feet
Front Building Line:	30 feet
Side Building Line:	10 feet
Rear Building Line:	25 feet
Maximum Lot Coverage:	30 percent

The minimum standards for the AG zoning district are as follows:

Minimum Lot Size:	130,680 square feet
Minimum Lot Width:	200 feet
Minimum Lot Depth:	300 feet
Front Building Line:	40 feet
Side Building Line:	25 feet
Rear Building Line:	40 feet
Maximum Lot Coverage:	20 percent

Analysis: The requested shift in zoning classification allows the applicant to develop the lots in a manner more complementary to the natural features of the property. The R-20 portion of the development would contain 10 homes on a gated cul-de-sac ranging in lot size from 22,800 square feet to 43,700 square feet. The remaining AG parcel would contain a single family home on a 191,544 square foot lot with a large natural drainage feature extending the length of the property between the R-20 homes and the home on the AG lot.

The lots currently have R-20 and AG zoning. This change would slightly increase the overall amount of AG zoning while decreasing the overall amount of R-20 zoning.

Surrounding Development: All of the surrounding property has developed with single family residences using a variety of zoning classifications including: R-20, PUD-R (Planned Unit Development – Residential), R-30, R-40, and AG.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property for single-family residential development. The proposed R-20 and AG zoning does not conflict with any portion of the comprehensive plan. The proposed R-20 and AG zoning facilitates the maximum desired residential density of 1.8 units per net acre.

Public Notification: Staff-mailed notices to all property owners within 200 feet,

Homeowners Associations within 500 feet, and Grapevine Colleyville ISD on Friday, April 27, 2018 regarding this request, per state law. Notice was also published in the *Fort Worth Star-Telegram* on Saturday, April 28, 2018 as required by State law and the Land Development Code. To date staff has received two letters of opposition for the case.

Staff Recommendation: Staff recommends approval for the applicant's request based on the following findings:

1. The proposed zoning meets the intent of the residential designation assigned in the *Destination Colleyville* comprehensive plan.
2. The R-20 and AG zoning complement the zoning districts surrounding the subject property.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval at their May 14, 2018 meeting by a vote of 6-1.

Financial Impact

There is no financial impact to the City.

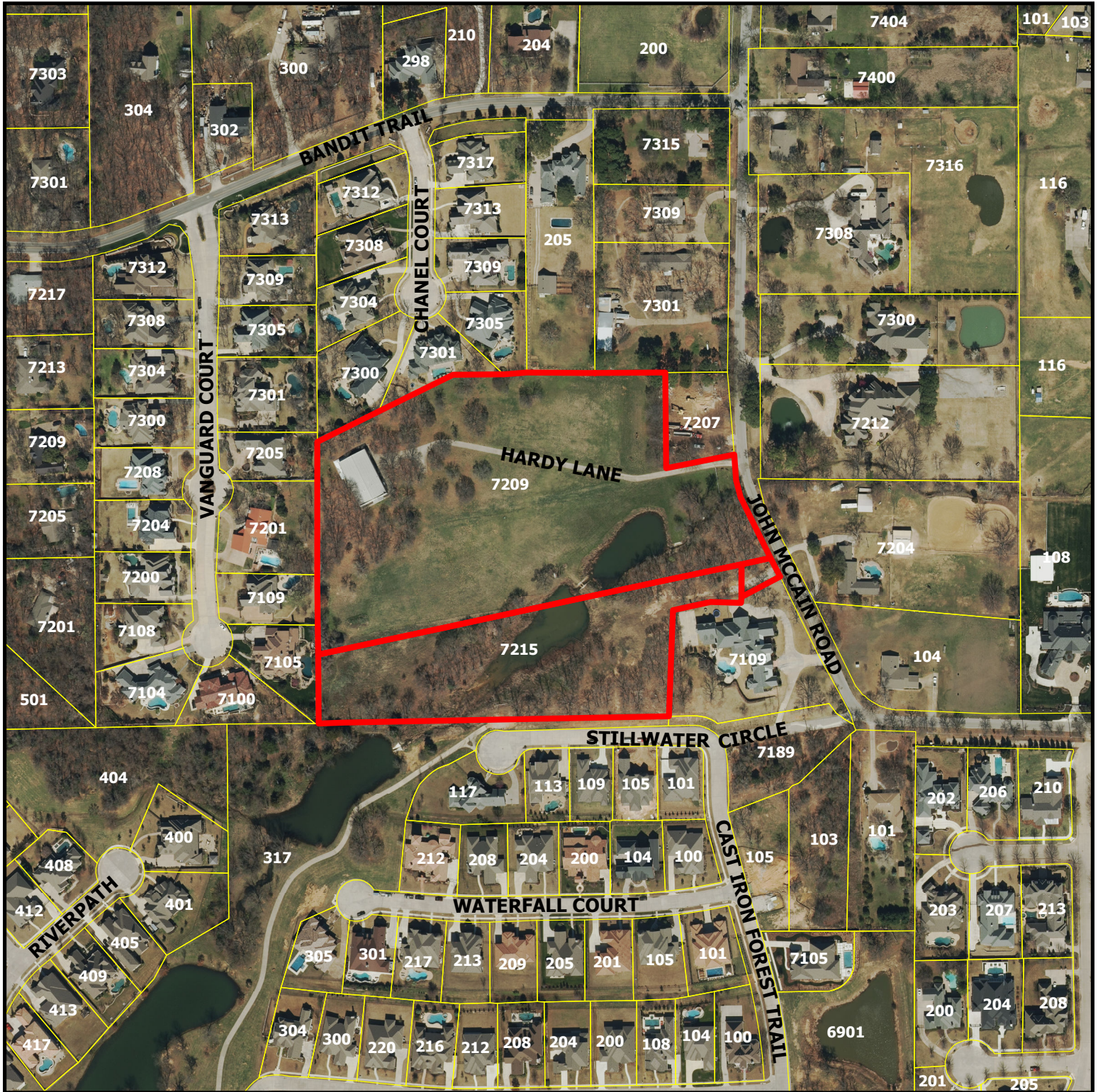
Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Zoning Exhibit
6. Notification Map
7. Notification List
8. Property Owner Notification
9. Letters of Opposition
10. Letter of Support
11. Ordinance O-18-2048

Aerial Map

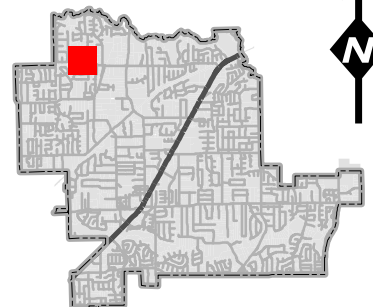


ZC18-013

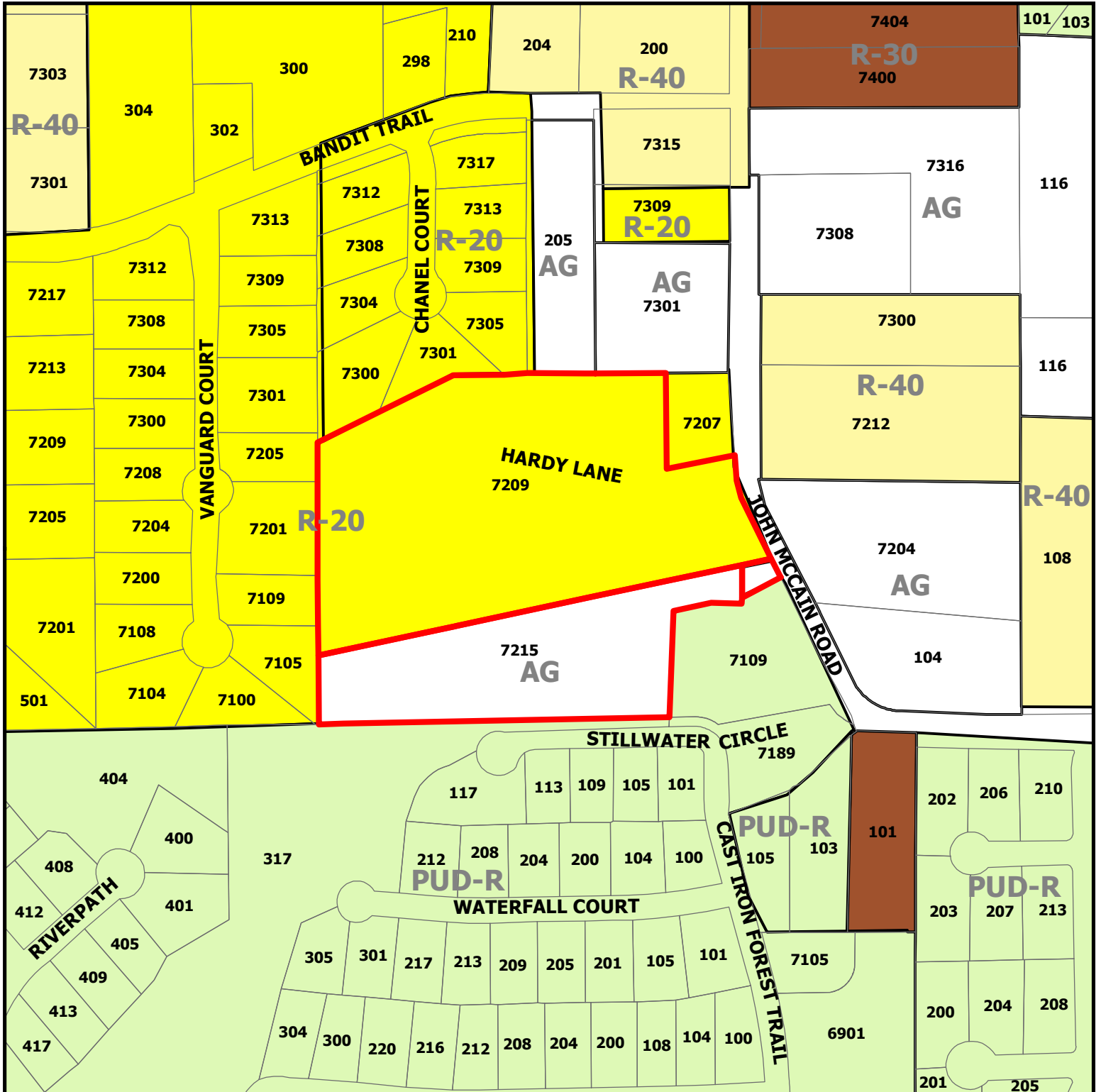
7209 and 7215 John McCain Road

DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

 Subject Property



Zoning Map



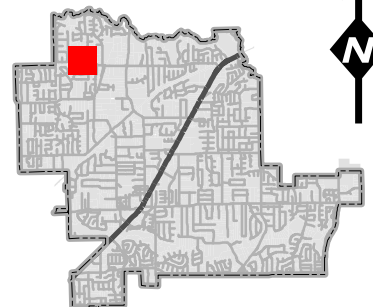
ZC18-013

7209 and 7215 John McCain Road

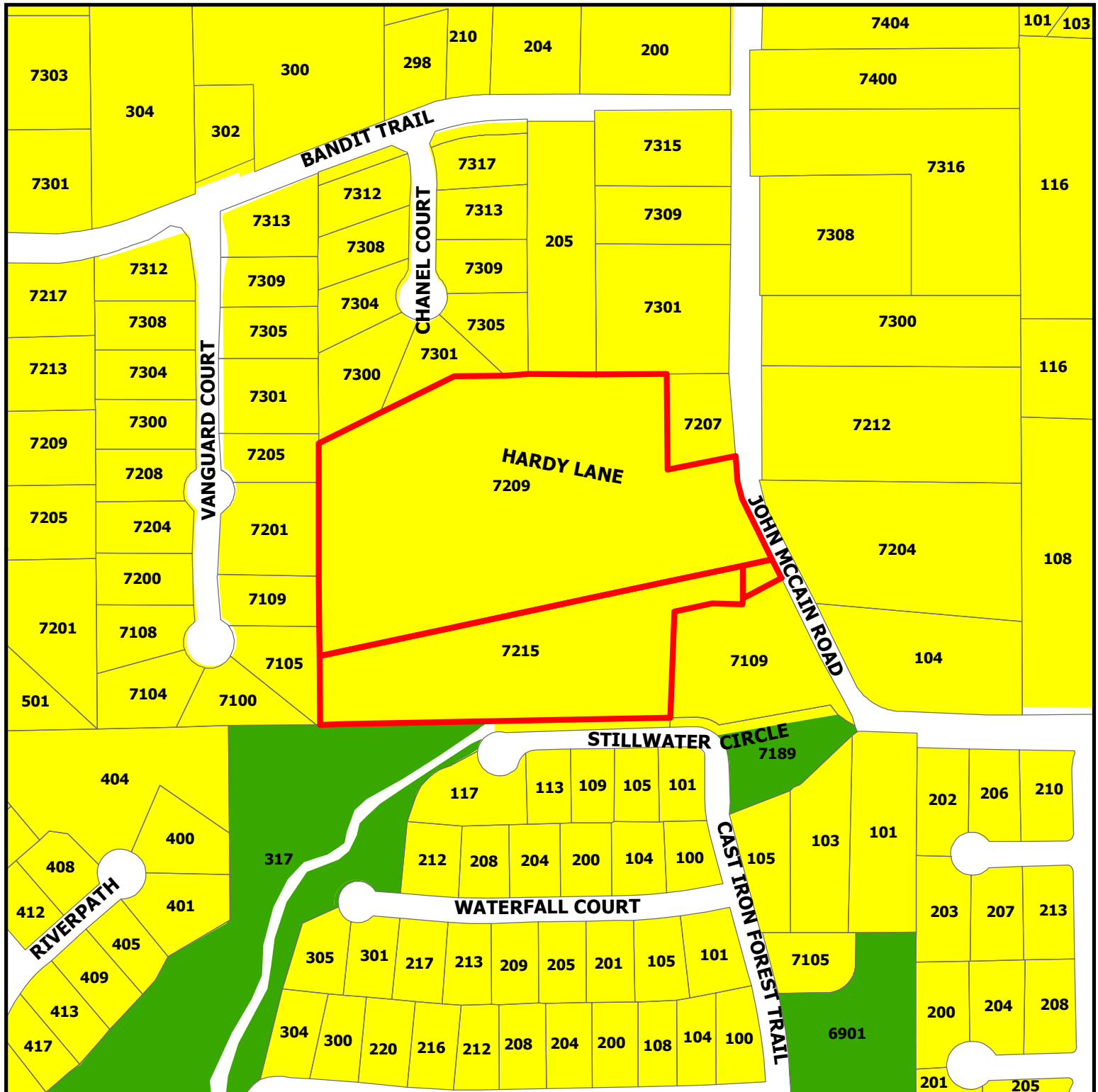


DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

 Subject Property



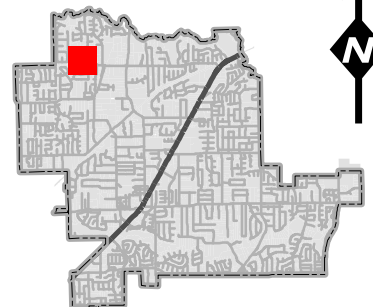
Future Land Use Map



ZC18-013

7209 and 7215 John McCain Road

- Subject Property
- Residential
- Open Space; Parks



DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

Statement of Planning Objectives

OAK CREEK

7209 and 7215 John McCain Road, Colleyville, Texas

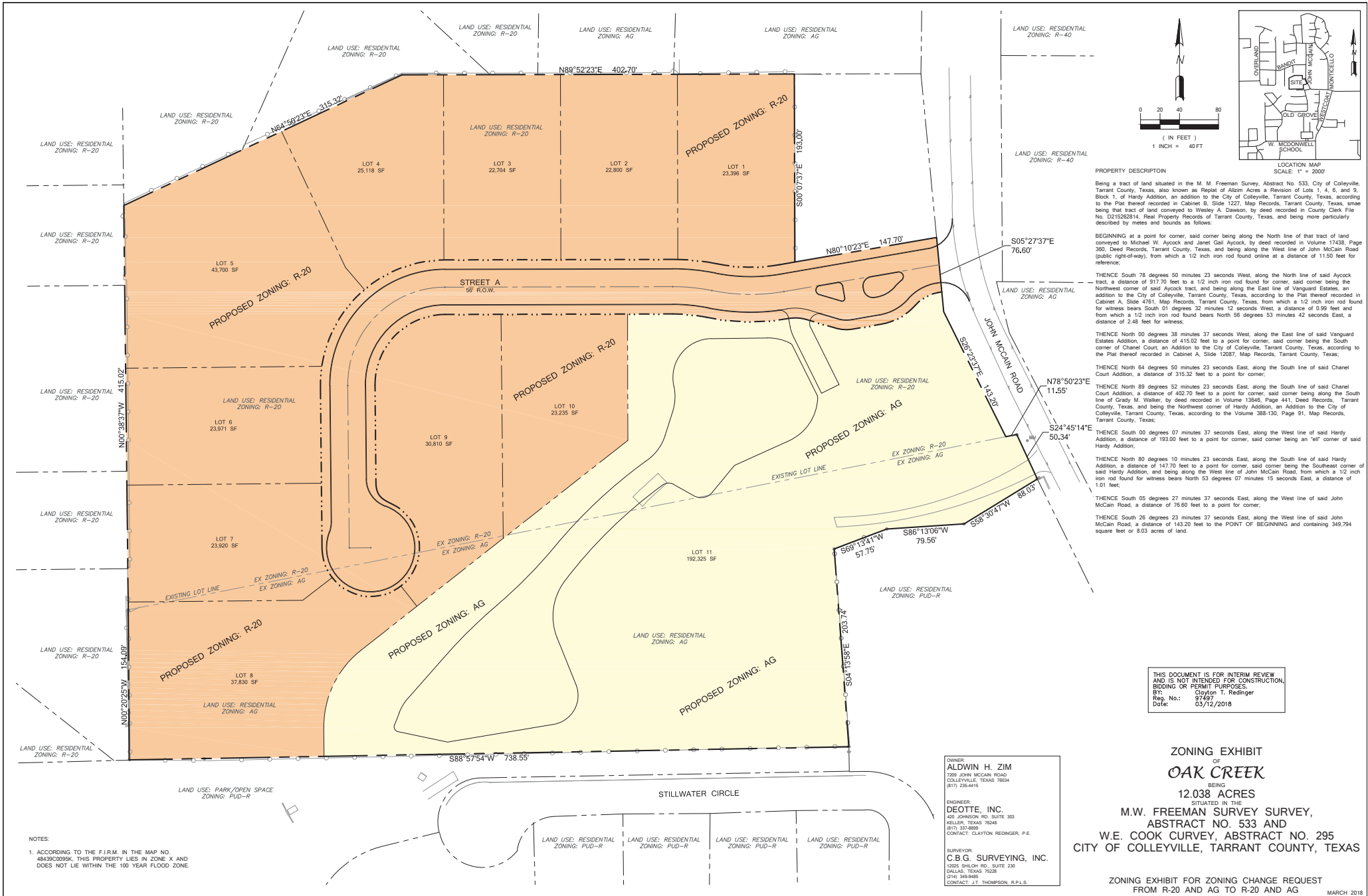
PURPOSE STATEMENT

The purpose of this zoning and platting application is to combine the two properties at 7209 and 7215 John McCain Road into a single development on 12.038 acres by maintaining, but reconfiguring, the existing boundary lines of R-20 and AG zoning to create a new subdivision with a total of 11 residential lots, a density of .914 units per acre.

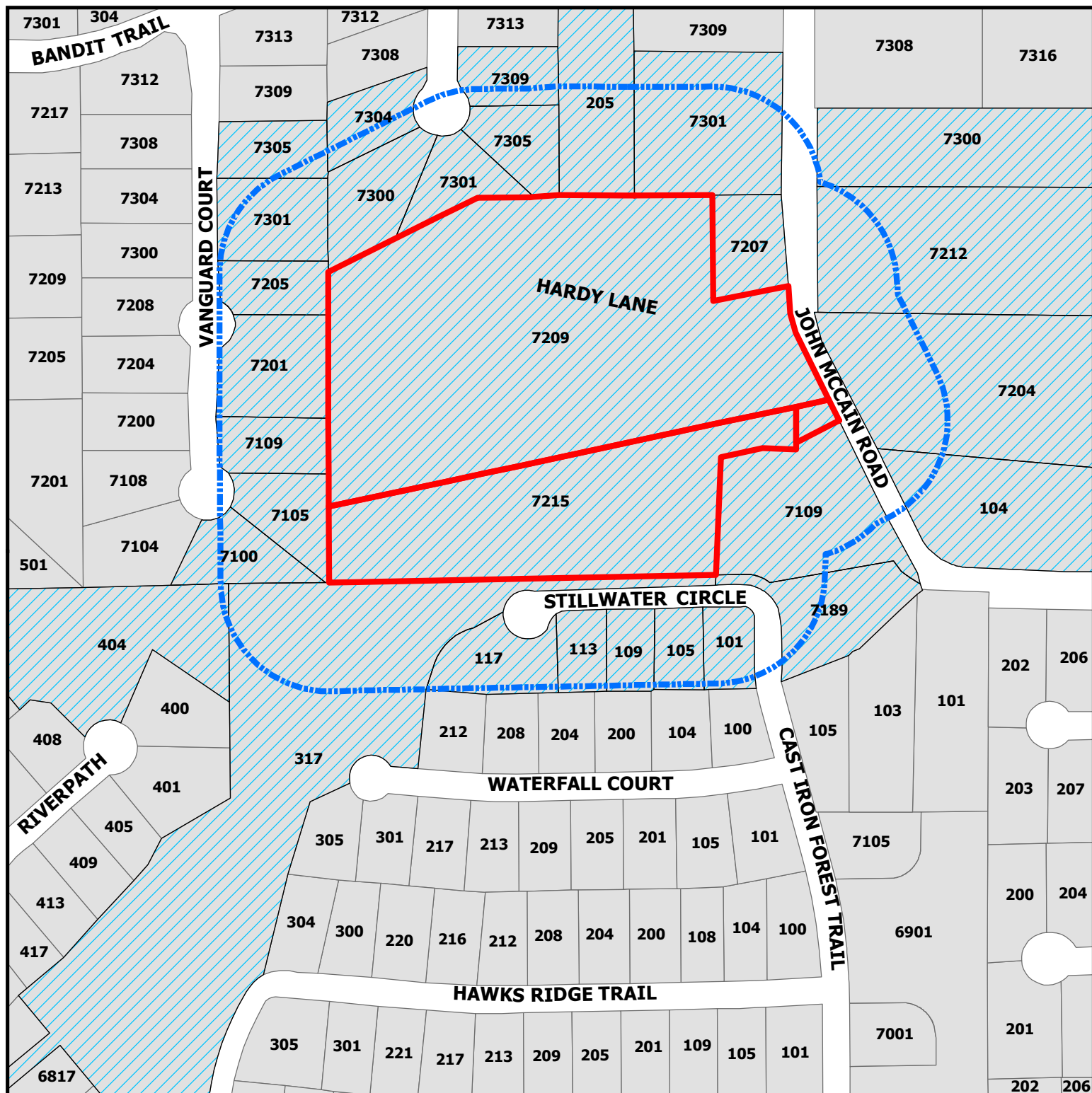
DEED RESTRICTIONS

The Project is being developed as a private, gated community. It is acknowledged that the ongoing maintenance responsibility of the street and gates will belong to the residents. A homeowners association will be formed and covenants, conditions and restrictions written so that all the residents will be members of the association and, with the purchase of property within Oak Creek, the property owners acknowledge the street maintenance responsibility. Membership in the homeowners association will be mandatory.

Zoning Exhibit



Notification Map

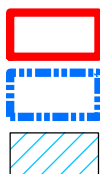


ZC18-013

7209 and 7215 John McCain Road

DISCLAIMER:

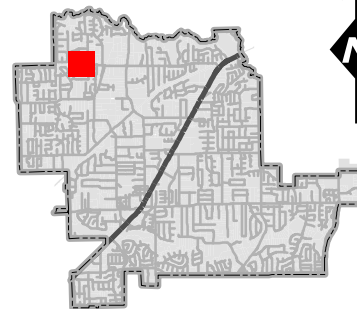
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.



Subject Property

200ft Buffer

Properties within 200ft



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
BILLINGS, FLORENCE L	PO BOX 1228	COLLEYVILLE, TX	76034	7301 JOHN MCCAIN RD
COLEMAN, JOSH D	7204 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	7204 JOHN MCCAIN RD
TOLL DALLAS TX LLC	250 GIBRALTAR RD	HORSHAM, PA	19044	105 STILLWATER CIR
CONNOLLY, ROBT	7301 CHANEL CT	COLLEYVILLE, TX	76034	7301 CHANEL CT
ALLEN, LEROY	101 STILLWATER CIR	COLLEYVILLE, TX	76034	101 STILLWATER CIR
HUGHES, THOMAS A	7305 VANGUARD CT	COLLEYVILLE, TX	76034	7305 VANGUARD CT
DRAPER, JAMES	7212 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	7212 JOHN MCCAIN RD
BYRD, MICHAEL C	113 STILLWATER CIR	COLLEYVILLE, TX	76034	113 STILLWATER CIR
WASSON, BRADLEY D	7100 VANGUARD CT	COLLEYVILLE, TX	76034	7100 VANGUARD CT
PARHAM, LONDON W	205 BANDIT TRL	COLLEYVILLE, TX	76034	205 BANDIT TR
WAGNER, FREDERICK V	7305 CHANEL CT	COLLEYVILLE, TX	76034	7305 CHANEL CT
FOSTER, ROSS	7109 VANGUARD CT	COLLEYVILLE, TX	76034	7109 VANGUARD CT
REDFEARN, GREGORY	7300 CHANEL CT	COLLEYVILLE, TX	76034	7300 CHANEL CT
CROWE, MICHAEL	7309 CHANEL CT	COLLEYVILLE, TX	76034	7309 CHANEL CT
DAWSON, WESLEY	406 PECAN DR	IRVING, TX	75061	7215 JOHN MCCAIN RD
HAVEN HOMES INC	201 ROCHELLE CT	COLLEYVILLE, TX	76034	7207 JOHN MCCAIN RD
LAW, JAMES	109 STILLWATER CIR	COLLEYVILLE, TX	76034	109 STILLWATER CIR
KIMBELL, ISHAM	7201 VANGUARD CT	COLLEYVILLE, TX	76034	7201 VANGUARD CT
DRAPER, JAMES T	7300 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	7300 JOHN MCCAIN RD
FROBERG, PAUL K	7301 VANGUARD CT	COLLEYVILLE, TX	76034	7301 VANGUARD CT
TOLL DALLAS TX LLC	250 GIBRALTAR RD	HORSHAM, PA	19044	7189 CAST IRON FOREST TR
BEQUEAITH FAMILY TRUST	7205 VANGUARD CT	COLLEYVILLE, TX	76034	7205 VANGUARD CT
SCHROEDER, ANDY	7304 CHANEL CT	COLLEYVILLE, TX	76034	7304 CHANEL CT
MARGETTS, MARTY	7105 VANGUARD CT	COLLEYVILLE, TX	76034	7105 VANGUARD CT
HIGHTOWER, ROXANNE S	104 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	104 JOHN MCCAIN RD
RIACH, STEVEN E	7109 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	7109 JOHN MCCAIN RD
WHITTIER HEIGHTS HOME OWNERS A	PO BOX 1823	COLLEYVILLE, TX	76034	404 RIVERPATH
DAWSON, WESLEY	406 PECAN DR	IRVING, TX	75061	7215 JOHN MCCAIN RD
ZIM, ALDWIN	PO BOX 1125	BEDFORD, TX	76095	7209 JOHN MCCAIN RD
BLASER, JASON	117 STILLWATER CIR	COLLEYVILLE, TX	76034	117 STILLWATER CIR
OLD GROVE MAINTENENCE ASSN INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	317 OLD GROVE RD
CHANEL COURT	7300 CHANEL COURT	COLLEYVILLE, TX	76034	COURTESY NOTICE
OLD GROVE ADDITION	P.O. BOX 1481	COLLEYVILLE, TX	76034	COURTESY NOTICE
VANGUARD ESTATES ADDITION	7105 VANGUARD COURT	COLLEYVILLE, TX	76034	COURTESY NOTICE
WESTMONT ADDITION	5751 KROGER DRIVE	KELLER, TX	76244	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOOD AVE	GRAPEVINE, TX	76051	STATE REQUIRED
DAWSON, WESLEY	7215 JOHN MCCAIN ROAD	COLLEYVILLE, TX	76034	APPLICANT

Public hearing notices were mailed on Friday, April 27, 2018 by Araceli Botello



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC18-013
Applicant: Wesley Dawson
Owner: Wesley Dawson
Location: 7209 & 7215 John McCain Road
Property Description: Lot 1, Block 1, of the Allzim Acres Addition, and Tracts 2A7B, 2A8C, & 2A9A, Abstract 533, in the Mary M. Freeman Survey, and Tract 4D02, Abstract 295, in the William E. Crooks Survey
Present Zoning: AG Agricultural and R-20 Single Family Residential zoning districts
Request: Consideration of a zoning change from the AG Agricultural and R-20 Single Family Residential zoning districts to the AG Agricultural and R-20 Single Family Residential zoning districts. The purpose is to allow for a swap of AG and R-20 areas for the development of an 11 lot subdivision. A total of 10 lots are proposed with the R-20 zoning with 1 large AG lot.

The City of Colleyville has scheduled public hearings concerning the above referenced request on the following dates and location:

Planning and Zoning Commission Meeting: Monday, May 14, 2018 at 7:00 p.m.
City Council Meetings: Tuesday, June 5, 2018 & Tuesday, June 19, 2018 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

This notice has been sent to all owners of real property within 200 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 500 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change request. If you are unable to attend, but wish to have your opinions made a part of the public record, please submit written comments prior to the public hearing, to the address below:

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

If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas. A brief project description can be found online on the Active Development Case map: <https://www.colleyville.com/zoning.html>. For additional information, please contact the Community Development Department at 817.503.1056. Please reference the zoning case number when requesting information.

Felix Landry
Principal Planner
flandry@colleyville.com

Letter of Opposition

Fred Wagner

7305 Chanel Court
Colleyville, Texas 76034
214-679-7291
fred@hmahelicopters.com

May 7, 2018

Community Development Department
City of Colleyville
Planning and Zoning Commission
100 Main Street
Colleyville, Texas 76034

RE: Protest of Case ZC18-013

Dear Commissioners:

Whereas I plan to attend the P&Z meeting scheduled for May 14th, please accept this as my formal and written protest of the zoning changes as proposed in the above referenced case. Please note that our property falls within the 200 foot radius as outlined in the "Notice of Public Hearing" letter we received on 30 April 2018.

In reviewing the documents provided us regarding this matter, I believe the plan as proposed would have a significant impact on the value of our property and would substantially alter the level of privacy that we and others similarly impacted currently enjoy. Specifically, I offer the following comments/objections:

1. When our property was developed, neighboring property owners requested a 30-foot tree preservation easement in addition to the required easements and setbacks. This same easement should be incorporated into the new zoning request by the developer.
2. As presented by the developer, our property and others in Chanel Court and Vanguard Court will be back to back with new homes with insufficient space between the properties to adequately ensure a level of privacy for all.

- Visual Privacy

Most homes built are likely to be 2-Level, thereby creating a lack of visual privacy for all. Even with 8' high privacy fences (which are not desirable from an aesthetic standpoint), it will completely destroy the current solitude that we and others have invested in and created over many years.

Letter of Opposition

- Noise Abatement Issues

Besides the loss of visual privacy, those of us with homes that border the property in question will be faced with a substantial increase in noise levels, once again impacting our privacy and solitude. Air conditioning units, pool equipment, yard maintenance activities, increased vehicle traffic and general increases in ambient noise will be an impact...not to mention the noise levels that can be expected over 1-2 years of construction activities.

- Wildlife Habitat Area

There is a large wildlife presence in our area to include, foxes, raccoons, geese, ducks, hawks, possum, squirrels, rabbits, etc. Development of the referenced property without providing an easement will have a detrimental effect on the natural habitat that exists today.

In my opinion, some, if not all, of these problems could be solved or substantially mitigated if the developer, Mr. Dawson, was to make some effort to meet with those of us who are most directly affected by the zoning change and perhaps then, a mutually acceptable resolution could be achieved.

Although our home and others within Chanel Court will be directly affected by the current plan, to my knowledge, Mr. Dawson has not made any attempt to contact any property of the property owners within Chanel Court.

In summary, I recognize the need for Colleyville to grow and to be responsive to all parties. I also appreciate the difficult task that you face in attempting to balance all sides of a situation. Still, I believe that there needs to be more consideration given to the impact that this change will have on long standing members and taxpayers of the Colleyville community.

I respectfully request that you reject the zoning request as it is currently presented and encourage Mr. Dawson to revise his proposal by incorporating a more favorable plan that addresses our primary concerns.

Sincerely



Fred Wagner

Copy: Chanel Court Homeowners Association.

Letter of Opposition

Araceli Botello

Subject: FW: CZ18-013 protest

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

From: landon parham

Sent: Wednesday, May 9, 2018 3:17 PM

To: Felix Landry

Subject: CZ18-013 protest

Hello, Landon Parham her of 205 Bandit Trl. Colleyville. Please count this email as my protest in regards to CZ18-013. I second the letter sent to you by Fred Wagner of Chanel Ct.

Please forgive my simple email, but I am traveling an limited to typing on an iPhone.

I plan on attending the May 14th meeting to represent our interests.

Please let me know if there is anything further I must do to count towards the 20% of property owners within 200' of proposed development.

Sincerely,

Landon Parham,
205 Bandit Trl.
817-734-5954

Sent from my iPhone

May 7, 2018

Community Development Department
City of Colleyville
Planning and Zoning Commission
100 Main Street
Colleyville, Texas 76034

RE: **Protest of Case ZC18-013**

Dear Commissioners:

I may not be able to attend the May 14 P&Z meeting to discuss the zoning change requested on an adjacent property within the 200-foot radius of our home; therefore, I am *registering my protest in writing* and providing the rationale for our objection.

1. I would ask the Commission to consider whether a PUD-R might be a more effective means of permanently securing the proposed Ag zoning as Open Space. While the developer is positioning the zoning request as a “swap,” we should lock down the swap agreement such that the Ag open space being proposed is not re-zoned for different purposes at a later time. As we neighbors will live permanently with this so-called “swap” on the residential side once developed, so should the developer commit to preserving the open space in parallel. Making both sides of the swap permanent is only fair.
2. I am opposed to private, gated neighborhoods, especially in one-entry cul-de-sac developments as presented in the developer’s “Statement of Planning Objectives.” I find that gating off a neighborhood discourages a sense of community. Furthermore, in such a small planned homeowners association, the burden on the HOA to self-maintain the infrastructure is significant. We are familiar with the examples in which this burden has been shifted, at least in part, to the City and its taxpayers due to neglect, diminishing property values not just in the HOA but of other neighborhoods in the vicinity. If the gated community is eventually approved anyhow, I hope the Commission and City Council will require an acceptable *and realistic* level of reserves set aside for ongoing maintenance of the infrastructure. Based on the Utility Plan in PC18-005, the residential infrastructure relies on engineered elements (i.e., storm drains and drainage easements) that are in the proposed Ag zoning, which further supports pulling all this development together into one PUD-R.
3. Because the request for a Zoning Change precedes a major plat revision to be submitted as **PC18-005**, there is a Plat Exhibit which I also find objectionable. In the plat change request, I would request the following revisions in order to be acceptable to adjacent property owners:
 - a. The plat should include a 30-foot tree preservation easement along the north and west lots’ boundaries with existing neighborhoods.

When our Chanel Court neighborhood was developed, our lots included not just the required easements and setbacks but also a 30-foot tree preservation easement. The tree preservation easement was requested by the neighboring property owners in order to safeguard the natural habitat, provide for privacy, and support property values.

We would request that the plat be revised in accordance with this provision as other neighboring developments have. Our property, in particular, would be severely impacted if this precedent were not followed. A copy of our final plat is attached for your reference.

- b. From the preliminary replat, it appears that the existing ponds will be also be re-engineered. Given the possibility of destroying this habitat, I would like to see a more rigorous discussion around those changes and their impact on the affected fish and wildlife that currently call this small ecosystem their home.
4. The sidewalk and trail plan for this section of our City is inadequate in connecting residents to the rest of the city. The John McCain thoroughfare in this section needs to have a safe sidewalk. I would ask that City staff consider how residents off Bandit Trail are to connect with the sidewalk and trail system and what the time frame for establishing that connection will be. Perhaps the development of this property can support the need we have to revisit this matter.

Unfortunately, the developer, Mr. Dawson, has not contacted adjacent property owners in advance of presenting his rather extensive plans for approval to the City. Some of these concerns could have been addressed already through discussions with him. At present, our HOA members are trying to arrange a collaborative meeting with Mr. Dawson to discuss his plans, time lines, and their impact to us and our community. Nevertheless, I urge you to consider my protest and its reasons and deny the zoning change that has been prematurely submitted.

Thank you for serving our community in your role as Commissioner. Responsible development is essential to preserving the character of our city – and we have to do it one plat at a time.

Sincerely,

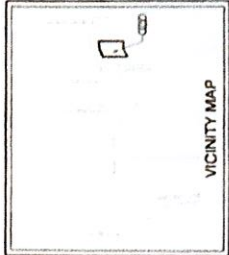


Scott Redfearn

Copy: Chanel Court Homeowners Association
Attachment: Final Plat of Chanel Court Subdivision



SCALE: 1" = 50 FEET
1" = 50 FEET



VICINITY MAP

SEAL APPROVAL AUTHORITY

This document is prepared in accordance with Section 21.02, SUBDIVISION OF LAND, Chapter 21, Title 1, Texas Government Code and the City of Canyon's Subdivision Ordinance.

Date: _____

City/Country: _____

Director of Public Services

AMENDED FINAL PLAT of CHANEL COURT BEING

5.39 ACRES

SITUATED IN THE
M.M. FREEMAN SURVEY,
ABSTRACT NO. 533
CITY OF COLLEWILLE,
TARRANT COUNTY, TEXAS

JULY 2007

Dedication Certificate

WHEREAS, the undersigned, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

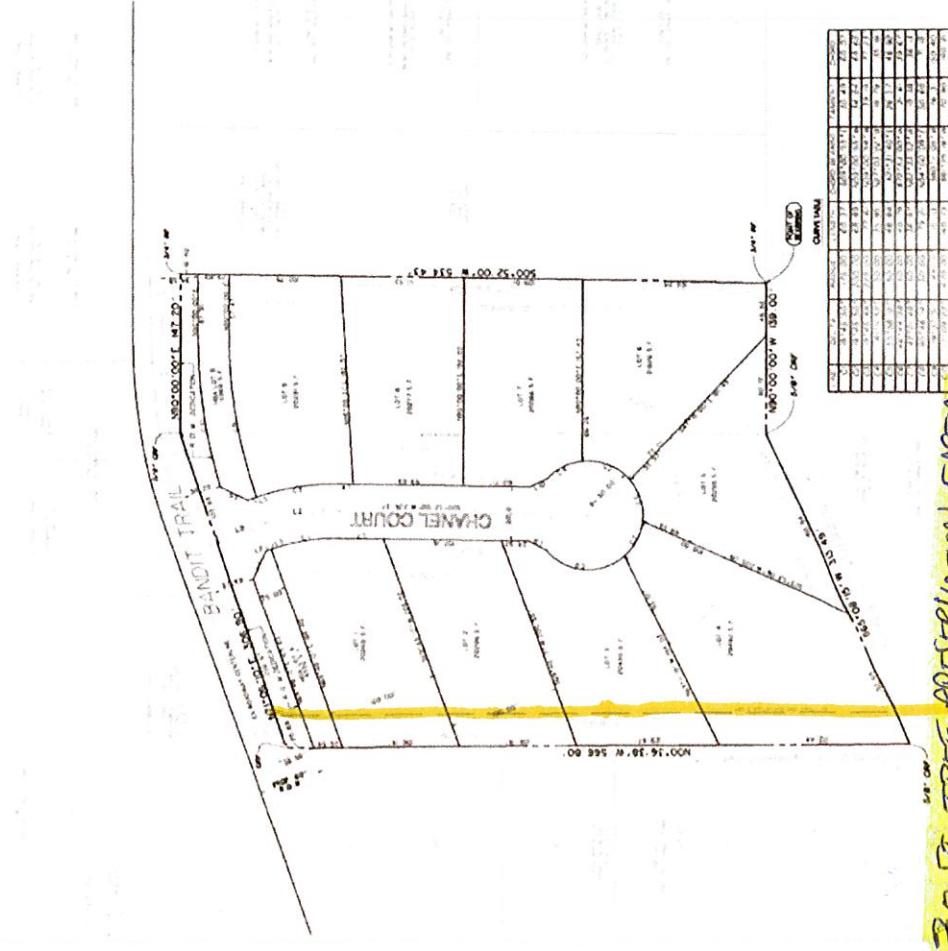
WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and

WHEREAS, the City of Canyon, Texas, has acquired the right to dedicate the land described in the plat hereto attached for the use and purpose of a public road, and



LOT	AREA	PERCENTAGE	ACRES	BEARING	DISTANCE
1	0.10	1.85	0.10	N 89° 00' 00" E	100.00
2	0.10	1.85	0.10	N 89° 00' 00" E	100.00
3	0.10	1.85	0.10	N 89° 00' 00" E	100.00
4	0.10	1.85	0.10	N 89° 00' 00" E	100.00
5	0.10	1.85	0.10	N 89° 00' 00" E	100.00
6	0.10	1.85	0.10	N 89° 00' 00" E	100.00
7	0.10	1.85	0.10	N 89° 00' 00" E	100.00
8	0.10	1.85	0.10	N 89° 00' 00" E	100.00
9	0.10	1.85	0.10	N 89° 00' 00" E	100.00
10	0.10	1.85	0.10	N 89° 00' 00" E	100.00
11	0.10	1.85	0.10	N 89° 00' 00" E	100.00
12	0.10	1.85	0.10	N 89° 00' 00" E	100.00
13	0.10	1.85	0.10	N 89° 00' 00" E	100.00
14	0.10	1.85	0.10	N 89° 00' 00" E	100.00
15	0.10	1.85	0.10	N 89° 00' 00" E	100.00
16	0.10	1.85	0.10	N 89° 00' 00" E	100.00
17	0.10	1.85	0.10	N 89° 00' 00" E	100.00
18	0.10	1.85	0.10	N 89° 00' 00" E	100.00
19	0.10	1.85	0.10	N 89° 00' 00" E	100.00
20	0.10	1.85	0.10	N 89° 00' 00" E	100.00
21	0.10	1.85	0.10	N 89° 00' 00" E	100.00
22	0.10	1.85	0.10	N 89° 00' 00" E	100.00
23	0.10	1.85	0.10	N 89° 00' 00" E	100.00
24	0.10	1.85	0.10	N 89° 00' 00" E	100.00
25	0.10	1.85	0.10	N 89° 00' 00" E	100.00
26	0.10	1.85	0.10	N 89° 00' 00" E	100.00
27	0.10	1.85	0.10	N 89° 00' 00" E	100.00
28	0.10	1.85	0.10	N 89° 00' 00" E	100.00
29	0.10	1.85	0.10	N 89° 00' 00" E	100.00
30	0.10	1.85	0.10	N 89° 00' 00" E	100.00
31	0.10	1.85	0.10	N 89° 00' 00" E	100.00
32	0.10	1.85	0.10	N 89° 00' 00" E	100.00
33	0.10	1.85	0.10	N 89° 00' 00" E	100.00
34	0.10	1.85	0.10	N 89° 00' 00" E	100.00
35	0.10	1.85	0.10	N 89° 00' 00" E	100.00
36	0.10	1.85	0.10	N 89° 00' 00" E	100.00
37	0.10	1.85	0.10	N 89° 00' 00" E	100.00
38	0.10	1.85	0.10	N 89° 00' 00" E	100.00
39	0.10	1.85	0.10	N 89° 00' 00" E	100.00
40	0.10	1.85	0.10	N 89° 00' 00" E	100.00
41	0.10	1.85	0.10	N 89° 00' 00" E	100.00
42	0.10	1.85	0.10	N 89° 00' 00" E	100.00
43	0.10	1.85	0.10	N 89° 00' 00" E	100.00
44	0.10	1.85	0.10	N 89° 00' 00" E	100.00
45	0.10	1.85	0.10	N 89° 00' 00" E	100.00
46	0.10	1.85	0.10	N 89° 00' 00" E	100.00
47	0.10	1.85	0.10	N 89° 00' 00" E	100.00
48	0.10	1.85	0.10	N 89° 00' 00" E	100.00
49	0.10	1.85	0.10	N 89° 00' 00" E	100.00
50	0.10	1.85	0.10	N 89° 00' 00" E	100.00
51	0.10	1.85	0.10	N 89° 00' 00" E	100.00
52	0.10	1.85	0.10	N 89° 00' 00" E	100.00
53	0.10	1.85	0.10	N 89° 00' 00" E	100.00
54	0.10	1.85	0.10	N 89° 00' 00" E	100.00
55	0.10	1.85	0.10	N 89° 00' 00" E	100.00
56	0.10	1.85	0.10	N 89° 00' 00" E	100.00
57	0.10	1.85	0.10	N 89° 00' 00" E	100.00
58	0.10	1.85	0.10	N 89° 00' 00" E	100.00
59	0.10	1.85	0.10	N 89° 00' 00" E	100.00
60	0.10	1.85	0.10	N 89° 00' 00" E	100.00
61	0.10	1.85	0.10	N 89° 00' 00" E	100.00
62	0.10	1.85	0.10	N 89° 00' 00" E	100.00
63	0.10	1.85	0.10	N 89° 00' 00" E	100.00
64	0.10	1.85	0.10	N 89° 00' 00" E	100.00
65	0.10	1.85	0.10	N 89° 00' 00" E	100.00
66	0.10	1.85	0.10	N 89° 00' 00" E	100.00
67	0.10	1.85	0.10	N 89° 00' 00" E	100.00
68	0.10	1.85	0.10	N 89° 00' 00" E	100.00
69	0.10	1.85	0.10	N 89° 00' 00" E	100.00
70	0.10	1.85	0.10	N 89° 00' 00" E	100.00
71	0.10	1.85	0.10	N 89° 00' 00" E	100.00
72	0.10	1.85	0.10	N 89° 00' 00" E	100.00
73	0.10	1.85	0.10	N 89° 00' 00" E	100.00
74	0.10	1.85	0.10	N 89° 00' 00" E	100.00
75	0.10	1.85	0.10	N 89° 00' 00" E	100.00
76	0.10	1.85	0.10	N 89° 00' 00" E	100.00
77	0.10	1.85	0.10	N 89° 00' 00" E	100.00
78	0.10	1.85	0.10	N 89° 00' 00" E	100.00
79	0.10	1.85	0.10	N 89° 00' 00" E	100.00
80	0.10	1.85	0.10	N 89° 00' 00" E	100.00
81	0.10	1.85	0.10	N 89° 00' 00" E	100.00
82	0.10	1.85	0.10	N 89° 00' 00" E	100.00
83	0.10	1.85	0.10	N 89° 00' 00" E	100.00
84	0.10	1.85	0.10	N 89° 00' 00" E	100.00
85	0.10	1.85	0.10	N 89° 00' 00" E	100.00
86	0.10	1.85	0.10	N 89° 00' 00" E	100.00
87	0.10	1.85	0.10	N 89° 00' 00" E	100.00
88	0.10	1.85	0.10	N 89° 00' 00" E	100.00
89	0.10	1.85	0.10	N 89° 00' 00" E	100.00
90	0.10	1.85	0.10	N 89° 00' 00" E	100.00
91	0.10	1.85	0.10	N 89° 00' 00" E	100.00
92	0.10	1.85	0.10	N 89° 00' 00" E	100.00
93	0.10	1.85	0.10	N 89° 00' 00" E	100.00
94	0.10	1.85	0.10	N 89° 00' 00" E	100.00
95	0.10	1.85	0.10	N 89° 00' 00" E	100.00
96	0.10	1.85	0.10	N 89° 00' 00" E	100.00
97	0.10	1.85	0.10	N 89° 00' 00" E	100.00
98	0.10	1.85	0.10	N 89° 00' 00" E	100.00
99	0.10	1.85	0.10	N 89° 00' 00" E	100.00
100	0.10	1.85	0.10	N 89° 00' 00" E	100.00

30 FT. TREE PRESERVATION EASEMENT

Surveyor's Certification

I, the undersigned, being a duly licensed Surveyor in the State of Texas, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the land described in the plat hereto attached, and that the same is in accordance with the laws and regulations of the State of Texas.

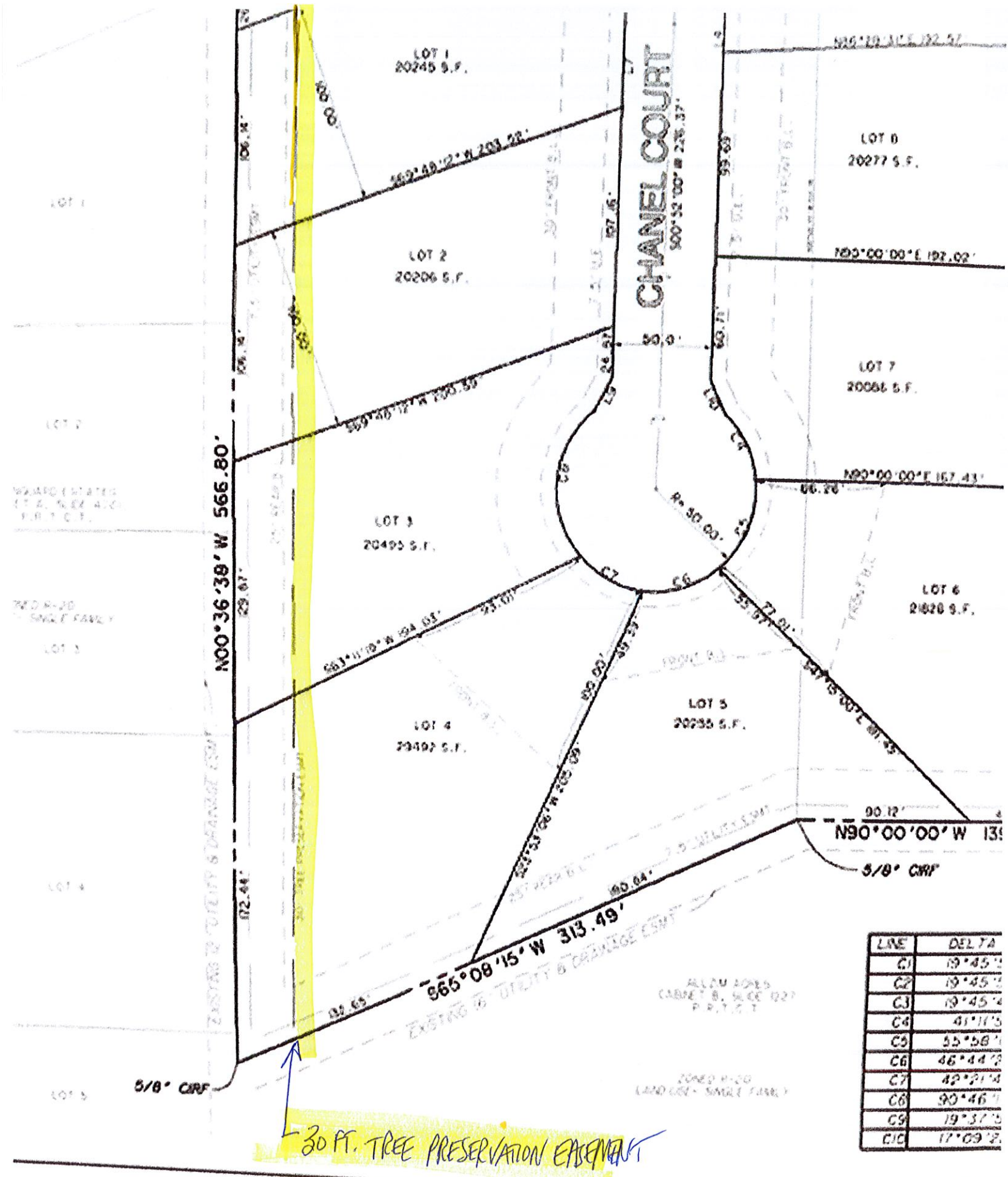
FOR REVIEW ONLY

Surveyor's Name: _____

OWNER/APPLICANT
Visions Southwest 10, L.P.
P.O. Box 1178
Grapevine, Texas 76009
Attn: Keith Kihari
Tel: 817-556-5194
Fax: 817-329-8451

200 Rufe Snow Drive North
Suite 120
Keller, TX 76248
Tel: 817-379-1225
Fax: 817-379-1244
KELLIE
KELLIE KELLIE

PLAT FILED IN TARRANT COUNTY, TEXAS, BOOK _____, PAGE _____



LINE	DELT
C1	19°45'2"
C2	19°45'2"
C3	19°45'2"
C4	41°11'3"
C5	55°58'1"
C6	46°44'2"
C7	42°21'4"
C8	90°46'1"
C9	19°37'5"
C10	17°09'2"

Surveyor's Certification

I, THESE PRESENTS:
 Word, a Registered Professional Land Surveyor registered in the State of Texas, do hereby certify
 and correct and was prepared from an actual survey made under my supervision on the ground.
 y conforms to the general rules of procedures and practices of the most current Professional Land
 Act.

LINE	BEARING
L1	N65°0'48"
L2	S68°53'50"
L3	N68°53'50"
L4	N00°58'00"
L5	N00°58'00"

Letter of Opposition

Bob Connolly

**7301 Chanel Court
Colleyville, TX 76034
972-365-1198
bconnolly@ccjewelry.net**

May 10, 2018

Community Development Department
City of Colleyville
Planning and Zoning Commission
100 Main Street
Colleyville, TX 76034

RE: Protest of Case ZC18-013

Dear Commissioners:

I am travelling and will be unable to attend the May 14th P&Z meeting to discuss the zoning change requested on an adjacent property within the 200-foot radius of our home; therefore, please accept this as my formal and written protest of the zoning changes as proposed in the above referenced case.

In reviewing the documents provided to us regarding this matter, I believe the plan as proposed would have a significant impact on the value of our property and would substantially alter the level of privacy that we and others similarly impacted currently enjoy. Specifically, I offer the following comments/objections:

1. When our property was developed, neighboring property owners requested a 30-foot tree preservation easement in addition to the required easements and setbacks in order to safeguard the natural habitat, provide for privacy, and support property values. This same easement should be incorporated into the new zoning request by the developer.

2. As presented by the developer, our property and others in Chanel Court and Vanguard Court will be back to back with new homes with insufficient space between the properties to adequately ensure a level of privacy for all.

- Visual Privacy

Most homes built are likely to be 2-Level, thereby creating a lack of visual privacy for all. Even with 8' high privacy fences (which are not desirable from an aesthetic standpoint), it will completely destroy the current solitude that we and others have invested in and created over many years.

- Noise Abatement Issues

Besides the loss of visual privacy, those of us with homes that border the property in question will be faced with a substantial increase in noise levels, once again impacting our privacy and solitude. Air conditioning units, pool equipment, yard maintenance activities, increased vehicle traffic and general increases in ambient noise will be an impact as well as the noise levels that can be expected over 1-2 years of construction activities.

Letter of Opposition

- Wildlife Habitat Area

There is a large wildlife presence in our area that includes foxes, raccoons, geese, ducks, hawks, possum, squirrels, rabbits, etc. Development of the referenced property without providing an easement will have a detrimental impact on the natural habitat that exists today.

At present, our HOA members have arranged a collaborative meeting with Mr. Dawson on Saturday evening to discuss his plans, time lines, and their impact to us and our community. Even though it is highly unlikely that we can reach a consensus agreement with one meeting, hopefully, some of these problems can be solved or substantially mitigated with Mr. Dawson and those of us who are most directly affected by the zoning change.

In summary, I recognize the need for Colleyville to grow and to be responsive to all parties. I also appreciate the difficult task that you face in attempting to balance all sides of a situation. Still, I believe that there needs to be more consideration given to the impact that this change will have on long standing members and taxpayers of the Colleyville community.

I respectfully urge you to consider my protest and its reasons and deny the zoning change as it is currently presented and encourage Mr. Dawson to revise his proposal by incorporating a more favorable plan that addresses our primary concerns.

Sincerely,



Bob Connolly

Copy: Chanel Court Homeowners Association.

Letter of Opposition

Sharla Hermes-Foster
7109 Vanguard Court
Colleyville, Texas 76034

May 11, 2018

Community Development Dept.
City of Colleyville
Planning and Zoning Commission
100 Main Street
Colleyville, Texas 76034

RE: Protest of Case ZC10-013

Dear Commissioners:

Please accept this as my formal and written protest of the zoning changes as proposed in the above referenced case. Please note that our property falls within the 200 feet radius as outlined in the "Notice of Public Hearing" letter we received on April 30, 2018.

In reviewing the documents, I believe the plan would have a significant impact on the value of our property and would directly impact/alter the level of privacy that we currently enjoy. I offer the following:

- 1) Our property will be back to back with several new homes with insufficient space between properties to adequately insure a level of privacy for all. (We currently have wrought iron fencing around our entire property).

Letter of Opposition

Visual Privacy—Two story homes looking directly into my back yard and pool area.

Noise Issues—Initial building noise as well as ongoing noise such as ac units, pool equipment, lawn service etc.

The area is currently a wildlife habitat area-Development of the area without providing an easement will have a detrimental effect on the natural habitat that exists today.

I respectfully request that you reject the zoning request as it is currently presented and encourage Mr Dawson to revise his proposal to include a larger buffer/easement between properties.

Sincerely,

A handwritten signature in cursive script, appearing to read 'SHarla', followed by a long horizontal flourish.

Sharla Hermes-Foster

Letter of Opposition

Felix Landry

From: sharla hermes
Sent: Monday, May 14, 2018 12:55 PM
To: Felix Landry
Cc: Fred Wagner;
Subject: Case # ZC18-013

Dear Commissioners:

In addition to my letter which was sent on Friday I would also like to see the property addressed in the above case # be rezoned as PUD-R.
Thank you,

Sharla Hermes
817.788.2231
7109 Vanguard Court
Colleyville, Texas 76034

Letter of Opposition

7309 Chanel Ct
Colleyville, TX 76034
May 13, 2018

Community Development Department
City of Colleyville
Planning and Zoning Commission
100 Main Street
Colleyville, Texas 76034

RE: Protest of Case ZC18-013

Dear Commissioners:

Our home is within 200' of the proposed development and zoning "swap" of the above-referenced zoning case. This letter will register our protest. We plan to attend the Planning and Zoning Commission public hearing into this development ("Oak Creek"), on May 14.

Our property does not directly border the proposed Oak Creek development, but our property value is directly affected by the intrinsic factors of the surrounding area – the rural feel, the general tranquility, the privacy that our particular setting affords. Obviously, we would like to keep things just the way they are. However, we realize that is not possible, and our HOA reached out to the developer, Wes Dawson, to have a conversation about ways to create an atmosphere that will benefit all. Mr. Dawson was very agreeable to consider our views and build safeguards into his covenants or bylaws to ensure some of our concerns are addressed.

Therefore, this protest is not intended to stop the planned Oak Creek development. Rather, it is to push the pause button, until some agreements between the affected homeowners and Mr. Dawson can be put into writing and agreed to with the City.

In addition, we would like to reference the protest letter of Scott Redfearn, and add our voice to his concerns, specifically:

- Permanently secure the proposed Ag zoning as Open Space
- Use caution before approving this as a private, gated neighborhood
- Ensure a tree preservation easement is included, and that future fencing within 25' of property line be wrought iron or similar
- Exercise caution around pond re-engineering
- Include safe sidewalks in the area of Bandit Trail and John McCain Road

Letter of Opposition

Thank you for your consideration, and for all the work you do to keep Colleyville one of the most desirable communities in the country.

Sincerely,

A handwritten signature in blue ink that reads "Michael J Crowe". The signature is fluid and cursive, with the first name and last name clearly legible.A handwritten signature in black ink that reads "Elizabeth T Crowe". The signature is fluid and cursive, with the first name and last name clearly legible.

Michael J Crowe
Elizabeth T Crowe

Letter of Opposition

Bibas and Sharon Reddy
7313 Chanel Court
Colleyville, TX 76034

To the City of Colleyville Planning and Zoning Commission,

My name is Bibas Reddy and I am a resident of Colleyville, at 7313 Chanel Court. I also currently serve as the Home Owners Association (HOA) president for our subdivision- Chanel Court. I am writing regarding Case #ZC18-013 which will be reviewed at your upcoming meeting on 5/14/18 and our written protest in this matter.

It is our understanding that a new residential development is being planned for the property directly behind our subdivision. On behalf of the members of our HOA, I wish to express concern that efforts are taken so as to minimize any disruption to our current and future living conditions.

First we request that efforts be taken for a green space or tree barrier between the back of our subdivision and the future development. The goal is to allow privacy with both visual and sound pollution from both subdivisions affecting residents. In addition there is tremendous amount of wildlife that lives in or around our street- the hope is that such green space would allow for the safety of the wildlife to continue to live in harmony in the future.

Secondly, we are concerned about the impact such a development may have on our property values should a green space/barrier not be implemented. If the value of our fellow neighbors homes decrease, then it would negatively impact the resale value of all of our residents homes in the HOA.

We ask that the City of Colleyville Planning and Zoning Commission and the future subdivision developer work with the Chanel Court HOA and residents to allow for a compromise to allow both neighborhoods to flourish as our wonderful city continues to grow. Thank you for your time in this very important matter.

Sincerely,
Bibas Reddy
Chanel Court HOA President
7313 Chanel Court
Colleyville, TX 76034

Cell: 817-307-8807

Felix Landry

From: Isham Kimbell
Sent: Tuesday, May 15, 2018 9:55 AM
To: Felix Landry
Subject: Protest of Case ZC10-013

Hello, we live at 7201 Vanguard Ct. We would like to formally submit a protest for Case ZC10-013. Please see below note and let me know what next steps are.

Community Development Dept.
City of Colleyville
Planning and Zoning Commission
100 Main Street
Colleyville, Texas 76034

RE: Protest of Case ZC10-013

Dear Commissioners:

Please accept this as my formal and written protest of the zoning changes as proposed in the above referenced case. Please note that our property falls within the 200 feet radius as outlined in the "Notice of Public Hearing" letter we received on April 30, 2018.

In reviewing the documents, I believe the plan would have a significant impact on the value of our property and would directly impact/alter the level of privacy that we currently enjoy. I offer the following:

Visual Privacy—Two story homes looking directly into my back yard and pool area.

Noise Issues—Initial building noise as well as ongoing noise such as ac units, pool equipment, lawn service etc.

The area is currently a wildlife habitat area-Development of the area without providing an easement will have a detrimental effect on the natural habitat that exists today.

I respectfully request that you reject the zoning request as it is currently presented and encourage Mr Dawson to revise his proposal to include a larger buffer/easement between properties.

Sincerely,

Isham Kimbell
817-917-3268

Brian K O'Neal

7317 Chanel Court
Colleyville, Texas 76034
817.271.4729

[b](#)

May 14, 2018
Community Development Department
City of Colleyville
Planning and Zoning Commission
100 Main Street
Colleyville, Texas 76034

RE: **Protest of Case ZC18-013**

Dear Commissioners:

I am a longtime homeowner in Colleyville, since 2005, and will not be able to attend the May 14 P&Z meeting to discuss the zoning change requested on properties within the 200-foot radius of homes adjacent to ours on Chanel Ct. However, given the lack of clarity I have on the type of development planned there should be reasonable expectation that a protest would take place in order to take the required time for detailed plans to be revealed to homeowners impacted by this development. Our concerns are the following:

1. The Plat Exhibit should include a 30-foot tree preservation easement along the north and west lots' boundaries with existing neighborhoods and we need a detailed view of the drainage plans.
2. I, and many in the area, are opposed to high density developments and not knowing the details of this development make this concern one that needs to be addressed.
3. I would like to note my concerns about future drainage issues arising from new development. This area that includes our neighborhood in Chanel Court is very sensitive to drainage issues. In fact, my home sits at the end of the drainage canal and any disruption of the current flow needs to not only be addressed, but revealed and known to those of us that will be impacted.
4. The traffic situation in this area seems to be getting worse by the week. The John McCain and Westcoat intersection is beyond problematic and has become a high risk intersection as the traffic patterns no longer allow for a normal commute to school or work. It is both time consuming and dangerous.

I would like to commend the Commissioner and the Council for the hard work and decisions that have to be made every day. It does not go beyond me that a decision like this will lead to hundreds of thousands in annual tax revenue which is beneficial to the City. However, there is a downside that needs to be both acknowledged and a view of the plans in place to account for the increased population. We all want Colleyville to continue to be a great City to raise a family.

Sincerely,
Brian K O'Neal

Copy to: Chanel Court Homeowners Association

Letter of Support

Parts & Service
• Audi • BMW
• Lexus • Porsche
• Mercedes • VW
www.allzim.com



1804 Reliance Parkway
Bedford, TX 76021
800-356-2964 US/Canada Toll Free
817-267-4451 Local/International
817-545-2002 Fax

10 May 2018

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

Planning and Zoning
City Council

ZONING CASE # ZC18-013

Members,

Since Mr. Wesley Dawson purchased the property adjacent to the South side of my property at 7209 John McCain, we have discussed developing the property. Mr. Dawson has presented interesting and dynamic proposals in the past few years all of them with merit. I believe that this is one of his best and will be an asset to Colleyville.

Mrs. Zim and I have discussed the responsibilities necessary to embark on this project and have come to the conclusion that this is more than we want to engage in at our age. It is our desire to move into a more manageable homestead closer to our business in Bedford.

I will be unable to attend the May 14th meeting.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Aldwin H. Zim".

Aldwin H. Zim

ORDINANCE O-18-2048

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 12.038 ACRES, ON LOT 1, BLOCK 1, ALLZIM ACRES ADDITION, AND TRACT 2A7B, 2A8C, & 2A9A, ABSTRACT 533, IN THE MARY M. FREEMAN SURVEY, AND TRACT 4D02, ABSTRACT 295, IN THE WILLIAM E. CROOKS SURVEY, LOCATED AT 7209 AND 7215 JOHN MCCAIN ROAD, FROM THE AG-AGRICULTURAL AND R-20 SINGLE FAMILY RESIDENTIAL DISTRICTS TO THE AG-AGRICULTURAL AND R-20 SINGLE FAMILY RESIDENTIAL DISTRICTS; 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 ZC18-013; 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 12.038 acres, on Lot 1, Block 1, Allzim Acres Addition, and Tract 2A7B, 2A8C, & 2A9A, Abstract 533, in the Mary M. Freeman Survey, and Tract 4D02, Abstract 295, in the William E. Crooks Survey, located at 7209 and 7215 John McCain Road, from the AG-Agricultural and R-20 Single Family Residential districts to the AG-Agricultural and R-20 Single Family Residential districts, 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 5th day of June 2018.

The second reading and public hearing being conducted on the 19th day of June 2018.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 19TH DAY OF JUNE 2018.

Mayor Richard Newton	_____ Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____ Place 5, Chuck Kelley	_____
Place 3, Kathy Wheat	_____ Place 6, Callie Rigney	_____
Place 4, George Dodson	_____	_____

ATTEST:

CITY OF COLLEYVILLE

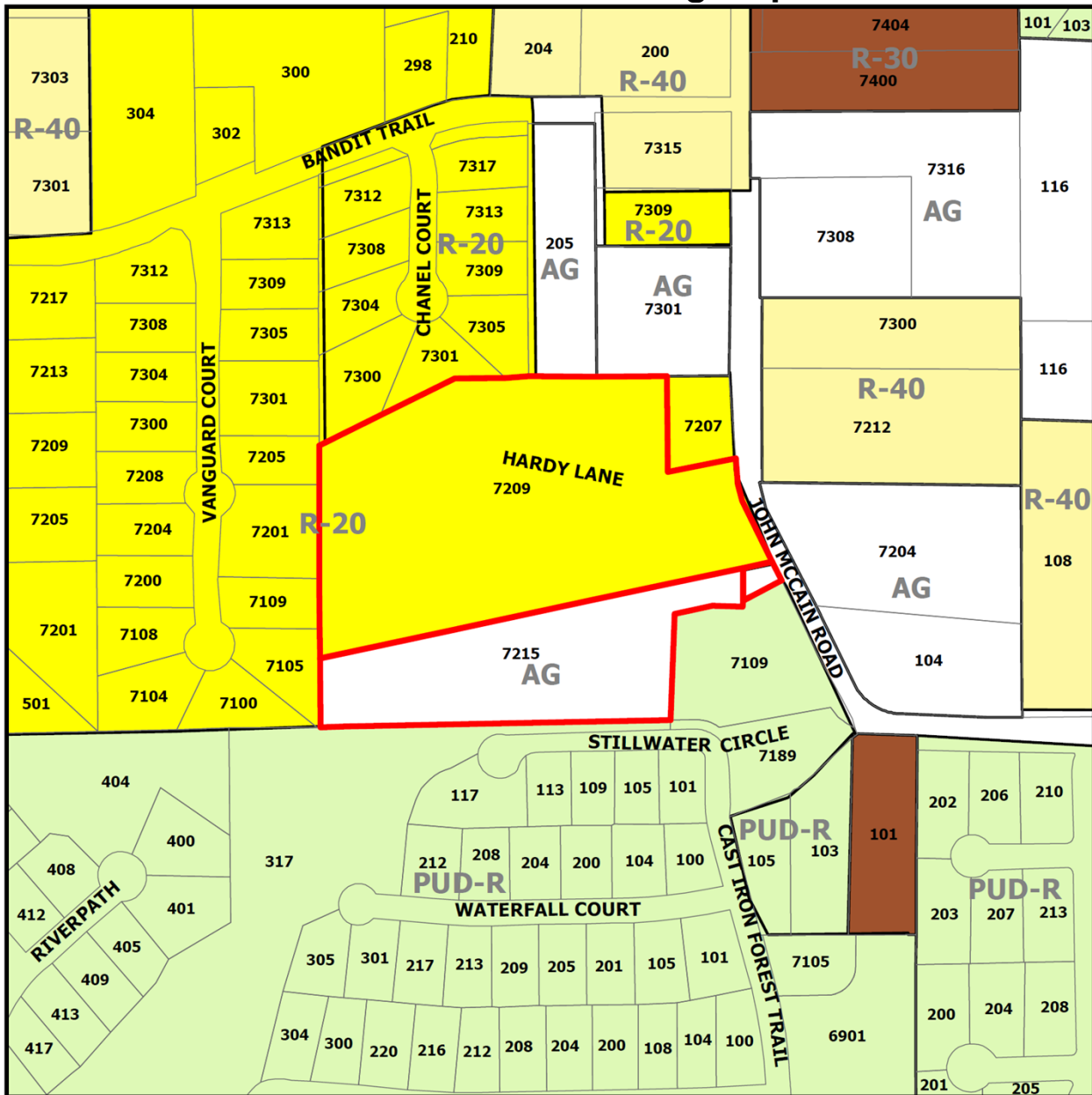
Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt L. Wyatt
City Attorney

Exhibit "A"- Zoning Map



ZC18-013

7209 and 7215 John McCain Road

DISCLAIMER:

This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

 Subject Property



[illegible]



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6f

Agenda Date 06/05/2018

Number Ordinance O-18-2049

Type Ordinance

Department Community Development

Title

Consideration of a zoning change from the AG-Agricultural zoning district to the RE Single Family 'Estate' Residential zoning district on Tracts 1B & 1B1A, Abstract 294, in the Robert Chowning Survey, located at 6900 Pool Road, Case ZC18-014

Strategic Plan

There is no Strategic Plan connection for this item.

Explanation

First Reading ad Public Hearing

Eddie Rodriguez, the applicant, has submitted a request for a zoning change for Tracts 1B & 1B1A, Abstract 294, in the Robert Chowning Survey, being approximately 1.941 acres, and zoned AG Agricultural. The purpose is to rezone from AG to RE Single Family "Estate" Residential district in order for demolition of the current home to allow for the construction of a new single-family residential home.

Existing Conditions/Background: The subject property, 6900 Pool Road, resides on the west side of Pool Road just north of Twelve Oaks Lane. The subject property currently has AG zoning and a single-family residence.

Proposed Zoning:

Request – The applicant requests to rezone the property from the AG district to RE zoning district. The subject property covers approximately 1.9 acres. The minimum standards for the RE zoning district are as follows:

Minimum Lot Size:	80,000 square feet
Minimum Lot Width:	200 feet
Minimum Lot Depth:	300 feet
Front Building Line:	40 feet
Side Building Line:	25 feet
Rear Building Line:	40 feet
Maximum Lot Coverage:	20 percent

Analysis: The requested RE zoning allows the applicant to plat a single residential lot that already exists. The applicant has proposed the zoning change, in order to facilitate redevelopment of the property with a new single family residence. The lot fits safely into the RE classification and fits nicely between the R-20 lots to the south and

the large AG lot to the north.

Surrounding Development: Most of the property to the north and east falls inside the City of Grapevine corporate limits. The east side of Pool Road has largely developed with single-family residential uses, while a large creek has restricted development options to the north. The R-20 zoned properties to the south have developed with single-family residences.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property for single-family residential development. The proposed RE zoning does not conflict with any portion of the comprehensive plan. The proposed RE zoning facilitates the minimum desired residential density of 1.8 units per net acre.

Public Notification: Staff-mailed notices to all property owners within 200 feet, Homeowners Associations within 500 feet, and Grapevine Colleyville ISD on Friday, April 27, 2018, regarding this request, per state law. Notice was also published in the *Fort Worth Star-Telegram* on Saturday, April 28, 2018, as required by State law and the Land Development Code. To date, staff has not received any responses.

Staff Recommendation: Staff recommends approval for the applicants request based on the following findings:

1. The proposed zoning meets the intent of the residential designation assigned in the Destination Colleyville comprehensive plan.
2. RE zoning is compatible with the zoning districts surrounding the subject property.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval at their May 14, 2018 meeting by a vote of 7-0.

Financial Impact

There is no financial impact to the City.

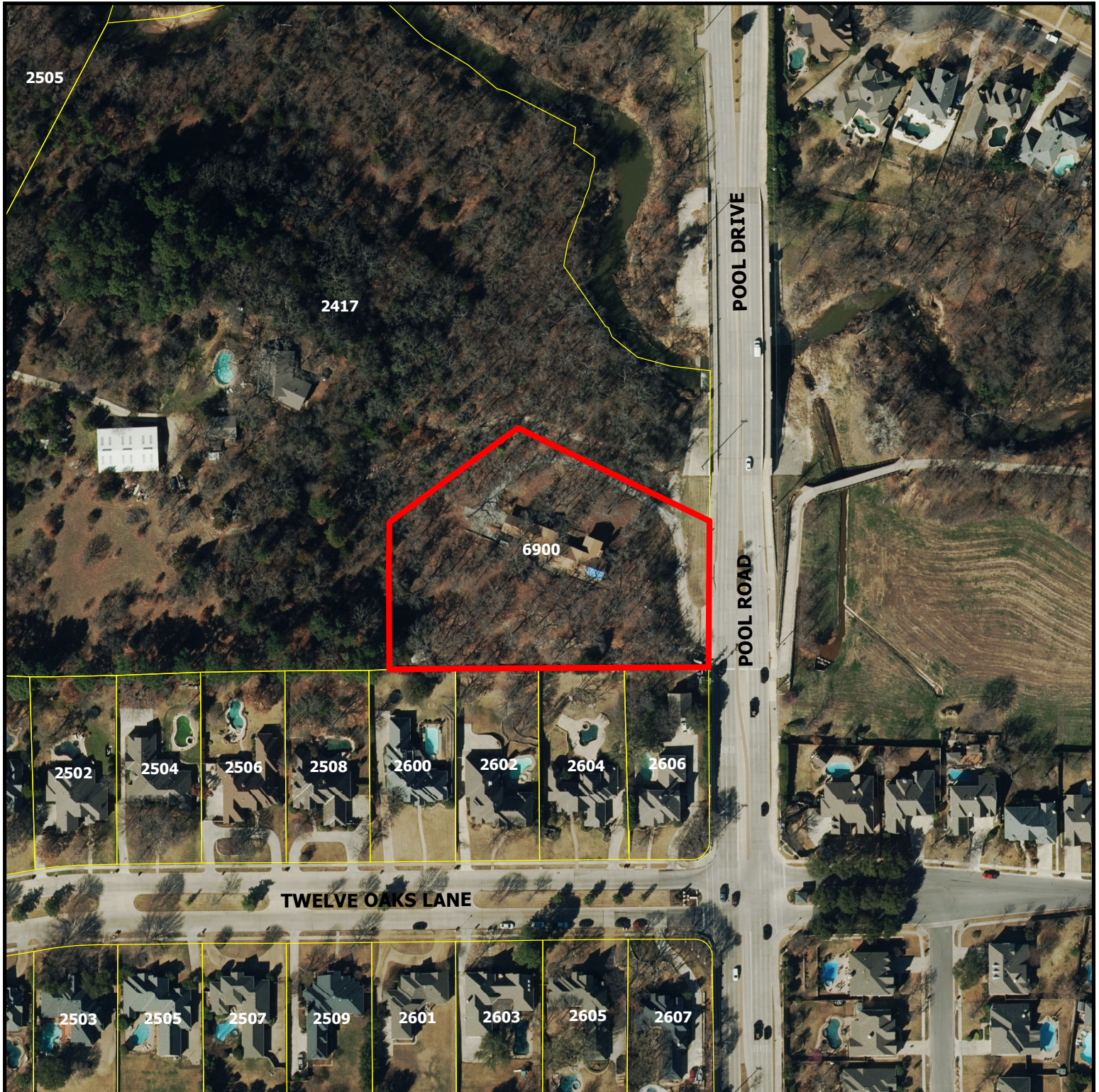
Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Zoning Exhibit
5. Notification Map
6. Notification List
7. Property Owner Notification
8. Ordinance O-18-2049

Aerial Map



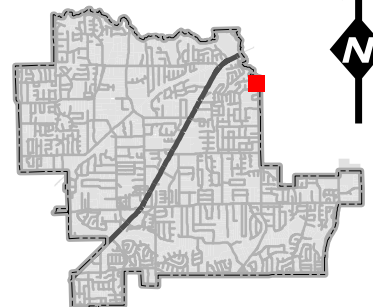
ZC18-014

6900 Pool Road

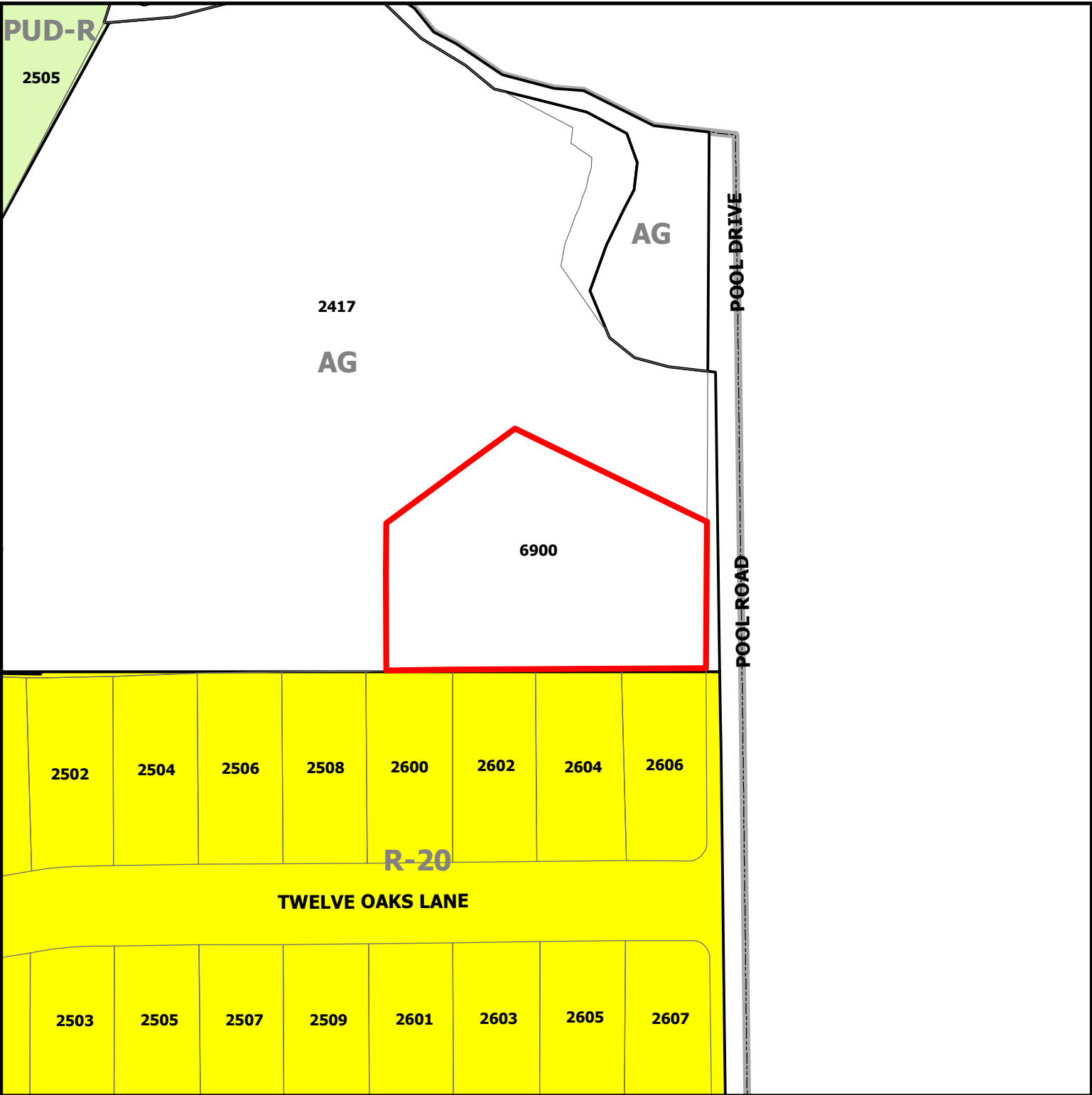
DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.



Subject Property



Zoning Map

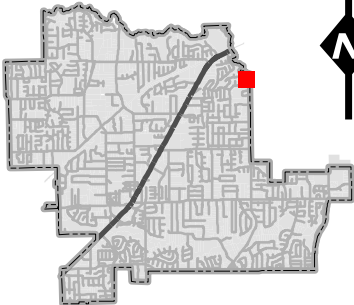


ZC18-014
6900 Pool Road

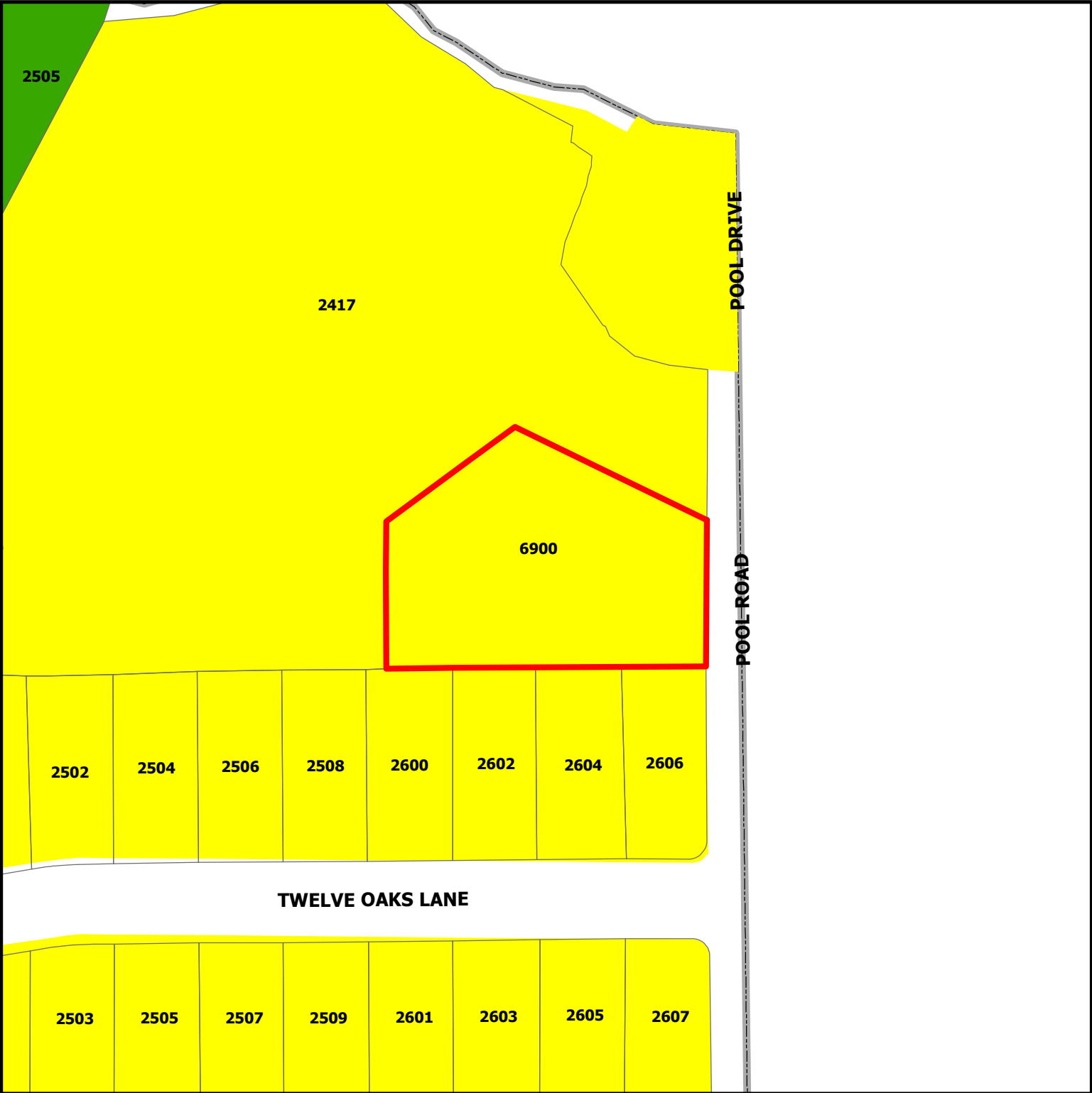
DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.



Subject Property



Future Land Use Map

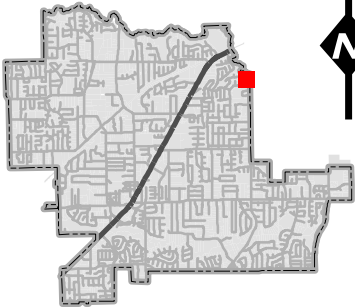


DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

ZC18-014

6900 Pool Road

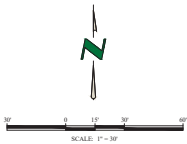
-  Subject Property
-  Residential
-  Open Space; Parks



Zoning Exhibit

Line Data Table		
Line #	Distance	Bearing
L1	16.29'	N70°38'35"W
L2	31.20'	S130°21'19"W
L3	7.91'	N51°46'07"W
L4	26.38'	N44°31'34"W
L5	43.84'	N26°33'43"W
L6	74.82'	S70°38'35"E

Curve Data Table					
Curve #	Arc	Radius	Delta	Chord Bearing	Chord
C1	26.18'	12.90'	116°18'55"	S70°02'26"W	21.91'

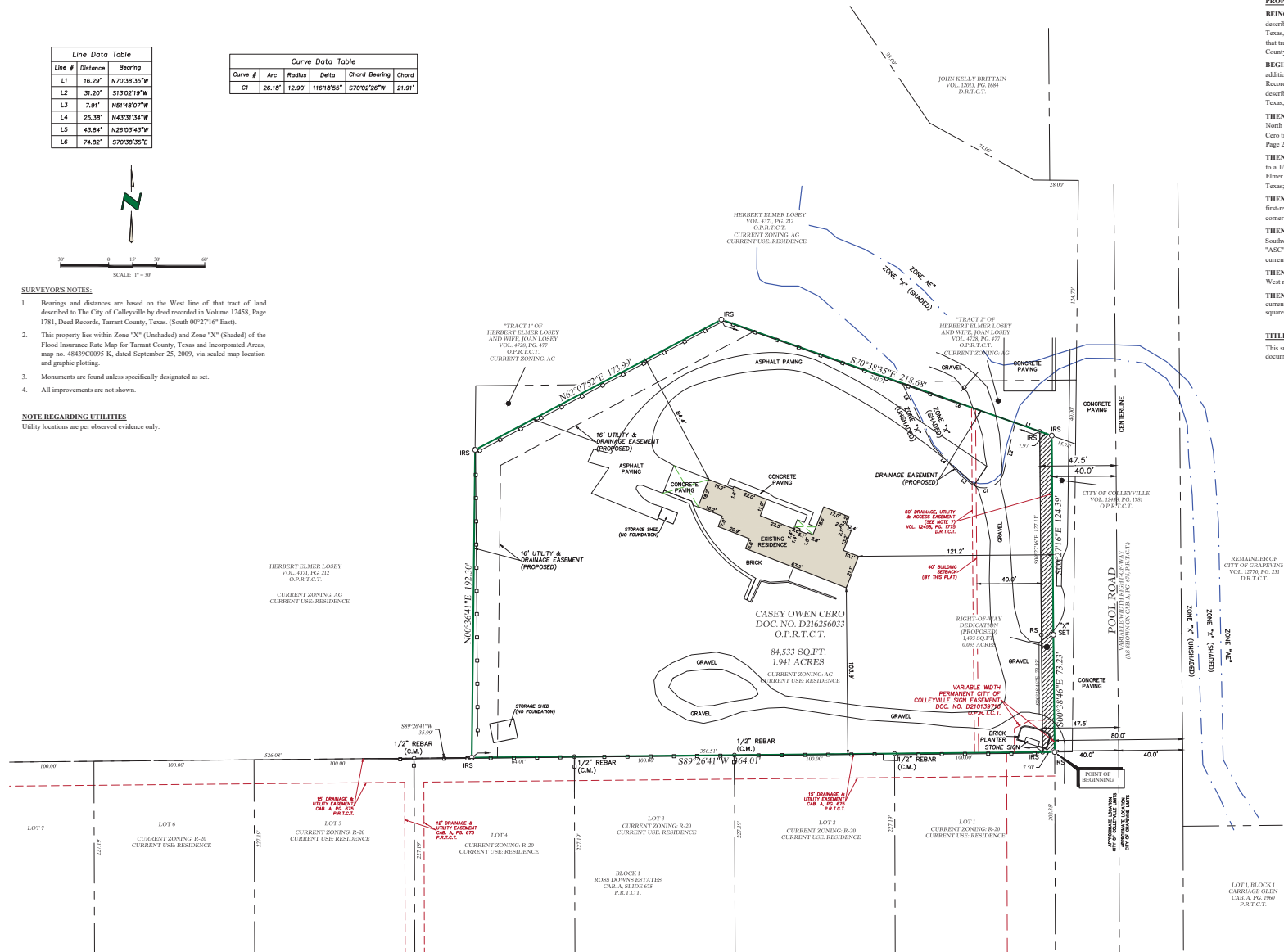


SURVEYOR'S NOTES:

- Bearings and distances are based on the West line of that tract of land described to The City of Colleyville by deed recorded in Volume 12458, Page 1781, Deed Records, Tarrant County, Texas, (South 00°27'16" East).
- This property lies within Zone "X" (Unshaded) and Zone "X" (Shaded) of the Flood Insurance Rate Map for Tarrant County, Texas and Incorporated Areas, map no. 48439C0095 K, dated September 25, 2009, via scaled map location and graphic plotting.
- Monuments are found unless specifically designated as not.
- All improvements are not shown.

NOTE REGARDING UTILITIES

Utility locations are per observed evidence only.



PROPERTY DESCRIPTION:

BEING a tract of land situated in the R. Chowning Survey, Abstract No. 294, Tarrant County, Texas, and being that same tract of land described to Casey Owen Cero by deed recorded in Document No. D216256033 of the Official Public Records of Tarrant County, Texas, and being more particularly described by metes and bounds as follows (Bearings and distances are based on the West line of that tract of land described to The City of Colleyville by deed recorded in Volume 12458, Page 1781, Official Public Records, Tarrant County, Texas. (South 00°27'16" East):

BEGINNING at a 1/2 inch rebar with a cap stamped "ASC" set for the Northeast corner of Lot 1, Block 1 of Ross Downs Estates, an addition to the City of Colleyville, Tarrant County, Texas, according to the Plat thereof recorded in Cablot A, Page 675 of the Plat Records of Tarrant County, Texas, same being the Southeast corner of said Cero tract and being the Southwest corner of a tract of land described to the City of Colleyville by deed recorded in Volume 12458, Page 1781 of the Official Public Records of Tarrant County, Texas, and lying on the current West right-of-way line of Pool Road (variable-width right-of-way);

THENCE South 89 Degrees 26 Minutes 41 Seconds West, departing the current West right-of-way line of said Pool Road, with the North line of said Block 1, a distance of 364.01 feet to a 1/2 inch rebar with a cap stamped "ASC" set for the Southwest corner of said Cero tract and the westernmost Southeast corner of a tract of land described to Herbert Elmer Losey by deed recorded in Volume 4371, Page 212 of the Official Public Records of Tarrant County, Texas;

THENCE North 00 Degrees 36 Minutes 41 Seconds East, with the westernmost East line of said Losey tract, a distance of 192.39 feet to a 1/2 inch rebar with a cap stamped "ASC" set for the Southwest corner of "Tract 1" of that same tract of land described to Herbert Elmer Losey and wife, Joan Losey by deed recorded in Volume 4728, Page 477 of the Official Public Records of Tarrant County, Texas;

THENCE North 62 Degrees 07 Minutes 52 Seconds East, with the Southeast line of said "Tract 1", and a Southeast line of said first-referenced Losey tract, a distance of 173.99 feet to a 1/2 inch rebar with a cap stamped "ASC" set for corner at an interior "dill" corner of said first-referenced Losey tract;

THENCE South 70 Degrees 38 Minutes 35 Seconds East, with a Southwest line of said first-referenced Losey tract, and with the Southwest line of "Tract 2" of said second-referenced Losey tract, a distance of 218.68 feet to a 1/2 inch rebar with a cap stamped "ASC" for the Northwest corner of said City of Colleyville tract, same being the Northeast corner of said Cero tract, and lying on the current West right-of-way line of said Pool Road;

THENCE South 00 Degrees 27 Minutes 16 Seconds East, with the West line of said City of Colleyville tract, and with the current West right-of-way line of said Pool Road, a distance of 124.39 feet to an "X" set in concrete for corner;

THENCE South 00 Degrees 38 Minutes 46 Seconds East, continuing with the West line of said City of Colleyville tract and with the current West right-of-way line of said Pool Road, a distance of 73.23 feet to the **POINT OF BEGINNING** and containing 84,533 square feet or 1.941 acres of land, more or less.

TITLE COMMITMENT NOTES

This survey was prepared without the benefit of a commitment for title insurance. Therefore, easements, agreements, or other documents, either recorded, or unrecorded may exist that affect the subject property that are not shown on this survey.

VICINITY MAP
NOT TO SCALE



ZONING EXHIBIT

1.941 ACRES
R. Chowning Survey, Abstract No. 294
City of Colleyville, Tarrant County, Texas
Zoning Exhibit for Zoning Change from AG to RE

DRAWN: E.R. CHECKED: T.M. DATE: 03/15/2018 JOB NO: 201801020-2

SURVEYOR



WINDROSE
LAND SURVEYING & PLATTING
220 ELM STREET, SUITE 200 | LEWISVILLE, TX 75057 | 214.227.2544
FIRM REGISTRATION NO. 10154331 | WINDROSESERVICES.COM

APPLICANT

EDDIE RODRIGUEZ
220 ELM STREET #200
LEWISVILLE, TX 75057

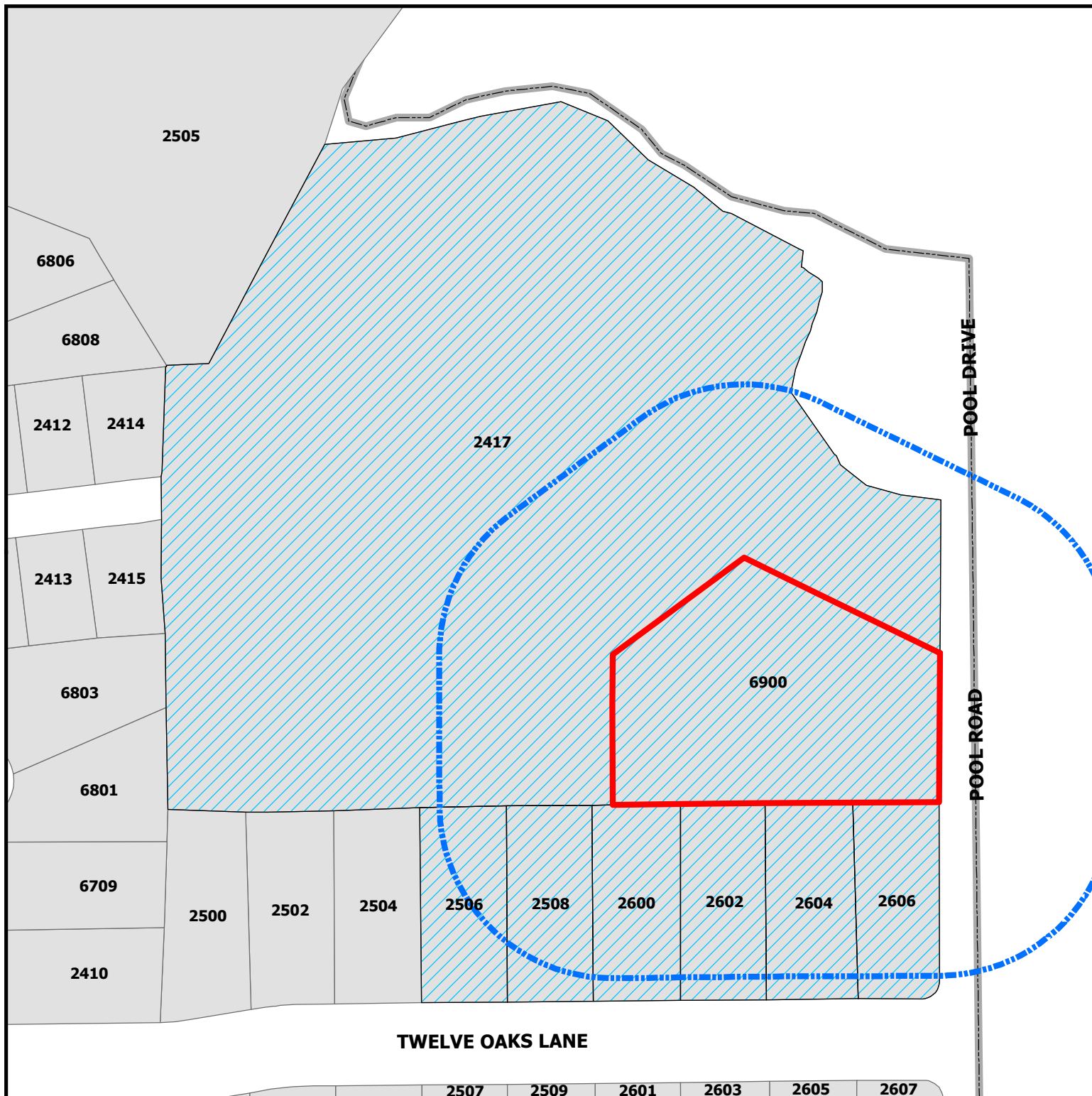
OWNER/DEVELOPER

CASEY OWEN CERO
802 HEATHERWOOD
GRAPEVINE, TX 75051

LEGEND

ASC	ARTHUR SURVEYING COMPANY
CM	CONTROL MONUMENT
IRS	1/2" REBAR W/ CAP STAMPED
NSC	NO SET
RP	IRON PIPE FOUND
SQ. FT.	SQUARE FEET
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS
TARRANT COUNTY TEXAS	TARRANT COUNTY TEXAS
P.R.T.C.T.	PLAT RECORDS TARRANT COUNTY TEXAS
---	BOUNDARY
---	ADJACENT
---	EASEMENT

Notification Map

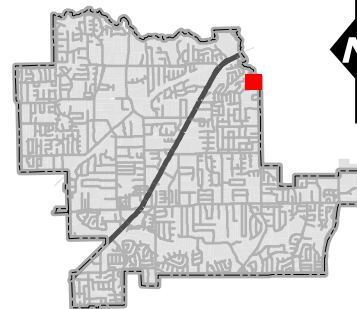


DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

ZC18-014

6900 Pool Road

-  Subject Property
-  200ft Buffer
-  Properties within 200ft



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
COWGILL, JARED	2600 TWELVE OAKS LN	COLLEYVILLE, TX	76034	2600 TWELVE OAKS LN
PORTER, WILLIAM G	2506 TWELVE OAKS LN	COLLEYVILLE, TX	76034	2506 TWELVE OAKS LN
LOSEY, HERBERT E	2417 WILKES DR	COLLEYVILLE, TX	76034	2417 WILKES DR
ABSHIRE, RICHARD	2606 TWELVE OAKS LN	COLLEYVILLE, TX	76034	2606 TWELVE OAKS LN
CERO, CASEY O	802 HEATHER WOOD DR	GRAPEVINE, TX	76051	6900 POOL RD
COSAND, JEFFREY W	2604 TWELVE OAKS LN	COLLEYVILLE, TX	76034	2604 TWELVE OAKS LN
NORRIS, MICHAEL	2602 TWELVE OAKS LN	COLLEYVILLE, TX	76034	2602 TWELVE OAKS LN
STAMBAUGH, MARK K	2508 TWELVE OAKS LN	COLLEYVILLE, TX	76034	2508 TWELVE OAKS LN
ROSS DOWNS ESTATES	4113 GATEWAY DRIVE #100	COLLEYVILLE, TX	76034	COURTESY NOTICE
CITY OF GRAPEVINE	200 S. MAIN STREET	GRAPEVINE, TX	76051	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E. WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
RODRIGUEZ, EDDIE	220 ELM STREET #200	LEWISVILLE, TX	75057	APPLICANT

Public hearing notices were mailed on Friday, April 27, 2018 by Araceli Botello



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC18-014
Applicant: Eddie Rodriguez
Owner: Casey D. Cero
Location: 6900 Pool Road
Property Description: Tracts 1B & 1B1A, Abstract 294, in the Robert Chowning Survey
Present Zoning: AG Agricultural zoning district
Request: Consideration of a zoning change from the AG Agricultural zoning district to the RE Single Family 'Estate' Residential zoning district. The purpose is to rezone to an appropriate zoning district for platting, to allow for demolition of the current home and construction of a new single-family residential home.

The City of Colleyville has scheduled public hearings concerning the above-referenced request on the following dates and location:

Planning and Zoning Commission Meeting: Monday, May 14, 2018 at 7:00 p.m.
City Council Meetings: Tuesday, June 5, 2018 & Tuesday, June 19, 2018 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

This notice has been sent to all owners of real property within 200 feet of the request, as such ownership appears on the last approved tax roll and all homeowners associations within 500 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda, as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change request. If you are unable to attend, but wish to have your opinions made a part of the public record, please submit written comments prior to the public hearing, to the address below:

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

If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas. A brief project description can be found online on the Active Development Case map: <https://www.colleyville.com/zoning.html>. For additional information, please contact the Community Development Department at 817.503.1056. Please reference the zoning case number when requesting information.

Felix Landry
Principal Planner
flandry@colleyville.com

ORDINANCE O-18-2049

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 1.941 ACRES, BEING TRACTS 1B & 1B1A, ABSTRACT 294, IN THE ROBERT CHOWNING SURVEY, LOCATED AT 6900 POOL ROAD, FROM THE AG-AGRICULTURAL DISTRICT TO THE RE SINGLE FAMILY 'ESTATE' RESIDENTIAL 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 ZC18-014; 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 1.941 acres, being Tracts 1B & 1B1A, Abstract 294, in the Robert Chowning Survey, located at 6900 Pool Road, from the AG-Agricultural district to the RE Single Family 'Estate' Residential 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 5th day of June 2018.

The second reading and public hearing being conducted on the 19th day of June 2018.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 19TH DAY OF JUNE 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Chuck Kelley	_____
Place 3, Kathy Wheat	_____	Place 6, Callie Rigney	_____
Place 4, George Dodson	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt L. Wyatt
City Attorney

Exhibit "A"- Zoning Map

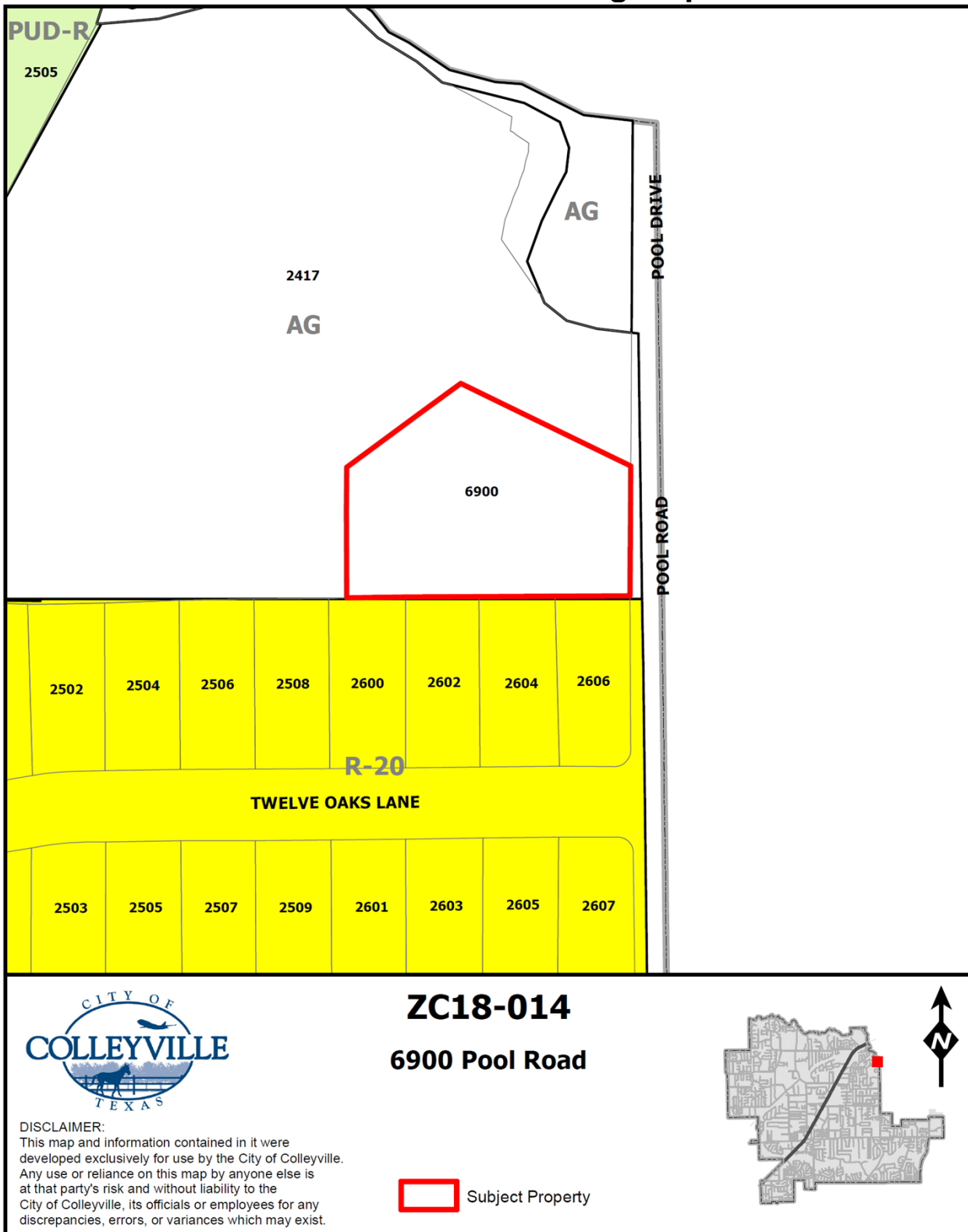


Exhibit "B"- Metes & Bounds Description

PROPERTY DESCRIPTION:

BEING a tract of land situated in the R. Chowning Survey, Abstract No. 294, Tarrant County, Texas, and being that same tract of land described to Casey Owen Cero by deed recorded in Document No. D216256033 of the Official Public Records of Tarrant County, Texas, and being more particularly described by metes and bounds as follows (Bearings and distances are based on the West line of that tract of land described to The City of Colleyville by deed recorded in Volume 12458, Page 1781, Official Public Records, Tarrant County, Texas. (South 00°27'16" East)):

BEGINNING at a 1/2 inch rebar with a cap stamped "ASC" set for the Northeast corner of Lot 1, Block 1 of Ross Downs Estates, an addition to the City of Colleyville, Tarrant County, Texas, according to the Plat thereof recorded in Cabinet A, Page 675 of the Plat Records of Tarrant County, Texas, same being the Southeast corner of said Cero tract and being the Southwest corner of a tract of land described to the City of Colleyville by deed recorded in Volume 12458, Page 1781 of the Official Public Records of Tarrant County, Texas, and lying on the current West right-of-way line of Pool Road (variable width right-of-way);

THENCE South 89 Degrees 26 Minutes 41 Seconds West, departing the current West right-of-way line of said Pool Road, with the North line of said Block 1, a distance of 364.01 feet to a 1/2 inch rebar with a cap stamped "ASC" set for the Southwest corner of said Cero tract and the westernmost Southeast corner of a tract of land described to Herbert Elmer Losey by deed recorded in Volume 4371, Page 212 of the Official Public Records of Tarrant County, Texas;

THENCE North 00 Degrees 36 Minutes 41 Seconds East, with the westernmost East line of said Losey tract, a distance of 192.30 feet to a 1/2 inch rebar with a cap stamped "ASC" set for the Southwest corner of "Tract 1" of that same tract of land described to Herbert Elmer Losey and wife, Joan Losey by deed recorded in Volume 4728, Page 477 of the Official Public Records of Tarrant County, Texas;

THENCE North 62 Degrees 07 Minutes 52 Seconds East, with the Southeast line of said "Tract 1", and a Southeast line of said first-referenced Losey tract, a distance of 173.99 feet to a 1/2 inch rebar with a cap stamped "ASC" set for corner at an interior "ell" corner of said first-referenced Losey tract;

THENCE South 70 Degrees 38 Minutes 35 Seconds East, with a Southwest line of said first-referenced Losey tract, and with the Southwest line of "Tract 2" of said second-referenced Losey tract, a distance of 218.68 feet to a 1/2 inch rebar with a cap stamped "ASC" for the Northwest corner of said City of Colleyville tract, same being the Northeast corner of said Cero tract, and lying on the current West right-of-way line of said Pool Road;

THENCE South 00 Degrees 27 Minutes 16 Seconds East, with the West line of said City of Colleyville tract, and with the current West right-of-way line of said Pool Road, a distance of 124.39 feet to an "X" set in concrete for corner;

THENCE South 00 Degrees 38 Minutes 46 Seconds East, continuing with the West line of said City of Colleyville tract and with the current West right-of-way line of said Pool Road, a distance of 73.23 feet to the **POINT OF BEGINNING** and containing 84,533 square feet or 1.941 acres of land, more or less.



City of Colleyville City Council Agenda Briefing

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

Agenda Number 7a

Agenda Date 06/05/2018

Number Resolution R-18-4268

Type Resolution

Department Community Development

Title

Consideration for approval of a site plan for athletic fields on Lot 1R, Block 1, of the Covenant Christian Academy Addition, located at 901 Cheek-Sparger Road, Case SP18-001

Strategic Plan

There is no Strategic Plan connection for this item.

Explanation

Reading and Public Hearing

Update: At the initial hearing for the athletic fields by the Planning and Zoning Commission, approval was recommended for the football/soccer field (phase 1) portion of the project, but the baseball field (phase 2) portion was tabled. The commission requested architectural elevations of the concession stand and weight room. The applicant has submitted those elevations, and each building meets the minimum 30 architectural design points required in the ordinance.

Request: Clint Wofford, the applicant, has submitted a Site and Landscape Plan for Lot 1R, Block 1, of Covenant Christian Academy Addition, being approximately 18.84 acres, and zoned PUD-C Planned Unit Development - Commercial. The request is to allow for the construction of an athletic field, which includes a football/soccer field and a baseball field.

The currently approved PUD-C ordinance (O-13-1876) requires that the improvements for the athletic fields shall be submitted as part of Site Plan that is approved by the City Council after recommendation by the Planning and Zoning Commission:

"Prior to construction, the baseball stadium, baseball lighting, parking garage, expansion to the existing football/ soccer field shown above and football/ soccer field lighting shall require the approval of a detailed site plan and building elevations. The detailed site plan submission shall, at a minimum, meet the requirements of Section 3. 23 3. K. 6. Of the Land Development Code, be consistent with this Ordinance, and may also be required to show additional conditions provided in Section 3. 23 M. b. of the Land Development Code. Further, such detailed site plan(s) shall be considered as a legislative approval, subject to the sole discretion of City Council upon the recommendation of the Planning and Zoning Commission."

This site plan will finalize development plans for property at 901 Cheek-Sparger Road as previously approved for a football/soccer field and a baseball field. This site plan allows for the development of the subject property in accordance with the previously adopted PUD-C ordinance and approved conceptual site plan.

Existing Conditions/Background: The subject property is currently developed with an existing church and private school, auxiliary buildings, and a soccer/football field. The applicant proposes to construct the remaining improvements planned for the site. Those improvements include upgrading the soccer/football field and constructing a new baseball field.

Proposed Zoning Change:

Request –Site plan approval for development consistent with the adopted Planned Unit Development-Commercial (PUD-C) ordinance.

Purpose: The purpose of a Planned Unit Development (PUD) is to provide for greater flexibility and discretion in the approval of residential, non-residential and mixed-use developments by encouraging creative, efficient and aesthetically desirable residential and commercial projects that are superior to what could be accomplished in other zoning districts through the use of increased open spaces, greenbelts, or by providing enhanced amenities or features within the development that will be of special benefit to the property owners or to the community.

Ordinance – Section 3.23, in the Schedule of District Regulations in the Land Development Code, establishes the following regulations for the Planned Unit Development - Commercial (PUD-C) district:

Minimum Lot Area: 7,200 square feet
Maximum Lot Area: N/A
Minimum Lot Width: 70 feet
Minimum Lot Depth: 115 feet
Minimum Front Yard Setback: 40 feet
Minimum Side Yard Setbacks: 10 feet
Minimum Rear Yard Setback: 25 feet
Maximum Lot Coverage: 50 percent

Analysis – The proposed site plan meets all of the written requirements described in the PUD-C ordinance. The proposed site plan deviates slightly from the conceptual site plan in the following manner:

1. The fire lane has moved from the west side of the football field, adjacent to the residences, to the east side between the elementary building and the east bleachers next to the football field. This moves the field and the west side bleachers closer to the masonry wall screening the adjacent residences. This

replaces the previous 5 foot planting strip and 24 foot fire lane, with a 25 foot landscape buffer along the majority of the west side and some bleachers. The bleachers move closer to the property line but maintain a 10 foot separation.

2. The underground parking initially proposed to go under the baseball field has been removed.
3. The parking to the east side of the baseball field has been removed and replaced with landscaping and a new structure to upgrade the existing weight room.

Surrounding Development: The subject property resides to the south of Cheek-Sparger Road and west of Wayne Drive. The property across Wayne Drive to the east also has PUD-C zoning designation, while the property to the north across Cheek-Sparger Road has PUD-R zoning. All of the surrounding property has PUD-R, PUD-C, or CC-1 zoning. Property to the west and south consists of residential properties in the City of Bedford.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, designates the subject property for institutional use. The proposed site plan complies with the land use designation stated in the comprehensive plan and with the guidelines outlined in the adopted PUD-C ordinance.

Fees: The site plan approval process does not require parkland dedication fees. Impact Fees are required per Chapter 13 (Impact Fees) of the Land Development Code and are due prior to the issuance of a Building Permit, if applicable.

Tree Preservation: This site plan includes an approved tree preservation plan and an approved landscape plan.

Public Notification: The site plan approval process does not require public notification.

Staff Recommendation: Staff recommends approval of the proposed site plan, based on the following findings:

- The proposed site plan complies with the Future Land Use Plan and stated goals described in the *Destination Colleyville* Plan.
- The proposed site plan complies with the development regulations outlined in the adopted PUD-C ordinances.
- The minor changes illustrated in the proposed site plan improve upon the conceptual site plan by:

- Increasing the landscaped area along the western boundary.
- Moving the fire lane with its daily traffic away from the residences to the west.
- Better utilizing existing parking.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval of Phase 2 (Baseball Field) at their May 14, 2018 meeting by a vote of 7-0.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Site Exhibit Baseball Field
5. CCA - O-09-1725
6. CCA - O-13-1876
7. Notification Map
8. Notification List
9. Property Owner Notification Letter
10. Resolution R-18-4268
11. Draft Resolution R-18-xxxx - Baseball Field

Aerial Map



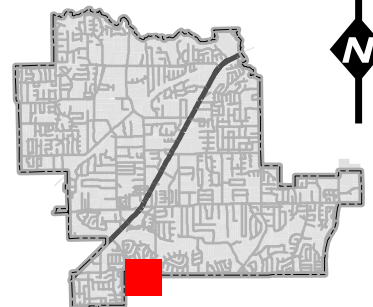
SP18-001

901 Cheek-Sparger Road

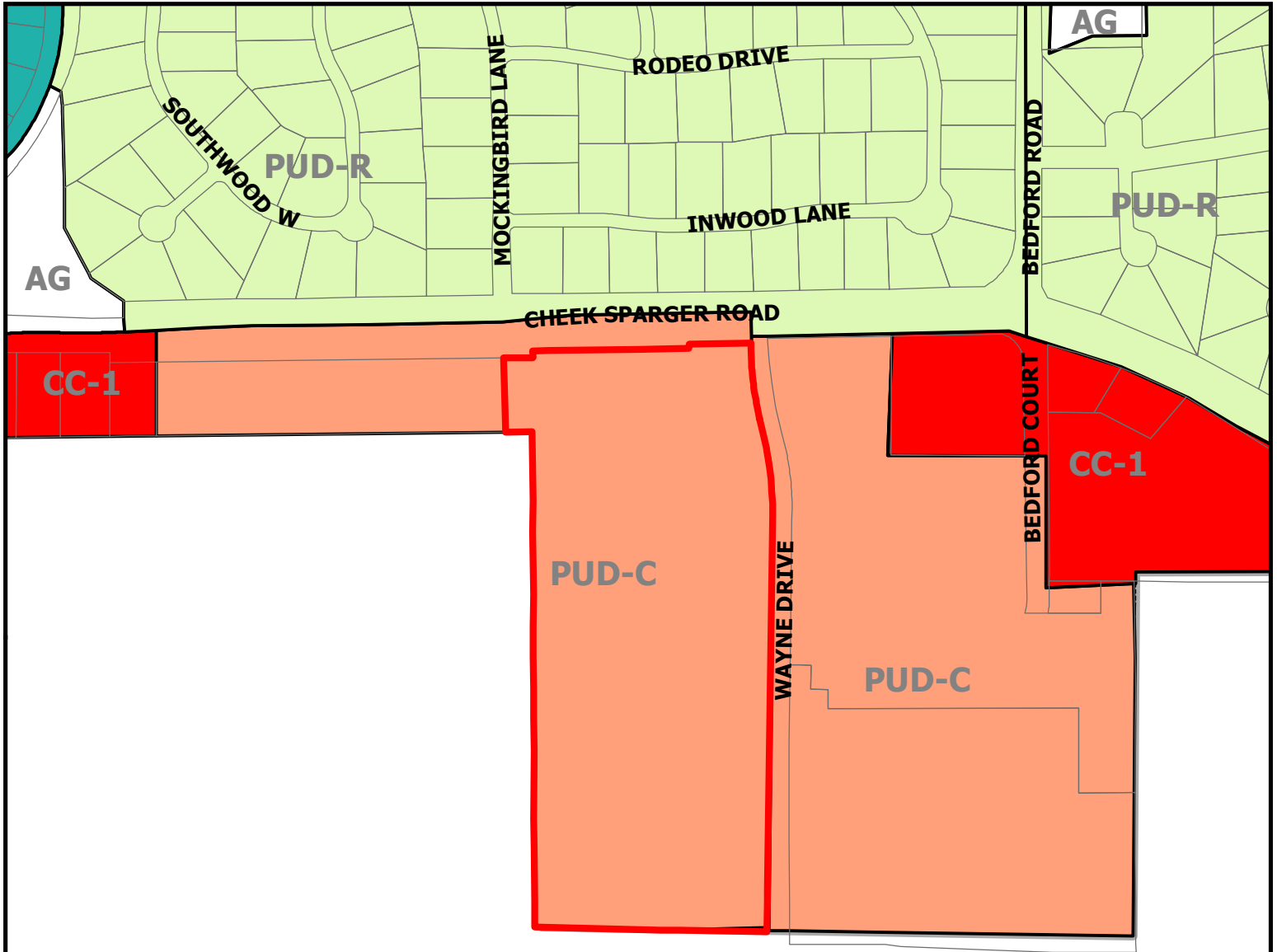
DISCLAIMER:

This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

 Subject Property



Zoning Map



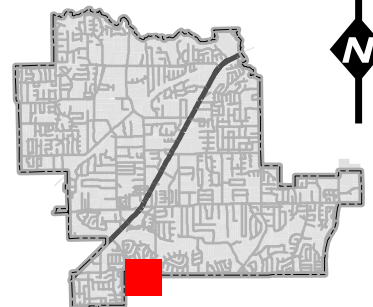
SP18-001

901 Cheek-Sparger Road

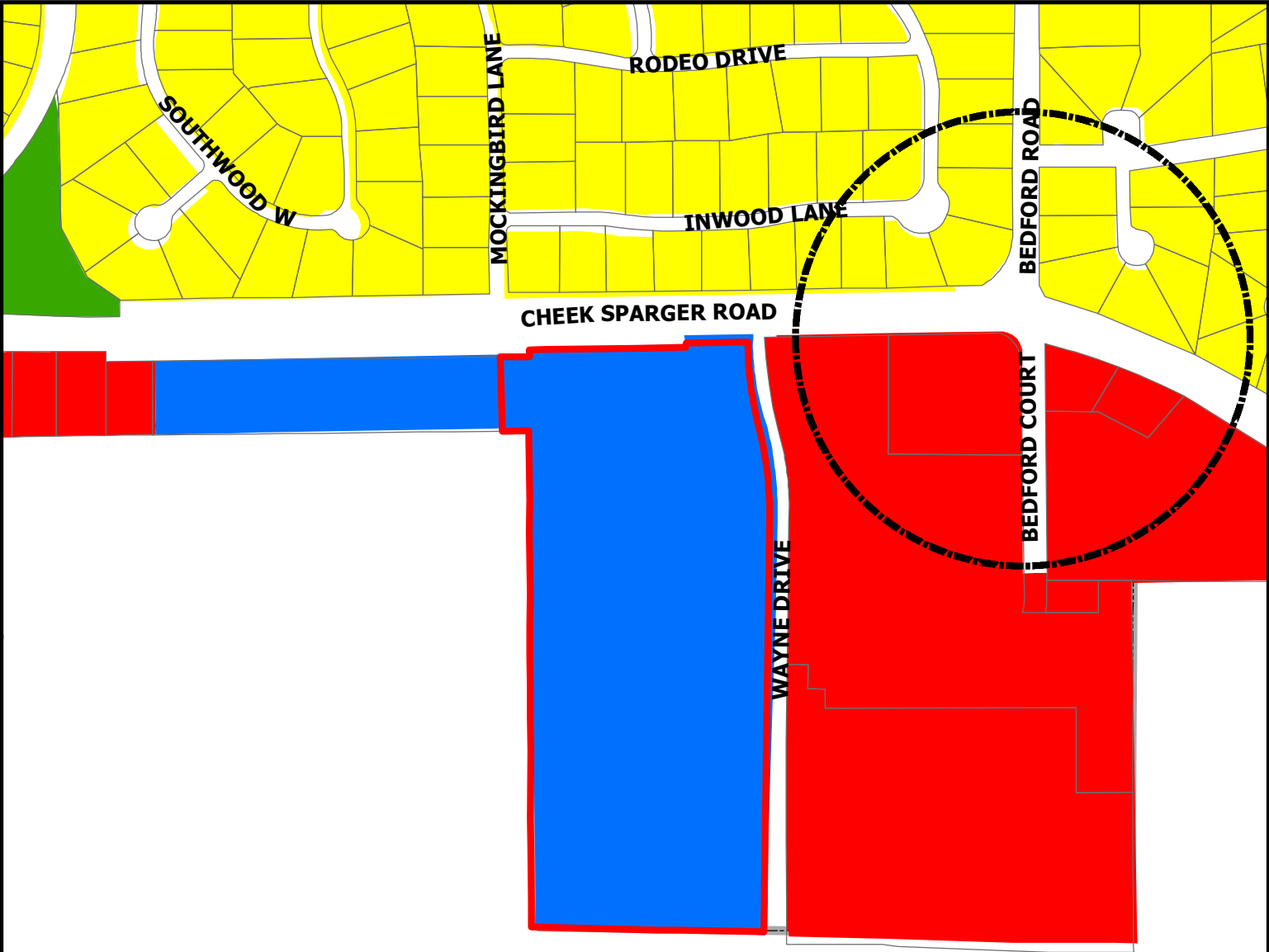
DISCLAIMER:

This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

 Subject Property



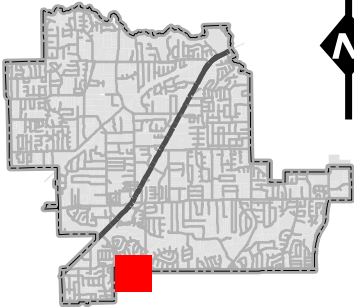
Future Land Use Map



DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

SP18-001 901 Cheek-Sparger Road

-  Subject Property
-  Sales_Tax_Preferred_Intersection
-  Residential
-  Commercial
-  Institutional
-  Open Space; Parks





Schrievel, Rollins and Associates, Inc.
Landscape Architect - Civil Engineering / Planning
1000 West 10th Street, Suite 200
Arlington, Texas 76010
Phone: 817.461.9545
Fax: 817.461.9546

Electrical Engineer
YACI ENGINEERING, INC.
1000 West 10th Street, Suite 200
Arlington, Texas 76010
Phone: 817.461.9545
Fax: 817.461.9546

Architect
GHA INC.
1000 West 10th Street, Suite 200
Arlington, Texas 76010
Phone: 817.461.9545
Fax: 817.461.9546

901 CREEK SPARKER RD. COLLETTVILLE, TEXAS 76034
COVENANT CHRISTIAN ACADEMY
BASEBALL FIELD PACKAGE



DATE: MARCH 16, 2018
REVISED:
STATUS: SITE PLAN SUBMITTAL
DESIGN BY: CW
DRAWN BY: CW
JOB NO. 5372
PROJECT NAME: BASEBALL PACKAGE

DATE: MARCH 16, 2018
REVISED:
STATUS: SITE PLAN SUBMITTAL
DESIGN BY: CW
DRAWN BY: CW
JOB NO. 5372
PROJECT NAME: BASEBALL PACKAGE

DATE: MARCH 16, 2018
REVISED:
STATUS: SITE PLAN SUBMITTAL
DESIGN BY: CW
DRAWN BY: CW
JOB NO. 5372
PROJECT NAME: BASEBALL PACKAGE

DATE: MARCH 16, 2018
REVISED:
STATUS: SITE PLAN SUBMITTAL
DESIGN BY: CW
DRAWN BY: CW
JOB NO. 5372
PROJECT NAME: BASEBALL PACKAGE

DATE: MARCH 16, 2018
REVISED:
STATUS: SITE PLAN SUBMITTAL
DESIGN BY: CW
DRAWN BY: CW
JOB NO. 5372
PROJECT NAME: BASEBALL PACKAGE

DATE: MARCH 16, 2018
REVISED:
STATUS: SITE PLAN SUBMITTAL
DESIGN BY: CW
DRAWN BY: CW
JOB NO. 5372
PROJECT NAME: BASEBALL PACKAGE

DATE: MARCH 16, 2018
REVISED:
STATUS: SITE PLAN SUBMITTAL
DESIGN BY: CW
DRAWN BY: CW
JOB NO. 5372
PROJECT NAME: BASEBALL PACKAGE

DATE: MARCH 16, 2018
REVISED:
STATUS: SITE PLAN SUBMITTAL
DESIGN BY: CW
DRAWN BY: CW
JOB NO. 5372
PROJECT NAME: BASEBALL PACKAGE

DATE: MARCH 16, 2018
REVISED:
STATUS: SITE PLAN SUBMITTAL
DESIGN BY: CW
DRAWN BY: CW
JOB NO. 5372
PROJECT NAME: BASEBALL PACKAGE

DATE: MARCH 16, 2018
REVISED:
STATUS: SITE PLAN SUBMITTAL
DESIGN BY: CW
DRAWN BY: CW
JOB NO. 5372
PROJECT NAME: BASEBALL PACKAGE

DATE: MARCH 16, 2018
REVISED:
STATUS: SITE PLAN SUBMITTAL
DESIGN BY: CW
DRAWN BY: CW
JOB NO. 5372
PROJECT NAME: BASEBALL PACKAGE

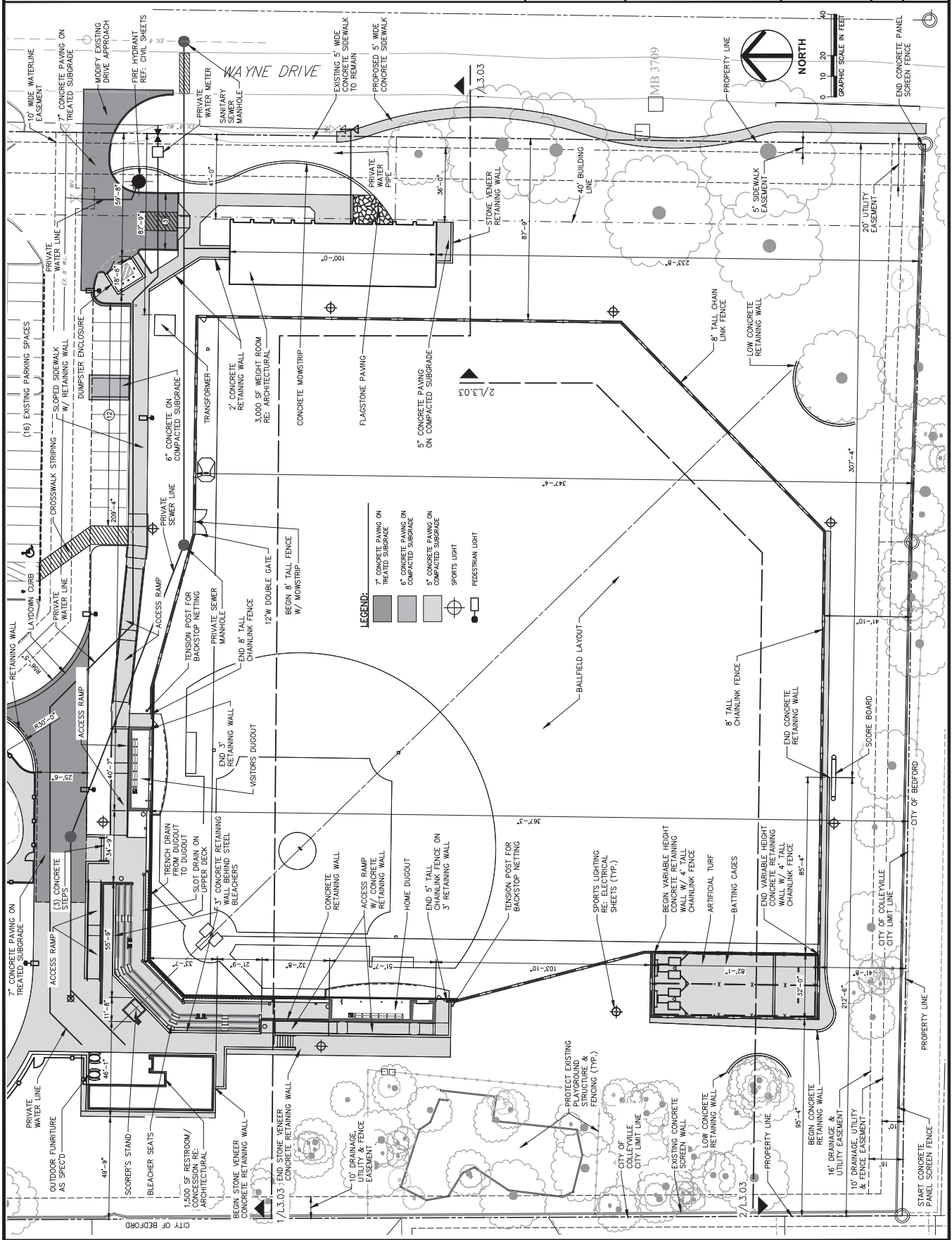
DATE: MARCH 16, 2018
REVISED:
STATUS: SITE PLAN SUBMITTAL
DESIGN BY: CW
DRAWN BY: CW
JOB NO. 5372
PROJECT NAME: BASEBALL PACKAGE

DATE: MARCH 16, 2018
REVISED:
STATUS: SITE PLAN SUBMITTAL
DESIGN BY: CW
DRAWN BY: CW
JOB NO. 5372
PROJECT NAME: BASEBALL PACKAGE

DATE: MARCH 16, 2018
REVISED:
STATUS: SITE PLAN SUBMITTAL
DESIGN BY: CW
DRAWN BY: CW
JOB NO. 5372
PROJECT NAME: BASEBALL PACKAGE

DATE: MARCH 16, 2018
REVISED:
STATUS: SITE PLAN SUBMITTAL
DESIGN BY: CW
DRAWN BY: CW
JOB NO. 5372
PROJECT NAME: BASEBALL PACKAGE

DATE: MARCH 16, 2018
REVISED:
STATUS: SITE PLAN SUBMITTAL
DESIGN BY: CW
DRAWN BY: CW
JOB NO. 5372
PROJECT NAME: BASEBALL PACKAGE



SITE PLAN

SHEET NO.

L2.01

THIS IS ONE INCH LONG ON ORIGINAL DRAWING. CHECK SCALE AND ADJUST ACCORDINGLY.



Schickel, Rolins and Associates, Inc.
Landscape Architect - Civil Engineering - Planning
10000 Highway 190, Suite 200
Arlington, Texas 76010
Phone: 817.481.9545
Fax: 817.481.9546

Electrical Engineer
YACCI ENGINEERING, INC.
10000 Highway 190, Suite 200
Arlington, Texas 76010
Phone: 817.481.9545
Fax: 817.481.9546

Architect
GHLA INC.
1000 W. Grand Ave. E., Suite 100
Arlington, Texas 76010
Phone: 817.481.9545
Fax: 817.481.9546

901 C-HEX SPANER RD., COLLETTVILLE, TEXAS 76034
COVENANT CHRISTIAN ACADEMY
BASEBALL FIELD PACKAGE

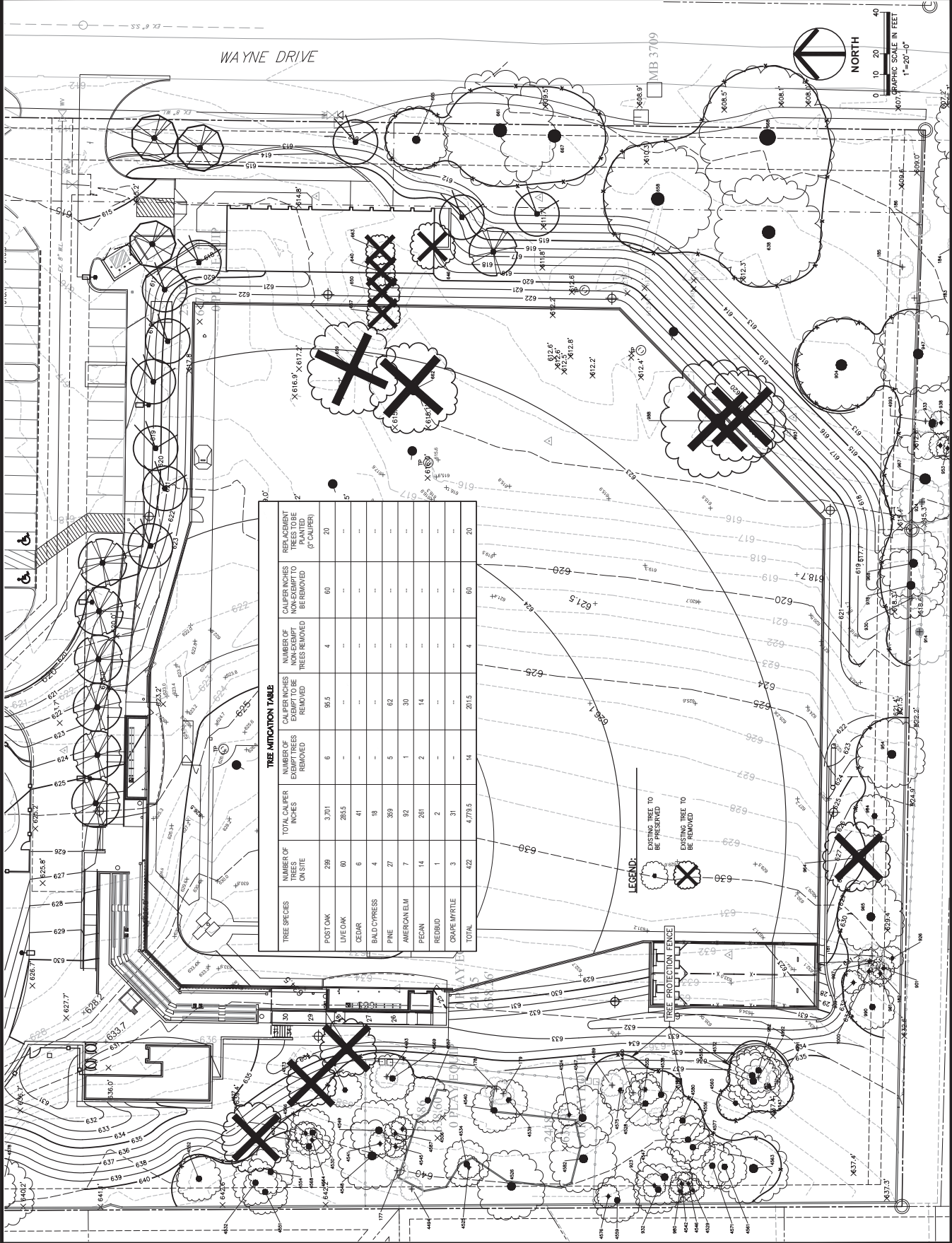


DATE: MARCH 16, 2016
REVISED:
STATUS: SITE PLAN SUBMITTAL
DESIGN BY: CW
DRAWN BY: CW
JOB NO.: 5372
PROJECT NAME: BASEBALL PACKAGE

TREE
PRESERVATION
- LANDSCAPE
PLAN PHASE
2

THIS IS ONE INCH LONG ON ORIGINAL DRAWING.
CHECK SCALE AND ADJUST ACCORDINGLY.
GRAPHIC SCALE IN FEET
1"=20'-0"

SHEET NO. L5.04



TREE MITIGATION TABLE					
TREE SPECIES	NUMBER OF TREES ON SITE	TOTAL CALIBER INCHES	NUMBER OF EXISTING TREES TO BE REMOVED	NUMBER OF CALIBER INCHES EXEMPT TO BE REMOVED	NUMBER OF CALIBER INCHES NON-EXEMPT TO BE REMOVED
POST OAK	298	3,701	6	95.5	4
LIVE OAK	60	2855	-	-	-
CEDAR	4	41	-	-	-
BALD CYPRESS	27	359	5	62	-
AMERICAN ELM	7	92	1	30	-
PECAN	14	261	2	14	-
RED BUD	1	2	-	-	-
GRAND BAYLE	3	31	-	-	-
TOTAL	422	4,779.5	14	201.5	4

LEGEND:
EXISTING TREE TO BE PRESERVED
EXISTING TREE TO BE REMOVED



Electrical Engineer
YACCI ENGINEERING, INC.
5840 W. 120, Suite 270
Arlington, Texas 76017
817/483.3273 FAX 817/483.0233

Architect
CHLA INC.
1300 W. Randall Mill L, Suite 100,
Arlington, Texas 76012
817/801.2900 FAX 817/801.2268

BASEBALL FIELD PACKAGE
COVENANT CHRISTIAN ACADEMY
901 CHEEK SPARGER RD, COLLETVILLE, TEXAS 76034



Schickel, Rollins and Assoc., Inc.
Texas Registered Engineering Firm F-522

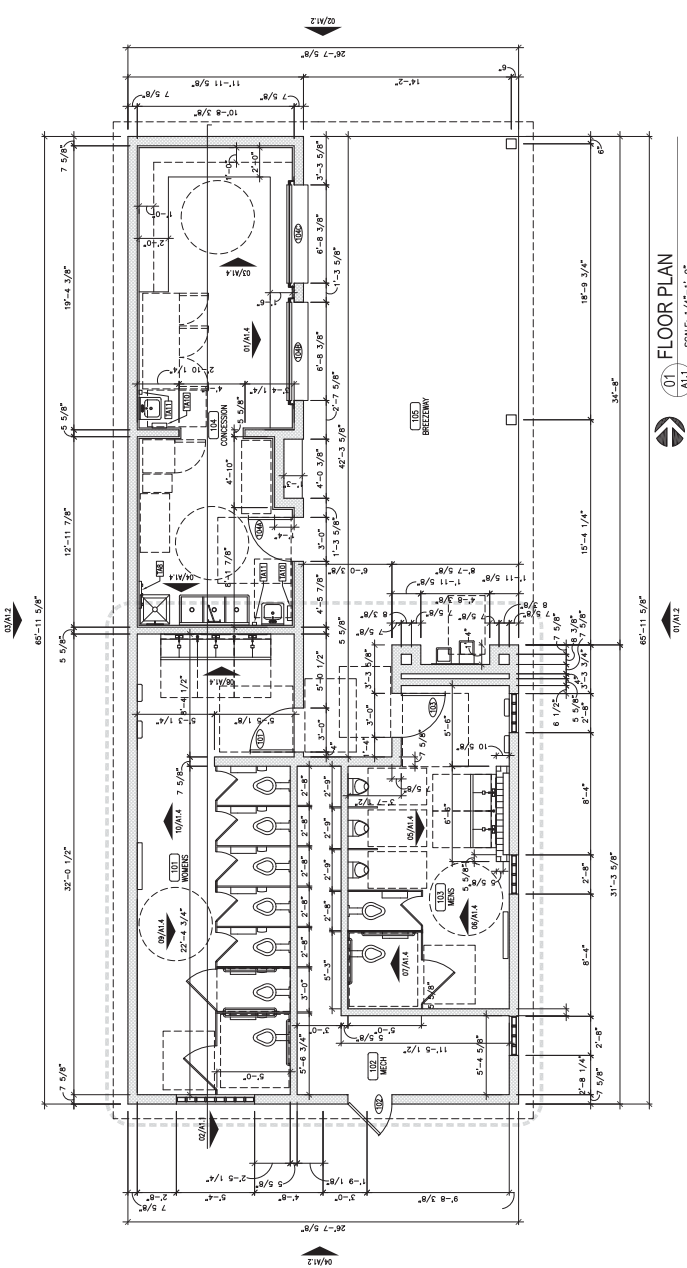
DATE	MARCH 16, 2018
REVISED:	
STATUS	SITE PLAN SUBMITTAL
DESIGN BY:	
DRAWN BY:	
JOB NO.	5372
PROJECT NAME	BASEBALL PARK/ACE

CONSESSION/
RESTROOM
BUILDING PLAN

BAR IS ONE INCH LONG ON ORIGINAL DRAWING.

SHEET NO.

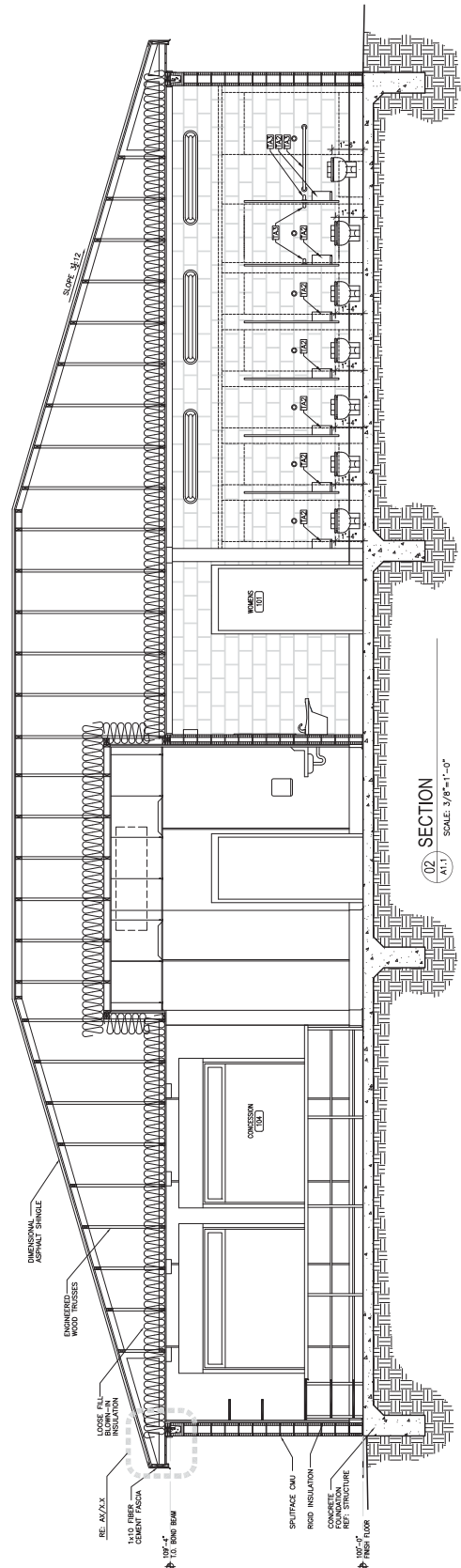
A17.1



FLOOR PLAN



ORTH

SECTION
02

A11

SCALE: 5/8/5 :TMS



Electrical Engineer
YACCI ENGINEERING, INC
5840 W. 120, Suite 270
Arlington, Texas 76017
817/483.2373 FAX 817/483.0233

Architect
GHIA INC
1300 W. Randall Mill R., Suite 100.
Arlington, Texas 76012
817/801.2900 FAX 817/801.2208

BASEBALL FIELD PACKAGE
COVENANT CHRISTIAN ACADEMY
901 CHEEK SPARGER RD. COLLETVILLE, TEXAS 76034



Schelbel, Rollins and Assoc., Inc.
Texas Registered Engineering Firm F-522

DATE	MARCH 16, 2018
REVISED:	
STATUS	SITE PLAN SUBMITTAL
DESIGN BY:	
DRAWN BY:	
JOB NO.	5372
PROJECT NAME	BASEBALL PACKAGE

CONCESSION ELEVATIONS

BAR IS ONE INCH LONG ON ORIGINAL DRAWING.
CHECK SCALE AND ADJUST ACCORDINGLY.

SHEET NO.

A1.2



- [illegible]



Schickel, Rollins and Associates, Inc.
Landscape Architecture - Civil Engineering / Planning
1111 Commerce Drive West
Suite 200
Arlington, Texas 76010
Phone: 817.440.5522
Fax: 817.440.5545

Electrical Engineer
YACCI ENGINEERING, INC.
1000 W. Grand Ave. Suite 200
Arlington, Texas 76010
817.443.3373 FAX 817.443.4333
Architect
GCLA INC.
1000 W. Grand Ave. Suite 200
817.443.3373 FAX 817.443.4333

BASEBALL FIELD PACKAGE
COVENANT CHRISTIAN ACADEMY
901 CHEEK SPARKER RD. COLLEVILLE, TEXAS 76034



Schedule Rollins and Associates, Inc.
Texas Registered Engineering Firm #522

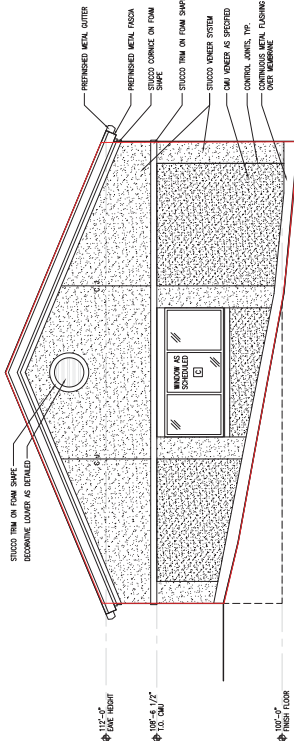
DATE	MARCH 16, 2010
REVISED:	
STATUS	SITE PLAN SUBMITTAL
DESIGN BY:	
DRAWN BY:	
JOB NO.	5372
PROJECT NAME	BASEBALL PACKAGE

WEIGHTROOM ELEVATIONS

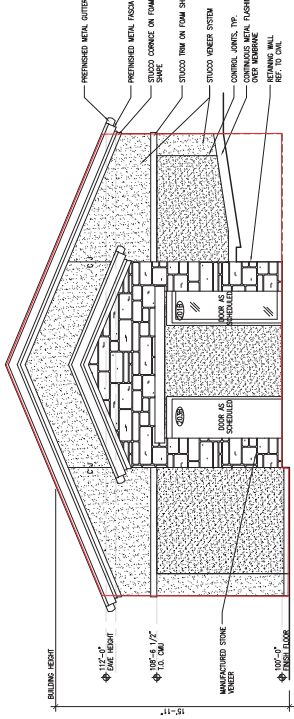
BAR IS ONE INCH LONG ON ORIGINAL DRAWING.
CHECK SCALE AND ADJUST ACCORDINGLY.

SHEET NO.

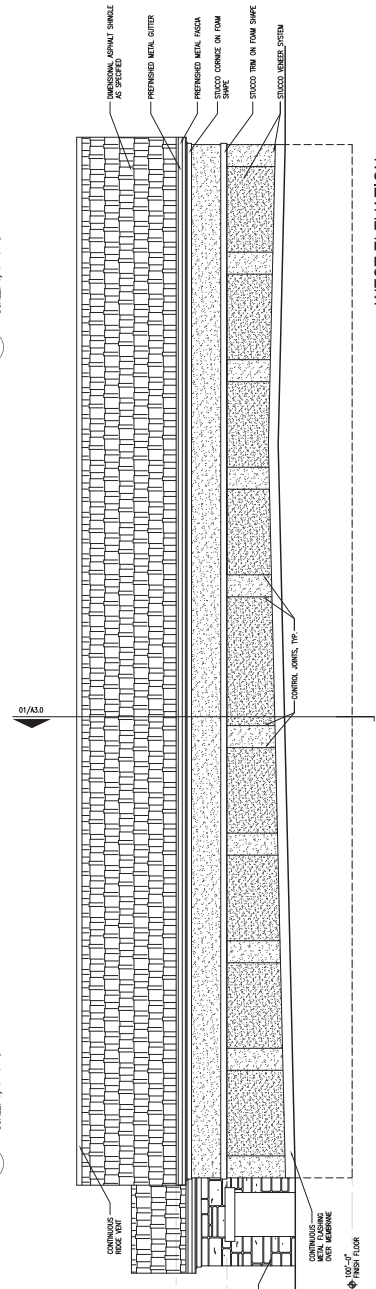
A2.2



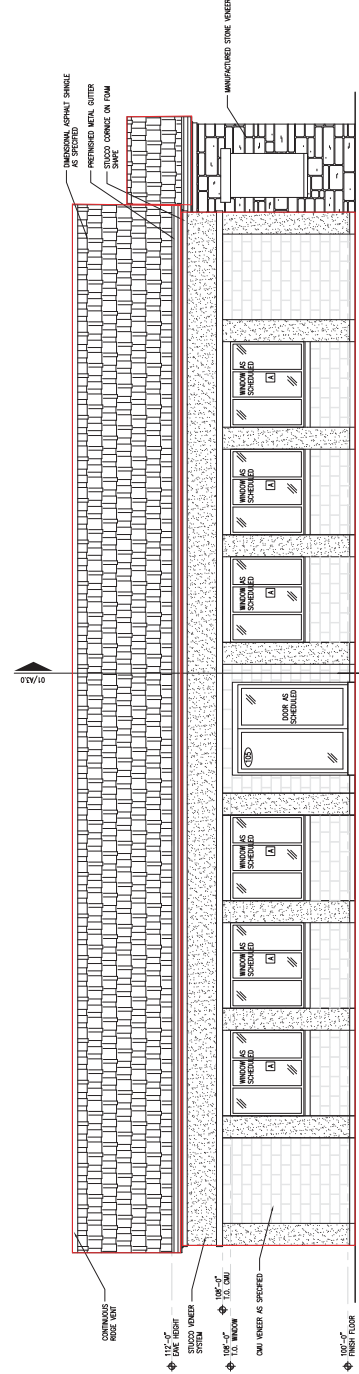
03 SOUTH ELEVATION
A2.3 SCALE: 1/4"=1'-0"



04 NORTH ELEVATION
A2.3 SCALE: 1/4"=1'-0"



02 WEST ELEVATION
A2.3 SCALE: 1/4"=1'-0"



01 EAST ELEVATION
A2.3 SCALE: 1/4"=1'-0"

ORDINANCE O-09-1725

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-99-1139 AND O-06-1602; BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 17.7 ACRES ON LOT 1 AND 2, BLOCK 1, COLLEYVILLE PRESBYTERIAN CHURCH ADDITION, AND LOTS 1, 2, 3 AND 4, BLOCK 3, SOUTHGATE ADDITION FROM THE R40-SINGLE FAMILY RESIDENTIAL ZONING DISTRICT AND THE PUDC-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT TO THE PUDC-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. ZC09-004; and

WHEREAS, Ordinances O-99-1139 and O-06-1602 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 17.7 acres on Lots 1 and 2, Block 1, Colleyville Presbyterian Church Addition, and Lots 1, 2, 3 and 4, Block 3, Southgate Addition from the R40-single family residential zoning district and the PUDC-Planned Unit Development Commercial zoning district to the PUDC-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-99-1139 and O-06-1602 are hereby repealed in their entirety.
- Sec. 5. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The purpose of this PUDC is for church and private school uses.
- b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.

2. SITE PLAN AND PLATTING

- a. The development of this property shall be generally consistent with the site plan attached as Exhibit "B".
- b. Prior to the issuance of any building permit, a replat of the subject properties must be submitted and approved. No building permit may be issued until said plat is filed with the County Clerk.

3. PERMITTED AND PROHIBITED USES

1. The following land uses shall be permitted within the Planned Unit Development:
 2. Church
 3. Private elementary, secondary and high school not to exceed 750 students total.
 4. Recreational and athletic uses incidental and accessory to the uses listed above.

4. BUILDINGS AND SITE PLAN APPROVAL

- a. The following buildings shall be allowed as described below and depicted on Exhibit "B":
 1. Secondary School 46,000 square feet maximum (existing)
 2. Administration 6,000 square feet maximum (existing)
 3. Administration 6,000 square feet maximum (phase 1)
 4. Grade School 22,000 square feet maximum (phase 1)
 5. Athletic Field Seating for 400 people maximum (phase 1)
 6. Library 6,000 square feet maximum (phase 2)
 7. Multi-purpose 19,200 square feet maximum (phase 2)
 9. High School 48,000 square feet maximum (phase 3)
- b. Prior to construction, the high school shown above, described as phase three construction, shall require the approval of a detailed site plan and building elevations. The detailed site plan submission shall, at a minimum, meet the requirements of Section 3.23 J.K.6. of the Land Development Code, be consistent with this Ordinance, and may also be required to show additional conditions provided in Section 3.23 M.b. of the Land Development Code. Further, such detailed site plan(s) shall be considered as a legislative approval, subject to the sole discretion of the City Council upon the recommendation of the Planning and Zoning Commission.

- c. All buildings constructed as part of this development shall be generally consistent with the building elevation designs, attached as Exhibit "D".

5. PORTABLE STRUCTURES

- a. All existing portable classroom structures on the subject properties shall be removed prior to the issuance of the certificate of occupancy for the buildings described as phase one construction in the Statement of Planning Objectives attached as Exhibit "C". If no building permit has been issued for said buildings as of September 1, 2010, all portable buildings shall be removed from the property no later than September 30, 2010.

6. PARKING

- a. Prior to the completion of phase one construction, there shall, at a minimum, be enough on-site, off-street parking spaces provided to accommodate the maximum enrollment of 750 students.
- b. In order to ensure adequate parking is provided at all times, no athletic events involving competition with another school may occur during normal school hours.
- c. All off-street parking required as part of this development shall meet the requirements of the Land Development Code, except where amended herein.

7. LIGHTING

- a. All lighting including parking lot, building and security lighting shall be directed away from residential areas and shall provide a maximum candle illumination of 0.5 foot candles as measured from the property line.
- b. There shall be no permanent lighting nor shall there be any nighttime illumination of any kind for the athletic field.

8. LANDSCAPING, BUFFERING AND OPEN SPACE

- a. The development shall provide a minimum of 60 percent of open space.

- b. Prior to the issuance of the certificate of occupancy for each building, there shall be a minimum of one three (3) inch caliper tree planted per each 40 feet of frontage and one five (5) gallon shrub planted per each five (5) feet of frontage along Wayne Drive and Cheek Sparger Road. The species and planting specifications shall adhere to the requirements of the Land Development Code.
- c. A 20 foot landscape buffer shall be maintained along the western boundary of the development and along the boundary of Lot 5, Block 3, Southgate Addition. Additionally, the landscape buffers shall contain live plant material of the evergreen variety which is expected to grow to six (6) feet height in two (2) years, a minimum of three (3) feet in height at the time of installation and planted on six (6) foot centers. The required plantings shall be required in the buffer along the western property line prior to the completion of the athletic field and only adjacent to the stadium and any other existing buildings. The buffer along the boundary of Lot 5, Block 3, Southgate Addition shall be planted prior to the completion of the phase one construction.

9. SIDEWALKS

- a. A minimum five (5) foot sidewalk shall be constructed along Cheek Sparger Road prior to the issuance of the certificate of occupancy for the high school (phase four).
- b. A minimum five (5) foot sidewalk shall be constructed along Wayne Drive prior to the issuance of any certificate of occupancy.

10. FENCES AND SCREENING

- a. A minimum eight (8) foot wood fence with masonry columns placed every 20 feet shall be constructed along the western boundary of the development adjacent to Lots 19 through 26, Camelot Estates Addition located in the City of Bedford and along Lot 5, Block 3, Southgate Addition in Colleyville prior to the issuance of any certificate of occupancy.

11. OTHER

- a. The bleachers for the athletic field shall meet the design and specifications shown in Exhibit "E".
- b. A traffic impact analysis (TIA) shall be required prior to the issuance of a building permit for any permanent structure. At a minimum, the TIA shall include the following:

- (1) A revised analysis of traffic impact on Cheek Sparger Road due to change in overall traffic movement in the area and with potential increase in enrollment of students;
- (2) Evaluation of the north/south traffic flow during peak and non-peak periods on Wayne Drive;
- (3) The impact of vehicles turning onto Wayne Drive from new development during peak and non-peak periods;
- (4) An analysis of minimum and optimum requirements for additional turn lanes on Cheek Sparger and Wayne Drive;
- (5) An analysis of minimum hard surface shoulder construction needs for vehicle drop off and pick up areas;
- (6) An analysis of the development impact upon the intersection of Wayne Drive and Cheek Sparger Road;
- (7) A site plan of the development that includes all surrounding public streets depicting any improvements and recommendations required as part of the TIA.

The TIA shall be submitted to the City Council for review and approval of both the TIA and the required improvements (both on-site and off-site) shown necessary by the TIA. No building permit shall be issued for any permanent structure allowed by this ordinance until the required improvements recommended by the TIA are made by the applicant and approved by the City.

- c. In lieu of improvements to Wayne Drive required as part of the proposed development, the applicant shall pay into escrow a perimeter street fee to be determined by the City Engineer prior to the filing of the replat for the property.
- d. Beginning at the westernmost corner of Lot 1R, Block 1, Colleyville Presbyterian Church Addition, where it is adjacent to Cheek Sparger Road thence commencing approximately 500 feet eastward along the south side of Cheek Sparger Road to the edge of the existing driveway approach there shall be installed a 15 foot wide all-weather surface shoulder, approved and inspected by the Public Works Director prior to the issuance of the certificate of occupancy for phase one construction.

- Sec. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 7. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 8. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 9. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

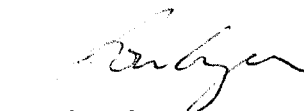
AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 4th day of August 2009.

The second reading and public hearing being conducted on the 18th day of August 2009.

ATTEST:

Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE

Jon Ayers
Mayor Pro Tem

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

EXHIBIT "A"- Location and Zoning Map

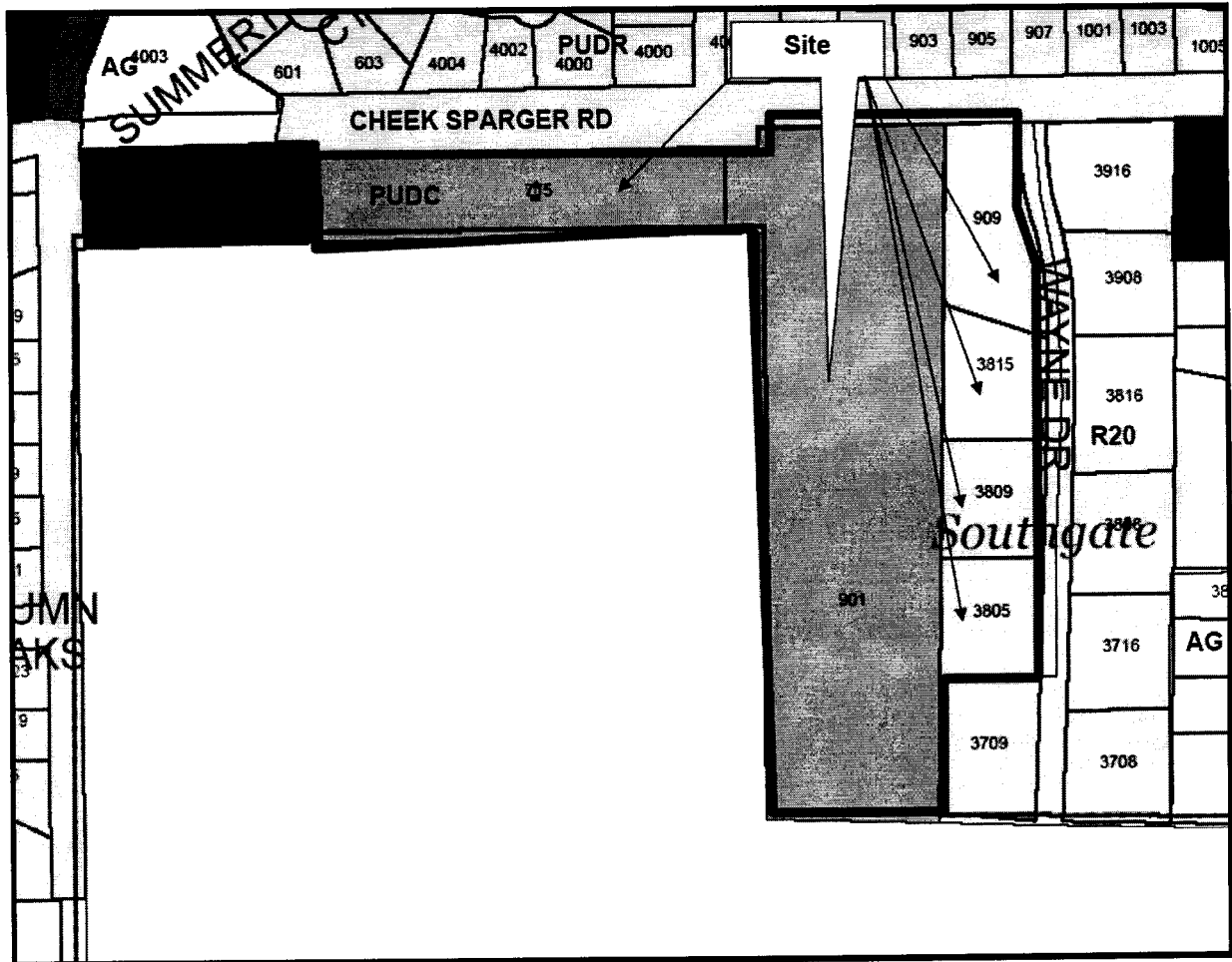
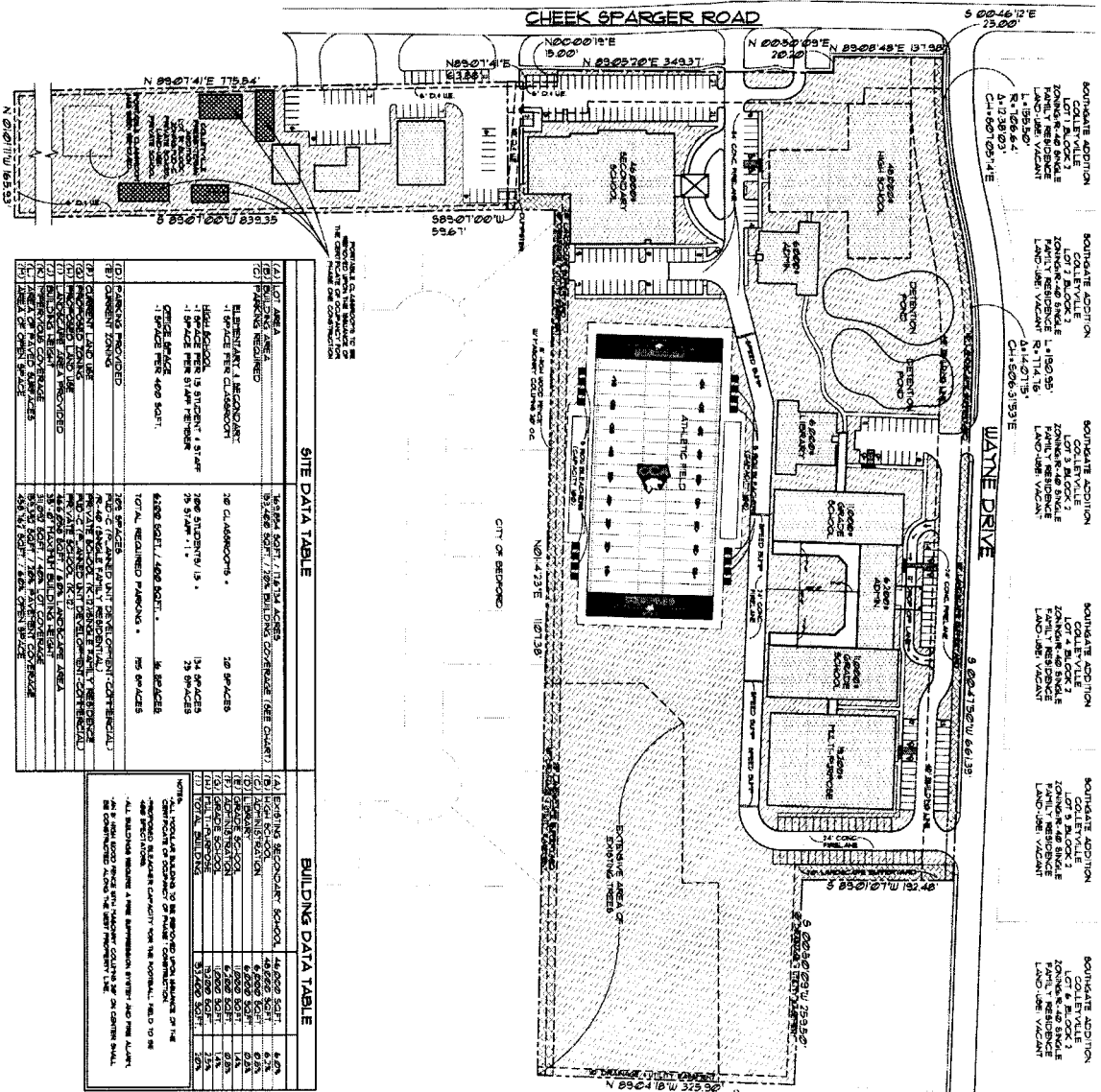


EXHIBIT "B"- Site Plan



SITE DATA TABLE		BUILDING DATA TABLE	
1. LOT AREA	1.00 ACRES	1. LOT AREA	1.00 ACRES
2. BUILDING AREA	1.00 ACRES	2. BUILDING AREA	1.00 ACRES
3. PARKING REQUIRED	1.00 ACRES	3. PARKING REQUIRED	1.00 ACRES
4. ELEMENTARY 1 SECONDARY	1.00 ACRES	4. ELEMENTARY 1 SECONDARY	1.00 ACRES
5. HIGH SCHOOL	1.00 ACRES	5. HIGH SCHOOL	1.00 ACRES
6. OFFICE SPACE	1.00 ACRES	6. OFFICE SPACE	1.00 ACRES
7. GYM	1.00 ACRES	7. GYM	1.00 ACRES
8. CLASSROOMS	1.00 ACRES	8. CLASSROOMS	1.00 ACRES
9. LABORATORY	1.00 ACRES	9. LABORATORY	1.00 ACRES
10. ART ROOM	1.00 ACRES	10. ART ROOM	1.00 ACRES
11. MUSIC ROOM	1.00 ACRES	11. MUSIC ROOM	1.00 ACRES
12. COUNSELOR'S OFFICE	1.00 ACRES	12. COUNSELOR'S OFFICE	1.00 ACRES
13. NURSERY	1.00 ACRES	13. NURSERY	1.00 ACRES
14. KITCHEN	1.00 ACRES	14. KITCHEN	1.00 ACRES
15. RESTROOM	1.00 ACRES	15. RESTROOM	1.00 ACRES
16. STORAGE	1.00 ACRES	16. STORAGE	1.00 ACRES
17. OFFICE	1.00 ACRES	17. OFFICE	1.00 ACRES
18. CLASSROOM	1.00 ACRES	18. CLASSROOM	1.00 ACRES
19. LABORATORY	1.00 ACRES	19. LABORATORY	1.00 ACRES
20. ART ROOM	1.00 ACRES	20. ART ROOM	1.00 ACRES
21. MUSIC ROOM	1.00 ACRES	21. MUSIC ROOM	1.00 ACRES
22. COUNSELOR'S OFFICE	1.00 ACRES	22. COUNSELOR'S OFFICE	1.00 ACRES
23. NURSERY	1.00 ACRES	23. NURSERY	1.00 ACRES
24. KITCHEN	1.00 ACRES	24. KITCHEN	1.00 ACRES
25. RESTROOM	1.00 ACRES	25. RESTROOM	1.00 ACRES
26. STORAGE	1.00 ACRES	26. STORAGE	1.00 ACRES
27. OFFICE	1.00 ACRES	27. OFFICE	1.00 ACRES
28. CLASSROOM	1.00 ACRES	28. CLASSROOM	1.00 ACRES
29. LABORATORY	1.00 ACRES	29. LABORATORY	1.00 ACRES
30. ART ROOM	1.00 ACRES	30. ART ROOM	1.00 ACRES
31. MUSIC ROOM	1.00 ACRES	31. MUSIC ROOM	1.00 ACRES
32. COUNSELOR'S OFFICE	1.00 ACRES	32. COUNSELOR'S OFFICE	1.00 ACRES
33. NURSERY	1.00 ACRES	33. NURSERY	1.00 ACRES
34. KITCHEN	1.00 ACRES	34. KITCHEN	1.00 ACRES
35. RESTROOM	1.00 ACRES	35. RESTROOM	1.00 ACRES
36. STORAGE	1.00 ACRES	36. STORAGE	1.00 ACRES
37. OFFICE	1.00 ACRES	37. OFFICE	1.00 ACRES
38. CLASSROOM	1.00 ACRES	38. CLASSROOM	1.00 ACRES
39. LABORATORY	1.00 ACRES	39. LABORATORY	1.00 ACRES
40. ART ROOM	1.00 ACRES	40. ART ROOM	1.00 ACRES
41. MUSIC ROOM	1.00 ACRES	41. MUSIC ROOM	1.00 ACRES
42. COUNSELOR'S OFFICE	1.00 ACRES	42. COUNSELOR'S OFFICE	1.00 ACRES
43. NURSERY	1.00 ACRES	43. NURSERY	1.00 ACRES
44. KITCHEN	1.00 ACRES	44. KITCHEN	1.00 ACRES
45. RESTROOM	1.00 ACRES	45. RESTROOM	1.00 ACRES
46. STORAGE	1.00 ACRES	46. STORAGE	1.00 ACRES
47. OFFICE	1.00 ACRES	47. OFFICE	1.00 ACRES
48. CLASSROOM	1.00 ACRES	48. CLASSROOM	1.00 ACRES
49. LABORATORY	1.00 ACRES	49. LABORATORY	1.00 ACRES
50. ART ROOM	1.00 ACRES	50. ART ROOM	1.00 ACRES
51. MUSIC ROOM	1.00 ACRES	51. MUSIC ROOM	1.00 ACRES
52. COUNSELOR'S OFFICE	1.00 ACRES	52. COUNSELOR'S OFFICE	1.00 ACRES
53. NURSERY	1.00 ACRES	53. NURSERY	1.00 ACRES
54. KITCHEN	1.00 ACRES	54. KITCHEN	1.00 ACRES
55. RESTROOM	1.00 ACRES	55. RESTROOM	1.00 ACRES
56. STORAGE	1.00 ACRES	56. STORAGE	1.00 ACRES
57. OFFICE	1.00 ACRES	57. OFFICE	1.00 ACRES
58. CLASSROOM	1.00 ACRES	58. CLASSROOM	1.00 ACRES
59. LABORATORY	1.00 ACRES	59. LABORATORY	1.00 ACRES
60. ART ROOM	1.00 ACRES	60. ART ROOM	1.00 ACRES
61. MUSIC ROOM	1.00 ACRES	61. MUSIC ROOM	1.00 ACRES
62. COUNSELOR'S OFFICE	1.00 ACRES	62. COUNSELOR'S OFFICE	1.00 ACRES
63. NURSERY	1.00 ACRES	63. NURSERY	1.00 ACRES
64. KITCHEN	1.00 ACRES	64. KITCHEN	1.00 ACRES
65. RESTROOM	1.00 ACRES	65. RESTROOM	1.00 ACRES
66. STORAGE	1.00 ACRES	66. STORAGE	1.00 ACRES
67. OFFICE	1.00 ACRES	67. OFFICE	1.00 ACRES
68. CLASSROOM	1.00 ACRES	68. CLASSROOM	1.00 ACRES
69. LABORATORY	1.00 ACRES	69. LABORATORY	1.00 ACRES
70. ART ROOM	1.00 ACRES	70. ART ROOM	1.00 ACRES
71. MUSIC ROOM	1.00 ACRES	71. MUSIC ROOM	1.00 ACRES
72. COUNSELOR'S OFFICE	1.00 ACRES	72. COUNSELOR'S OFFICE	1.00 ACRES
73. NURSERY	1.00 ACRES	73. NURSERY	1.00 ACRES
74. KITCHEN	1.00 ACRES	74. KITCHEN	1.00 ACRES
75. RESTROOM	1.00 ACRES	75. RESTROOM	1.00 ACRES
76. STORAGE	1.00 ACRES	76. STORAGE	1.00 ACRES
77. OFFICE	1.00 ACRES	77. OFFICE	1.00 ACRES
78. CLASSROOM	1.00 ACRES	78. CLASSROOM	1.00 ACRES
79. LABORATORY	1.00 ACRES	79. LABORATORY	1.00 ACRES
80. ART ROOM	1.00 ACRES	80. ART ROOM	1.00 ACRES
81. MUSIC ROOM	1.00 ACRES	81. MUSIC ROOM	1.00 ACRES
82. COUNSELOR'S OFFICE	1.00 ACRES	82. COUNSELOR'S OFFICE	1.00 ACRES
83. NURSERY	1.00 ACRES	83. NURSERY	1.00 ACRES
84. KITCHEN	1.00 ACRES	84. KITCHEN	1.00 ACRES
85. RESTROOM	1.00 ACRES	85. RESTROOM	1.00 ACRES
86. STORAGE	1.00 ACRES	86. STORAGE	1.00 ACRES
87. OFFICE	1.00 ACRES	87. OFFICE	1.00 ACRES
88. CLASSROOM	1.00 ACRES	88. CLASSROOM	1.00 ACRES
89. LABORATORY	1.00 ACRES	89. LABORATORY	1.00 ACRES
90. ART ROOM	1.00 ACRES	90. ART ROOM	1.00 ACRES
91. MUSIC ROOM	1.00 ACRES	91. MUSIC ROOM	1.00 ACRES
92. COUNSELOR'S OFFICE	1.00 ACRES	92. COUNSELOR'S OFFICE	1.00 ACRES
93. NURSERY	1.00 ACRES	93. NURSERY	1.00 ACRES
94. KITCHEN	1.00 ACRES	94. KITCHEN	1.00 ACRES
95. RESTROOM	1.00 ACRES	95. RESTROOM	1.00 ACRES
96. STORAGE	1.00 ACRES	96. STORAGE	1.00 ACRES
97. OFFICE	1.00 ACRES	97. OFFICE	1.00 ACRES
98. CLASSROOM	1.00 ACRES	98. CLASSROOM	1.00 ACRES
99. LABORATORY	1.00 ACRES	99. LABORATORY	1.00 ACRES
100. ART ROOM	1.00 ACRES	100. ART ROOM	1.00 ACRES

Copyright 2000 FOR REVIEW ONLY NOT FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION. MICHAEL J. WRIGHT, ARCHITECT TEXAS REG. # 1130

COVENANT CHRISTIAN ACADEMY
101 CHEEK SPARGER ROAD
COLLETTVILLE, TEXAS

Project No. 1130

Scale: 1" = 100'

City of Bedford

Site Plan

Lot 1, Colletteville Residential Camp, Addition
1.00 ACRES (1.00 ACRES) OF LAND
CITY OF COLLETTVILLE, TEXAS
"CITY OF COLLETTVILLE RESIDENTIAL CAMP, ADDITION"
PLAN REVISION NO. 1130

EXHIBIT "C"- Statement of Planning Objectives

ATTACHMENT TO PUD-C ZONING CHANGE APPLICATION OF COVENANT CHRISTIAN ACADEMY AND PRESBYTERIAN CHURCH IN AMERICA – COLLEYVILLE, TEXAS

The property for which this proposed zoning is to occur is located at the southwest corner of Cheek Sparger Road and Wayne Drive. The overall 17.6734 acre piece of property is comprised of numerous individual lots zoned for both PUD-C and R-40 uses (see attached legal description). It is the intent of this zoning application to redact the current zoning for the property and rezone the property into one zoning classification (PUD-C) to be used primarily for church and educational use as described below:

PERMITTED USES

1. Church and other uses associated with churches, such as worship activities, Sunday School, and church related educational purposes.
2. Private primary and secondary school purposes.
3. Recreational and athletic purposes associated with uses 1. and 2. above.
4. Any combination of the permitted uses and any accessory uses incidental and secondary to the allowed principal uses.

STATEMENT OF PLANNING OBJECTIVES

Covenant Christian Academy is a highly respected educational institute serving students in and around Colleyville since 1979. The objective of this PUD-C request is to move forward improving the Physical Plant so as to better serve the students and faculty within our school with improvements in our academic, athletic and recreational facilities. Grade school classrooms are planned with the appropriate recreational areas appropriate to grade levels. Athletic field improvements are also included to promote on campus training, practice and game facilities for our school teams as well as outreach opportunities for serving assorted local clubs and associations. Athletic field shall be lighted for nighttime use. Finally, a future high school building and an enclosed multi-purpose facility is planned as part of our long-term goals.

Upon grant of the zoning change requested herein, it is anticipated that the main Property Owners (Covenant Christian Academy – "CCA") will immediately move forward with a replat request (the replat may proceed concurrent with zoning request). The existing PUD-C required the removal of the portable classroom buildings and the construction of permanent structures to house the students within a certain timeframe. Two of the portable buildings have already been removed in accordance with current PUD requirements. This request will incorporate that condition into our PUD-C. Construction of the three (3) grade school buildings will begin almost immediately (Phase 1). These initial improvements will provide classroom and administration space necessary to eliminate the existing portable classroom buildings. While those portable buildings are not on CCA-owned property and are located outside of the area of our PUD-C request, the removal of those buildings is herein represented as a condition of our request. All portable buildings are to be removed upon issuance of the certificate of occupancy of Phase 1 Construction or approximately September, 2010.

EXHIBIT "C"- Statement of Planning Objectives Continued

Realize that the proposed development of this property is planned to provide an improved learning atmosphere for the existing student base including a library, computer lab, dedicated art studio, music room, and science lab. The development is not intended to accommodate an influx of additional students in excess of the current enrollment. Student enrollment has fluctuated between 500 to just under 600 over the last seven years. A student enrollment of 600 is the design population for which this PUD-C has been designed for.

Presbyterian Church in America – Colleyville, Texas ("Colleyville Presbyterian") was the entity that started CCA. The school became independent of the church in 1999. CCA has been in operation for many years and has been a good neighbor and citizen in the City of Colleyville. Numerous residents of the community have contributed vast amounts of time and monetary resources to further this private school. CCA owns the majority of the property along the west side of Wayne Drive with the exception of Lots 1 and Lot 5 (Southgate Addition, Block 3). Lot 1 is currently under contract to CCA and is a part of this PUD. The original 10 acre portion of CCA property was purchased with the anticipation of the construction of school facilities on the Property. This zoning change is necessitated as a result of the City's zoning ordinance which does not allow additional construction of educational facilities on the CCA property without approving a new PD Development. The City's zoning ordinance was instituted just after the original property was purchased. The use of the Property has long been planned and has been existent for a number of years. The requested change is therefore consistent with the existing use of the Property. Conversion of the existing Property of CCA into its proposed use is logical and does not take other commercial property of the City out of use for retail and other higher commercial uses as desired by the City of Colleyville.

City of Bedford residential neighborhoods are located to the west and south of this development. The athletic field and treed area on the southern portion of the property (trees to remain) serve as a buffer to these residential areas and are certainly compatible with adjoining uses. The existing athletic field will remain in approximately the same location, thus having little additional effect on the neighbors in Bedford. These same areas will also easily satisfy any requirements for open space with might be associated with this zoning request. The area east of Wayne Drive, across the street from this Property, is comprised of vacant land zoned for Agricultural use and two remaining residential homes (zoned R-40). The Saddlebrook Subdivision is located north of this property across Cheek Sparger Road (zoned PUD-R).

Prior zoning changes (PUD's) on this property attempted to satisfy CCA requirements, but contained numerous concessions requested by adjoining property owners. Since the most recent PUD-C, CCA has acquired additional properties along Wayne Drive, thus eliminating all but one of the prior adjacent property owners. This PUD-C addresses the rezoning of the recently acquired and original CCA and Colleyville Presbyterian property as well as those that are to be acquired (Lot 1).

DEVELOPMENT SCHEDULE

EXHIBIT "C"- Statement of Planning Objectives Continued

The stages and phases of development are planned as follows:

- Phase 1 - Grade School Construction (begin immediately and finish in approximately 15 months)
- Phase 2 - Multi-Purpose Facility Construction (no completion date established)
- Phase 3 - Athletic Field and Stadium (no completion date established)
- Phase 4 - High School (no completion date established)

* Realize that much of the timing of construction will be dependent on fund raising activities. The Applicant requests that no specific deadlines or time frames be associated with this Development Schedule.

STATEMENT OF PROPOSED OWNERSHIP

The ownership of the Property will not change other than the fact that Lot 1 is expected to be acquired by CCA contingent upon zoning approval.

STATEMENT OF UTILITIES/INFRASTRUCTURE TO BE PROVIDED

All major utilities, water, sewer and drainage are either already on or immediately adjacent to all of the Property. The attached preliminary engineering drawings detail the proposed water, sewer and drainage infrastructure that will be constructed to accommodate the proposed development of this property. Required easements for all utilities around and on the Site either already exist or will be provided by Plat or separate instrument as necessary.

Regarding roadway infrastructure, CCA intends to improve Wayne Drive for its entire length of frontage. The existing asphalt roadway will be widened from the centerline to the west to form ½ of the required 31' B-B City Street Section. In other words, CCA will build a 15.5' street section along its side of the existing Wayne Drive. A 4' sidewalk will be constructed along the west right-of-way of Wayne Drive for its entire length along the CCA frontage. CCA would also entertain entering into a City-Developer Agreement to reconstruct Wayne Drive along the entire school frontage from its existing state to a full width 36' B-B street section to allow on-street parking. CCA would be willing to contribute the funds for 15.5' width of the roadway while the City pick up the cost for the remaining 20.5' width.

Recent improvements to Cheek Sparger Road have already been made by CCA as required by the earlier PUD-C.

IMPACT FEES:

Granting of this request will not introduce additional students to this location. The classrooms in Phase 1 will replace the existing classrooms currently located in the Portable Buildings. No net increase in impact will be felt from these improvements as we

EXHIBIT "C"- Statement of Planning Objectives Continued

are simply relocating existing students into the new, larger classroom and appropriate educational spaces.

By this application we are requesting following consideration and adjustment on the applicable impact fees:

- 1) Roadway Impact and Perimeter Street Fees: Full impact fee credit allowed for the amount of road way improvement both to Wayne Drive as illustrated in this request as well as the previous substantial improvements along Cheeksparger Drive. We request that the required street and sidewalk construction be limited to what is shown on our Site/Concept Plan and related engineering plans.
- 2) Parkland Dedication Fees: We understand that Parkland Dedication Fees do not apply to this development.
- 3) Water and Sanitary Sewer (Builder) Impact Fees: Full impact fee credit shall be allowed for the installation of the new 8" water line along the full length of property along Wayne Drive. This water line is replacing an existing 2" water line. Again, the impact from the introduction of these new classroom buildings will be totally offset by the elimination of the impact now present with the portable classroom buildings to be removed from site.
- 4) Tree Mitigation Fees: Full tree mitigation fee credit shall be allowed mainly due to the effort taken to preserve the majority of the existing trees located at the southwest corner of the property. Over 90% of the existing trees on the overall property are to be retained.

This instrument is attached to an incorporated into the zoning application signed by the Property Owners and their representative.

EXHIBIT "D"- Building Elevations

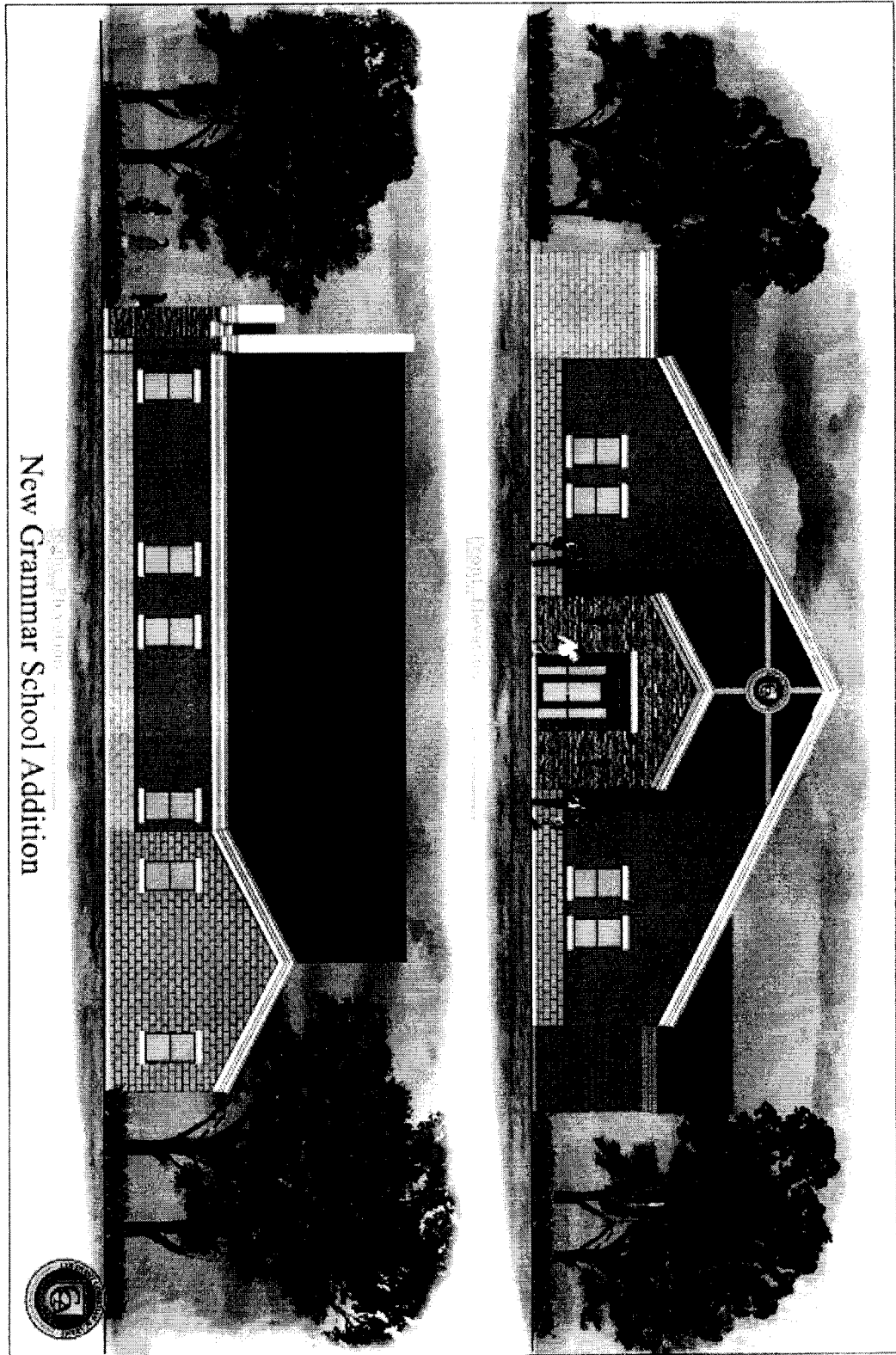
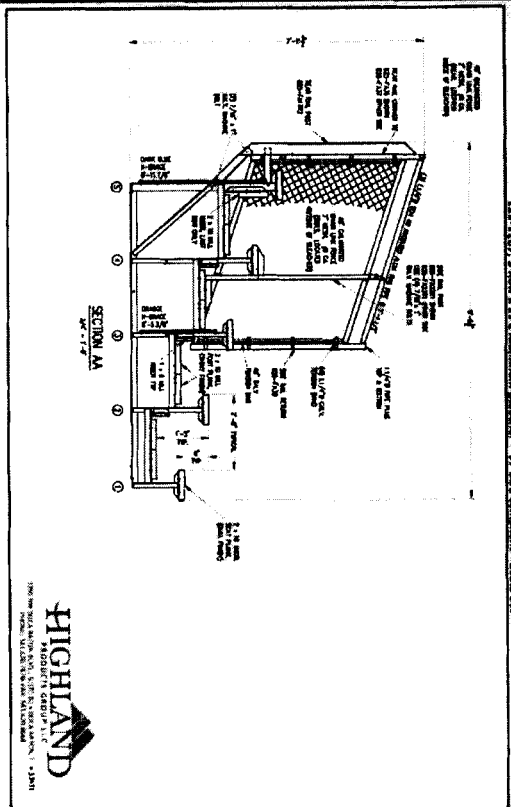
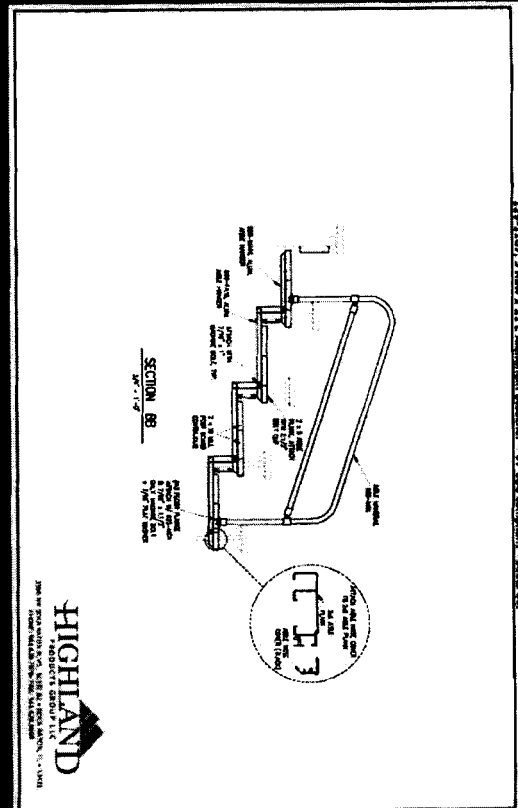
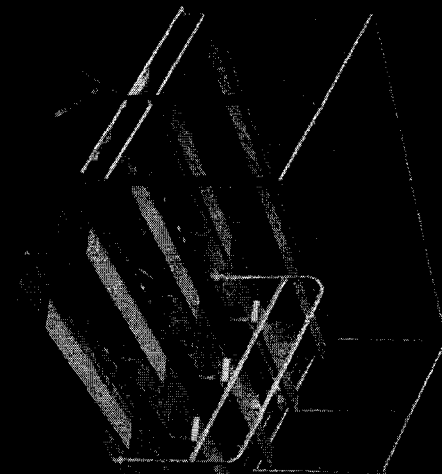


EXHIBIT "E"- Bleacher Details

Bleacher Details



BLEACHER SPECIFICATIONS

ORDINANCE O-13-1876

AN ORDINANCE AMENDING ORDINANCE O-09-1725 CONDITIONS AND AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON LOT 5, BLOCK 3, SOUTHGATE ADDITION FROM THE R40-SINGLE FAMILY RESIDENTIAL DISTRICT TO THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL DISTRICT; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; 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 Council approved Ordinance O-09-1725 on August 18, 2009, to establish the zoning of 17.7 acres on Lot 1 and 2, Block 1, Colleyville Presbyterian Church Addition, and Lots 1, 2, 3 and 4, Block 3, Southgate Addition; and

WHEREAS, the applicant has requested an amendment to Ordinance O-09-1725 and requests to rezone Lot 5, Block 3, Southgate Addition so as to incorporate the property into the PUD authorized by Ordinance O-09-1725 under Case ZC13-004; and

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

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

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

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

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by amending Ordinance O-09-1725.
- Sec. 3. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning of Lot 5, Block 3, Southgate Addition from the R40-Single Family Residential District to the PUD-C-Planned Unit Development Commercial District, as depicted in the attached Exhibit "A".
- Sec. 4. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 5. THAT the above described tract of land shall be subject to the following conditions:

1. SITE PLAN AND PLATTING

- a. The development of this property shall be generally consistent with Exhibit "B" and Exhibit "C".
- b. Prior to the issuance of any building permit involving Lot 5, Block 3, Southgate Addition, a replat of the subject properties must be submitted and approved such that Lot 5, Block 3, Southgate Addition is incorporated into the Covenant Christian Academy Addition.

2. PERMITTED AND PROHIBITED USES

- a. Section 5(3)3 of Ordinance O-09-1725 is deleted and is replaced with the following:

Private elementary, secondary, and high school not to exceed 855 students total.

3. BUILDINGS AND SITE PLAN APPROVAL

- a. This section shall repeal Section 5(4)a of Ordinance O-09-1725. The following buildings shall be allowed as described below and depicted and described on Exhibits "B" and "C".
 1. Addition of 42,400 square feet to the secondary school building (Redeemer Hall)
 2. Addition of 27,000 square feet to the administration building (Nissi Hall)
 3. Addition of a 50,000 square foot gymnasium
 4. New baseball stadium and parking garage
 5. Expansion to existing football/soccer field
 6. All buildings and improvements existing on the date of adoption of this Ordinance within the boundaries of this PUD-C-Planned Unit Development Commercial District
 7. New 40,000 square foot, two-story church facility on the western portion of Lot 1R, Colleyville Presbyterian Church Addition on the Planned Unit Development Property
- b. Prior to construction, the baseball stadium, baseball lighting, parking garage, expansion to the existing football/soccer field shown above and football/soccer field lighting shall require the approval of a detailed site plan and building

elevations. The detailed site plan submission shall, at a minimum, meet the requirements of Section 3.23 J.K.6. of the Land Development Code, be consistent with this Ordinance, and may also be required to show additional conditions provided in Section 3.23 M. b. of the Land Development Code. Further, such detailed site plan(s) shall be considered as a legislative approval, subject to the sole discretion of City Council upon the recommendation of the Planning and Zoning Commission.

- c. All buildings shall, at a minimum, meet the building design and masonry requirements of Chapter 6-Building Design in the Land Development Code.

4. PARKING

- a. Prior to the final inspection of any building expansion or construction described Section 3, there shall, at a minimum, be adequate on-site, off-street parking spaces provided to accommodate the maximum enrollment of 855 students.
- b. Section 5(6)a of Ordinance O-09-1725 is hereby deleted.

5. LANDSCAPING AND BUFFERING

- a. The development shall provide a minimum of 35 percent of open space. This section shall replace and supersede Section 5(8)a of Ordinance O-09-1725.
- b. Section 5(8)c of Ordinance O-09-1725 is hereby deleted.
- c. Prior to the final inspection of the construction of the new baseball stadium, there shall be a minimum of 360 caliper inches of trees planted on the subject property. Prior to the final inspection for any building construction authorized by this ordinance, there shall be a minimum of 270 caliper inches of trees planted on the subject property. All new trees planted within this development, whether required or not, shall be a minimum of four (4) inches in caliper width. At its election, the property owner may cause or pay for new trees of a minimum of three (3) inches in caliper width to be planted adjacent to the Planned Unit Development District on the residential lots in neighboring Bedford as part of the

natural screen between those lots and the uses in the Planned Unit Development District. The total caliper width in inches of any such trees planted on the Bedford lots will also be credited to the total number of caliper inches of trees required in the PUD Planned Unit Development District.

- d. All landscaping within this development shall meet the minimum requirements of Chapter 4-Landscaping and Buffering in the Land Development Code, except where amended herein.

6. FENCES AND SCREENING

- a. Section 5(10) of Ordinance O-09-1725 is hereby deleted.
- b. All required screening shall meet the minimum requirements of the Land Development Code

7. LIGHTING

- a. Section 5(7)b of Ordinance O-09-1725 is hereby deleted.
- b. Baseball Field Lighting Use Restrictions
 - 1. No field lighting may be installed prior to approval pursuant to the provisions of Section 5(3)b.
 - 2. No field lighting is permitted after 9:30 p.m. on Monday through Thursday and 10:30 p.m. on Friday and Saturday evenings, however field lighting may be extended one hour past these establish curfews on not more than 5 events per calendar year if the event was originally scheduled to end prior the normal curfew and could not reasonably be completed.
 - 3. No field lighting is permitted on Sundays.
 - 4. Field lighting may not extend past 9:30 p.m. on any more than 20 nights in one calendar year.
- c. Football/Soccer Field Lighting Use Restrictions
 - 1. No field lighting is permitted after 10:30 p.m., provided, however, that field lighting may be extended one hour past normal curfew on not more than 6 events per calendar year

if the event was originally scheduled to end prior to normal curfew and could not reasonably be completed.

2. No field lighting is permitted on Sundays.
 3. Field lighting may not be used after 9:00 p.m. on any more than 40 days in any calendar year.
- d. Prior to the installation of any lighting for any athletic fields, a lighting plan that includes all details of the proposed lighting shall be submitted to the City Council for final approval.

8. TRAFFIC IMPACT

- a. Prior to the issuance of any building permit applied for after the effective date of this ordinance, either a new or amended traffic impact analysis (TIA) shall be submitted and approved by City Council. Said TIA shall, at a minimum, address the development authorized by this ordinance and depicted in Exhibit "B".

Sec. 6. 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. 7. 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. 8. 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. 9. 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. 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.

Sec. 11. THAT Ordinance O-09-1725 shall remain in full force and effect, except where amended by this ordinance.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 4th day of June 2013.

The second reading and public hearing being conducted on the 18th day of June 2013.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 18th day of June 2013.

ATTEST:



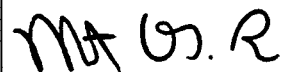
Amy Shelley
City Secretary

CITY OF COLLEYVILLE



Mike Taylor
Mayor Pro Tem

APPROVED AS TO FORM AND LEGALITY:



Matthew C. G. Boyle
City Attorney

Exhibit "A" –Location and Zoning Map

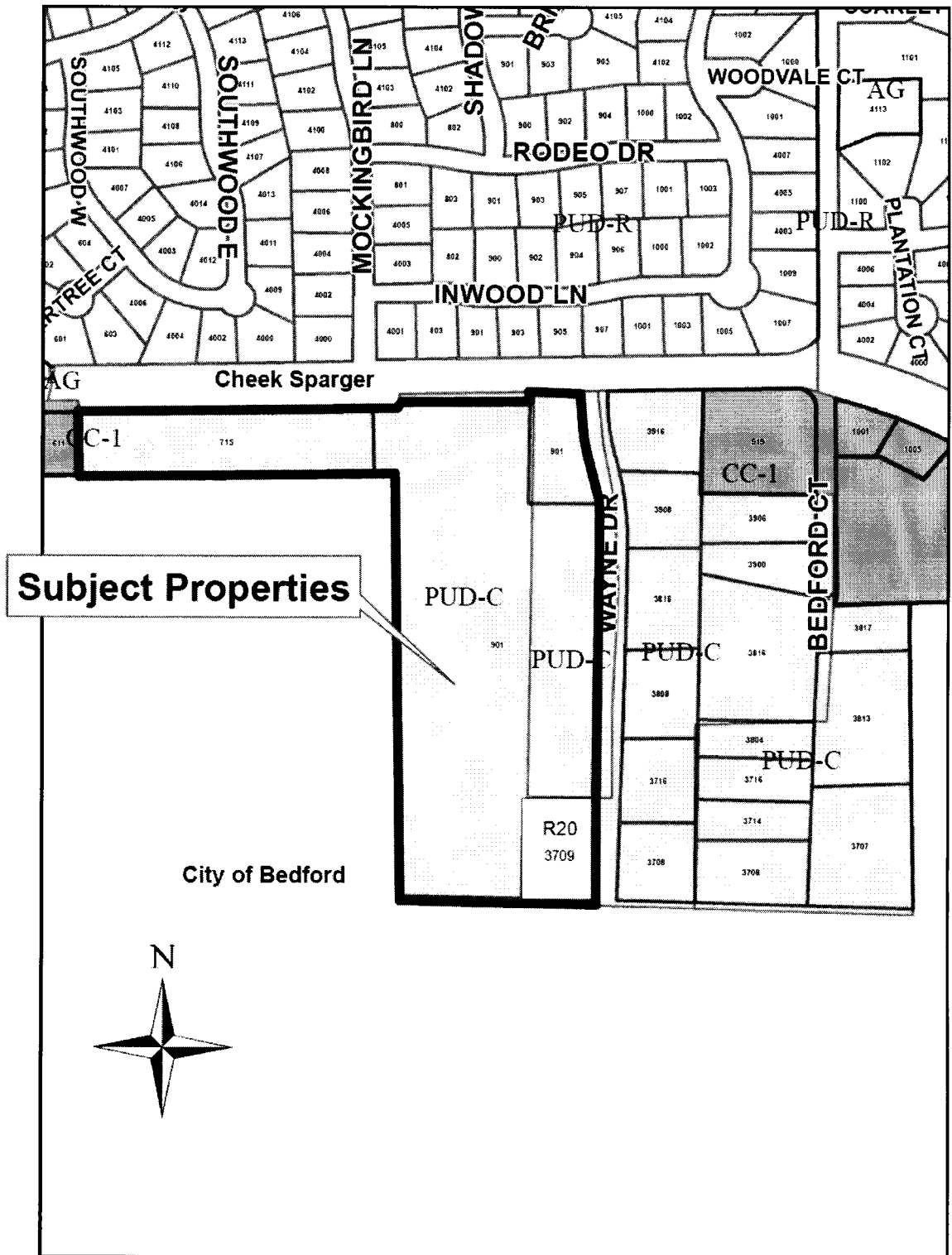


Exhibit “B” – Statement of Planning Objectives

Supporting Documents:

Statement of Planning Objectives:

Covenant Christian Academy (CCA) and Colleyville Presbyterian Church (CPC) have developed this campus plan to:

- Provide on-campus structures and athletic facilities projected to meet the foreseeable long-term needs for the programs of the school and church without acquiring more land
- Develop a comprehensive plan that seeks to eliminate the need for future PUD amendments and seek approval with the utmost transparency
- Develop facilities that provide tremendous beauty and function for the surrounding community
- Align the School’s needs with the City of Colleyville’s Master plan
 - Provide additional ball fields in Colleyville
 - Make our southern corner of Colleyville a great destination that positively contributes to our city’s economic development
- Consider and provide reasonable solutions for the concerns of our neighbors in the design of the campus

The Church moved to her current campus in 1978. The next year the Church developed plans for a Christian school. Covenant Christian Academy began classes in August of 1980. The Church and school continued to grow. CCA’s first graduating class received their diplomas in 1992. Both the Church and the school are proud to be long-standing Colleyville institutions. Since that beginning, a large number of Colleyville residents have become part of the CCA family. CCA has repeatedly considered different campus locations over the last thirty years. More than a dozen sites have been reviewed for some or all of the needed school facilities over the last fourteen years. Deliberate and considered acquisition of adjoining property has consistently been our best option. With the approval of the Heritage Farms senior living project on the only adjoining undeveloped property, CCA must now look to its current property to meet all of its future facility needs.

In the past, particularly in CCA’s prior development and zoning dealings with the City, CCA has been restricted by limited financial resources, deed restrictions on the former residential lots along Wayne Drive and uncertainty about the amount of land that would comprise our ultimate campus. Though the school had a clear identity and goals as an educational institution, these have lacked the necessary land and physical infrastructure to fully flourish. Additionally, the school has not had the administrative bandwidth to thoroughly plan in the past. The acquisition of all of the former residential lots on the west side of Wayne Drive, removal of the former deed restrictions on those lots, growth in financial resources and consistent institutional growth and maturity has significantly altered these limitations.

CCA’s mission is to provide a Biblically based, classical, college-preparatory education that inspires a passion for excellence, and heart of grace, and the character of Christ. Initiatives founded on this mission are filtered through a set of core values:

1. Imparting a Distinctively Christian Worldview
2. Employing a Classical, Interdisciplinary Educational Approach

Exhibit "B" – Statement of Planning Objectives (continued)

3. Pursuing the Discipline of Critical Thinking, a Lifelong Love of Learning, and an Understanding of God's Unique Calling
4. Applying Rigorous Curricular, Instructional, and Character Standards
5. Fostering a Covenant Community Grounded in Truth and Grace
6. Promoting Financial Practices that Honor Biblical Standards of Stewardship

CCA has developed this campus build-out plan so that the physical plant of the school will better exemplify the quality educational efforts that have long occurred within her walls.

Teams of CCA administrators, teachers, staff members, parents, and students have constructed a comprehensive list of school's facility uses. The school's campus was then reviewed for the best possible layout to provide space for these activities. CCA administration has made dozens of revisions to the documents comprising this application based on the responses from every constituent segment of the school community, neighbors that reside around the school, city staff and leadership, and several different architects.

Enrollment at Full Build-Out

Seven years ago, CCA established a full build-out enrollment goal for the maximum number of students that the site could accommodate. Confusion about this goal has been connected to which segments of our program resided on campus. Until three years ago, CCA had leased off-site space for our Pre-Grammar School. When our lower school, Jireh Hall, was completed, we were able to unite everyone on a single campus. CCA's current enrollment is 662. CCA's ultimate goal is 855. The detail of this goal is listed below, which is the maximum enrollment desired by CCA. CCA believes the close-knit familial environment is a critical component of the education provided. Growing the school beyond this number negatively impacts the school's ethos.

<u>Grade Level</u>	<u>Enrollment Cap</u>
Pre-Kindergarten 3-Year-Olds:	20
Pre-Kindergarten 4-Year-Olds:	40
Kindergarten:	60
Pre-First:	15
<u>1st – 12th (60 per Grade):</u>	<u>720</u>
Grand Total:	855

Meeting with Neighbors:

In the past, four issues have dominated neighborhood concerns: traffic, drainage, aesthetics, and noise. CCA wanted to address these concerns to the fullest extent possible, while planning for the facilities necessary to the school's full program. As a result, the school hosted five meetings with the neighbors in both Colleyville and Bedford. CCA sent out 2246 invitations. 1312 to Colleyville neighbors and 934 to Bedford neighbors. Leadership and staff at the cities of Colleyville and Bedford were also invited to these meetings. CCA's Headmaster and Facilities Director met with the Board of Saddlebrook's Home Owners Association. CCA also met with the Executive Board of the Colleyville Chamber of Commerce. Each meeting included a clear exposition of the current campus build-out plan as well as time for questions and feedback. The resulting feedback was very useful in further modifying the plan. One

Exhibit "B" – Statement of Planning Objectives (continued)

major change, explained below, was a direct result of these meetings. CCA is thankful for the contribution our neighbors have made to this campus plan.

Mitigating Concerns:

Traffic:

CCA is presently at 78% of full capacity. CCA has room for measured, not dramatic growth. The proposed campus plan will improve the flow of traffic on Cheek Sparger Road during our drop-off and pick-up times. The plan significantly increases capacity for internal cueing of traffic. The number of drop-off points increases and there is an additional lane through campus. There is also a dramatic increase in parking. The school currently has 218 parking spaces. The plan increases this number to 660, with 604 on the CCA site and an additional 56 on the CPC site. While development codes require only the parking necessary for a facility's primary use, CCA wants to accommodate parking for the highest capacity events held on campus, now or in the future. Perhaps, the most impactful element for mitigating traffic issues is not on campus at all. CCA has willingly participated in the effort to create a round-about at the intersection of Cheek Sparger Road and Bedford Road. This feature will protect and facilitate the flow of the road even at peak times.

Drainage:

CCA mitigated drainage issues on the north end of campus during the last phase of construction. The school's retention pond is attractive, effective, and sustainable. The pond is fed from a well and is used to irrigate the campus. This maintains the lovely aesthetic. The campus plan calls for two more retention ponds. These will care for drainage concerns caused by additional rooflines at the currently undeveloped south end of campus. These efforts combined with the work of Heritage Farms "down-stream" from CCA should serve to mitigate routine drainage issues.

Aesthetics:

CCA and CPC have both made significant strides over the last five years. The portables that were not desirable to neighbors, the church, and the school are long gone. Each new facility has brought an increased regard for beauty. The older facilities have been repainted and remodeled to improve curb appeal. CCA's campus is now a lovely corner of Colleyville. The school is committed to this continued effort.

With respect to the plan in this application, lights and looming rooflines were two concerns we heard from our neighbors. To meet the long-term needs for athletic competition, CCA has an express need for lighted fields. Colleyville's Master Plan delineates the City's need for additional ball fields. Even the Colleyville Youth Associations echo this sentiment. In an effort to balance these seemingly oppositional criteria, CCA has approached the need with the utmost consideration for the potential impact on neighbors. As a result, CCA is agreeing to zero bleed-over lights for both the baseball and soccer/football facilities. This technology, while expensive, is impressively effective. These lights cost about 57% more than traditional lights but they produce the necessary illumination for competition with zero foot-candles of light at the campus boundary. This effect is true even without the additional buffer

Exhibit "B" – Statement of Planning Objectives (continued)

of trees. The looming roofline concerns have been largely mitigated by a roofless building design for the soccer/football field. This design blocks direct light from our neighbors while providing a much lower roof profile. It also provides some environmental relief to spectators.

CCA is assigning significant funds for landscaping. All of the feedback provided to the school has included the appreciation of trees. The school's landscape plan includes 90 four-inch caliper trees. As part of this addition, the school has offered to plant live oak trees on 30-foot centers in the back yards of neighbors that adjoin CCA's campus. CCA will be a largely forested campus. These trees will outline the campus as a whole and the competition facilities in particular. Ultimately, CCA's campus will significantly contribute to Colleyville's commitment to provide premier parks, open spaces, and neighborhood connectivity.

Noise:

The plan includes several components designed to mitigate noise. Some already mentioned are: low profile roofs that go behind and above spectators on both of the competition fields, additional trees at the boundaries, and additional buildings that impede the path of sound. The plan also lowers the entire soccer/football field which will further mitigate noise. The parking structure will effectively put parking and batting cages underground, which will reduce noise. The sound systems for the competition fields will not use large speakers hung on poles, but rather small speakers imbedded in the roofline above the spectator areas or in the rails in front of spectators. These will be directed at the spectators so that the volume is much lower and noise spill-over is minimized.

Unique Facilities:

A Parking Structure with a Competition Baseball Field Above:

CCA enjoys a significant rise of land on the south end of our campus. The highest point on campus is toward the southern end of our western boundary line. The topography falls over 30 feet as one moves to the east. This southwest area is also heavily treed. This environment allowed for a one-level parking garage with a full competition baseball field on top. The parking is largely hidden from view, recessed into the hill, and the baseball field is both lovely and sustainable. The state-of-the-art turf field incorporates recycled water bottles to provide a cooler playing surface that is more enjoyable for athletes and friendlier to our environment. This design provides more open space while retaining the forested boundaries. An existing playground is located next to the baseball facilities and under the trees, allowing children to play in a pleasant and secure setting while parents watch a game. The whole facility is nestled among the existing trees.

Roofless Building for Soccer and Football Competitions and Track Practice:

CCA had considered a strictly outdoor facility and a fully indoor competition field, but the best option was not considered until we received feedback from our nearest neighbors. Their concerns about a looming roofline led to this unique approach. The lights are positioned to eliminate spillage onto neighboring properties. Smaller speakers will be located to focus sound toward the spectators. The resulting decibel level is much lower than typical high school facilities. This facility maintains beautiful open space while still mitigating lights and noise. It will produce a unique facility attractive as an event destination.

Exhibit "B" – Statement of Planning Objectives (continued)

Development Schedule:

CCA and CPC's campus master plan is comprehensive, carefully designed, and represents a long-term commitment to the Colleyville community. Given the school's policies on debt, the typical goal for a capital campaign, and the length of time required to run these campaigns, CCA expects the build-out of this campus to take 25 years. This schedule can be accelerated if sizable donations come in quickly, but 25 years is a reasonable expectation. The following is a loose projection:

<u>Campus Component</u>	<u>Probable Opening</u>
Redeemer Hall Expansion	2017
Parking and Baseball	2022
Soccer/Football Field	2027
Nissi Hall Expansion	2032
Competition Gym	2037
Fine Arts Remodel with Theater	2038

Economic Development Information:

CCA's Impact on the Local Economy:

CCA currently educates 662 students from 426 families. 137 of these families live in Colleyville while 289 families live in the surrounding area. 47 of the Colleyville families moved to Colleyville in order to be close to CCA. Most of the school's families come to campus twice a day. They regularly shop and dine at Colleyville businesses. They contribute substantially to the thriving Colleyville economic community.

CCA employs 103 people. This number does not include stipend coaches or school of the arts instructors.

Sixteen CCA parents are also Colleyville business owners.

The proposed campus creates the kind of facilities that promote a destination / visitor's economy. The school's social, academic, artistic, and athletic events are well-attended. A significant number of these are currently held in other cities because we do not have a campus venue for them.

Private Schools and Quality of Life

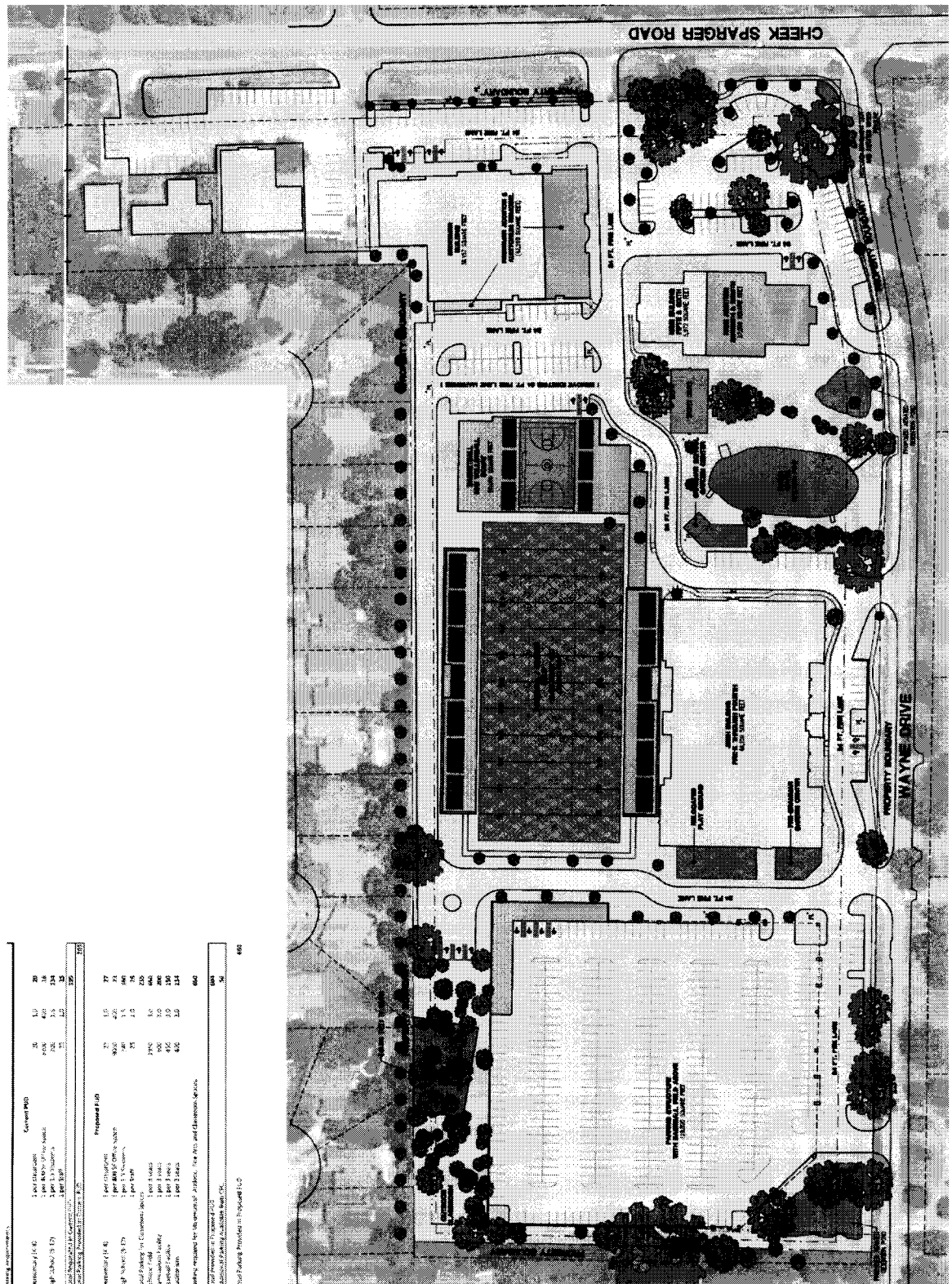
Premier residential communities are often typified by top-flight private schools. Covenant Christian Academy is Colleyville's only private school serving Pre-Kindergarten through 12th graders. CCA has a tremendous reputation and draws new residents to Colleyville.

Traffic Impact Analysis:

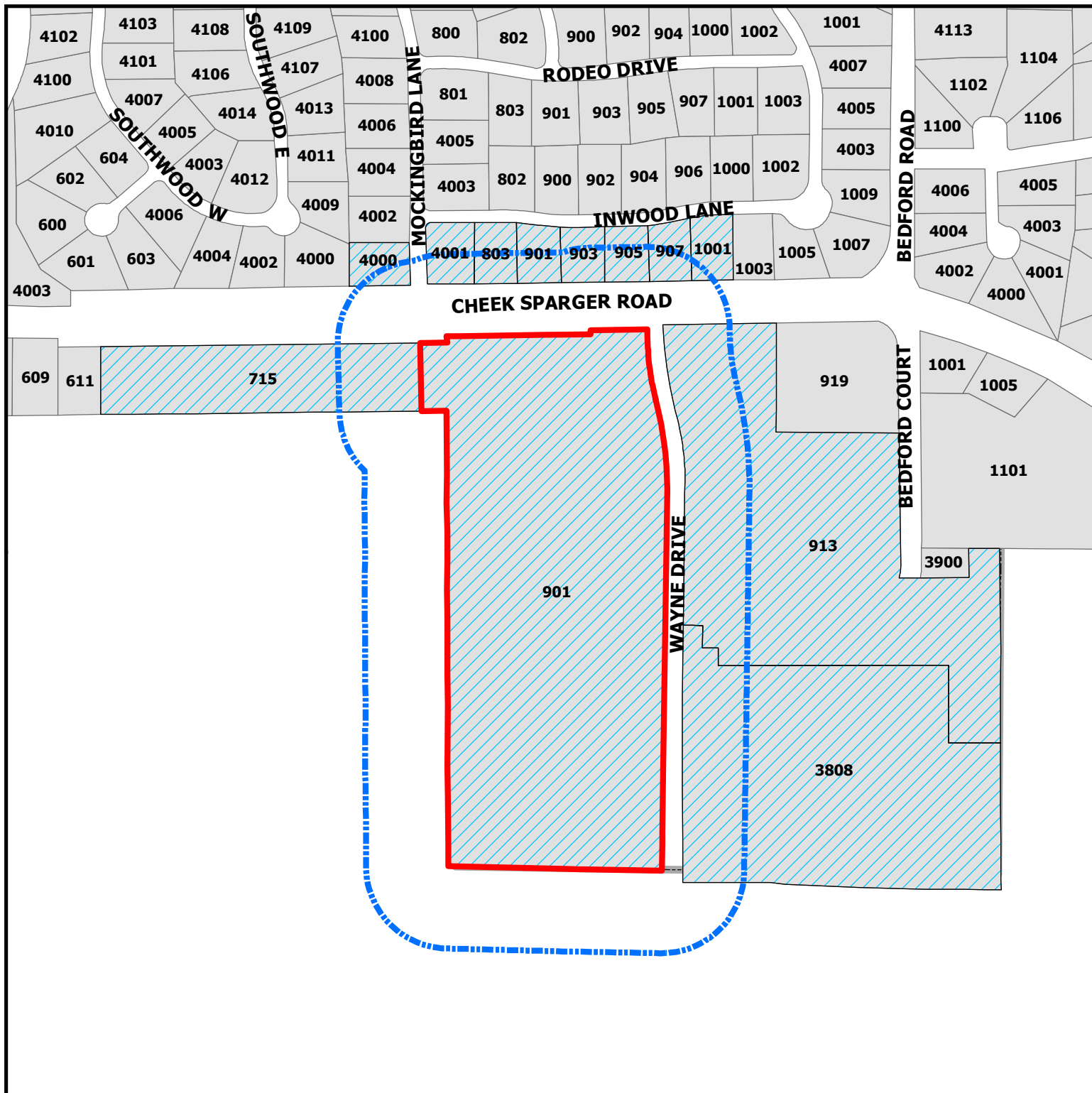
CCA has conducted several TIAs over the years. Cirrus Health recently conducted an extensive study of the area for their Heritage Farms development which will be situated across Wayne Drive from CCA.

CCA administration has contacted the engineer, Mark Goode, who conducted this most recent study. He will work with CCA and the City of Colleyville to conduct any supplemental work that is required.

Exhibit "C" – Conceptual Site Plan



Notification Map

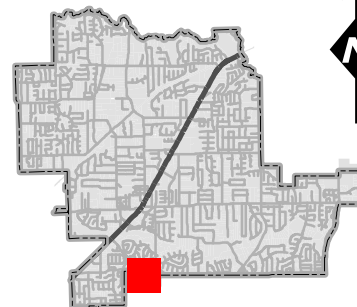


SP18-001

901 Cheek-Sparger Road

DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

-  Subject Property
-  200ft Buffer
-  Properties within 200ft



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
KELLY, DEBORAH R	905 INWOOD LN	COLLEYVILLE, TX	76034	905 INWOOD LN
COLBY, SUSAN L	4001 MOCKINGBIRD LN	COLLEYVILLE, TX	76034	4001 MOCKINGBIRD LN
COPP, MICHAEL K	803 INWOOD LN	COLLEYVILLE, TX	76034	803 INWOOD LN
REID, TERRY BRYANT	907 INWOOD LN	COLLEYVILLE, TX	76034	907 INWOOD LN
PRESBYTERIAN CHURCH AMERICA	715 CHEEK SPARGER RD	COLLEYVILLE, TX	76034	715 CHEEK SPARGER RD
BELL, MICHAEL E	1001 INWOOD LN	COLLEYVILLE, TX	76034	1001 INWOOD LN
CCDCW LP	PO BOX 1527	COLLEYVILLE, TX	76034	913 CHEEK SPARGER RD
SHIPP, J D	901 INWOOD LN	COLLEYVILLE, TX	76034	901 INWOOD LN
COLLEYVILLE COVENANT CHRISTIAN	901 CHEEK SPARGER RD	COLLEYVILLE, TX	76034	901 CHEEK SPARGER RD
SMITH, JASON L	4000 MOCKINGBIRD LN	COLLEYVILLE, TX	76034	4000 MOCKINGBIRD LN
CCDCW LP	PO BOX 1527	COLLEYVILLE, TX	76034	3808 WAYNE DR
JONES, GREGORY G	903 INWOOD LN	COLLEYVILLE, TX	76034	903 INWOOD LN
SADDLEBROOK ADDITION	P.O. BOX 382	COLLEYVILLE, TX	76034	COURTESY NOTICE
HURST-EULESS-BEDFORD ISD	1849 CENTRAL DRIVE	BEDFORD, TX	76022	STATE REQUIRED
WOFFORD, CLINT	1161 CORPORATE DRIVE WEST, SUITE 200	ARLINGTON, TX	76006	APPLICANT
CITY OF BEDFORD	2000 FOREST RIDGE DRIVE	BEDFORD, TX	76021	COURTESY NOTICE



NOTICE OF PUBLIC HEARING

Case Number: SP18-001

Owner: Covenant Christian Academy

Applicant: Clint Wofford

Location: 901 Cheek-Sparger Road

Property Description: Lot 1R, Block 1, of Covenant Christian Academy Addition

Present Zoning: PUD-C Planned Unit Development Commercial District

Request: Consideration for approval of a Site Plan for an athletic field on Lot 1R, Block 1, of Covenant Christian Academy Addition, located at 901 Cheek-Sparger Road. The school is proposing to develop a new football field and baseball field as part of their campus.

The City of Colleyville has scheduled public hearings concerning the above referenced request on the following dates and location:

Planning and Zoning Commission Meeting: Monday, April 9, 2018 at 7:00 p.m.
City Council Meeting: Tuesday, May 1, 2018 and Tuesday, May 15, 2018 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

This notice has been sent to all owners of real property within 200 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 500 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request.

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas. A brief project description can be found online on the Active Development Case map: <https://www.colleyville.com/zoning.html>. For additional information, please contact the Community Development Department at 817.503.1056. Please reference the zoning case number when requesting information.

Felix Landry
Principal Planner
flandry@colleyville.com

RESOLUTION R-18-4268

**APPROVING A SITE PLAN AND LANDSCAPE PLAN FOR LOT 1R,
BLOCK 1, OF THE COVENANT CHRISTIAN ACADEMY ADDITION**

WHEREAS, the Planning and Zoning Commission recommended approval of the Site Plan and Landscape Plan for Covenant Christian Academy on property described as Lot 1R, Block 1, of the Covenant Christian Academy Addition on April 9, 2018.

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

Sec. 1. THAT the Site Plan and Landscape Plan for Lot 1R, Block 1, of the Covenant Christian Academy Addition on approximately 18.84 acres, attached as Exhibit "A" – Site Plan Exhibit, is hereby approved.

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON
THIS THE 5TH DAY OF JUNE 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Chuck Kelley	_____
Place 3, Kathy Wheat	_____	Place 6, Callie Rigney	_____
Place 4, George Dodson	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

SRA
 Scindell, Rollins and Associates, Inc.
 Landscape Architects - Civil Engineers - Planners
 10000 West Loop West, Suite 200
 Houston, Texas 77040
 Phone: 281-464-6322
 Fax: 281-464-6323
 Email: info@sra-inc.com

COVENANT CHRISTIAN ACADEMY
 901 CHEEK SPARGER RD.
 COLLEVILLE, TEXAS 76034

FOOTBALL / SOCCER FIELD PACKAGE

OVERALL SITE PLAN

DATE
 MARCH 10, 2018

REVISED

STATUS
 SITE PLAN SUBMITTAL

DESIGN BY
 CW

DRAWN BY
 CW

JOB NO.
 5372

PROJECT NAME
 FOOTBALL/SOCCER FIELD PACKAGE

OVERALL SITE PLAN

DATE
 MARCH 10, 2018

REVISED

STATUS
 SITE PLAN SUBMITTAL

DESIGN BY
 CW

DRAWN BY
 CW

JOB NO.
 5372

PROJECT NAME
 FOOTBALL/SOCCER FIELD PACKAGE

OVERALL SITE PLAN

DATE
 MARCH 10, 2018

REVISED

STATUS
 SITE PLAN SUBMITTAL

DESIGN BY
 CW

DRAWN BY
 CW

JOB NO.
 5372

PROJECT NAME
 FOOTBALL/SOCCER FIELD PACKAGE

OVERALL SITE PLAN

DATE
 MARCH 10, 2018

REVISED

STATUS
 SITE PLAN SUBMITTAL

DESIGN BY
 CW

DRAWN BY
 CW

JOB NO.
 5372

PROJECT NAME
 FOOTBALL/SOCCER FIELD PACKAGE

OVERALL SITE PLAN

DATE
 MARCH 10, 2018

REVISED

STATUS
 SITE PLAN SUBMITTAL

DESIGN BY
 CW

DRAWN BY
 CW

JOB NO.
 5372

PROJECT NAME
 FOOTBALL/SOCCER FIELD PACKAGE

OVERALL SITE PLAN

DATE
 MARCH 10, 2018

REVISED

STATUS
 SITE PLAN SUBMITTAL

DESIGN BY
 CW

DRAWN BY
 CW

JOB NO.
 5372

PROJECT NAME
 FOOTBALL/SOCCER FIELD PACKAGE

OVERALL SITE PLAN

DATE
 MARCH 10, 2018

REVISED

STATUS
 SITE PLAN SUBMITTAL

DESIGN BY
 CW

DRAWN BY
 CW

JOB NO.
 5372

PROJECT NAME
 FOOTBALL/SOCCER FIELD PACKAGE

OVERALL SITE PLAN

DATE
 MARCH 10, 2018

REVISED

STATUS
 SITE PLAN SUBMITTAL

DESIGN BY
 CW

DRAWN BY
 CW

JOB NO.
 5372

PROJECT NAME
 FOOTBALL/SOCCER FIELD PACKAGE

OVERALL SITE PLAN

DATE
 MARCH 10, 2018

REVISED

STATUS
 SITE PLAN SUBMITTAL

DESIGN BY
 CW

DRAWN BY
 CW

JOB NO.
 5372

PROJECT NAME
 FOOTBALL/SOCCER FIELD PACKAGE

OVERALL SITE PLAN

DATE
 MARCH 10, 2018

REVISED

</



BAR IS ONE INCH LONG ON ORIGINAL DRAWING.
CHECK SCALE AND ADJUST ACCORDINGLY.

SHEET NO. 1201





Schickel, Rolin and Associates, Inc.
1715 Corporate Drive West
Angren, Texas 76006
Phone: 817-646-8212
Fax: 817-646-8213

Electrical Engineer
YAGCI ENGINEERING, INC.
9404 W. 151, Suite 200
Angren, Texas 76006
817-643-2373 / FAX 817-643-2373

Architect
CHLA INC.
1009 W. Angren, Texas 76007
817-601-2500 / FAX 817-601-2508

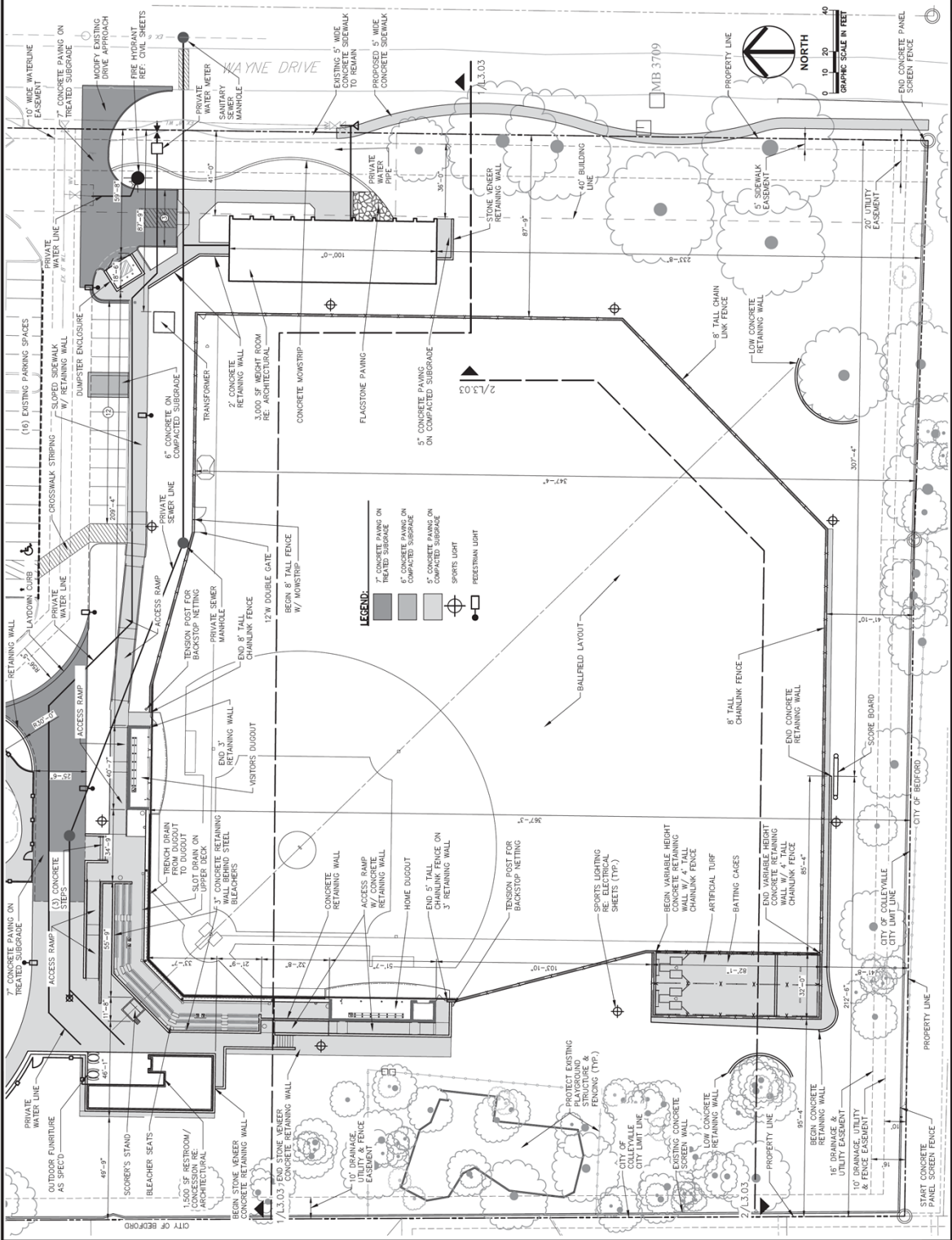
BASEBALL FIELD PACKAGE
COVENANT CHRISTIAN ACADEMY
901 CHEEK SPARKER RD. COLLEVILLE, TEXAS 76034



DATE	MARCH 16, 2018
REVISED	
STATUS	SITE PLAN SUBMITTAL
DESIGN BY:	CW
DRAWN BY:	CW
JOB NO.	5372
PROJECT NAME	BASEBALL PACKAGE

SITE PLAN

1" = 10'
SHEET NO. L2.01





Schickel, Rolfe and Associates, Inc.
1915 Corporate Drive West
Arlington, Texas 76010
Phone: 817.461.3176
Fax: 817.461.3175
Email: info@sira.com

Electrical Engineer
YAGO ENGINEERING, INC.
1300 W. Randle Mill C. Suite 100
Arlington, Texas 76010
Phone: 817.461.3176
Fax: 817.461.3175

Architect
YAGO ENGINEERING, INC.
1300 W. Randle Mill C. Suite 100
Arlington, Texas 76010
Phone: 817.461.3176
Fax: 817.461.3175

Architect
YAGO ENGINEERING, INC.
1300 W. Randle Mill C. Suite 100
Arlington, Texas 76010
Phone: 817.461.3176
Fax: 817.461.3175

BASEBALL FIELD PACKAGE
COVENANT CHRISTIAN ACADEMY
901 CHEEK SPARGER RD. COLLETVILLE, TEXAS 76034



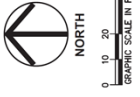
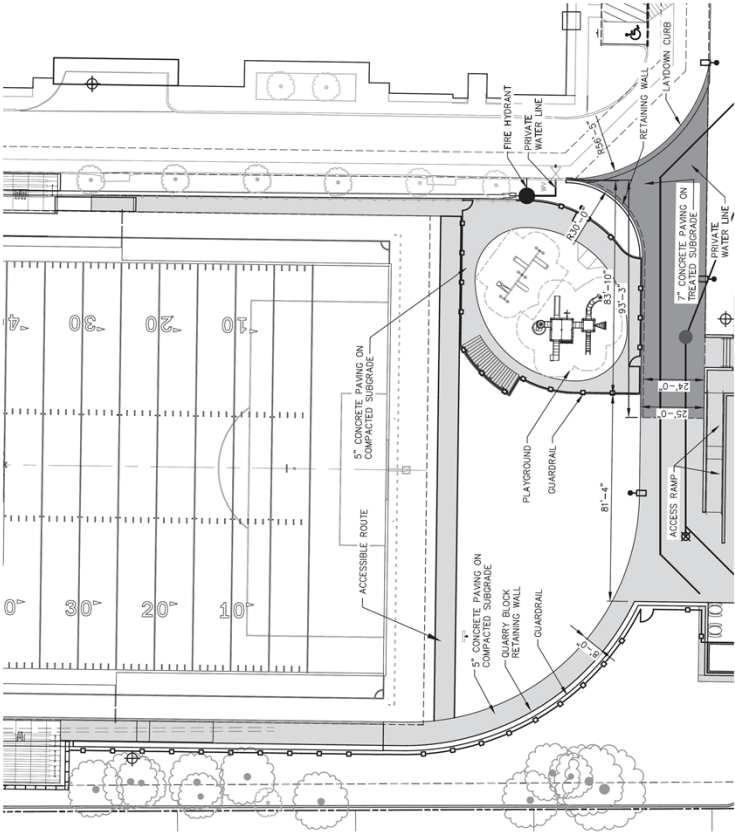
DATE	MARCH 16, 2018
REVISED	
STATUS	SITE PLAN SUBMITTAL
DESIGN BY:	CW
DRAWN BY:	CW
JOB NO.	5372
PROJECT NAME	BASEBALL PACKAGE

SITE PLAN
PLAYGROUND

THIS IS ONE OF TWO ORIGINAL DRAWINGS.
CHECK SCALE AND ADJUST ACCORDINGLY.

SHEET NO.

L2.02





Schickel, Rolin and Associates, Inc.
1815 Corporate Drive West
Suite 300
Ft. Worth, Texas 76104
Phone: 817-466-1234
Fax: 817-466-1235

FOOTBALL / SOCCER FIELD PACKAGE
COVENANT CHRISTIAN ACADEMY
901 CHEEK SPARGER RD.
COLLEEVILLE, TEXAS 76034



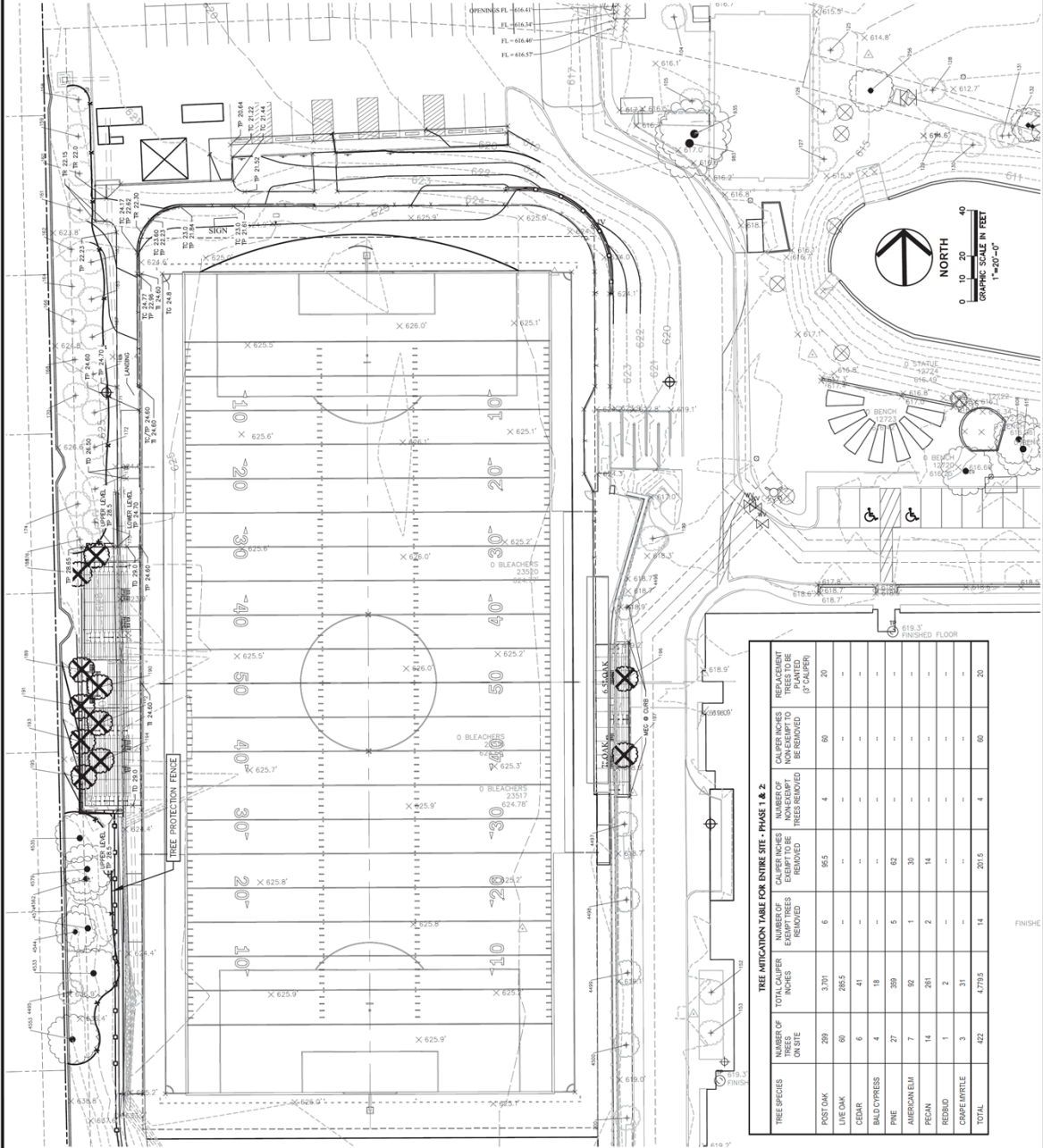
3/16/2018

DATE	MARCH 16, 2018
REVISED	
STATUS	SITE PLAN SUBMITTAL
DESIGN BY	CW
DRAWN BY	CW
JOB NO.	5372
PROJECT NAME	FOOTBALL/SOCCER FIELD PACKAGE

TREE
PRESERVATION
LANDSCAPE PLAN
PHASE 1

MAKING ONLY USES ON EXISTING DRAWINGS.
CHECK SCALE AND ADJUST ACCORDINGLY.

SHEET NO.
L5.04



TREE MITIGATION TABLE FOR INTER SITE - PHASE 1 & 2						
TREE SPECIES	NUMBER OF TREES ON SITE	TOTAL CALIBER INCHES	NUMBER OF EXEMPT TREES REMOVED	NUMBER OF NON-EXEMPT TREES TO BE REMOVED	NUMBER OF CALIBER INCHES NON-EXEMPT TREES TO BE REPLANTED (1" CALIBER)	REPLACEMENT TREES TO BE PLANTED (1" CALIBER)
POST OAK	289	3,701	6	95.5	4	60
LIVE OAK	60	288.5	-	-	-	-
CEDAR	6	41	-	-	-	-
BALD CYPRESS	4	18	-	-	-	-
PINE	27	309	5	62	-	-
AMERICAN ELM	7	92	1	30	-	-
PECAN	14	281	2	14	-	-
REDBUD	1	2	-	-	-	-
CHAMPAGNE	3	31	-	-	-	-
TOTAL	422	4,793.5	14	201.5	4	60

LEGEND:

EXISTING TREE TO BE PRESERVED

EXISTING TREE TO BE REMOVED



Schickel, Kolins and Associates, Inc.
170 Corporate Drive West
Arlington, Texas 76010
Phone: 817.463.5276
Fax: 817.463.5275

Electrical Engineer
YACI ENGINEERING, INC.
170 Corporate Drive West
Arlington, Texas 76010
Phone: 817.463.5276
Fax: 817.463.5275

Architect
1300 W. Lusk Ave. Suite 100
Arlington, Texas 76010
Phone: 817.463.5276
Fax: 817.463.5275

BASEBALL FIELD PACKAGE
COVENANT CHRISTIAN ACADEMY
901 CHEEK SPARKER RD. COLLETTVILLE, TEXAS 76034



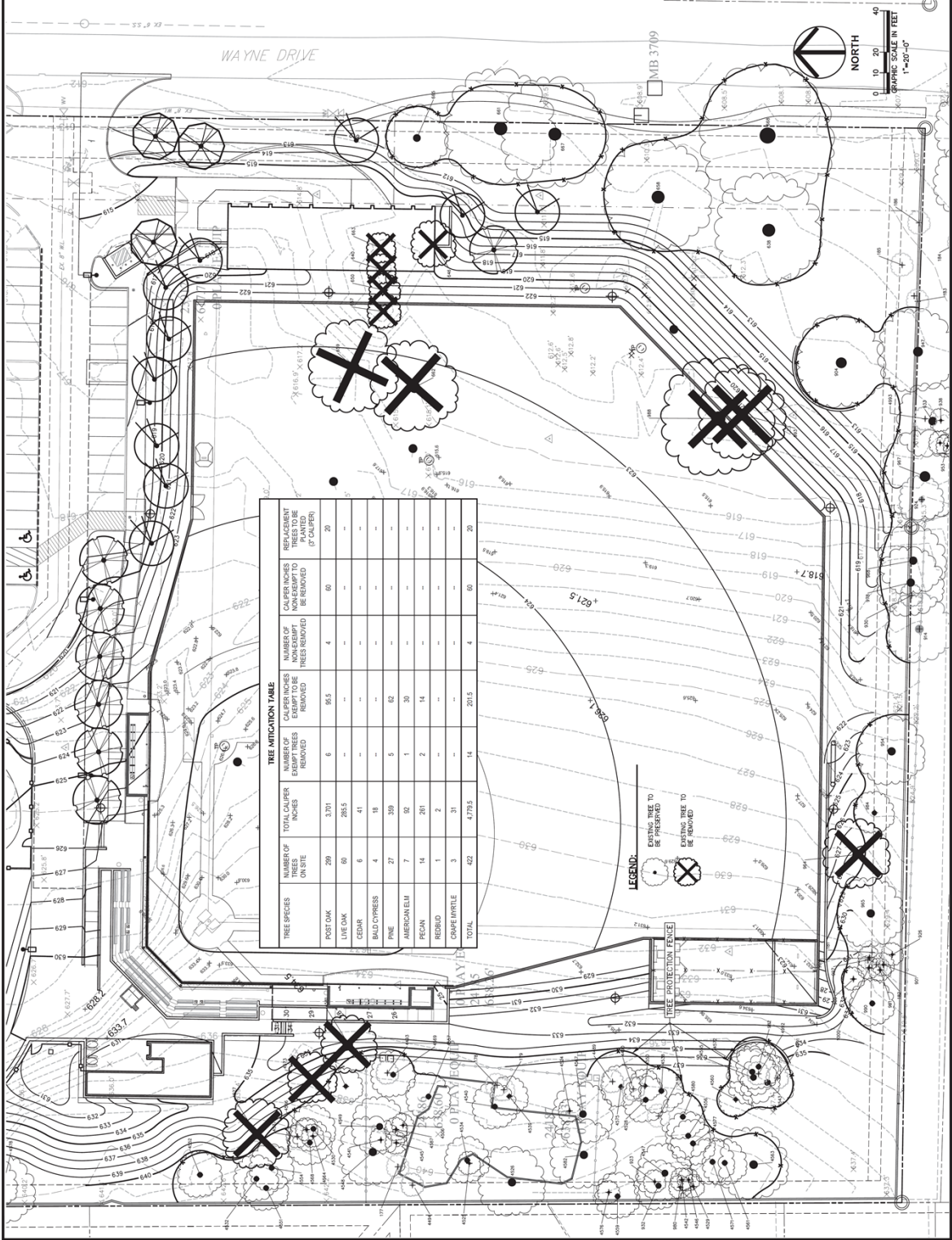
DATE: MARCH 16, 2018
REVISED:
STATUS: SITE PLAN SUBMITTAL
DESIGN BY: CW
DRAWN BY: CW
JOB NO.: 5372
PROJECT NAME: BASEBALL PACKAGE

TREE
PRESERVATION
- LANDSCAPE
PLAN PHASE 2

AS SHOWN ON THIS PLAN, THE TOTAL AREA OF THE SITE IS 1.00 AC. (130,680 SQ. FT.). THE TOTAL AREA OF THE BASEBALL FIELD IS 0.10 AC. (13,068 SQ. FT.). THE TOTAL AREA OF THE LANDSCAPE IS 0.90 AC. (117,612 SQ. FT.).

GRAPHIC SCALE IN FEET
1"=20'-0"

SHEET NO. L5.04





Schrickel, Rollins and Associates, Inc.
Landscape Architecture - Civil Engineering - Planning
1111 Commerce Drive West
Arlington, Texas 76006
Phone: 817-463-5233
Fax: 817-463-5232

Electrical Engineer
YOUNG & RUBICAM INC.
5040 W. 120th, Suite 200
Arlington, Texas 76027
817-463-5233 Fax: 817-463-5233

CH2M, INC.
1300 W. Randle Mill Rd., Suite 100
Arlington, Texas 76010
817-463-5231 Fax: 817-463-5238

BASEBALL FIELD PACKAGE
COVENANT CHRISTIAN ACADEMY
901 CHEEK SPARGER RD, COLLEEVILLE, TEXAS 76034

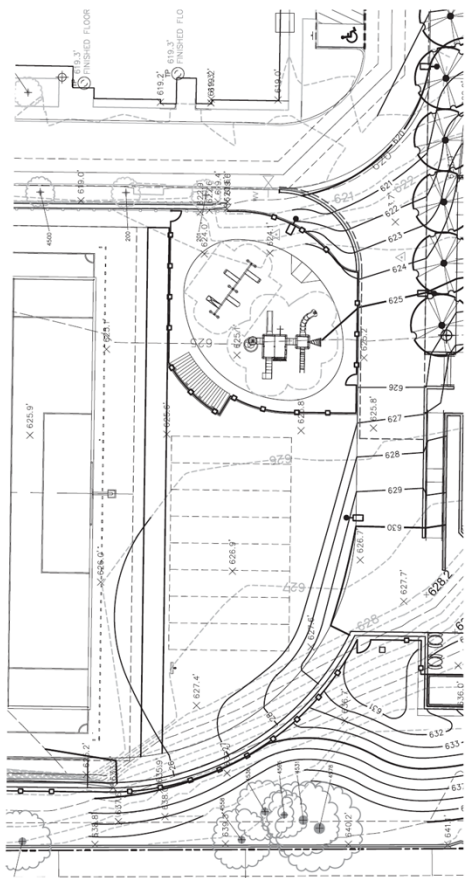


DATE:	MARCH 16, 2018
REVISED:	
STATUS:	SITE PLAN SUBMITTAL
DESIGN BY:	CW
DRAWN BY:	CW
JOB NO.	3372
PROJECT NAME:	BASEBALL PACKAGE

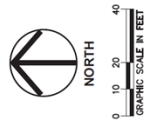
TREE PRESERVATION
- LANDSCAPE PLAN
PHASE 2 -
PLAYGROUND

BAR IS ONE INCH LONG ON ORIGINAL DRAWING
CHECK SCALE AND DIMENSIONS.

SHEET NO.
L5.05



LEGEND:
EXISTING TREE TO
BE PRESERVED
EXISTING TREE TO
BE REMOVED





City of Colleyville City Council Agenda Briefing

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

Agenda Number 7b

Agenda Date 06/05/2018

Number Resolution R-18-4269

Type Resolution

Department Community Development

Title

Request to appeal the decision of the Sign Board of Appeals for the consideration of a variance to the provisions of Section 7-150, Permanent Freestanding Signs – Sign Classification and Regulations of the Land Development Code, specifically the minimum setback requirements, on Lot 2, Block 1, of the SW Colleyville Office Park Addition, located at 607 Cheek-Sparger Road, Case SC18-001

Strategic Plan

There is no Strategic Plan connection for this item.

Explanation

Reading and Public Hearing

At the May 8, 2018 Sign Board of Appeals meeting, the Board voted to deny a variance request to minimum setback requirements. The Board voted 3-1 on a motion to deny the request for a new proposed monument sign. The applicant's request is to allow for the construction of a monument sign within the front setback along Cheek-Sparger Road and on the side setback from the property line to the east. Per Section 1.15.H. of the Land Development Code, the applicant submitted a written notice of appeal within 10 days of the decision. The applicant now requests City Council consideration of the variance. The agenda briefing below details the variance request as presented at the Sign Board of Appeals meeting.

Lynn Bural, the applicant, has submitted a request for a Sign Variance for Lot 2, Block 1, of the SW Colleyville Office Addition, located at 607 Cheek-Sparger Road, being approximately 0.4337 acres, and zoned CC-1 Village Retail. The request is to allow for the construction of an electronic message sign that will encroach into the required 8-foot front property line setback along Cheek-Sparger Road.

Existing Conditions/Background: The subject property is generally located on the south side of Cheek-Sparger Road, just east of Brown Trail. It is zoned CC-1 Village Retail district and is currently platted.

Requested Variance: The applicant is requesting a variance to allow for the construction of a monument sign within the front setback along Cheek-Sparger Road and the side setback from the property line to the east.

Ordinance – Section 7.150, Permanent Freestanding Signs – Sign Classification and

Regulations of the Land Development Code establishes regulations for general business signs or "monument signs":

"A. General Business Signs –...All general business signs shall be subject to the following additional regulations:

1. Construction Design: All general business signs shall be designed and constructed as a monument sign as defined in this Land Development Code.

...

d. Minimum Setback: Eight feet (8') from an abutting street right-of-way. Thirty feet (30') from any side or rear property line adjacent to another property.

...

Chapter 1 (General Provisions) of the Land Development Code authorizes the Sign Board of Appeals to grant variances to the requirements of Chapter 7 – Signs given the following considerations:

"...In considering a request for a variance, the Sign Board of Appeals shall consider, among other things, the degree of variance, the reason for the variance requested, the location of the variance request, the duration of the requested variance, the effect on public safety, the protection of neighborhood property, the degree of hardship or injustice involved, and the effects of the variance on the general plan of regulation of signs within the City."

Analysis – The proposed sign does not comply with the setback requirements for a monument sign. The regulations of a monument sign in Chapter 7 of the Land Development Code explicitly describe an 8-foot front setback and 30 foot setback from side property lines. The proposed sign does not comply with the regulations.

The applicant references a sign for O'Brien Business center just to the east, which encroaches into the setback. This sign applied for a variance during construction in 2006. The Board of Adjustment denied the application for variance. The applicant appealed the Board of Adjustment's decision to the City Council, which granted the variance. The existing variance does not confer any special rights to the subject property, nor should it influence this request.

The existing sign might achieve better visibility from the east by adjusting the existing landscaping. Visibility from the west does not appear to have any obstructions. The existing sign currently encroaches into the site visibility triangle; however, the City does not have the power to require the owner to move the sign. Existing non-conformities do not create or justify a hardship.

Public Notification: Staff-mailed notices to property owners within 200 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 no correspondence for the request.

Staff Recommendation: Based on current regulations, staff does not recommend approval, based on the following findings:

1. The subject property does not differ from other parcels of land in the same district by restricted area, shape or slope, so that it cannot develop signage without the variance.
2. No hardship has been identified beyond a self-created, personal, or financial hardship.
3. This variance, if granted, would provide a development opportunity not available to other properties in the City with the same zoning designation.

Sign Board of Appeals Decision: The Sign Board of Appeals decided to deny the sign variance request at their May 8, 2018 meeting by a vote of 3-1. The appeal allows the City Council to consider the applicants request to allow for a monument sign within the front and side setback requirements.

Financial Impact

There is no financial impact to the City.

Recommendation

Denial

Attachments

1. Request to Appeal
2. Aerial Map
3. Zoning Map
4. Future Land Use Map
5. Statement of Planning Objectives
6. Site Plan
7. Sign Exhibit
8. Resolution R-18-4269

Ben Bryner

To: Greg Hutto
Subject: RE: Could I appeal the decision of the sign board of appeals to the city council?

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

From: Greg Hutto [mailto:]
Sent: Friday, May 11, 2018 2:24 PM
To: Ben Bryner <BBryner@colleyville.com>
Subject: Could I appeal the decision of the sign board of appeals to the city council?

Ben,

I would like to appeal the decision of the sign board of appeals to the city council.

Sincerely,

Greg Hutto
Heritage Retirement Advisors

Sent from my iPhone

Aerial Map

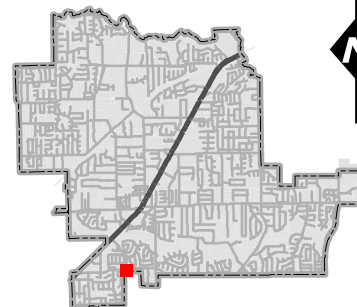


SC18-001

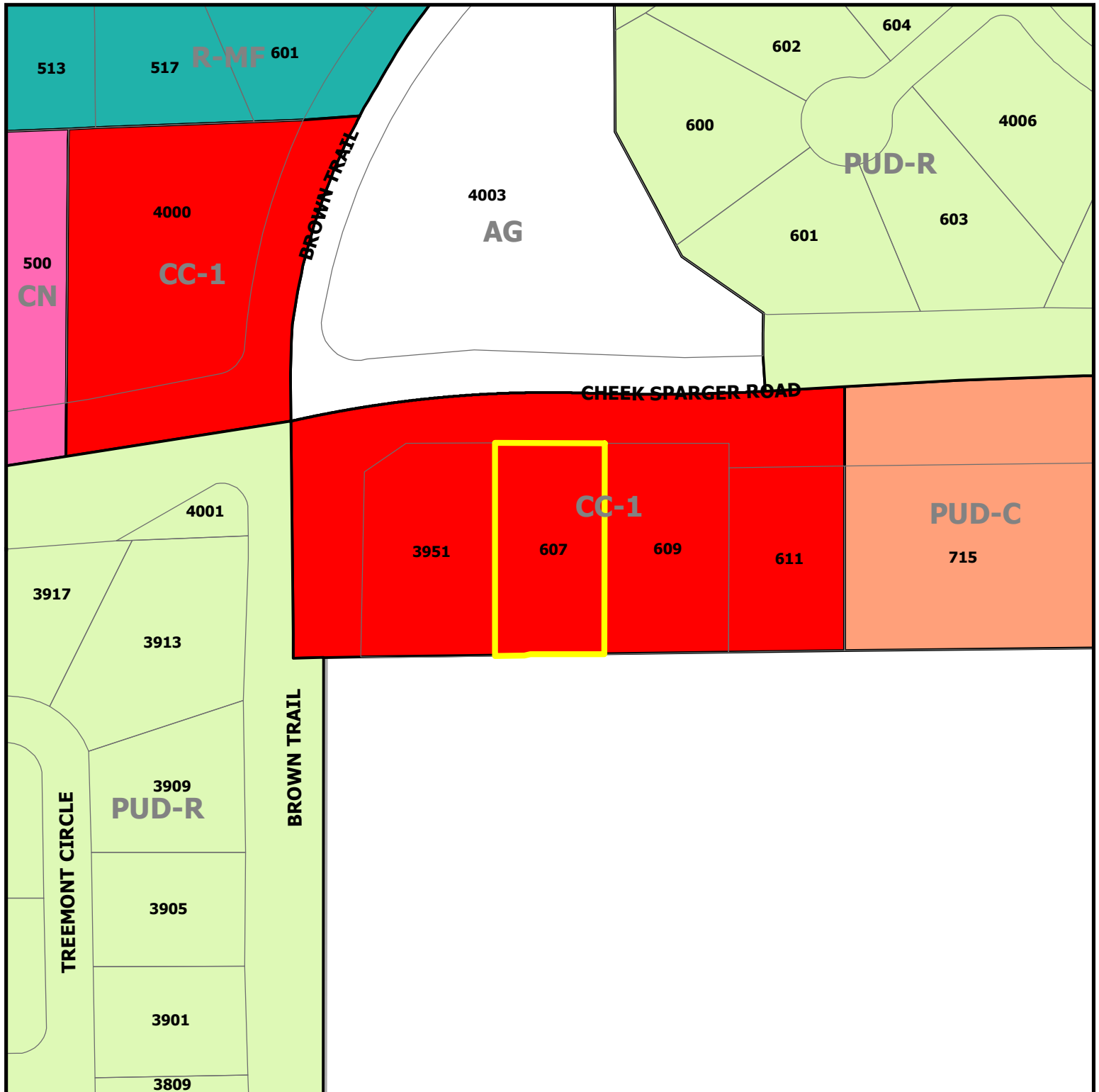
607 Cheek-Sparger Road

DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

 Subject Property



Zoning Map



SC18-001

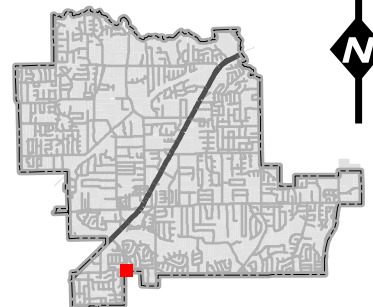
607 Cheek-Sparger Road

DISCLAIMER:

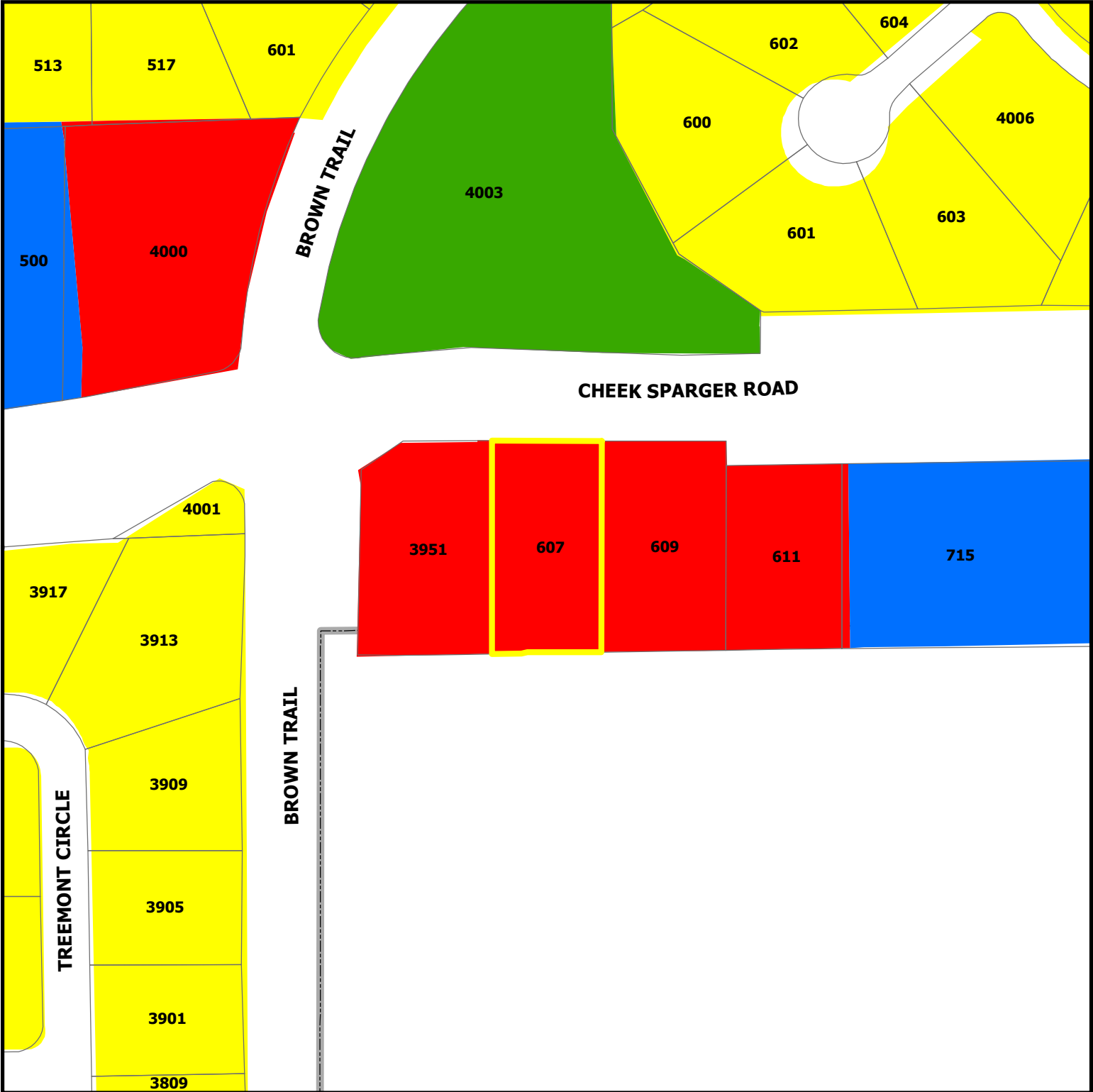
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.



Subject Property



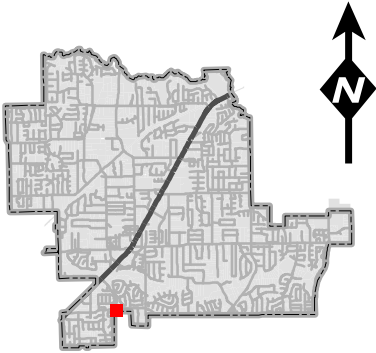
Future Land Use Map



DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

SC18-001 607 Cheek-Sparger Road

- Subject Property
- Residential
- Commercial
- Institutional
- Open Space; Parks



Statement of Planning Objectives



HERITAGE RETIREMENT ADVISORS, LLC
A REGISTERED INVESTMENT ADVISORY FIRM

1109 Cheek Sparger Rd Suite 150
Colleyville, TX 76034

MAIN 817 503 0100
FAX 817 622 8081
TOLL FREE 877 503 0122

info@heritage-retirement.com
HERITAGE-RETIREMENT.COM

Dear City of Colleyville representatives,

I would like to submit a hardship request to allow for the movement of the monument in front of 607 Cheek Sparger Road in Colleyville.

The sign in this monument cannot be clearly seen from the west, due to the shrubs that are planted in front of the monument. The shrubs block the view of the lower half of the sign of anyone on the east side of the monument. Parked cars on the front row of the parking lot can also partially block the view of this monument.

Also, the monument is currently in the visibility triangle, as I understand it per current city of Colleyville code.

This building stayed vacant for more than 10 months previous to my purchase of this property on December 15th of 2017. My contention is that the poor visibility of the monument contributed to the lack of interest in the building.

I am requesting for a new positioning similar to the O'Brien Business Center monument, located approximately 150 feet east of our building. This sign has been positioned so that parked cars and any shrubbery would not impede the view of the monument.

Thank you for your time,

Greg Hutto

Hutto Retirement Advisors

Owner of 607 Cheek Sparger Road, Colleyville, TX

RETIREMENT LIBERTY

CHIEK-SPARGER ROAD
TARRANT COUNTY, TEXAS
(AS SHOWN ON CABINET A, SLIDE 1034, P.R.T.C.T.)

LEGEND OF SYMBOLS

NOTE: Survey lines map use pertains to this survey. The identification is subject to interpretation, verification may be required.

UTILITY WARNING

FLOOD ZONE CLASSIFICATION

MONUMENTS / DATUMS / BEARING BASIS

LEGEND OF ABBREVIATIONS

TITLE COMMITMENT NOTES

SURVEYOR'S NOTES:

RECORDED DESCRIPTION:

VICINITY MAP

ALTA/NSPS LAND TITLE SURVEY
0.434 OF AN ACRE
BEING ALL OF
LOT 2, BLOCK 1
SOUTHWEST COLLEVILLE OFFICE PARK
CABINET A, SLIDE 1034
P.R.T.C.T.
CITY OF COLLEVILLE
TARRANT COUNTY, TEXAS

ADDRESS: 607 CHEEK-SPARGER ROAD (POSTED)

This survey was performed with the benefit of a title commitment provided by Fidelity National Title Insurance Company, G.F. 1742098-RLDF, effective October 15, 2017, and issued October 26, 2017. Complete copies of the record description of the property, any record encumbrances benefiting the property, the record easements or servitudes and covenants affecting the property ("Record Documents"), documents and instruments recorded against the property, and any documents containing detailed appropriate information affecting the property being surveyed and to which the survey shall make reference were not provided to this surveyor for notation on the survey except for those items listed within **Schedule B of said commitment**. Therefore, easements, agreements, or other documents, either recorded, or unrecorded may exist that affect the subject property that are not shown on this survey.

The following **Schedule B** items were addressed according to the Minimum Standard Detail Requirements for ALTA/NSPS Land Survey Section 6(c)(i).

SURVEYOR'S NOTES:

1. There are a total of 26 parking spaces of which 1 is marked handicapped.

Lot 2, Block 1, Southwest Colleyville Office Park, an addition to the City of Colleyville of Tarrant County, Texas, according to the plat thereof recorded under Cabinet A, Slide 10334, Plat Records of Tarrant County, Texas.

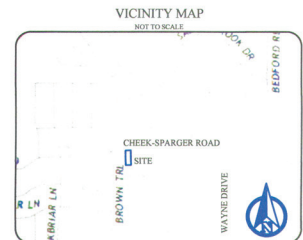
To: Gregory L. Hutto

Capital One, N.A.

Fidelity National

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 8, & 9 of Table A thereof. The field work was completed on November 21, 2017.

Jewel Chadd
Registered Professional
Land Surveyor No. 5754
jewel@jphls.com
December 1, 2017



ALTA/NSPS LAND TITLE SURVEY
0.434 OF AN ACRE
BEING ALL OF
LOT 2, BLOCK I
SOUTHWEST COLLEVILLE OFFICE PARK
CABINET A, SLIDE 10334
P. R. T. C. I.
CITY OF COLLEVILLE
TARRANT COUNTY, TEXAS

ADDRESS: 607 CHEEK-SPARGER ROAD (POSTED)

Sign Exhibit



View from East

All Star Signs DFW	817-329-1945	Created For Heritage Tax Advisors, LLC Greg Hutto - 817-503-0100	Date : 3/15/2018	Drawn by : DF	Drawing number:
	5104 Chelsea, Colleyville, TX 76034				
THIS DESIGN REMAINS OUR EXCLUSIVE PROPERTY and CANNOT BE DUPLICATED WITHOUT WRITTEN CONSENT		Address 607 Cheek Sparger Rd., Ste. 150 Colleyville, TX 76034	Revised :	TESC 18798	Salesman : LB

Sign Exhibit



View from West

All Star Signs DFW	817-329-1945	Created For	Heritage Tax Advisors, LLC Greg Hutto - 817-503-0100	Date :	3/15/2018	Drawn by :	DF	Drawing number:
	5104 Chelsea, Colleyville, TX 76034	Address	607 Cheek Sparger Rd., Ste. 150 Colleyville, TX 76034	Revised :		TESC 18798	Salesman :	LB
THIS DESIGN REMAINS OUR EXCLUSIVE PROPERTY and CANNOT BE DUPLICATED WITHOUT WRITTEN CONSENT								

RESOLUTION R-18-4269

A RESOLUTION APPROVING AN APPEAL OF THE SIGN BOARD OF APPEALS DECISION REGARDING A VARIANCE REQUEST FROM THE SIGN REGULATIONS FOR LOT 2, BLOCK 1, OF THE SW COLLEYVILLE OFFICE PARK ADDITION LOCATED AT 607 CHEEK-SPARGER ROAD

WHEREAS, an appeal request has been received from Greg Hutto 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 Greg Hutto, for a variance from Section 7-150 – Permanent Freestanding Signs - Sign Classification and Regulations of the Land Development Code regarding the minimum setback from property lines for monument signs, 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 AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 5TH DAY OF JUNE 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Chuck Kelley	_____
Place 3, Kathy Wheat	_____	Place 6, Callie Rigney	_____
Place 4, George Dodson	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

[illegible]



View from East

Star Signs DFW	817-329-1945	Created For	Heritage Tax Advisors, LLC Greg Hutto - 817-503-0100	Date :	3/15/2018	Drawn by :	DF	Drawing number:	
	5104 Chelsea, Colleyville, TX 76034	Address	607 Cheek Sparger Rd., Ste. 150 Colleyville, TX 76034	Revised :		TESC	18798	Salesman :	LB

THIS DESIGN REMAINS OUR EXCLUSIVE PROPERTY and
CANNOT BE DUPLICATED WITHOUT WRITTEN CONSENT



View from West

Star Signs DFW	817-329-1945	Created For	Heritage Tax Advisors, LLC Greg Hutto - 817-503-0100	Date :	3/15/2018	Drawn by :	DF	Drawing number:	
	5104 Chelsea, Colleyville, TX 76034	Address	607 Cheek Sparger Rd., Ste. 150 Colleyville, TX 76034	Revised :		TESC	18798	Salesman :	LB

DESIGN REMAINS OUR EXCLUSIVE PROPERTY and
NOT BE DUPLICATED WITHOUT WRITTEN CONSENT



City of Colleyville City Council Agenda Briefing

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

Agenda Number 7c
Type Resolution
Department Engineering

Agenda Date 06/05/2018

Number Resolution R-18-4270

Title

Consideration of a waiver request to the sidewalk requirements on Eastpointe Court of Eastpointe Terrace subdivision located at 6480 Pool Road, Case GC18-001

Strategic Plan

There is no Strategic Plan connection for this item.

Explanation

Reading and Public Hearing

The applicant, Correen Robertson, is requesting a waiver to the sidewalk construction requirements as found in the Land Development Code, Section 9.19(A) for the new development known as Eastpointe Terrace subdivision located at 6480 Pool Road.

On January 19, 2016, City Council approved Ordinance O-16-1973 rezoning 8.22 acres, Lot 1 of the Miles Addition located at 6480 Pool Road from the AG-Agricultural zoning district to the R-20-Single Family Residential zoning district.

This action allowed for the 8.22 contiguous acres of R-20-Single Family Residential property to be developed as the 12 lot subdivision, known as Eastpointe Terrace subdivision. The ***attached preliminary plat*** was approved by the Planning and Zoning Commission on October 9, 2017.

Applicants' Request. The applicant submitted a waiver letter and exhibit stating reasons for a sidewalk waiver request. These reasons include:

- Eastpointe Court was required to align with High Meadow Drive. This resulted in the alignment of Eastpointe Court being designed adjacent to Heritage Colony.
- The alignment of Eastpointe Court along the northern property line of Heritage Colony places a required sidewalk along the fence line or rear yard line of the residents of Heritage Colony. This can cause a safety issue and is undesirable to the adjacent home owners.

Staff is reviewing the proposed construction plans for the subdivision and the proposed sidewalk plan does not meet the Land Development Code. The developer was informed the sidewalk would be required around the perimeter of Eastpointe Court, and that the only way to not construct the perimeter sidewalk would be to petition City Council.

Current Land Development Code Requirements. The Land Development Code, Section 9.19(A), establishes that sidewalk are required for any new streets and that *"Any variance to the sidewalk construction requirements described above shall be considered by the City Council."*

Summary. Sidewalks are required to be constructed along the perimeter of Eastpointe Court per the Land Development Code, Section 9.19(A). Since the proposal does not meet the Land Development Code, staff recommends denial of the request.

Financial Impact

Form 1295 - not applicable

There is no financial impact of this request.

The potential financial impact would be \$17,000, if the City was required to build the sidewalks at a later date.

Recommendation

Denial

Attachments

1. Eastpointe Terrace Waiver Presentation
2. Sidewalk Waiver Application
3. Aerial Map
4. Exhibit A
5. Preliminary Plan
6. Resolution R-18-4270

7c. Consideration of a waiver request to the sidewalk requirements on Eastpointe Court of the Eastpointe Terrace Subdivision



- The applicant, Correen Robertson, design engineer of Eastpointe Terrace subdivision, is requesting a waiver from the City of Colleyville Land Development Code, Section 9.19.A, on Eastpointe Court, of Eastpointe Terrace subdivision, which requires the construction of a perimeter sidewalk.
- The request is for a five foot wide sidewalk to not be required along the southern portion of Eastpointe Court.
- This development is located between two established neighborhoods, Heritage Colony and Glenhope Addition, both which contain sidewalks.





7c. Consideration of a waiver request to the sidewalk requirements on Eastpointe Court of the Eastpointe Terrace Subdivision



- Sidewalks are required to be constructed along the perimeter of Eastpointe Court per the Land Development Code, Section 9.19.A. Since the proposal does not meet the Land Development Code, staff recommends denial of the request.
- Any sidewalk variance request shall be considered by the City Council.
- City Council can consider multiple options:
 1. A full waiver of the sidewalk requirement for the specified section of the development.
 2. Allowance of the applicant to escrow funds in lieu of construction of the required sidewalk.
 3. Denial of the applicant request which would require the applicant to construct the sidewalk.

Community Development Services Application

City of Colleyville
100 Main Street
Colleyville TX 76034
817.503.1050

APPLICATION TYPE

PLEASE CHECK THE APPROPRIATE BOX BELOW.

- | | | | |
|---|--|--|---|
| ☐ Straight Zoning Change | ☐ Preliminary Plat | ☐ Replat | ☒ Sidewalk / General Waiver |
| ☐ Special Use Permit | ☐ Final Plat | ☐ Minor Plat | ☐ Zoning Variance (ZBA) |
| ☐ Planned Unit Development | ☐ Prelim/Final Plat | ☐ Site & Landscape Plan | ☐ Sign Variance (SBA) |
| ☐ PUD Amendment | ☐ Amending Plat | ☐ Interpretation Appeal | ☐ Other: _____ |

PROPERTY INFORMATION

Project Name: Eastpointe Terrace

Project Address (Location): 6480 Pool Road

Legal Description: See attached Preliminary Plat

Proposed Number of Lots: 12 Gross Acres: 8.16 Neighborhood District: 4

Existing Zoning: R-20 Proposed Zoning: R-20

Existing Use: Residential Proposed Use: Residential

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

APPLICANT - OWNER INFORMATION

Applicant: Correen C. Robertson Company: Evolving Texas

Address: 420 Throckmorton Suite 620 Tel: 817-529-2700 Fax: _____

City: Fort Worth State: TX ZIP: 76102 Email: crobertson@evolvingtexas.com

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

Property Owner: G&G Development Partnership LTD Company: _____

Address: 8200 Boat Club Road Suite 100 Tel: 817-237-2077 Fax: _____

City: Fort Worth State: TX ZIP: 76179 Email: jared@garybakercompanies.com

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

NAME OF APPLICANT (PRINT): Correen C. Robertson

SIGNATURE: [Signature] Date: 12/5/17

NAME OF PROPERTY OWNER (PRINT): Jared Baker

SIGNATURE: [Signature] for Jared Baker Date: 12/5/17

Plats Only: This waiver must be completed for all Plat applications; failure to do so will result in the rejection of your application.

I waive the statutory time limits in accordance with Section 212 of the Texas Local Government Code.

PROPERTY OWNER SIGNATURE: _____ Date: _____
The property owner must sign the application or submit a notarized letter of authorization.

For Departmental Use Only

Case #: _____

Total Fee(s): _____

Receipt #: _____

Date Submitted: _____

Accepted By: _____

Rev 9/17

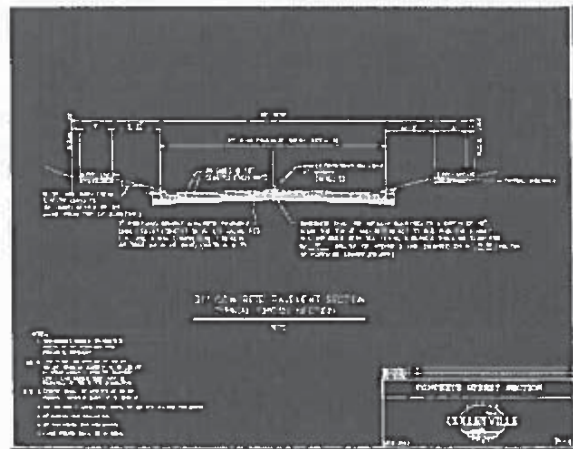


City of Colleyville
100 Main Street
Colleyville, Texas
Zoning Board of Adjustments

Re: Sidewalk Variance – Eastpointe Terrace

PLANNING OBJECTIVE

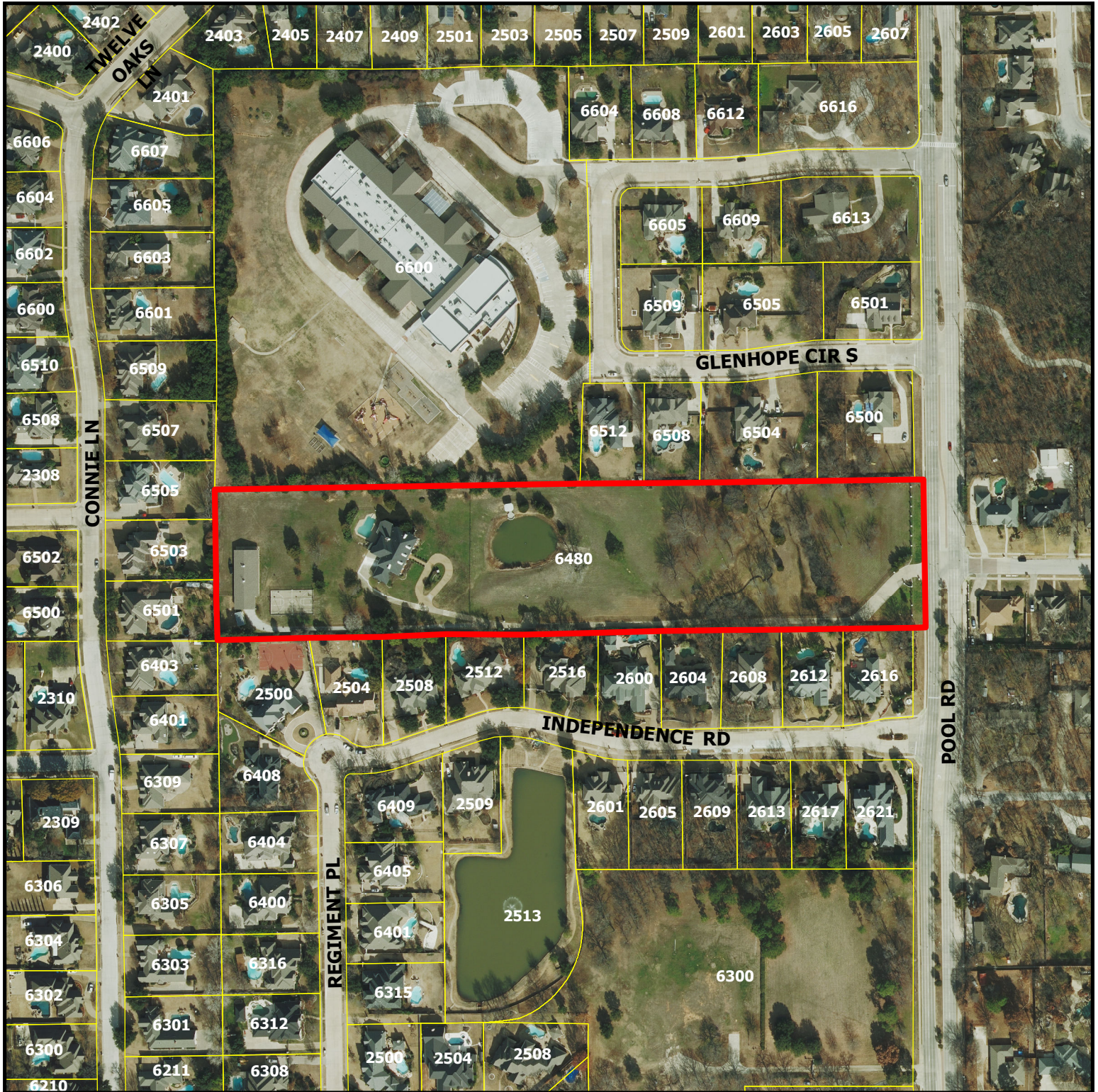
We are seeking a variance from the requirement of sidewalks to be placed on both sides of the street per the standard detail for residential streets. (See exhibit below)



Eastpointe Terrace (proposed development) is located adjacent to an existing residential development whose homes abut the proposed street. Due to request by City staff the road has been re-aligned to coincide with an existing intersection along Pool Road, High Meadow Drive.

Due to the re-alignment the road will now be placed adjacent to Heritage Colony. The required placement of the street now places a sidewalk along the fence line or rear yard of the residents of Heritage Colony. This can cause a safety issue and is undesirable to the home owners. The alternate road alignment was not acceptable to city staff and we have no other alternative. We are requesting this variance to serve both the proposed development and the existing residents.

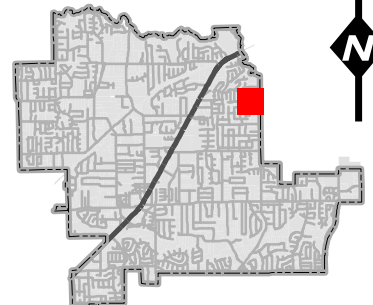
Aerial Map



GC18-001
6480 Pool Road

DISCLAIMER:
 This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

 Subject Property



P:\2016\2016081 - 6480 Pool Road Development (Collewille)\Engineering\ConstSet Rev Sect2017\2016081~SIDEWALK.dwg :: 2018-03-09, 4:53 PM :: jchavez



- End sidewalk
here

10. EXISTING STRUCTURES WITHIN CONSTRUCTION LIMITS ARE TO BE ABANDONED, REMOVED OR RELOCATED AS NECESSARY, UNLESS OTHERWISE NOTED. ALL COST SHALL BE INCLUDED IN BASE BID.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATION (UNLESS OTHERWISE NOTED ON PLANS) INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS, & POLES ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES REQUIREMENTS AND PROJECT SITEWORK SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BASE BID.
12. SITE BOUNDARY, TOPOGRAPHY, UTILITY AND ROAD INFORMATION TAKEN FROM A SURVEY BY LAND SURVEYOR.
13. THE CONTRACTOR IS CAUTIONED THAT LOCAL CITY STANDARD DETAILS MAY DIFFER FROM THOSE SHOWN HEREIN. CONSTRUCTION IS TO BE PERFORMED IN ACCORDANCE WITH LOCAL CITY, STATE OR FEDERAL SPECIFICATIONS AND DETAILS SHOULD THEY BE MORE STRINGENT THAN THOSE REPRESENTED HEREIN.
14. CONTRACTOR TO PROVIDE DRIVEWAY CUTS FOR EACH LOT BASED ON COORDINATION WITH THE DEVELOPER AND THEIR PREFERENCES.
15. THE CITY'S GEOTECHNICAL LAB SHALL BE RESPONSIBLE FOR TESTING FOR SULFATES AND PROVIDE RESULTS AND A PLAN TO THE CITY OF COLLEEVILLE BEFORE INSTALLING LIME SUBGRADE.

PROPOSED CONC. PAVEMENT

SIDEWALKS

PROPOSED CURB

PROPERTY BOUNDARY /
RIGHT-OF-WAY

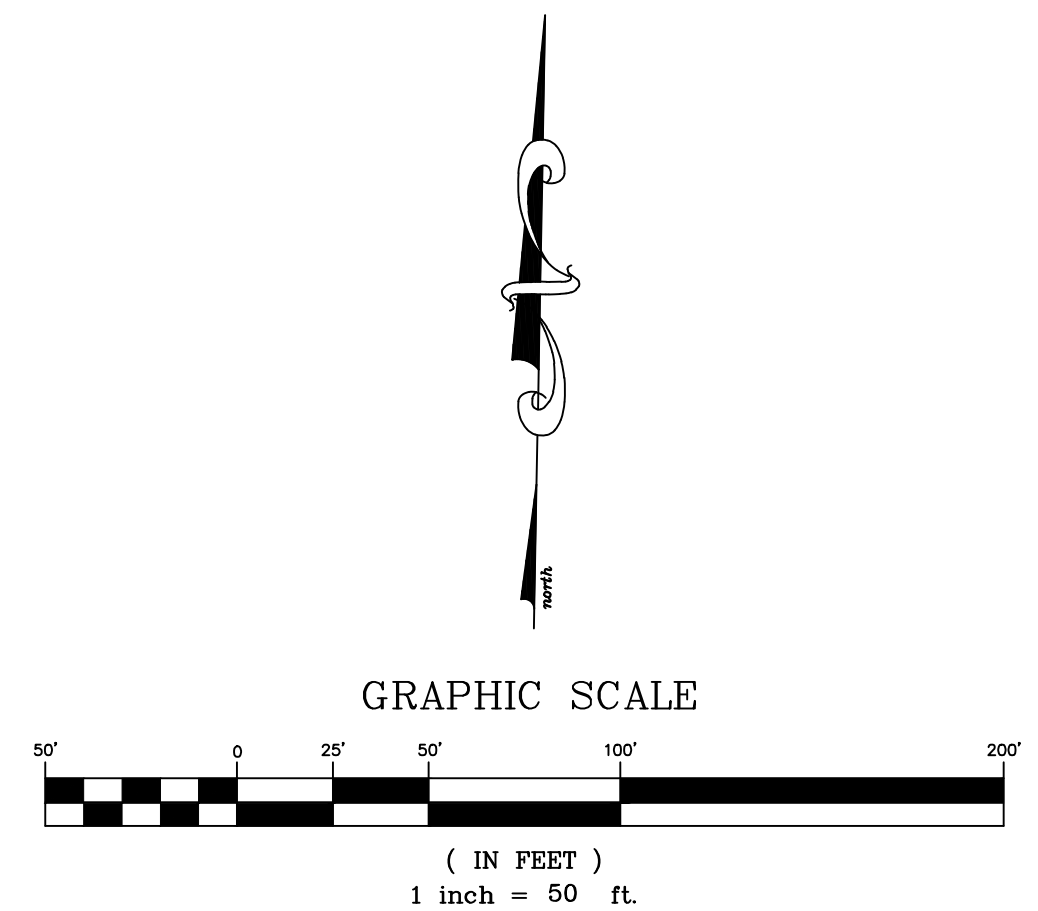
RIGHT-OF-WAY DEDICATION

STREET LIGHTS

PROPERTY SETBACK LINE

PROPOSED EASEMENT

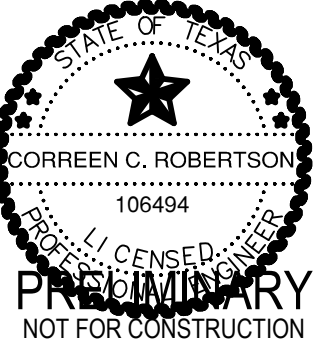
EXISTING TREES TO REMAIN



CALL 72 HOURS
BEFORE YOU DIG
1-800-344-8377 (DIG-TESS) OR 811
1-800-245-4545 (TEXAS ONE),
1-800-669-8344 (LONESTAR NOTIFICATION)
OR OTHER UTILITY LOCATING SERVICES

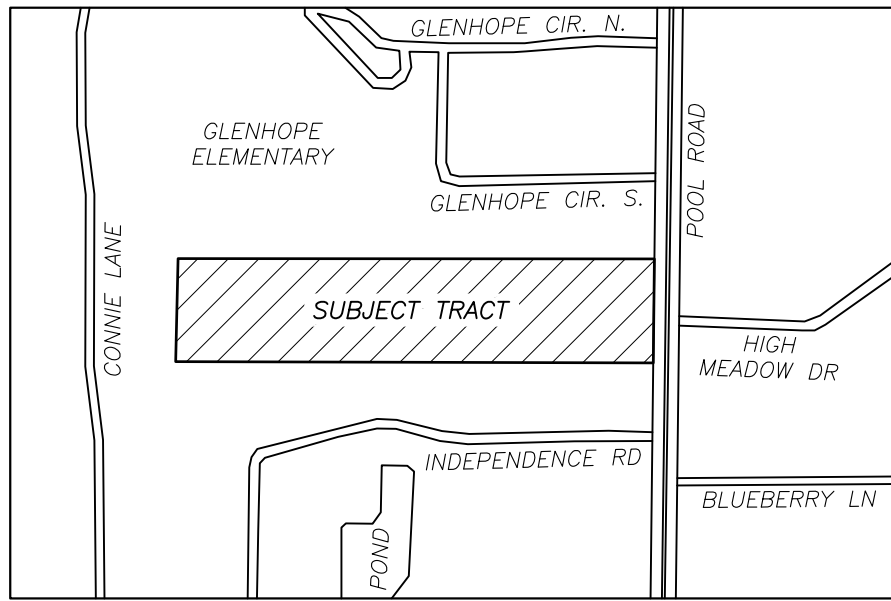
NOTICE TO CONTRACTOR:

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

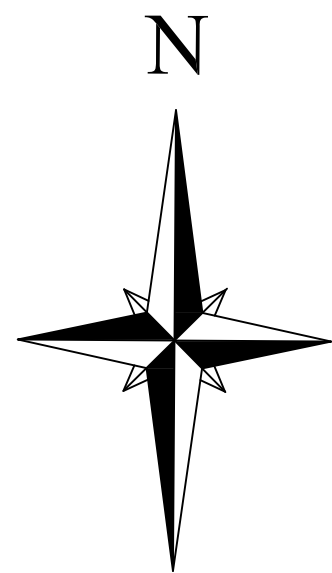
[illegible]

AN 8.162 ACRE TRACT OF LAND, SITUATED IN THE R. CHOWNING SURVEY, ABSTRACT NUMBER 294, TARRANT COUNTY, TEXAS, BEING A PORTION OF LOT 1, BLOCK 1, MILES ADDITION, AN ADDITION TO THE PLAT RECORDS, TARRANT COUNTY, TEXAS, ALSO BEING A PORTION OF THAT CERTAIN LOT CALLED LOT 1, BLOCK 1 CONVEYED TO G&G DEVELOPMENT PARTNERSHIP, LTD.

Site & Dimensional Control Plan



VICINITY MAP
NOT TO SCALE



GENERAL NOTES:

- BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83 (2011), EPOCH 2010, ZONE 4202 (TX-NC). DIMENSIONS SHOWN ARE GRID AND EXPRESSED IN U.S. SURVEY FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED.
- THE SUBJECT PROPERTY IS WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS INDICATED BY FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD MAPS. SEE PANEL 48439 C 0095 K, DATED SEPTEMBER 25, 2009.
- ALL PROPERTY CORNERS SHOWN HEREON AS BEING "SET" ARE 5/8-INCH IRON RODS WITH BLUE PLASTIC CAPS STAMPED "PIONEER MAPPING" UNLESS OTHERWISE NOTED.
- SELLING A PORTION OF THIS PROPERTY BY METES AND BOUNDS IS A VIOLATION OF THE CITY SUBDIVISION ORDINANCE AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHDRAWAL OF UTILITIES AND BUILDING PERMITS.
- THIS PROPERTY MAY BE SUBJECT TO CHARGES RELATED TO IMPACT FEES, AND THE APPLICANT SHOULD CONTACT CITY REGARDING ANY APPLICABLE FEES DUE.
- THE HOME OWNERS ASSOCIATION (H.O.A.) WILL BE RESPONSIBLE FOR ALL MAINTENANCE AND LANDSCAPING WITHIN THE LOT DESIGNATED AS OPEN SPACE LOT 'A'. THE HOME OWNER'S ASSOCIATION SHALL KEEP THIS AREA MOWED, CLEAN, AND FREE OF DEBRIS, SILT, OR OTHER SUBSTANCES WHICH WOULD RESULT IN UNSANITARY CONDITIONS.
- LANDSCAPING WITHIN THE OPEN SPACE LOT IS LIMITED TO SOD WITHIN THE 10' UTILITY EASEMENT.
- THE MAINTENANCE OF ALL DRAINAGE AND UTILITY EASEMENTS LOCATED ON PRIVATE PROPERTY ARE THE RESPONSIBILITY OF THE PROPERTY OWNER.
- THE 0.0676 AC. PORTION SHOWN HEREON IS HEREBY DEDICATED TO THE CITY OF COLLEYVILLE, TEXAS.
- ALL SETBACKS SHALL BE IN ACCORDANCE WITH THE CITY OF COLLEYVILLE LAND DEVELOPMENT CODE, AS AMENDED.
- THE PURPOSE OF THIS PLAT IS TO CREATE A 12 LOT DEVELOPMENT FROM AN EXISTING 8.162 ACRE TRACT OF LAND.
- ALL EXISTING STRUCTURES ARE TO BE REMOVED.

STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED JARED BAKER, 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 PURPOSE AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____.

NOTARY PUBLIC IN AND FOR TARRANT COUNTY

MY PRINTED NAME _____

MY COMMISSION EXPIRES: _____

OWNER'S CERTIFICATE:

STATE OF TEXAS §
COUNT OF TARRANT §

WHEREAS, G & G DEVELOPMENT PARTNERSHIP, LTD., ACTING BY AND THROUGH THE UNDERSIGNED, ITS DULY AUTHORIZED AGENT, IS THE OWNER OF AN 8.162 ACRE TRACT OF LAND, SITUATED IN THE R. CHOWNING SURVEY, ABSTRACT NUMBER 294, TARRANT COUNTY, TEXAS, BEING A PORTION OF LOT 1, BLOCK 1, MILES ADDITION, AN ADDITION TO THE CITY OF COLLEYVILLE, AS RECORDED IN VOLUME 388-169, PAGE 93, PLAT RECORDS, TARRANT COUNTY, TEXAS, ALSO BEING A PORTION OF THAT CERTAIN CALLED LOT 1, BLOCK 1, CONVEYED TO G & G DEVELOPMENT PARTNERSHIP, LTD., A TEXAS LIMITED LIABILITY COMPANY, ACCORDING TO A SPECIAL WARRANTY DEED WITH MINERAL RESERVATION RECORDED IN COUNTY CLERK'S INSTRUMENT NO. D216019600, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A 1-INCH CRIMPED IRON PIPE FOUND AT THE NORTHWEST CORNER OF THE ABOVE MENTIONED LOT 1, BLOCK 1, MILES ADDITION, SAME BEING THE SOUTHWEST CORNER OF LOT 1, BLOCK 1, ELEMENTARY SCHOOL ADDITION NO. 1, AS RECORDED IN CABINET A, SLIDE 2356, PLAT RECORDS, TARRANT COUNTY, TEXAS, AND BEING IN THE EAST LINE OF LOT 20, BLOCK 2, ROSS DOWNS ESTATES, AS RECORDED IN CABINET A, SLIDE 675, PLAT RECORDS, TARRANT COUNTY, TEXAS;

THENCE NORTH 89 DEGREES 03 MINUTES 34 SECONDS EAST, ALONG THE NORTH BOUNDARY LINE OF SAID LOT 1, MILES ADDITION, AT A DISTANCE OF 1285.36 FEET PASS A 1/2-INCH IRON ROD FOUND AT THE SOUTHEAST CORNER OF LOT 4, BLOCK 1, GLENHOPE, AS RECORDED IN CABINET A, SLIDE 3022, PLAT RECORDS, TARRANT COUNTY, TEXAS, AND CONTINUING A TOTAL DISTANCE OF 1298.55 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "PIONEER MAPPING" PREVIOUSLY SET AT THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING THE NORTHWEST CORNER OF THAT CERTAIN CALLED 0.028 ACRE TRACT CONVEYED TO THE CITY OF COLLEYVILLE, ACCORDING TO A DEED RECORDED IN COUNTY CLERK'S INSTRUMENT NO. D198039005, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS, SAME BEING THE CURRENT WEST RIGHT-OF-WAY LINE OF POOL ROAD (VARIABLE WIDTH RIGHT-OF-WAY);

THENCE SOUTH 00 DEGREES 41 MINUTES 12 SECONDS EAST, ALONG THE WEST LINE OF THE ABOVE MENTIONED 0.028 ACRE CITY OF COLLEYVILLE TRACT, A DISTANCE OF 272.38 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "PIONEER MAPPING" PREVIOUSLY SET AT THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING THE SOUTHWEST CORNER OF SAID 0.028 ACRE TRACT, AND BEING IN THE CURRENT WEST RIGHT-OF-WAY LINE OF POOL ROAD;

THENCE SOUTH 88 DEGREES 56 MINUTES 57 SECONDS WEST, ALONG THE SOUTH BOUNDARY LINE OF SAID LOT 1, MILES ADDITION, AT A DISTANCE OF 18.67 FEET PASSING A 3/8-INCH IRON ROD FOUND AT THE NORTHEAST CORNER OF LOT 18, BLOCK 1, HERITAGE COLONY, AS RECORDED IN CABINET A, SLIDE 2403, PLAT RECORDS, TARRANT COUNTY, TEXAS, AND CONTINUING A TOTAL DISTANCE OF 1300.03 FEET TO A POINT AT THE SOUTHWEST CORNER OF THE ABOVE MENTIONED ROSS DOWNS ESTATES, FROM WHICH A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF THE ABOVE MENTIONED HERITAGE COLONY ADDITION, SAME BEING THE NORTHEAST CORNER OF LOT 9, BLOCK 25, HIGHLAND MEADOWS PHASE IV, AS RECORDED IN CABINET A, SLIDE 442, PLAT RECORDS, TARRANT COUNTY, TEXAS, BEARS NORTH 88 DEGREES 56 MINUTES 57 SECONDS EAST, A DISTANCE OF 2.70 FEET;

THENCE NORTH 00 DEGREES 22 MINUTES 51 SECONDS WEST, WITH THE WEST BOUNDARY LINE OF SAID LOT 1, BLOCK 1, MILES ADDITION, AND THE EAST BOUNDARY LINE OF SAID ROSS DOWNS ESTATES, A DISTANCE OF 274.89 FEET, TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT, CONTAINING 8.162 ACRES OF LAND.

NOW, THEREFORE, KNOWN ALL MEN BY THESE PRESENTS,

THAT G & G DEVELOPMENT PARTNERSHIP, LTD., ACTING BY AND THROUGH ITS DULY AUTHORIZED AGENT, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS LOTS 1 - 12 AND OPEN SPACE LOT 'A', EASTPOINTE TERRACE, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, AND DO HEREBY DEDICATE FEE SIMPLE TO THE PUBLIC USE FOREVER ALL STREETS, RIGHTS-OF-WAY, AND ALLEYS SHOWN THEREON, AND DO HEREBY RESERVE THE EASEMENTS SHOWN ON THIS PLAT FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME. ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS IN WHICH ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THESE EASEMENTS, AND ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS AND EGRESS TO AND FROM AND UPON THE SAID EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, AND PATROLLING, WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF COLLEYVILLE, TEXAS.

WITNESS OUR HANDS THIS THE ____ DAY OF _____.

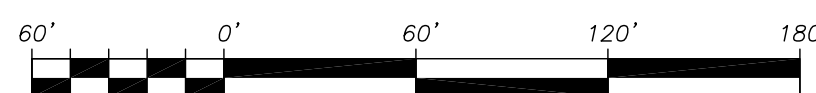
OWNER'S AGENT _____

TITLE _____

GROSS ACREAGE: 8.1615 AC.
R.O.W. DEDICATIONS: 1.6556 AC.
EASEMENT DEDICATIONS: 0.6322 AC.
NET COMMON AREA: 0.1783 AC.
NET OPEN SPACE: 0.4175 AC.
NET ACREAGE: 5.2779 AC.

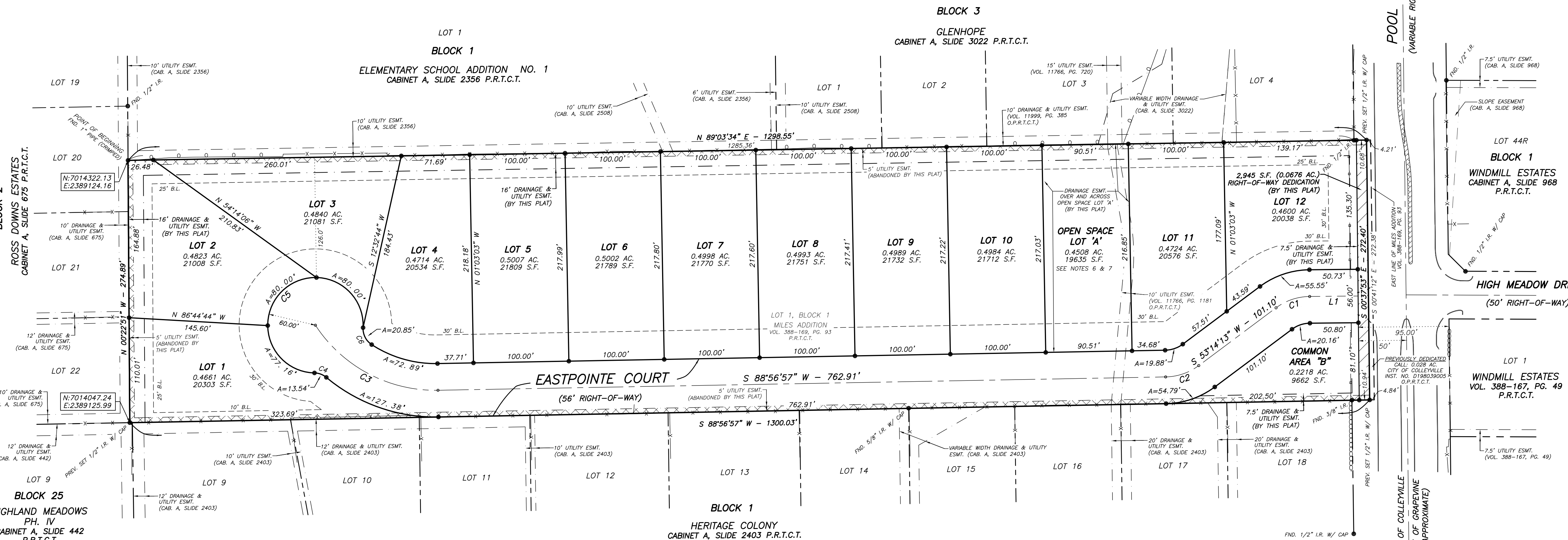
**PRELIMINARY PLAT
EASTPOINTE TERRACE
LOTS 1 - 12, OPEN SPACE LOT 'A',
AND COMMON AREA LOT 'B'
BLOCK 1**

**BEING A REPLAT OF LOT 1, MILES ADDITION, AN
ADDITION TO THE CITY OF COLLEYVILLE, AS
RECORDED IN VOLUME 388-169, PAGE 93, PLAT
RECORDS OF TARRANT COUNTY, TEXAS
R. CHOWNING SURVEY A-294
CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS**



SCALE: ONE INCH EQUALS SIXTY FEET

PREPARED SEPTEMBER, 2017 - REVISION 9

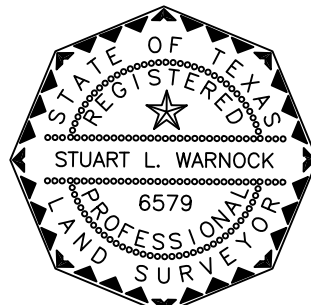


KNOWN ALL MEN BY THESE PRESENTS:

THAT I, STUART L. WARNOCK, A REGISTERED PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION ON THE GROUND. FURTHER, THIS SURVEY CONFORMS TO THE GENERAL RULES OF PROCEDURES AND PRACTICES OF THE MOST CURRENT PROFESSIONAL LAND SURVEYING PRACTICES ACT.

--FOR REVIEW--

STUART L. WARNOCK
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6579



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	171.65'	59.90'	58°12'23" W	S 71°20'25" W	157.23'
C2	37.34'	59.90'	35°42'44" W	S 71°05'35" W	36.73'
C3	151.86'	150.00'	58°00'17" W	N 62°02'55" W	145.45'
C4	13.94'	20.00'	38°47'51" W	N 69°26'48" W	13.29'
C5	237.16'	50.00'	127°14'06" W	N 47°02'50" E	168.61'
C6	20.85'	20.00'	59°44'25" W	S 26°56'50" E	19.92'

LINE	BEARING	DISTANCE
L1	S 89°26'36" W	50.77'

SUBJECT TRACT OWNER
G & G DEVELOPMENT PARTNERSHIP, LTD
8200 BOAT CLUB RD, SUITE 100
FORT WORTH, TEXAS 76179

SURVEYOR
PIONEER MAPPING
ATTN: STUART WARNOCK
P.O. BOX 136878, FORT WORTH, TX 76136
PHONE: (682) 233-2550
EMAIL: INFO@PIONEERMAPPING.COM

LEGEND
--- BOUNDARY LINE
--- ADJOINING LINE
--- PROPOSED EASEMENT
--- EXISTING EASEMENT
--- CENTERLINE OF ROAD
--- BUILDING SET-BACK LINE
--- EASEMENT ABANDONMENT
--- RIGHT-OF-WAY DEDICATION
--- FENCE - WOOD OR IRON
--- EDGE OF CONCRETE/ASPHALT
--- DEED RECORDS, TARRANT COUNTY, TEXAS
--- PLAT RECORDS, TARRANT COUNTY, TEXAS
--- COUNTY CLERK'S INSTRUMENT NUMBER
--- VOLUME, PAGE
--- CABINET

ENGINEER
EVOLVING TEXAS
420 THROCKMORTON, SUITE 930
FORT WORTH, TEXAS 76102
(817) 529-2700

UTILITY EASEMENT

ANY PUBLIC UTILITY, INCLUDING THE CITY OF COLLEYVILLE, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES, SHRUBS, OTHER GROWTHS OR IMPROVEMENTS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THE PLAT; AND ANY PUBLIC UTILITY, INCLUDING THE CITY OF COLLEYVILLE, SHALL HAVE THE RIGHT AT ALL TIMES OF INGRESS AND EGRESS TO AND FROM AND UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE.

DRAINAGE EASEMENT

NO CONSTRUCTION OR FILLING, WITHOUT THE WRITTEN APPROVAL OF THE CITY OF COLLEYVILLE SHALL BE ALLOWED WITHIN A DRAINAGE EASEMENT, AN THEN ONLY AFTER DETAILED ENGINEERING PLANS AND STUDIES SHOW THAT NO FLOODING WILL RESULT, THAT NO OBSTRUCTION TO THE NATURAL FLOW OF WATER WILL RESULT, AND SUBJECT TO ALL OWNERS OF THE PROPERTY AFFECTED BY SUCH CONSTRUCTION BECOMING A PARTY TO THE REQUEST. WHERE CONSTRUCTION IS PERMITTED, ALL FINISHED FLOOR ELEVATIONS SHALL BE A MINIMUM OF TWO FEET ABOVE THE 100-YEAR FLOOD ELEVATION.

PLANNING AND ZONING COMMISSION APPROVAL

WHEREAS THE PLANNING AND ZONING COMMISSION OF THE CITY OF COLLEYVILLE, TEXAS, VOTED AFFIRMATIVELY ON THIS ____ DAY OF _____, 20____, TO APPROVE THIS PLAT.

CHAIRMAN, PLANNING AND ZONING COMMISSION _____

ATTEST: SECRETARY, PLANNING AND ZONING COMMISSION _____

RESOLUTION R-18-4270

**A RESOLUTION APPROVING A REQUEST FOR A WAIVER FROM THE
CONSTRUCTION AND ESCROW REQUIREMENTS FOR A SIDEWALK
AT EASTPOINTE TERRACE SUBDIVISION
LOCATED AT 6480 POOL ROAD**

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

Sec. 1. THAT the sidewalk construction and escrow requirement for
Eastpointe Terrace subdivision located at 6480 Pool Road, is
hereby waived.

AND IT IS SO RESOLVED.

PASSED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON
THIS THE 5TH DAY OF JUNE 2018.

Mayor Richard Newton _____
Place 1, Tammy Nakamura _____
Place 3, Kathy Wheat _____
Place 4, George Dodson _____

Mayor Pro Tem Bobby Lindamood _____
Place 5, Chuck Kelley _____
Place 6, Callie Rigney _____

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor



City of Colleyville City Council Agenda Briefing

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

Agenda Number 9

Agenda Date 06/05/2018

Type Report

Department City Secretary

Title

Planning and Zoning Commission Worksession Meeting Minutes - February 26, 2018

Planning and Zoning Commission Worksession Meeting Minutes - March 26, 2018

Attachments

1. February 26, 2018 P&Z Worksession Minutes
2. March 26, 2018 P&Z Worksession Minutes



City of Colleyville Planning and Zoning Commission Worksession Minutes

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

Monday, February 26, 2018

City Council Chambers

CALL MEETING TO ORDER

The City of Colleyville Planning and Zoning Commission Worksession meeting was called to order by Chairwoman Mathisen on February 26, 2018, at 6:15 p.m.

Roll Call

Present: Raymond Allee, Sam van Bever, Veronica Baughman, Susan Mathisen, Charles Kelley, Claudia Bevill and Jason Elms

Staff Present: Ben Bryner, Felix Landry, Chief Brian Riley, Robert McKeown, Araceli Botello, and City Attorney Whitt Wyatt

2. PRESENTATION AND DISCUSSION

- 2a** Presentation and discussion of a request for a zoning change from the R-40 & AG zoning district to the PUD-R zoning district for a new residential subdivision on the property located at 1312 John McCain Road and 7309 holly Lane N

Felix Landry presented the case and briefed the Commission. The request is to rezone to the Planned Unit Development – Residential district to allow for residential development of 57 lots.

Commissioner Elms questioned staff regarding how net density is calculated. Staff responded that net density is calculated by subtracting the right-of-way area from the property's gross acreage.

Commissioner Elms questioned staff regarding how the density of the subject property as presented as compared to the base line of the 1.8 density. Chairwoman Mathisen responded that density is based on how it is calculated. Commissioner Elms added that he calculates density based on subtracting out floodplain.

Discussion continued regarding net density calculations.

Commissioner Elms pointed to the drainage map exhibit and expressed concerns to staff regarding the discharge and detention on the east side of the subject property.

Chairwoman Mathisen addressed concerns regarding the impact of the proposed 57 lots on the surrounding properties.

The applicant, Curtis Young, came forward and briefed the Commission. Mr. Young addressed how density was calculated by removing the right-way, drainage and detention, and open space areas.

Commissioner Elms restated his concern regarding the drainage for the site. The civil engineer for the project, Rich DeOtte, came forward and briefed the Commission. The engineer responded that Tanglewood Estates was designed to take drainage from the development of the subject property. The engineer added that there is a pipe underground near the property line to take the overflow from the subject property.

Chairwoman Mathisen questioned the applicant regarding the density calculation by removing the properties with a house currently on them. The applicant responded he had not made such calculations or considered that as an option.

Commissioner Bevill requested that the applicant provide an exhibit of the density calculations of the proposed development without the owner's developed lots factored into the calculations.

Commissioner Baughman questioned the applicant on lot size of the owner's home for the new development and subtracting that from the new development's density calculation. The applicant responded that the owner's current lot size is 3.3 acres. Staff added that the density calculation for the proposed development without the owner's lot is 1.66 net density for 56 lots, which includes the open space and flood plain areas.

Discussion continued regarding density calculations.

Commissioner Elms questioned staff regarding access and traffic off Holly Lane. Staff responded that the applicant would be required to provide emergency access, which is two access points at minimum, to get into the neighborhood per fire code requirement. The applicant pointed to the zoning exhibit to explain that he expects the majority of traffic to access off John McCain Road with Holly Lane being an exit only access point.

Commissioner Bevill requested that the applicant provide a list of the builders. The applicant responded that he would provide the list of builders to the Commission.

Commissioner Elms questioned staff if the Commission makes the determination of the minimum building footprints. Commissioner Bevill questioned the applicant if the lots would have 50 percent lot coverage. The

applicant responded that all the information would be provided and will be included in the PUD ordinance. Staff added that all the information regarding lot coverage would be provided in the staff report and draft ordinance.

Discussion continued regarding building footprint and lot coverage.

Commissioner Allee questioned the staff about the Future Land Use Map and the desire for the subject property. Commissioner Elms responded that the desire is for the subject property to be zoned residential. Staff responded that the property is proposed as residential.

Commissioner Allee questioned staff if the desire was for the lot be 20,000 square foot lots versus 60,000 square foot lots. Staff responded that there was a recent amendment to the comprehensive plan language itself rather than the map. The amendment did specify a maximum 1.8 net density and clarified the standard being a 20,000 square foot lot or larger. With a requested PUD zoning and some special design qualifications, a plan might still meet the average lot size and density standards that will include a mixture of smaller lots among larger lots and open space areas.

Discussion Continued regarding zoning and lot size.

Commissioner Elms questioned staff if the applicant has held meetings with the neighboring properties regarding the case. Staff responded that there have been several meetings with some of the surrounding neighborhoods. The applicant responded that he has placed a request to meet with neighbors on all four sides of the subject property. The applicant added that they have met with Tanglewood and Caldwell's Creek neighborhoods and that their engineer met with some of the neighbors who reside on Holly Lane.

Commissioner Kelley questioned the applicant regarding the price of the homes and the intention that they will be starting at two million and higher. The applicant responded that the homes would be custom homes and specifically designed for each lot.

Staff announced that due to Spring Break, the Commission rescheduled the next Planning & Zoning Commission Meeting for March 26, 2018.

2b Presentation and discussion of request for Special Use Permit for Alcoholic Beverages Sales – On-Premises Consumption for the property located at 4609 Colleyville Boulevard

Felix Landry presented the case and briefed the Commission. The request is for a Special Use Permit to allow for the sale of alcohol at the proposed Chipotle restaurant.

Chairwoman Mathisen questioned staff regarding the required percentage of sale for food versus alcohol. Staff responded the requirement is 60 percent food and 40 percent alcohol sales.

2c Presentation and discussion of a request for a zoning change from the AG zoning district to the PUD-R zoning district for a new residential subdivision on the property located at 1309 Glade Road

Felix Landry presented the case and briefed the Commission. The request is to rezone to the Planned Unit Development – Residential zoning district to allow for development of seven new single-family residential lots and one open space lot.

Commissioner Elms questioned staff regarding the request for a PUD-R in lieu of an R-20 district zoning. Staff responded that the request for a PUD-R is to keep compatibility with the property to the west and maintain the specific architectural designs standards.

Commissioner Kelley questioned staff regarding the zoning of the properties to the east of the subject property. Staff responded that the properties to the east are developed with larger lots and zoned as R-20.

Commissioner Elms pointed to the Zoning Exhibit and questioned staff regarding the zoning of the properties in dark yellow. Staff responded that the properties in dark yellow are the R-20 district.

Chairwoman Mathisen questioned staff regarding the disadvantage of the property being zoned PUD-R. Staff responded that he did not believe there to be any disadvantages. Staff added that the advantage of a PUD-R zoning is that the Commission can regulate more and add regulations to the PUD-R ordinance.

Commissioner Kelley questioned staff regarding the open space running behind the proposed four lots on the north end of the property. Staff responded that the open space will function as a buffer. Staff added that the open space lot will be required to be maintained by the HOA and would provide access to Glade Road.

Commissioner Kelley questioned staff regarding a masonry wall being built along Glade Road. Staff responded that as proposed it will have masonry columns with wrought iron. The perimeter fence will be required to be maintained by the HOA per the PUD ordinance.

Chairwoman Mathisen questioned staff when the case would be presented before the Commission. Staff responded that this, and all cases presented today, are scheduled for the March 26, 2018 Planning & Zoning Commission meeting.

Commissioner Kelley pointed to the Zoning Exhibit and questioned staff regarding the existing building on Lot 5. Staff responded that the building is the existing home and is planned to be demolished.

Commissioner Elms pointed to the Zoning Exhibit and questioned staff regarding the maintenance of the 24 foot Access & Utility Easement on the adjacent property to the east. Staff responded that it is a separate property. Staff added that it would not affect the subject property and provides a turnaround for emergency vehicles.

2d Presentation and discussion of a request to amend the PUD-R zoning district regarding the minimum roof pitch requirement for the Carmel Place Estates subdivision, located at 4808 to 4920 Carmel Place

Felix Landry presented the case and briefed the Commission. The PUD-R amendment request is to allow for a minimum 5/12 roof pitch in lieu of the 10/12 roof pitch as required by the approved PUD-R zoning ordinance.

Chairwoman Mathisen questioned staff if the applicant is requesting to go from a 10/12 to a 5/12 roof pitch. Staff responded affirmatively.

Commissioner Elms questioned staff regarding the pitch height of a roof where metal is required due to the height. Staff responded he was unsure of the building code requirements for metal roofing due to roof height. Staff added that the applicant is requesting a roof pitch of 5/12 in order to allow for clay tile on the roof.

Commissioner Bevill questioned staff if the requested amendment would not apply to all the homes in the subdivision. Staff responded that the amendment would apply to all the homes in the subdivision.

2e Presentation and discussion of a request for a zoning change from the AG zoning district to the CC-1 zoning district and a Special Use Permit for Cemeteries or Mausoleums for a proposed expansion of the Bluebonnet Hills Cemetery on property located at 5713 Colleyville Boulevard

Felix Landry presented the case and briefed the Commission. The request to rezone to Village Retail zoning district is to allow for the expansion and operation of the Bluebonnet Hill Cemetery to their eastern boundary.

Commissioner Baughman noted that she walked the property and noted the drainage concerns on the property.

Commissioner Bevill noted that she walked to the back of the property where the water runs and noticed the ditch was full of water.

Commissioner Allee noted that he walked along the eastern boundary of the property. He pointed to the Aerial Map and added that the drainage ditch is full of debris and runs along into the pond of the adjacent property to the east.

Discussion continued regarding run-off, water level, and dirty appearance.

Commissioner Elms noted that the land use concern is how close a burial site can be placed on the eastern property line. Commissioner Elms questioned staff if the applicant has addressed the setbacks for the eastern property line. Commissioner Allee added that if the applicant is to address the setback then he will need to place a retaining wall between the trees and berm to have a clean channel or level the land up to the trees to the east.

Commissioner Baughman noted the applicant was not looking to place a solid fence in order to look into the graveyard. She added that a wrought iron fence or a small stone retaining wall of two feet tall could be used instead.

Commissioner Kelley added that the concerns to be addressed by the applicant are the existing drainage, future drainage pattern, and setbacks on the eastern property line.

Discussion continued regarding drainage.

Commissioner Kelley noted that case was tabled for the applicant to address the concerns brought forth with the adjacent property owners and HOA. Staff responded that the applicant is currently working on those concerns and getting ready for the March 26, 2018 Planning & Zoning Commission meeting. Staff added that with the SUP there is an opportunity to address concerns regarding setbacks and add a specific setback requirement to the ordinance.

Commissioner Allee questioned staff regarding the Commission's options on actions for modified request by the applicant. Staff responded that tabling a case to address any recommendations by the Commission allows the opportunity for the applicant to address those recommendations and the Commission to oversee compliance of those.

Commissioner Kelley added that he would like for the City's Engineers to present and provide their recommendation on the drainage. Commissioner Elms added that there are concerns regarding disturbing an area and the requirement to notify TCEQ about the proposed disturbance.

Discussion continued regarding grading requirements.

Commissioner Kelley noted that he would like to include requirements in the Special Use Permit regarding the handling of the spoils dirt. Commissioner Allee pointed to the Aerial Exhibit and noted the concern of the spoils being prepared for new gravesites which then runs into the ditch through erosion.

Chairwoman Mathisen requested that the City's Engineers make a recommendation on the resolution of the drainage and spoils on the property.

3. ADJOURMENT

The meeting adjourned at 7:19 p.m.

The minutes were written and prepared by:



Araceli Botello
Planning Technician

The meeting minutes were approved on May 14, 2018 by a vote of 7-0.



City of Colleyville Planning and Zoning Commission Worksession Minutes

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

Monday, March 26, 2018

City Council Chambers

CALL MEETING TO ORDER

The City of Colleyville Planning and Zoning Commission Worksession meeting was called to order by Chairwoman Mathisen on March 26, 2018, at 6:15 p.m.

Roll Call

Present: Raymond Allee, Veronica Baughman, Susan Mathisen, Charles Kelley, Claudia Bevill and Jason Elms

Absent: Sam van Bever

Staff Present: Ben Bryner, Felix Landry, Chief Brian Riley, Robert Mckeown, Taylor Schauwecker, Araceli Botello, and City Attorney Whitt Wyatt

2. PRESENTATION AND DISCUSSION

- 2a** Presentation and discussion of a proposed Final Plat for Lots 1, 2, and 3X, Block 1, Old Grove Addition, Phase II on the property located at 105 & 103 John McCain Road and 7189 Cast Iron Forest Trail

Felix Landry presented the case and briefed the Commission. The purpose of the plat is to combine the three properties into two single-family residential lots and one open space lot.

Chairwoman Mathisen questioned staff if the property was zoned Planned Unit Development. Staff responded affirmatively. Staff added that there are two residential lots proposed and one open space lot.

Chairwoman Mathisen pointed to the Aerial Exhibit and questioned staff if there are any concerns regarding drainage. Staff responded that the applicant is working with the City's Public Works department regarding drainage. Staff added that more information would be provided to the Commission at the regular meeting regarding drainage.

Chairwoman Mathisen questioned staff regarding the "3X" in the legal description of the subject property. Staff responded that the "X" in "3X" is to designate it as the open space lot.

Commissioner Elms questioned staff if the right-of-way shown on the plat exhibit across Lot 1 has been abandoned. Staff responded affirmatively. Staff added that the right-of-way is now located in Lot 3X, which is located along the northern part of the property.

Commissioner Bevill questioned staff if the open space had been reduced with this request as shown in the plat exhibit. Staff responded affirmatively. Staff added that they are reducing the open space but are not going below the 20 percent open space requirement for the larger area as allowed by the PUD.

Chairwoman Mathisen questioned staff if the original approved Planned Unit Development ordinance would be provided at the next Planning & Zoning Commission meeting. Staff responded affirmatively.

Commissioner Kelley question staff if the proposed lots would face Cast Iron Forest Trail. Staff responded affirmatively.

2b Presentation and discussion of request for Special Use Permit for Convenience Store with Gasoline Sales for the property located at 2800 Bandit Trail

Felix Landry presented the case and briefed the Commission. The request is for a Special Use Permit to allow for a convenience store with gasoline sales.

Commissioner Elms question staff on the significance of the color green on the Zoning Exhibit. Staff responded that the green represents the Planned Unit Development zoning district. Staff added that the mint green color depicts the area outside the city limit line and represents the City of Euless.

Chairwoman Mathisen pointed to the Zoning Exhibit map and questioned staff if the City of Euless was located on the east side of the map. Staff responded affirmatively. Staff added that the other cities (Euless and Bedford) are located to the east and south of the subject property.

Chairwoman Mathisen questioned staff if the Planned Unit Development zoning allowed for residential development on the subject property. Staff responded that the subject property (and the northern corner at Glade Road) were designated for commercial development.

Chairwoman Mathisen requested that staff provide the approved Planned Unit Development ordinances as part of packet information for cases that involve the zoning. Staff responded affirmatively.

Commissioner Elms questioned staff on the acreage of the subject property. Staff responded that the property is 1.86 acres.

Commissioner Kelley questioned staff if the gasoline pumps proposed were double sided. Staff responded that based on the Zoning Exhibit, it seems that they are proposed as double sided. Commissioner Allee noted that there is one pump with two hoses on each side. Chairwoman Mathisen clarified that there are 10 gas locations which will equal 20 total gas pumps.

Commissioner Elms questioned staff regarding items that might require extra attention when considering a Special Use Permit for a gasoline station. Staff responded that the location of the gasoline station and the surrounding uses are appropriate for the site of the proposed development.

Chairwoman Mathisen noted that the subject property is designated as a location for preferred sale tax revenue. She added that gasoline sales do not contribute to sale tax revenue and would like for the applicant to provide projections for sale tax revenues of the convenience store.

Commissioner Kelley noted his concern for the proposed location of the dumpster. He added that he would prefer the dumpster to be located on the opposite side of the proposed building. Staff responded that the recommendation could be added as a condition to the approval of the Special Use Permit. Staff added that the proposed development would return as a Site Plan for review.

Commissioner Elms verified with staff that the request from the applicant is for a Special Use Permit and not a change in the zoning. Staff responded that the request is for a specific land use that is not permitted by right. Staff added that the Land Development Code specifically requires a Special Use Permit for a Convenience Store with Gasoline Sales.

Commissioner Elms questioned staff if there is a checklist for determining the requirements for gasoline sales. Staff responded that there is no list. Staff added that the request can be approved based on compatibility on its own or conditions can be placed to assure compatibility as part of approval of the request.

The applicant, Derick Murway, came forward and briefed the commission. The applicant addressed concerns brought forth by the commission regarding screening, topography, and signage.

Commissioner Kelley questioned the applicant if the masonry material and script of the proposed sign would be used for the gas station. The applicant responded affirmatively. The applicant added that the City's logo would be used for the sign.

The applicant added that he did not have information on the name of the gas station company for the proposed location.

Commissioner Kelley informed the applicant regarding his concern of the location of the dumpster. The applicant responded that the dumpster could be moved to the recommended location.

Commissioner Kelley questioned staff when adjacent property owner notifications would be mailed regarding the case. Staff responded that notifications were mailed out last week on Friday.

Chairwoman Mathisen questioned staff if adjacent property owner notifications were created using the 200 foot distance from the subject property. Staff responded affirmatively. Chairwoman Mathisen questioned staff if the notifications could be expanded further than the 200 foot notification buffer. Staff responded affirmatively.

2c Presentation and discussion of a request for a zoning change from the AG & R-40 zoning district to the R-30 zoning district on property located at 200 Bandit Trail

Felix Landry presented the case and briefed the Commission. The request is to rezone to the R-30 Single Family Residential zoning district to allow for development of two new single-family residential lots.

Chairwoman Mathisen questioned staff regarding the difference in size of the property from meeting the R-40 lot size requirement. Staff responded that the property is about 75,000 square feet total and needs 80,000 square feet to meet the R-40 zoning district lot size in order to subdivide.

Commissioner Elms questioned staff regarding the compatibility of the two proposed lots to the R-40 zoning requirements. Staff referred to the Plat Exhibit and responded that one lot is about $\frac{3}{4}$ of an acre and the second lot is just under an acre. Staff added that the lots meet the most of the R-40 standards but could not subdivide the two lots to meet the 40,000 square foot lot size requirement.

Chairwoman Mathisen questioned staff if the applicant would be open to zoning the two proposed lots to R-40 zoning district and requesting a variance for lot size. Staff responded that could be an option.

Commissioner Elms questioned staff regarding R-30 being an option based on the zoning of adjacent properties. Staff responded that the R-30 district would ensure compliance with the lot standards and pointed to the City's Zoning Map to show properties nearby zoned R-30.

2d Presentation and discussion of a proposed Replat for Lots 2R1 and 2R2, Block 1, of the Falcon Point Addition on the property located at 200 Bandit Trail

Felix Landry presented the case and briefed the Commission. The purpose of the plat is to subdivide the lot into two lots for the construction of two single-family homes.

Commissioner Elms questioned staff if the Plat Exhibit showed a 7.5 feet of right-of-way dedication. Staff responded affirmatively. Commissioner Elms noted that the lots are in conformance with the R-30 district.

Commissioner Kelley added that the R-40 district seems to be an appropriate zoning in lieu of the R-30 zoning for the subject property.

2e Presentation and discussion of a request for a zoning change from the AG zoning district to the R-20 zoning district on property located at 2313 Hall Johnson Road

Felix Landry presented the case and briefed the Commission. The request to rezone to R-20 Single Family Residential zoning district is to allow for the demolition of the current home and construction of a new single-family residential home.

Commissioner Elms question staff if the subject property is requesting the R-20 zoning district due to the lot's width. Staff responded affirmatively.

Chairwoman Mathisen pointed to the Zoning Exhibit and questioned staff if the piece of lot to the north of the subject property is part of the property. Staff responded that the portion north of the property is part of the right-of-way dedication.

Commissioner Elms questioned staff regarding the property to the east of the subject property that is zoned CC-1. Staff responded that they believe the property is currently a landscaping company. Commissioner Elms clarified that the property holds an office building.

Chairwoman Mathisen questioned staff if there is a house currently on the property. Staff responded affirmatively. Staff added that there is also a shed or barn in the back of the property.

Chairwoman Mathisen question staff if the intent of the applicant is to demolish the current home and build a new house. Staff responded affirmatively.

2f Presentation and discussion of a Site Plan for proposed athletic fields for the property located at 901 Cheek-Sparger Road

Felix Landry presented the case and briefed the Commission. The request is to develop a new football field and baseball field as part of the Covenant Christian Academy campus.

Commissioner Elms questioned staff if there are any parking concerns with the proposed development. Staff responded that the applicant currently meets the number of parking spaces as required by the Planned Unit Development ordinance. Commissioner Elms questioned staff if there is additional parking planned for the proposed development. Staff responded that there is parking designated between the baseball and football fields.

Chairwoman Mathisen questioned staff regarding the name of the street to the east. Staff responded that the street is Wayne Drive.

Commissioner Kelley questioned staff regarding the measures being taken to address lighting and noise concerns. Staff responded that there is an existing 8 foot screening wall with landscaping along the west side of the property.

Commissioner Kelley expressed concerns regarding the proposed bleachers. Staff responded that the previous plan considered a fire lane between the west property line and the football field. Staff had concerns of noise and lighting due to this being a main traffic lane for vehicles.

Commissioner Kelley questioned staff if a sound study would be required of the applicant. Staff responded that a light study is required, but not a sound study. Staff added that the Planned Unit Development ordinance outlines requirements for hours of operation and light operation. However, the Commission can request additional conditions as part of the site plan approval.

Commissioner Kelley questioned staff regarding the height of the bleachers. Staff responded that the bleachers do not extend above the masonry wall that exists behind them, which is an 8 foot tall wall. Staff clarified that the masonry wall is between 10 and 12 feet tall.

The applicant, Clint Wofford, came forward and briefed the Commission. The applicant addressed concerns regarding the bleachers and lighting.

3. ADJOURNMENT

The meeting adjourned at 6:57 p.m.

The minutes were written and prepared by:



Araceli Botello
Planning Technician

The meeting minutes were approved on May 14, 2018 by a vote of 7-0.

RESOLUTION R-18-4271

**A RESOLUTION APPROVING CITY COUNCIL ACTION
UNDER BUSINESS AT THE REGULAR CITY COUNCIL MEETING OF
JUNE 5, 2018**

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:

a. THAT

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _ AYES, _ NAYS AND _ ABSTENTIONS ON THIS THE 5TH DAY OF JUNE 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 3, Kathy Wheat	_____
Place 4, George Dodson	_____	Place 5, Chuck Kelley	_____
Place 6, Callie Rigney	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor