



City of Colleyville Planning and Zoning Commission Agenda

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

Monday, September 9, 2019

City Council Chambers

**PRE COMMISSION MEETING
6:15 P.M.
EXECUTIVE CONFERENCE ROOM
THIRD FLOOR**

**LEGAL BRIEFING BY CITY ATTORNEY REGARDING PLANNING, ZONING,
PLATTING, AND LAND USE**

**REVIEW OF REGULAR AGENDA ITEMS AND DISCUSSION OF PREVIOUS
MEETING MINUTES**

**DISCUSSION OF ITEMS TO BE PLACED ON FUTURE AGENDAS AND
UPDATES ON DEVELOPMENT TRENDS, PROGRESS AND CITY COUNCIL
ACTIONS ON PAST AGENDA ITEMS**

**EXECUTIVE SESSION – In accordance with Texas Government Code
Chapter 551, Subchapter D, Section 551.071 – Legal – Consultation with
attorney on legal issues raised by public hearing or action items on the
agenda**

**7:00 P.M. - REGULAR MEETING
CALL TO ORDER AND ROLL
INVOCATION: COMMISSIONER ELMS
PLEDGE OF ALLEGIANCE**

- 1. CITIZEN COMMENTS**
- 2. APPROVAL OF MINUTES**

July 9, 2018 Planning & Zoning Commission Minutes
July 23, 2018 Planning & Zoning Commission Worksession Minutes
July 23, 2018 Planning & Zoning Commission Minutes
August 27, 2018 Planning & Zoning Commission Worksession Minutes

3. PUBLIC HEARING AGENDA ITEMS

- 3a** Consideration of a Special Use Permit for Alcoholic Beverage Sales – On-Premises Consumption on Lot 13 & 14, Block 2, of the Thompson Terraces Subdivision, located at 5201 Colleyville Boulevard, Case ZC19-010
- 3b** Consideration of a Special Use Permit for Alcoholic Beverage Sales – On-Premises Consumption on Lot 1, Block 1, of the Towne Square Addition, located at 5604 Colleyville Boulevard, Suite A & B, Case ZC19-011

4. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards September 6, 2019 by 5:00 p.m.



Araceli Botello
Planning Technician

A quorum of the Colleyville City Council may be in attendance 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 Planning and Zoning Commission Agenda Briefing

City Hall
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Agenda Number**Agenda Date** 9/9/2019**Type** Approval of Minutes**Department** Community Development

Title

July 9, 2018 Planning & Zoning Commission Minutes

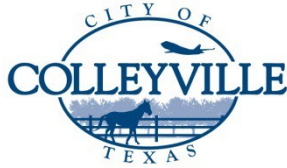
July 23, 2018 Planning & Zoning Commission Worksession Minutes

July 23, 2018 Planning & Zoning Commission Minutes

August 27, 2018 Planning & Zoning Commission Worksession Minutes

Attachments

1. July 9, 2018 Planning & Zoning Commission Minutes
2. July 23, 2018 Planning & Zoning Commission Worksession Minutes
3. July 23, 2018 Planning & Zoning Commission Minutes
4. August 27, 2018 Planning & Zoning Commission Worksession Minutes



City of Colleyville Planning and Zoning Commission Minutes

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Monday, July 9, 2018

City Council Chambers

CALL MEETING TO ORDER

The City of Colleyville Planning and Zoning Commission meeting was called to order by Chair Mathisen on July 9, 2018, at 7:03 p.m.

Roll Call

Present: Susan Mathisen, Raymond Allee, Sam van Bever, Matt Koch, and Jason Elms

Absent: Veronica Baughman and Claudia Bevill

Staff Present: Ben Bryner, Jacquelyn Reyff, Taylor Schauwecker, Rob McKeown, Araceli Botello, and City Attorney Whitt Wyatt

1. SWEARING IN OF NEWLY APPOINTED MEMBERS

Matt Koch – Place 5

Planning Technician Araceli Botello administered the Oath of Office to Matt Koch.

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

There were no citizen comments/presentations regarding items not on the agenda.

3. PUBLIC HEARING AGENDA ITEMS

3a Consideration of a Replat for Lot 21R, Block 2, of the Jewell Estates Addition, located at 1104 Tinker Road, Case PC18-006

Ben Bryner presented the case and briefed the Commission.

The applicant, Neal Ostman, 1104 Tinker Road, came forward and briefed the Commission. Mr. Ostman addressed questions by the Commission regarding the ownership of the property, the ordinance associated with property, and the reason for his request at time.

The public hearing was opened at 7:12 p.m. With no citizens wishing to speak, the public hearing was closed at 7:12 p.m.

Commissioner van Bever made a motion to approve Case PC18-006. Commissioner Elms seconded the motion.

The motion to approve was carried by the following vote:

Aye: 5 – Mathisen, Allee, van Bever, Koch, and Elms

Nay: 0

3b Consideration of a zoning change from the R-40 Single Family Residential zoning district to the R-30 Single Family Residential zoning district on Tract 6B03 & 6B3A, Abstract 328, in the Simon Cotrail Survey, located at 1713 Glade Road, Case ZC18-018

Ben Bryner presented the case and briefed the Commission.

The applicant, Warren Packer, 1680 Prince William Lane, Frisco, came forward and briefed the Commission. Mr. Packer addressed questions by the Commission regarding the age of the home.

The public hearing was opened at 7:23 p.m.

Brad Forslund, 4709 Behrens Court, came forward and spoke in opposition to the case. Mr. Forslund addressed concerns regarding preserving the zoning in the neighborhood and value.

The public hearing was closed at 7:24 p.m.

There was general discussion among the Commission regarding the preference brought forth by the citizens and the applicant regarding the R-40 zoning.

Commissioner Elms made a motion to deny Case ZC18-018. Commissioner Koch seconded the motion.

The motion to deny was carried by the following vote:

Aye: 5 – Mathisen, Allee, van Bever, Koch, and Elms
Nay: 0

3c Consideration of a Minor Plat for Tract 6B03 & 6B3A, Abstract 328, in the Simon Cotrail Survey, located at 1713 Glade Road, Case PC18-007

Ben Bryner presented the case and briefed the Commission. Director Bryner stated this is the companion piece for the previous case.

The public hearing was opened at 7:27 p.m. With no citizens wishing to speak, the public hearing was closed at 7:28 p.m.

Commissioner Allee made a motion to approve Case PC18-007 with the plat waivers for lot size and width. Commissioner Elms seconded the motion.

The motion to approve was carried by the following vote:

Aye: 5 – Mathisen, Allee, van Bever, Koch, and Elms
Nay: 0

3d Consideration of a zoning change from the R-40 Single Family Residential zoning district and AG Agricultural zoning district to the PUD-R Planned Unit Development - Residential zoning district on Lot 1R1 & 1R2, Block 1, of the Bear Creek Plantation, located at 1312 John McCain Road and 7309 Holly Lane N, Case ZC18-019

Ben Bryner presented the case and briefed the Commission.

The owner, Burk Collins, 1312 John McCain Road, came forward and briefed the Commission. Mr. Collins addressed questions by the Commission regarding the standing offers for the property.

The architecture and planning designer, Curtis Young, 8003 Jefferson Circle, came forward and briefed the Commission. Mr. Young addressed questions by the Commission regarding fencing.

The civil engineer, Rich Deotte, 112 Keystone, Southlake, came forward and briefed the Commission. Mr. Deotte addressed questions by the Commission regarding drainage, flood study, retention & detention pond, and flood plain.

The real estate consultant, Randy White, 806 Kleberg Court, Southlake, came forward and briefed the Commission. Mr. White and Mr. Young addressed questions by the Commission regarding the value of the home, size of the home, and screening of potential builders.

The architect, Chris Huff, 415 Beverly Drive, Keller, came forward and briefed the Commission. Mr. Huff addressed questions by the Commission regarding HOA covenants for the home designs.

The architecture and planning designer, Curtis Young, 8003 Jefferson Circle, came forward and addressed questions by the Commission regarding traffic, covenants for the property, quality of the homes, lot size and communication with surrounding property owners.

The public hearing was opened at 8:43 p.m.

Ed Palluth, 1212 Holly Lane, came forward and spoke in opposition to the case. Mr. Palluth addressed concerns regarding high density, number of lots and property value.

John Perone, 1216 Holly Lane, came forward and spoke in opposition to the case. Mr. Perone addressed concerns regarding lot sizes, neighbors opposed to the development, and zoning.

Charles Pearce, 7212 Holly Lane, came forward and spoke in opposition to the case. Mr. Pearce addressed concerns regarding lot sizes, drainage, and traffic.

Jeff Pistor, 7200 Holly Lane, came forward and spoke in opposition to the case. Mr. Pistor addressed concerns regarding drainage, landscaping along Holly Lane, and lot sizes.

Bryan Fleming, 7312 Hix Court, came forward and spoke in opposition to the case. Mr. Fleming addressed concerns regarding drainage, construction traffic on Holly Lane, and appearance of boundary walls.

Elise Pistor, 7200 Holly Lane, came forward and spoke in opposition to the case. Mrs. Pistor addressed concerns regarding communication with Mr. Collins.

The owner, Burk Collins, 1312 John McCain Road, came forward and addressed concerns brought forth by citizens. Mr. Collins discussed attempts to arrange a meeting with Homeowner's Association surrounding the west side of his property and open to meeting with surrounding property owners.

The public hearing was closed at 9:04 p.m.

The following did not wish to speak, but would like to record their opposition:

Richard Davidson, 7304 Hix Court

The civil engineer, Rich Deotte, 112 Keystone, Southlake, came forward and addressed questions by the Commission regarding photo exhibits provided by the surrounding property owners, meeting for Holly Lane owners, flood plain, drainage, and ponds. Mr. Deotte added that he was extremely confident the development would not exacerbate the flooding situation and being open to meet with surrounding property owners to address drainage concerns.

The owner, Burk Collins, 1312 John McCain Road, came forward and addressed concerns brought forth by citizens regarding pond, communication, and the request by the properties to the west on Holly Lane.

The architecture and planning designer, Curtis Young, 8003 Jefferson Circle, came forward and addressed questions by the Commission regarding construction traffic on Holly Lane, security, and development plan.

There was general discussion amongst the Commission regarding concerns brought forth by the citizens, the proposed development by the applicant, lot sizes and zoning in the surrounding neighborhood.

The architecture and planning designer, Curtis Young, 8003 Jefferson Circle, came forward and addressed the Commissions concerns regarding lot size and zoning in the surrounding neighborhood.

Discussion continued regarding lot size, zoning, and drainage.

Commissioner Elms made a motion to approve Case ZC18-019 with the following conditions: 1) No construction access from Holly Lane; 2) require that the existing fencing northwest of property be replaced; 3) require a maximum lot coverage of 25 percent; 4) require a minimum house size square footage of 4,000 square feet per lot; 5) require that the streets have a minimum street pavement width of 24 feet and require a fire suppression system for all homes within the subdivision; and 6) require construction methods to ensure the proposed ponds hold water. Commissioner van Bever seconded the motion.

The motion to approve was carried by the following vote:

Aye: 5 – Mathisen, Allee, van Bever, Koch, and Elms

Nay: 0

- 3e** Consideration of a Final Plat for Lots 1, 2, and 3X, Block 1, Old Grove Addition, Phase II, located at 105 & 103 John McCain Road and 7189 Cast Iron Forest Trail, Case PC17-004, TABLED FROM THE JUNE 11, 2018 MEETING

Commissioner Elms made a motion to remove Case PC17-004 from the table. Commissioner Allee seconded the motion.

The motion to approve carried by the following vote:

Aye: 5 – Mathisen, Allee, van Bever, Koch, and Elms

Nay: 0

Ben Bryner presented the case and briefed the Commission.

The applicant, Kevin Kessler with Jacobs Engineering, 1999 Bryan Street, Dallas, came forward and briefed the Commission. Mr. Kessler addressed questions by the Commission regarding width of the drainage easement, construction within the easement, and maintenance of the easement.

The owner, Greg Powell with Toll Brothers, 2555 Southwest Grapevine Parkway, Grapevine, came forward and briefed the Commission. Mr. Powell addressed questions by the Commission regarding the detention pond and type of slope.

The public hearing was opened at 10:01 p.m.

Jennifer Johnson, 203 Colden Court, came forward and spoke in opposition to the case. Ms. Johnson addressed concerns regarding health, property risks, flooding, impact to landscaping and trees along the easements, the lack of communication between surrounding homeowners and Toll Brothers, and the lack of a recovery plan.

Susan Rau, 7105 Cast Iron Forest Trail, came forward and spoke in opposition to the case. Ms. Rau addressed concerns regarding the dry detention pond, impacted trees, and health risks.

Richard Freitag, 7105 Cast Iron Forest Trail, came forward and spoke in opposition to the case. Mr. Freitag addressed concerns regarding detention ponds, health risks, and communication with the Toll Brothers.

Elizabeth Battles, 101 John McCain Road, came forward and spoke in opposition to the case. Ms. Battles stated she supports the concerns expressed by Jennifer Johnson, Susan Rau, and Richard Freitag.

The owner, Greg Powell, 2555 Southwest Grapevine Parkway, Grapevine, addressed concerns brought forth by the citizens regarding comments made to the Johnsons, plans to restore property impacted or damaged as a result from work performed during development, drainage, and landscaping along the easements.

Mark Johnson, 203 Colden Court, questioned the Commission regarding using the easement to the north of the property as opposed to the easement in the south to run drainage as proposed by the applicant.

The applicant, Kevin Kessler, applicant, came forward to address the question from Mr. Johnson and responded that the drainage was designed to run through the easement located south of the property and that there are no inlets to the north of the property along John McCain Road.

The public hearing closed at 10:22 p.m.

There was discussion amongst the Commission and staff regarding tree coverage and preservation.

The applicant, Kevin Kessler, offered a rebuttal before the Commission and addressed concerns regarding tree preservation and detention ponds.

Susan Rau, 7105 Cast Iron Forest Trail, spoke regarding a solution she, her husband, and her neighbors would be satisfied with.

Greg Powell, Senior Project Manager, commented the lots will be annexed into the Old Grove Homeowner's Association, which has maintenance standards for the way yards have to be kept.

Kevin Kessler answered a question of the Commission.

Manny Rios with Toll Brothers, 2557 Southwest Grapevine Parkway, Grapevine, commented on his meeting with the neighbors of the lots to try to find common ground and his attempts to meet with the Battles.

Tom Stoudge, Toll Brothers Lawyer, 1615 Lexington Avenue, Allen, commented all options have been explored and what is proposed is the best option and meets all requirements.

There was discussion amongst the Commission regarding possible solutions.

Commissioner Elms made a motion to approve Case PC17-004. Commissioner van Bever seconded the motion.

The motion to approve carried by the following vote:

Aye: 5 – Mathisen, Allee, van Bever, Koch, and Elms

Nay: 0

3f Consideration of amendments to the Land Development Code,
specifically Chapter 6 – Commercial Design Standards

Commissioner Elms made a motion to table items 3f and 3g to the July 23, 2018 meeting. Commissioner van Bever seconded the motion.

The motion to approve carried by the following vote:

Aye: 5 – Mathisen, Allee, van Bever, Koch, and Elms

Nay: 0

4. ADJOURNMENT

The meeting adjourned at 10:55 p.m.

The minutes were written and prepared by:

Araceli Botello
Planning Technician

The meeting minutes were approved on _____ by a vote of ____.



City of Colleyville Planning and Zoning Commission Worksession Minutes

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Monday, July 23, 2018

City Council Chambers

CALL MEETING TO ORDER

The City of Colleyville Planning and Zoning Commission meeting was called to order by Chair Mathisen on July 23, 2018, at 6:17 p.m.

Roll Call

Present: Raymond Allee, Susan Mathisen, Claudia Bevill, and Matt Koch

Absent: Veronica Baughman, Sam Van Bever, and Jason Elms

Staff Present: Ben Bryner, Jacquelyn Reyff, Chief Brian Riley, Robert McKeown, Araceli Botello, and City Attorney Whitt Wyatt

2. PRESENTATION AND DISCUSSION

- 2a** Presentation and discussion of a Special Use Permit for an Automotive Repair Shop on Lot 1A, Block1, of the Highway 26 Industrial, located at 6804 Colleyville Boulevard, Case ZC18-020

Ben Bryner presented the case and briefed the Commission.

There was general discussion regarding any future Land Development Code amendments affecting the Special Use Permit, signage, and the building's façade.

- 2b** Presentation and discussion of a zoning change from AG to R-30 on Tract 2A01 & 2A02, Abstract 1543, in the George W Teeter Survey, located at 1309 Glade Road, Case ZC18-023

Ben Bryner presented the case and briefed the Commission.

There was general discussion regarding the number of houses, right-away and cul-de-sac requirements, fire sprinklers, proposed builders, and access easements.

- 2c** Presentation and discussion of a combination Preliminary/Final Plat of Tract 2A01 & 2A02, Abstract 1543, in the George W Teeter Survey, located at 1309 Glade Road, Case PC18-012

Ben Bryner presented the case and briefed the Commission.

There was general discussion regarding the date when the case was first presented to City Council.

3. ADJOURNMENT

The meeting adjourned at 6:49 p.m.

The minutes were written and prepared by:

Araceli Botello
Planning Technician

The meeting minutes were approved on _____ by a vote of ____.



City of Colleyville Planning and Zoning Commission Minutes

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Monday, July 23, 2018

City Council Chambers

CALL MEETING TO ORDER

The City of Colleyville Planning and Zoning Commission meeting was called to order by Chair Mathisen on July 23, 2018, at 6:58 p.m.

Roll Call

Present: Susan Mathisen, Raymond Allee, Matt Koch, and Claudia Bevill

Absent: Sam van Bever, Veronica Baughman, and Jason Elms

Staff Present: Ben Bryner, Jacquelyn Reyff, Chief Brian Riley, Taylor Schauwecker, Rob McKeown, Araceli Botello, and City Attorney Whitt Wyatt

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

There were no citizen comments/presentations regarding items not on the agenda.

2. PUBLIC HEARING AGENDA ITEMS

2a Consideration of amendments to the Land Development Code, specifically Chapter 6 – Commercial Design Standards, TABLED FROM THE JULY 9, 2018 PLANNING AND ZONING COMMISSION MEETING

Commissioner Allee made a motion to remove item 2a from the table. Commissioner Bevill seconded.

The motion to remove item 2a from the table carried with the following vote:

Aye: 4 – Mathisen, Allee, Koch, and Bevill

Nay: 0

Ben Bryner presented the item and briefed the Commission.

The public hearing was opened at 7:30 p.m.

Kathy Hadley, 204 Timberline Drive North, spoke in support of the item and expressed her appreciation for the amendments regarding aesthetically pleasing buildings and landscaping.

The public hearing was closed at 7:32 p.m.

Commissioner Bevill made a motion to approve item 2a. Commissioner Allee seconded.

The motion to approve carried with the following vote:

Aye: 4 – Mathisen, Allee, Koch, and Bevill

Nay: 0

2b Consideration of amendments to the Land Development Code, specifically Chapter 3 – Land Use, Chapter 8 – Plat Review Procedures, and Chapter 9 – Subdivision Design & Public Facilities, TABLED FROM THE JULY 9, 2018 PLANNING AND ZONING COMMISSION MEETING

Commissioner Allee made a motion to remove item 2b from the table. Commissioner Bevill seconded.

The motion to remove item 2b from the table carried with the following vote:

Aye: 4 – Mathisen, Allee, Koch, and Bevill

Nay: 0

Ben Bryner presented the proposed amendments to Chapter 8 and briefed the Commission.

The public hearing was opened at 7:54 p.m. With no citizens wishing to speak, the public hearing was closed at 7:54 p.m.

Commissioner Allee made a motion to approve the amendments to the Land Development Code, specifically Chapter 8. Commissioner Bevill seconded

The motion to approve carried by the following vote:

Aye: 4 – Mathisen, Allee, Koch, and Bevill

Nay: 0

Ben Bryner presented the proposed amendments to Chapter 9 and briefed the Commission.

The public hearing was opened at 8:14 p.m. With no citizens wishing to speak, the public hearing was closed at 8:14 p.m.

Commissioner Bevill made a motion to approve the amendments to the Land Development Code, specifically Chapter 9, as presented. Commissioner Koch seconded.

The motion to approve carried by the following vote:

Aye: 4 – Mathisen, Allee, Koch, and Bevill
Nay: 0

Ben Bryner presented the proposed amendments to Chapter 3 and briefed the Commission.

The public hearing was opened at 9:16 p.m. With no citizens wishing to speak, the public hearing was closed at 9:16 p.m.

Commissioner Bevill made a motion to table the amendments to the Land Development Code, specifically Chapter 3, to the August 13, 2018 Planning and Zoning Commission meeting. Commissioner Koch seconded.

The motion to table carried by the following vote:

Aye: 4 – Mathisen, Allee, Koch, and Bevill
Nay: 0

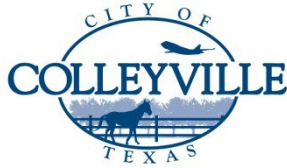
3. ADJOURNMENT

The meeting adjourned at 10:55 p.m.

The minutes were written and prepared by:

Araceli Botello
Planning Technician

The meeting minutes were approved on _____ by a vote of ____.



City of Colleyville Planning and Zoning Commission Worksession Minutes

City Hall
100 Main Street
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Monday, August 27, 2018

City Council Chambers

CALL MEETING TO ORDER

The City of Colleyville Planning and Zoning Commission meeting was called to order by Chair Mathisen on August 27, 2018, at 7:01 p.m.

Roll Call

Present: Susan Mathisen, Claudia Bevill, Jason Elms and Matt Koch

Absent: Raymond Allee

Staff Present: Ben Bryner, Jacquelyn Reyff, Chief Brian Riley, Robert McKeown, Araceli Botello, and City Attorney Whitt Wyatt

2. PRESENTATION AND DISCUSSION

- 2a** Presentation and discussion of a zoning change from ML Light Manufacturing district to PUD-C Planned Unit Development-Commercial district on Lot 1, Block 1, of the Chandler Addition, located at 1701 John McCain Road, Case ZC18-025

Jacquelyn Reyff and Ben Bryner presented the case and briefed the Commission.

There was general discussion regarding Medical and Office Uses, traffic studies, appropriate zoning for the type of proposed uses, zoning restrictions, and uses that don't cause disturbance to surrounding property owners.

- 2b** Presentation and discussion of a Special Use Permit for an Accessory Building to encroach into the required rear yard setback on Lot 13R, Block C, of the Heron Pond Addition, located at 5605 Heron Drive East, Case ZC18-026

Jacquelyn Reyff and Ben Bryner presented the case and briefed the Commission.

There was general discussion regarding the encroachment into the required rear yard setback, the intent of the required ordinance, the effect of the Commissions' approval or denial of the case, and required materials.

- 2c** Presentation and discussion of a zoning change from R-20 Single Family Residential district to PUD-R Planned Unit Development – Residential district on a portion of Lot 1, Block 1, of the Allzim Acres Addition, and a portion of Tracts 2A7B, 2ABC, & 2A9A, Abstract 533, in the Mary M. Freeman Survey, located at 7209 & 7215 John McCain Road, Case ZC18-029

Jacquelyn Reyff and Ben Bryner presented the case and briefed the Commission.

There was general discussion regarding the location of the buffer, language and restrictions for building within the buffer, tree preservation, history of the property's zoning, open space, density, and zoning of surrounding properties.

There was general discussion of the upcoming meeting's date, number of cases to present, and update on amendments to Land Development Code to be presented in the future, and adoption of state legislature changes.

3. ADJOURNMENT

The meeting adjourned at 7:45 p.m.

The minutes were written and prepared by:

Araceli Botello
Planning Technician

The meeting minutes were approved on _____ by a vote of ____.



City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall
100 Main Street
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Agenda Number 3a	Agenda Date 9/9/2019	Number
Type Presentation and Discussion		
Department Community Development		

Title

Consideration of a Special Use Permit for Alcoholic Beverage Sales – On-Premises Consumption on Lot 13 & 14, Block 2, of the Thompson Terraces Subdivision, located at 5201 Colleyville Boulevard, Case ZC19-010

Explanation

Paul and Lisa Pardo, of Stone House Restaurant and Wine Bar, have submitted a request for a Special Use Permit (SUP) to allow alcoholic beverage sales for on-premise consumption at 5201 Colleyville Boulevard. Alcoholic beverage sales for on-premise consumption are allowed in the CC-1 Village Retail district with the approval of an SUP.

Existing Conditions/Background: The subject property is zoned CC-1 Village Retail district and generally located on the east side of Colleyville Boulevard, north of Thompson Terrace. The subject property is a platted lot and currently developed with a house dating to 1945 and an accessory building, which was previously used as a salon.

Proposed Special Use Permit:

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

Monday & Tuesday: 4:00 p.m. – 9:00 p.m.

Wednesday – Saturday: 4:00 p.m. – 10:00 p.m.

Closed on Sundays

Ordinance – There are four components of procedure that a business must complete to sell and serve alcohol for on-premises consumption in Colleyville: (1) a Special Use Permit (SUP) approval by the City Council for alcohol sales (on-premises consumption) (2) submission of draft Texas Alcoholic Beverage Commission (TABC) License paperwork to the City Secretary's Office for review and approval, (3) submission of completed TABC License paperwork to the TABC, (4) the issuance of an Alcoholic

Beverage License through the City Secretary's Office.

- Section 3.25 of the Land Development Code states that an SUP is to "allow a use not normally allowed in a zoning district which could be of benefit in a particular case to the general welfare, provided adequate development standards, and special requirements are imposed to protect surrounding uses or to preserve the character of the neighborhood." Language is typically added for SUPs to automatically expire upon the abandonment of the business, change in the use, a change in ownership, or upon termination of the Certificate of Occupancy.
- Section 6-3 of the Code of Ordinances requires businesses that serve alcoholic beverages to be located at least 300 feet from a church, school, or public hospital. The distance is measured from property line to property line for schools, and from front door to front door along the street front property lines for churches and hospitals.
- Section 6-5 of the Code of Ordinances which states that the restaurant's alcohol sales must be incidental and secondary to the sale of food for human consumption (further clarified in the Code as non-alcohol and food sales must comprise at least 40 percent of gross receipts).

Analysis: The applicant proposes to operate the business in a similar manner to other restaurants along Colleyville Boulevard. The requested location is in compliance with the distance requirements of the Code of Ordinances, and the applicant is proposing to comply with the 40/60 incidental sales requirements as stated above. Approval of an SUP at this location for this user should not adversely impact surrounding uses or the character of the neighborhood.

Surrounding Development: The properties to the north, south and west are zoned CC-1-Village Retail district and developed with commercial buildings. The properties to the east are zoned R-20 Single Family Residential and developed with single-family homes.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property as located within the Central Sector of the Colleyville Boulevard Corridor. This area has been identified as having the greatest potential to become a true center of activity by tying together major commercial and entertainment centers along the Corridor.

Public Notification: Staff mailed notices to all property owners within 500 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.

Staff Recommendation: Staff recommends approval of the Special Use Permit (SUP) to authorize the sale of alcoholic beverages for on-premises consumption for the Stone House Restaurant and Wine Bar at 5201 Colleyville Boulevard. The proposed business should not adversely impact surrounding uses.

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Zoning Exhibit
6. Aerial and Building Elevation Exhibit
7. Site Plan
8. Floor Plan
9. Patio Floor Plan
10. Photo of the Patio
11. Notification Map
12. Property Owner Notifications
13. Notification List
14. Draft Ordinance

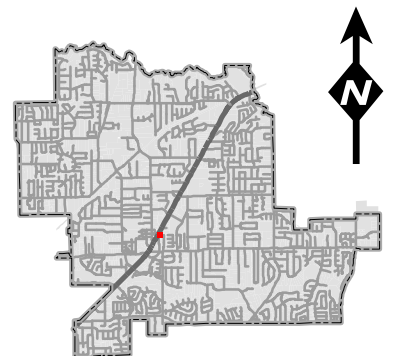
Aerial Map



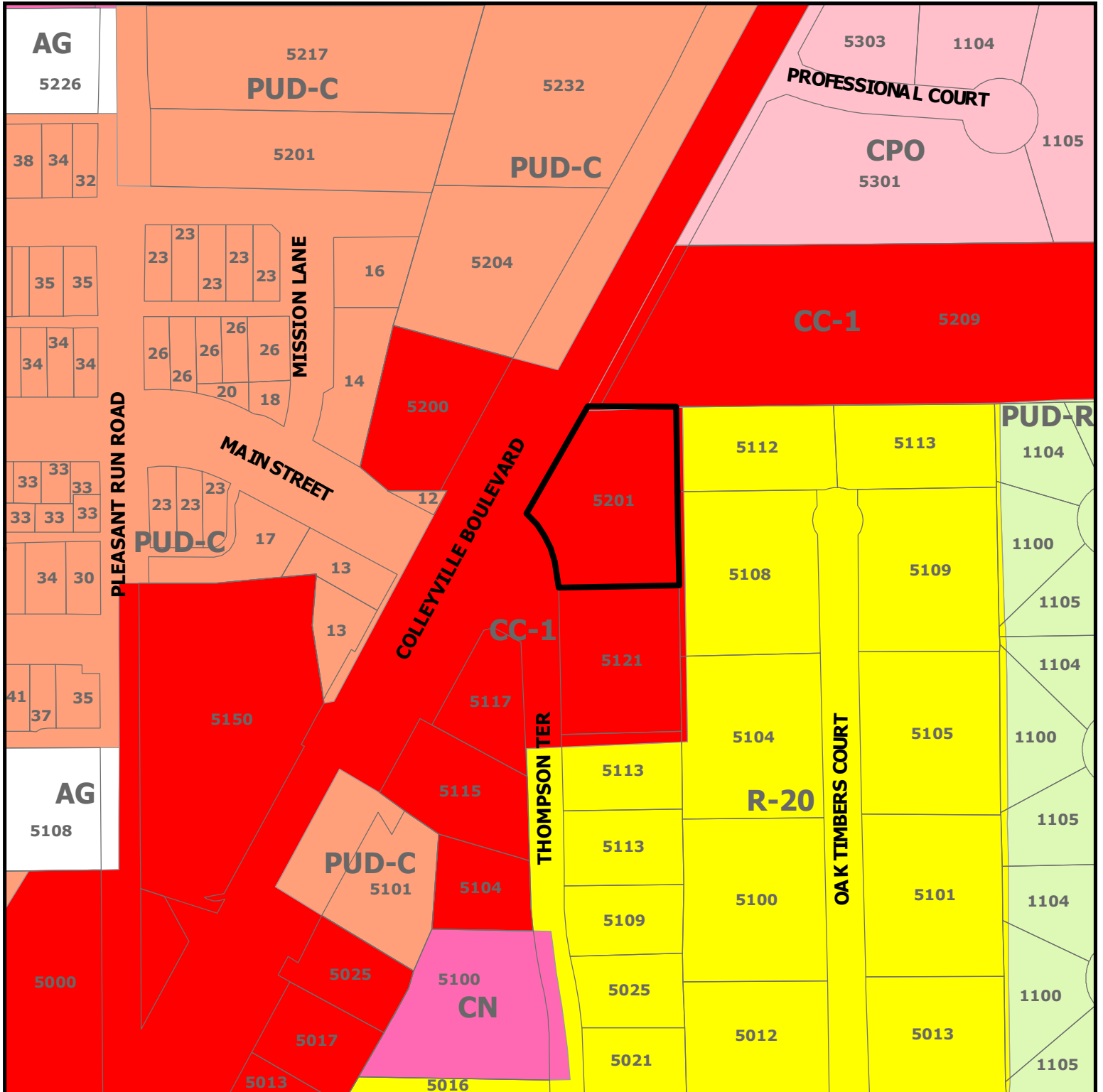
ZC19-010
5201 Colleyville Blvd

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



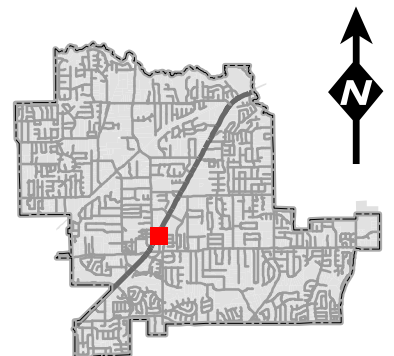
Zoning Map



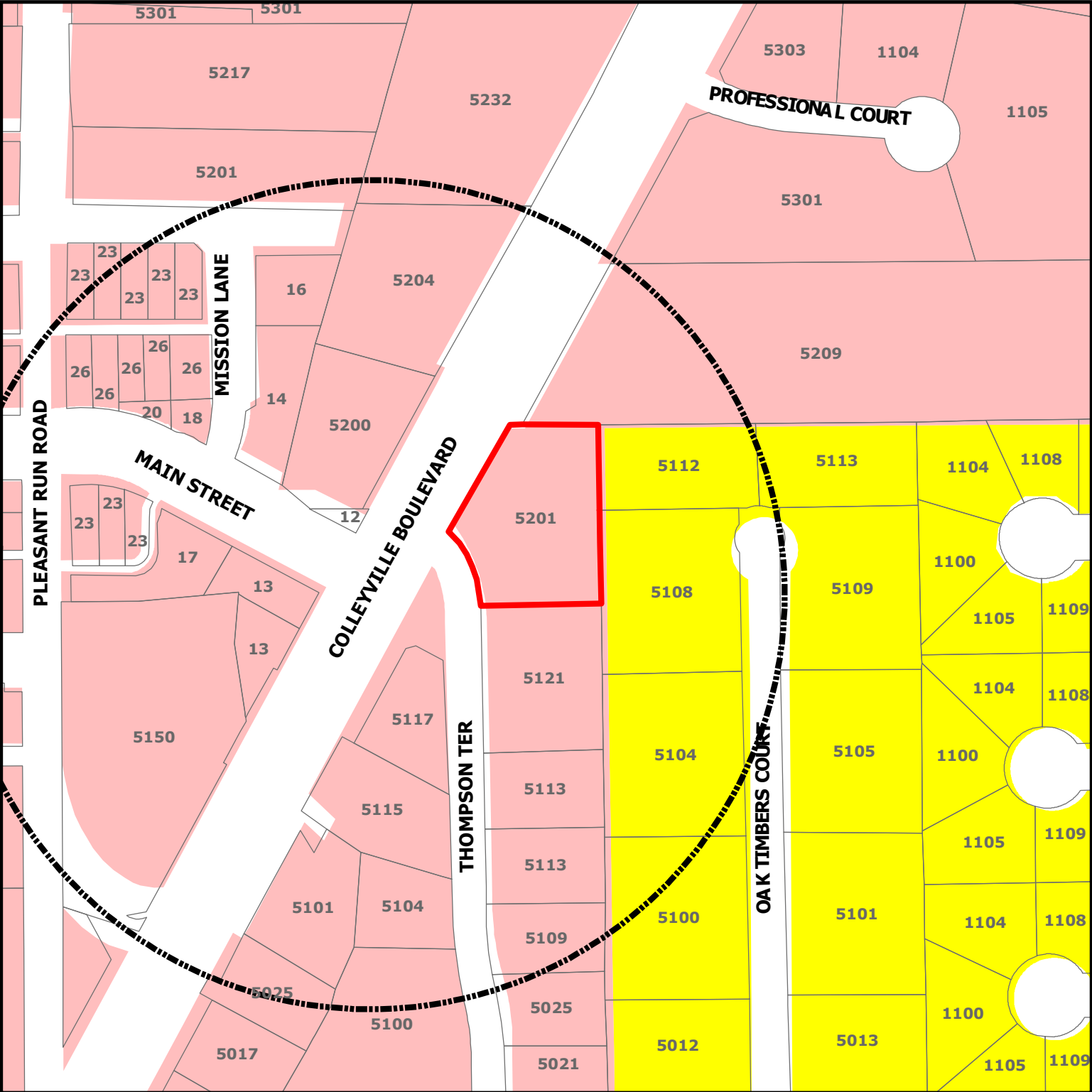
ZC19-010
5201 Colleyville Blvd

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



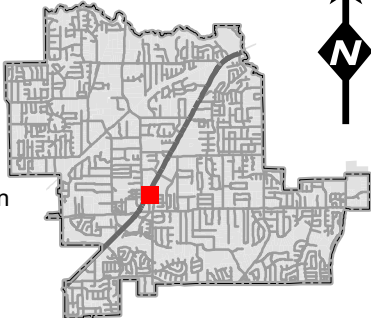
Future Land Use Map



ZC19-010

5201 Colleyville Blvd

- Subject Property
- Sales Tax Preferred Intersection
- Residential
- Colleyville Blvd Corridor



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Statement of Planning Objectives

STONEHOUSE

RESTAURANT & WINE BAR

It is with great excitement that we present to the City of Colleyville our dream of bringing not only a new concept to the citizens of Colleyville but a destination for citizens from Fort Worth to Dallas and beyond. For years we have driven by the Stone House and have said, "That needs to be a Restaurant". This past June the opportunity to take over the lease presented itself to us. After much prayer and due diligence we present the City of Colleyville our dream of the "Stone House Restaurant and Wine Bar. This house sits at the corner of the new intersection leading to City Hall at the corner of Colleyville Blvd. and Thompson Terrance. Stone House will be open for dinner only. The hours of business will be 4 -9 Monday and Tuesday and 4-10 Wednesday through Saturday. We will be closed on Sunday. We will be offering a full bar and the food will be on the contemporary eclectic side. This will be a beautiful one of a kind restaurant keeping the original house built in 1945 fully intact. Attached are the proposed plans for both the inside and outside dining area. We wanted to bring something to Colleyville that does not exist at this time. A place where you have the choice to dine in or outside, under large pecan and pine trees and look at the stars as you enjoy a great dinner, a glass of wine with appetizers and listen to live music. We will be keeping much of the charm of this house inside by keeping the original hard wood floors, fireplace in the front room and the low ceilings which all add to the ambiance of a great date night. There is a side building that will become the kitchen. This will be attached to the main house by a walkway and will be enclosed following State guidelines in food handling.

Development Schedule

We are dedicated to having our Grand Opening in December 2019. Most of the remodeling will be in the kitchen area. This timeline is supported by both the architect and contractor.

Economic Development Information

Land Sq. Feet	31,725
Land Acres	0.7283
Building A – Main Dining	2078 sq. feet
Building B – Kitchen	952 sq. feet
Patio	1,000 sq. feet

SALES

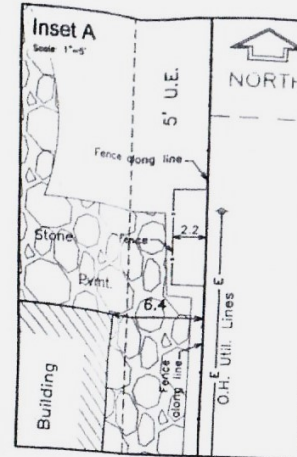
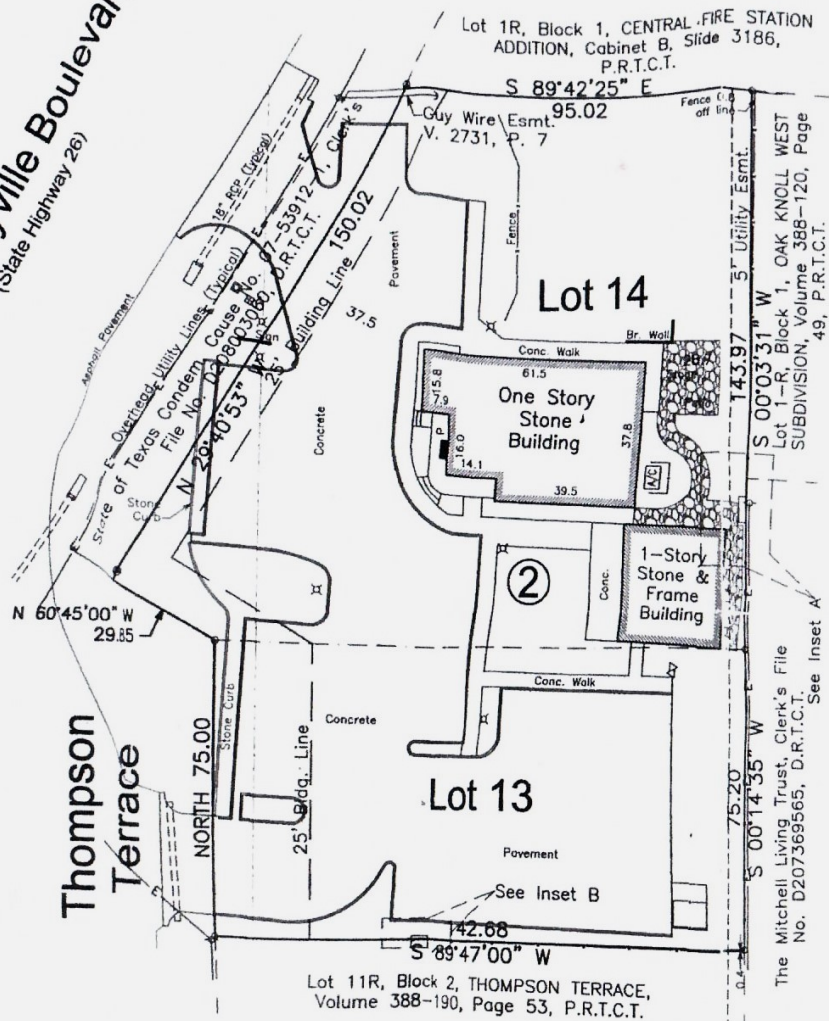
Projected Sales – year one	\$ 1,764,000.00
Projected Tax Revenue	\$ 145,000.00

PROPERTY VALUE

Current Property Value	\$ 400,000.00
Improvements	\$ 750,000.00
Total Property Value	\$ 1,150,000.00

Zoning Exhibit

5201 Colleyville Boulevard
(State Highway 26)



No. 44929

Legend

- 1/2" Iron Pin Found
- ◇ Utility Pole
- Guy Wire
- Sanitary Sewer Cleanout
- Water Meter
- ▲ Sprinkler Box
- ◇ Fire Hydrant
- TexDOT Conc. Monument Found
- Sanitary Sewer Manhole
- Gas Meter
- Water Valve
- ⊠ Electric Transformer
- Telephone Pedestal
- ⊕ Light Pole

Notes

1. Bearings based on record bearings. Bearing source, east line of Thompson Terrace, per plat recorded in Volume 388-11, Page 61, Plat Records, Tarrant County, Texas.
2. Unless otherwise noted, the Building Lines and Easements shown herein are per the plat recorded in Volume 388-11, Page 61, Plat Records, Tarrant County, Texas.

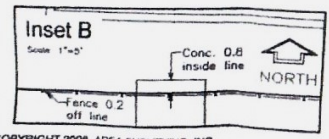
Surveyor's Certificate
This is to certify that I have surveyed on-the-ground the above described property and find the buildings wholly within the bounds of said property, and no encroachments thereon, except as shown.

By *[Signature]*
Rogel W. Tuck, S.P.L.S.
Surveyed 09/24/08

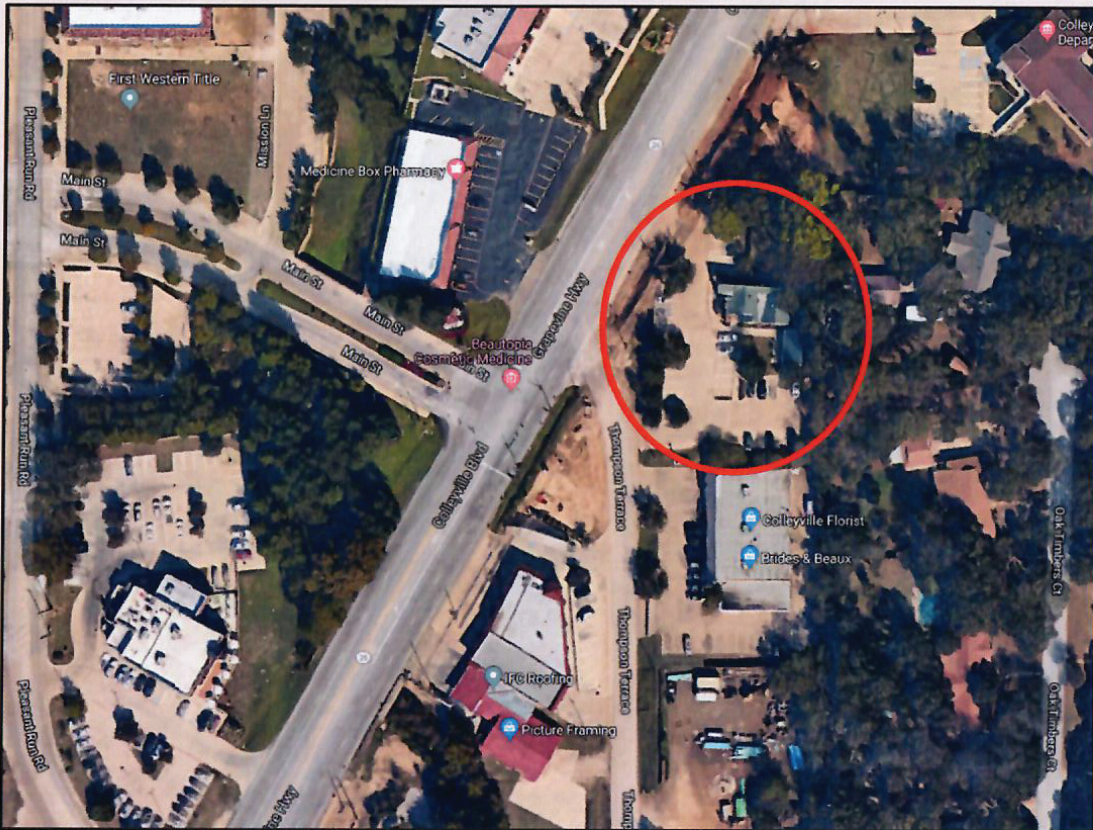


PLAT SHOWING
SURVEY OF LOTS 13 AND 14,
BLOCK 2,
THOMPSON TERRACE,
A SUBDIVISION OF PART OF THE J.M. LOONEY SURVEY AT COLLEYVILLE, TARRANT COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 388-11, PAGE 61, PLAT RECORDS, TARRANT COUNTY, TEXAS.
THAT PORTION OF LOT 14 AWARDED TO THE STATE OF TEXAS BY CONDEMNATION SUIT FILED JUNE 15, 2007, UNDER CAUSE NO. 07-53912-1, CERTIFIED COPY FILED JANUARY 3, 2008, RECORDED UNDER CLERK'S FILE NO. D208003060, OFFICIAL RECORDS, TARRANT COUNTY, TEXAS.
5201 COLLEYVILLE BOULEVARD

AREA SURVEYING, INC.
Surveying / Mapping
1000 South Street / Fort Worth, TX 76134
Phone 817 292 5684 / Fax 817 754 2311
www.area-surveying.com



Aerial and Building Elevations Exhibit



Site Plan

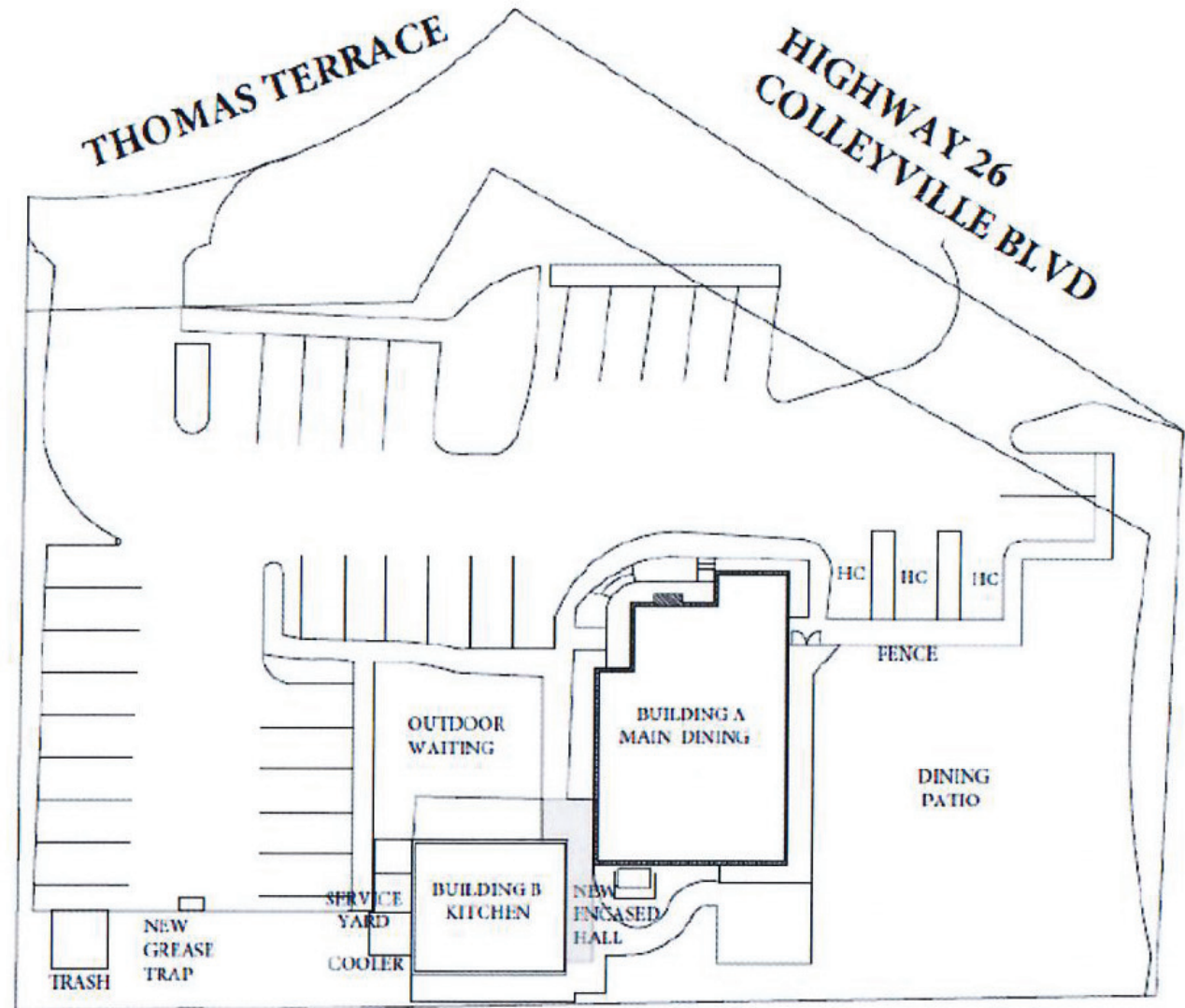
PARKING COUNT

34

BUILDING S.F.

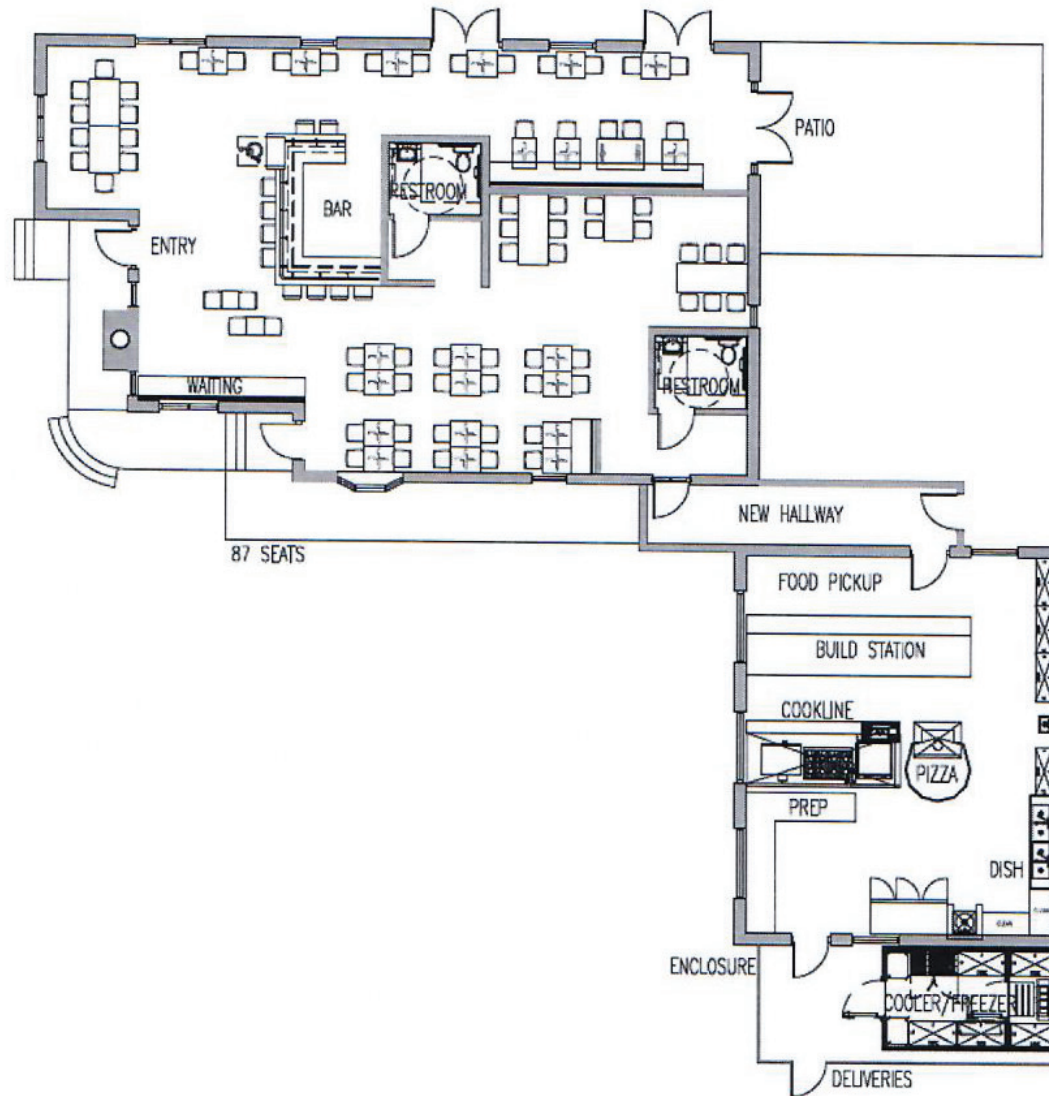
A: 2078

B: 952



SITE PLAN

Floor Plan



Patio Floor Plan

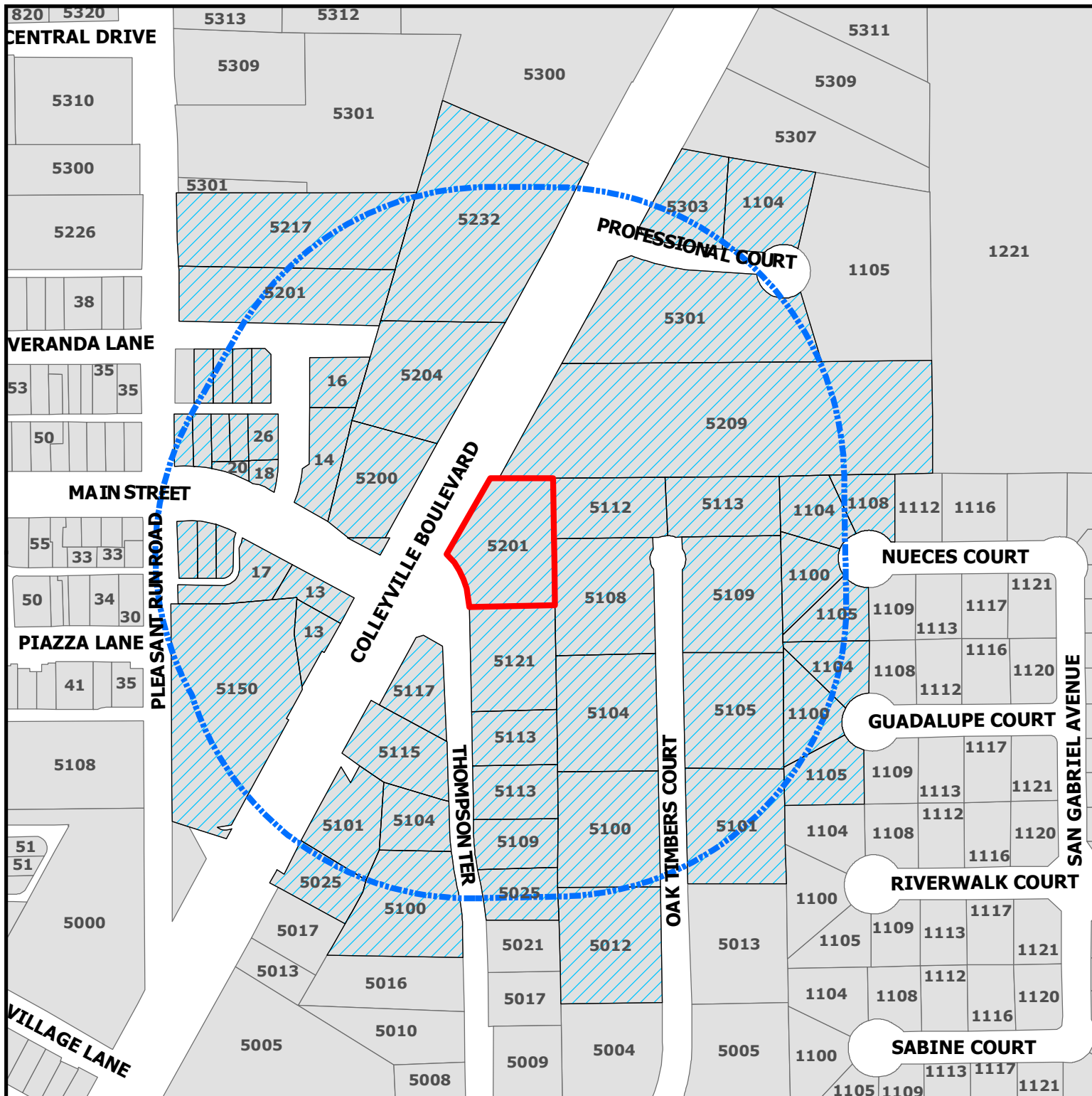


PATIO PLAN - 1,000 sq. feet

Photo of the Patio



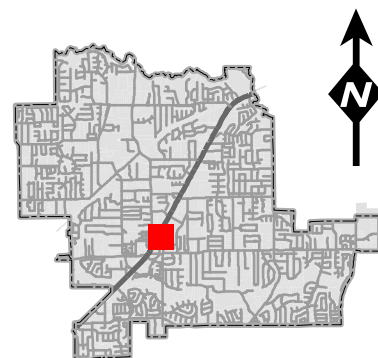
Notification Map



ZC19-010
5201 Colleyville Blvd

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-  Subject Property
-  500ft Buffer
-  Properties within 500ft





NOTICE OF PUBLIC HEARING

«Owner Name»

«Owner Address»

«Owner City» «Owner Zip»

The City of Colleyville has scheduled public hearings concerning the below referenced request on the following dates and location (please note the new City Council Meeting dates):

Planning and Zoning Commission Meeting: Monday, September 9, 2019 at 7:00 p.m.
City Council Meetings: Tuesday, September 17, 2019 & Wednesday, October 2, 2019 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

Request: Consideration of a Special Use Permit for Alcoholic Beverage Sales – On-Premises Consumption. The purpose is to allow for the sale of alcohol at the proposed business Stone House Restaurant & Wine Bar.

Zoning Case: ZC19-010

Applicant: Paul and Lisa Pardo

Owner: Sunder Holdings LLC

Location: 5201 Colleyville Boulevard

Property Description: Lots 13 and 14, Block 2, of the Thompson Terraces Subdivision

Present Zoning: CC-1 Village Retail District

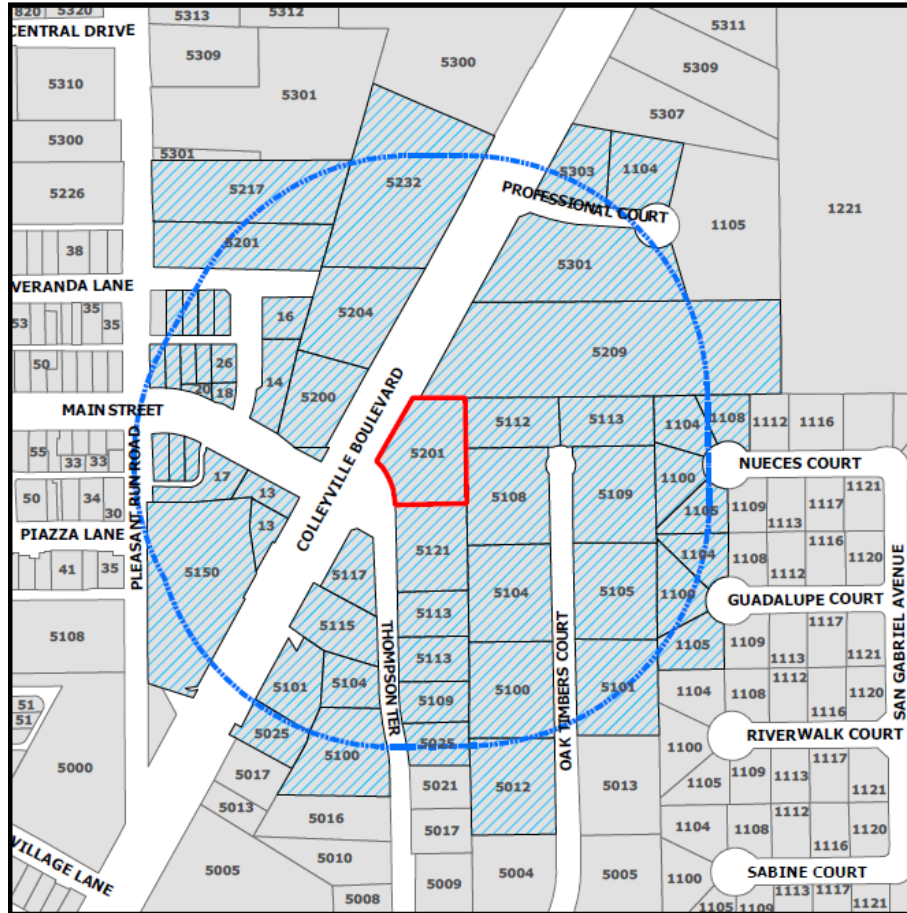
This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a 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.

NOTICE OF PUBLIC HEARING



The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas 76034. A brief project description can be found online on the Active Development Case map:

<https://www.colleyville.com/government/departments-a-l/community-development/active-development-cases>

For additional information, please contact the Community Development Department at 817.503.1056. Please reference the zoning case number when requesting information.

Jacquelyn Reyff
Principal Planner
jreyff@colleyville.com

Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
BAJRAM & RUZDI INVESTMENTS LLC	206 MILL WOOD DR	COLLEYVILLE, TX	76034	5150 COLLEYVILLE BLVD
BARNARD PARTNERS XIII LTD	PO BOX 127	COLLEYVILLE, TX	76034	5301 COLLEYVILLE BLVD
BARNARD PARTNERS XVIII LTD	PO BOX 127	COLLEYVILLE, TX	76034	1104 PROFESSIONAL CT
BEAM REAL ESTATE LLC	14455 WEBB CHAPEL RD	FARMERS BRANCH, TX	75234	5200 COLLEYVILLE BLVD
BENNETT, JANET	1104 NUECES CT	COLLEYVILLE, TX	76034	1104 NUECES CT
BREWER, SARA	5012 OAK TIMBERS CT	COLLEYVILLE, TX	76034	5012 OAK TIMBERS CT
BUCHWALD, RUDOLPH W	1309 ASHFORD CT	COLLEYVILLE, TX	76034	5025 COLLEYVILLE BLVD
BUCHWALD, RUDOLPH W	1309 ASHFORD CT	COLLEYVILLE, TX	76034	5101 COLLEYVILLE BLVD
CAREW, PAT	2106 STONEHAVEN DR	COLLEYVILLE, TX	76034	5108 OAK TIMBERS CT
COLLEYVILLE LOFTS VENTURE LLC	1430 BROADWAY 14TH FLR	NEW YORK, NY	10018	5232 COLLEYVILLE BLVD # 1
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	17 MAIN ST
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	5209 COLLEYVILLE BLVD
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	23 MAIN ST
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	13 MAIN ST
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	12 MAIN ST
CROWDER, FRANKIN	1100 GUADALUPE CT	COLLEYVILLE, TX	76034	1100 GUADALUPE CT
DDK REAL ESTATE INV LLC	PO BOX 1131	COLLEYVILLE, TX	76034	5204 COLLEYVILLE BLVD
DIBELLA, PETER	PO BOX 932	COLLEYVILLE, TX	76034	5101 OAK TIMBERS CT
DIEBER, JOSEPH M	1105 GUADALUPE CT	COLLEYVILLE, TX	76034	1105 GUADALUPE CT
FLETCHER, JAMES R	1108 NUECES CT	COLLEYVILLE, TX	76034	1108 NUECES CT
GIBSON, NORMAN C	113 TIMBERLINE DR S	COLLEYVILLE, TX	76034	5115 COLLEYVILLE BLVD
GIBSON, NORMAN C	113 TIMBERLINE DR S	COLLEYVILLE, TX	76034	5117 COLLEYVILLE BLVD
GIBSON, NORMAN C	113 TIMBERLINE DR S	COLLEYVILLE, TX	76034	5104 THOMPSON TERR
GULICK, CYLDE E	5100 OAK TIMBERS CT	COLLEYVILLE, TX	76034	5100 OAK TIMBERS CT
HESLAND LLC	26 MAIN ST	COLLEYVILLE, TX	76034	26 MAIN ST
HESLAND LLC	26 MAIN ST	COLLEYVILLE, TX	76034	26 MAIN ST
HESLAND LLC	26 MAIN ST	COLLEYVILLE, TX	76034	26 MAIN ST
HESLAND LLC	26 MAIN ST	COLLEYVILLE, TX	76034	26 MAIN ST
HESLAND LLC	26 MAIN ST	COLLEYVILLE, TX	76034	26 MAIN ST
ISBELL, STEVE E	5112 OAK TIMBERS CT	COLLEYVILLE, TX	76034	5112 OAK TIMBERS CT
JRSR PROPERTIES LLC	5121 THOMPSON TERR	COLLEYVILLE, TX	76034	5121 THOMPSON TERR
KIPTON ANDERSON INVESTMENTS LL	5303 COLLEYVILLE BLVD STE B	COLLEYVILLE, TX	76034	5303 COLLEYVILLE BLVD
LAPOSTA, MATTHEW	5105 STONEBRIDGE DR	COLLEYVILLE, TX	76034	5113 OAK TIMBERS CT
MEADOR, JOHN M	1105 NUECES CT	COLLEYVILLE, TX	76034	1105 NUECES CT
MODERN HOLDINGS LLC	PO BOX 92083	SOUTHLAKE, TX	76092	5100 THOMPSON TERR
MURCHISON, PAIGE	5105 OAK TIMBERS CT	COLLEYVILLE, TX	76034	5105 OAK TIMBERS CT
NOVAK, RICHARD	5109 OAK TIMBERS CT	COLLEYVILLE, TX	76034	5109 OAK TIMBERS CT
RONIN, YURY	1104 GUADALUPE CT	COLLEYVILLE, TX	76034	1104 GUADALUPE CT
SAEED, MOHAMMAD	1100 NUECES CT	COLLEYVILLE, TX	76034	1100 NUECES CT
SIDES, JOSEPH D	2911 COMPTON RD	NASHVILLE, TN	37215	5109 THOMPSON TERR
SIDES, JOSEPH D	2911 COMPTON RD	NASHVILLE, TN	37215	5113 THOMPSON TERR
SIDES, JOSEPH D	2911 COMPTON RD	NASHVILLE, TN	37215	5113 THOMPSON TERR
SOUMPHONPHAKDY, ANOULONE	5025 THOMPSON TERR	COLLEYVILLE, TX	76034	5025 THOMPSON TERR
SOUTH BOWIE INVESTMENT PARTNER	PO BOX 126	COLLEYVILLE, TX	76034	5201 PLEASANT RUN RD
SOUTH BOWIE INVESTMENT PARTNER	PO BOX 126	COLLEYVILLE, TX	76034	5217 PLEASANT RUN RD
SUNDER HOLDINGS LLC	11464 HARRY HINES BLVD	DALLAS, TX	75229	5201 COLLEYVILLE BLVD
SWIGART, CAROL	5104 OAK TIMBERS CT	COLLEYVILLE, TX	76034	5104 OAK TIMBERS CT
TAP REALTY LLC	23 MISSION LN	COLLEYVILLE, TX	76034	23 MISSION LN
TAP REALTY LLC	23 MISSION LN	COLLEYVILLE, TX	76034	23 MISSION LN
TAP REALTY LLC	23 MISSION LN	COLLEYVILLE, TX	76034	23 MISSION LN
TAP REALTY LLC	23 MISSION LN	COLLEYVILLE, TX	76034	23 MISSION LN
VILLAGE MONTICELLO PRTNS LTD	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	14 MAIN ST
VILLAGE OWNERS ASSOCIATION INC	1024 S GREENVILLE AVE STE 230	ALLEN, TX	75002	16 MAIN ST
VILLAGE OWNERS ASSOCIATION INC	1024 S GREENVILLE AVE STE 230	ALLEN, TX	75002	23 MAIN ST
VILLAGE OWNERS ASSOCIATION INC	1024 S GREENVILLE AVE STE 230	ALLEN, TX	75002	13 MAIN ST
VILLAGE OWNERS ASSOCIATION INC	1024 S GREENVILLE AVE STE 230	ALLEN, TX	75002	20 MAIN ST
VILLAGE OWNERS ASSOCIATION INC	1024 S GREENVILLE AVE STE 230	ALLEN, TX	75002	18 MAIN ST
VILLAGE OWNERS ASSOCIATION INC	1024 S GREENVILLE AVE STE 230	ALLEN, TX	75002	23 MAIN ST
RIVERWALK AT COLLEYVILLE	P.O. BOX 1031	COLLEYVILLE, TX	76034	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
PARDO, PAUL AND LISA	904 SADDLEBROOK DRIVE	COLLEYVILLE, TX	76034	APPLICANT

ORDINANCE O-19-XXXX

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP BY CHANGING THE ZONING ON LOTS 13 AND 14, BLOCK 2 OF THE THOMPSON TERRACES ADDITION, LOCATED AT 5201 COLLEYVILLE BOULEVARD, BY AUTHORIZING A SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for on-premise consumption of alcohol under Case No. ZC19-010; 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 changing the zoning on Lots 13 and 14, Block 2, of the Thompson Terraces Addition, located at 5201 Colleyville Boulevard, by authorizing a Special Use Permit for the sale of alcoholic beverages for on-premise consumption, as depicted on Exhibit "A" Exhibit "B" and Exhibit "C".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The Special Use Permit shall apply to the sale of alcoholic beverages for on-premise consumption in conjunction with a restaurant use only.
- b. The name of the business authorized for on-premise consumption alcohol sales by this Special Use Permit shall be called "Stone House Restaurant and Wine Bar".
- c. The Special Use Permit shall automatically expire upon the abandonment of the business, change in the use, a change in ownership or upon the expiration or termination of the Certificate of Occupancy.

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

2. HOURS OF OPERATION

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

Monday & Tuesday: 4:00 p.m. – 9:00 p.m.

Wednesday – Saturday: 4:00 p.m. – 10:00 p.m.

Closed on Sundays

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

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

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 17th day of September 2019.

The second reading and public hearing being conducted on the 2nd day of October 2019.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 2ND DAY OF OCTOBER 2019.

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:

Whitt Wyatt
City Attorney

Exhibit "A" – Zoning Map

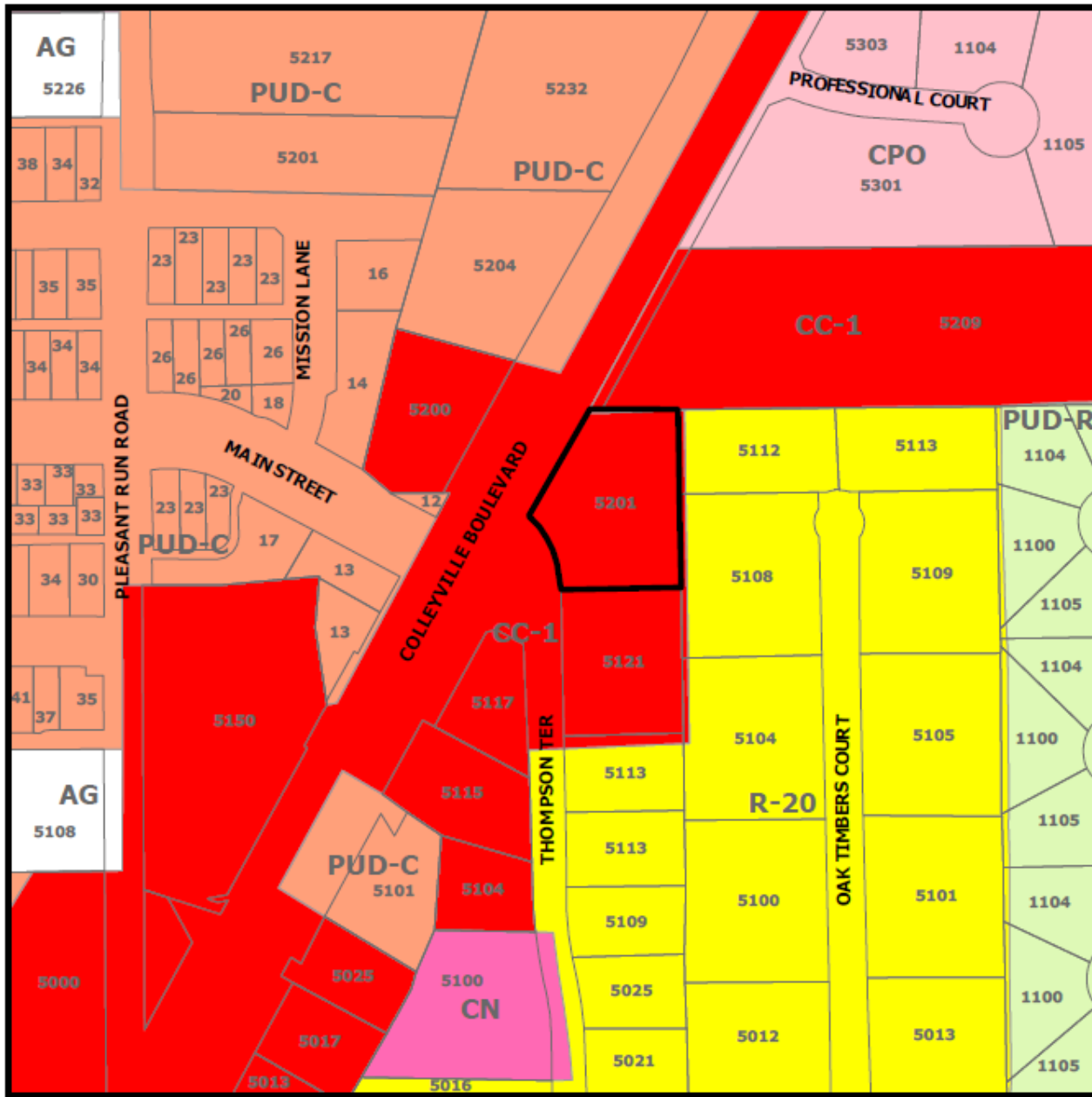
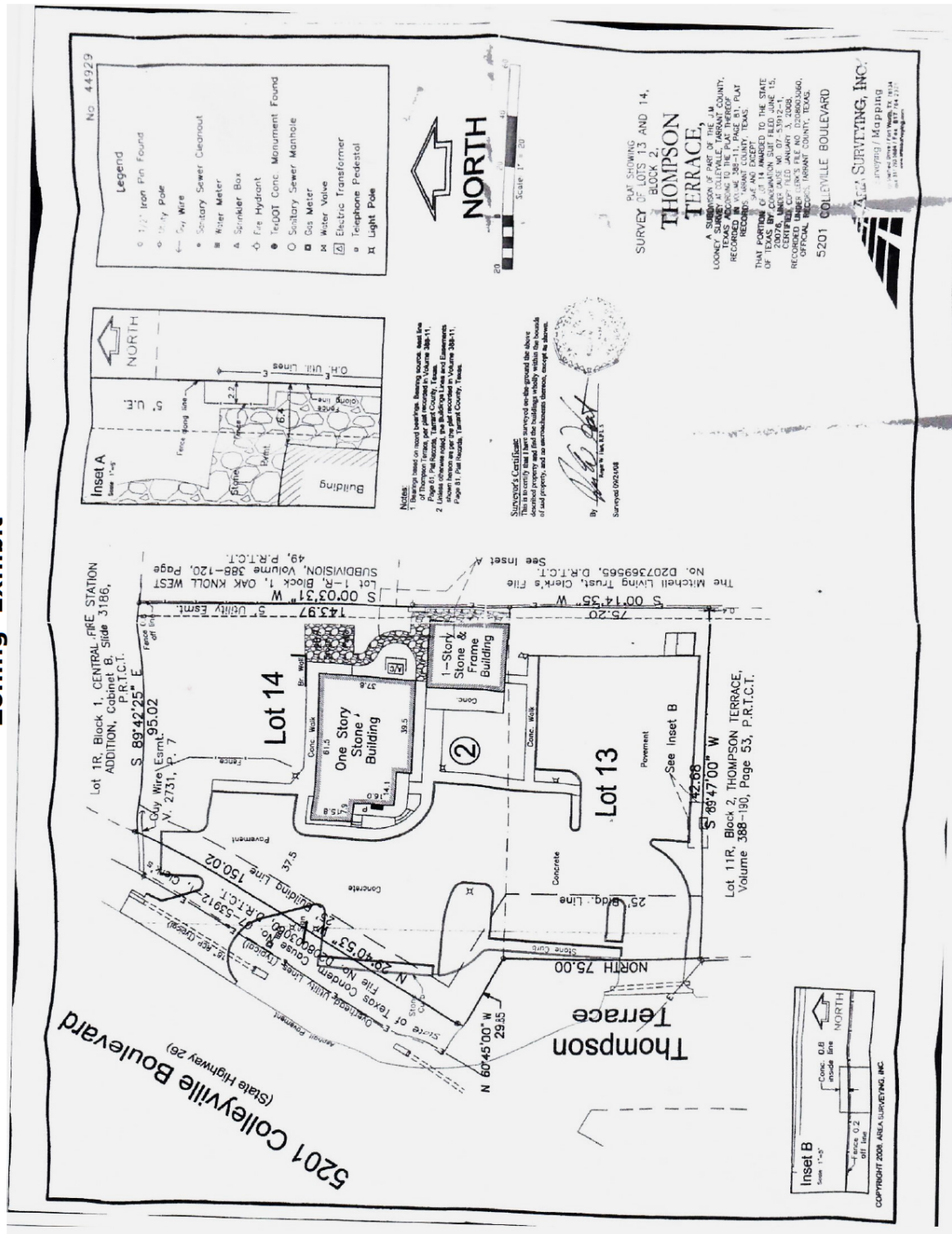


Exhibit "B" – Aerial Map



Exhibit "C" - Site Exhibit





City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 3b	Agenda Date 9/9/2019	Number
Type Presentation and Discussion		
Department Community Development		

Title

Consideration of a Special Use Permit for Alcoholic Beverage Sales – On-Premises Consumption on Lot 1, Block 1, of the Towne Square Addition, located at 5604 Colleyville Boulevard, Suite A & B, Case ZC19-011

Explanation

Morris Ghandi and Juliette Gonzalez, of Ruggeri's Pescatore Italiano Restaurant, has submitted a request for a Special Use Permit (SUP) to allow alcoholic beverage sales for on-premise consumption at 5604 Colleyville Boulevard, Suites A&B. Alcoholic beverage sales for on-premise consumption are allowed in the CC-2 Shopping Center district with the approval of an SUP.

Existing Conditions/Background: The subject property is zoned CC-2 and generally located on the west side of Colleyville Boulevard, south of Hall-Johnson Road. The subject property is a platted lot and currently developed with a multi-tenant commercial building. Suites A&B, the proposed location of the restaurant, was previously occupied by a fitness business.

Proposed Special Use Permit:

Request – The applicant is requesting approval of an SUP to allow alcoholic beverage sales for on-premises consumption in conjunction with a new restaurant at this location. The applicant is requesting to sell and serve alcohol as part of the Ruggeri's Pescatore Italiano Restaurant menu. The applicant proposes the following hours of operation as a component of the SUP request:

Sunday – Thursday: 5:00 p.m. – 9:00 p.m.

Friday - Saturday: 5:00 p.m. – 9:30 p.m.

Ordinance – There are four components of procedure that a business must complete to sell and serve alcohol for on-premises consumption in Colleyville: (1) a Special Use Permit (SUP) approval by the City Council for alcohol sales (on-premises consumption) (2) submission of draft Texas Alcoholic Beverage Commission (TABC) License paperwork to the City Secretary's Office for review and approval, (3) submission of completed TABC License paperwork to the TABC, (4) the issuance of an Alcoholic

Beverage License through the City Secretary's Office.

- Section 3.25 of the Land Development Code states that an SUP is to "allow a use not normally allowed in a zoning district which could be of benefit in a particular case to the general welfare, provided adequate development standards, and special requirements are imposed to protect surrounding uses or to preserve the character of the neighborhood." Language is typically added for SUPs to automatically expire upon the abandonment of the business, change in the use, a change in ownership, or upon termination of the Certificate of Occupancy.
- Section 6-3 of the Code of Ordinances requires businesses that serve alcoholic beverages to be located at least 300 feet from a church, school, or public hospital. The distance is measured from property line to property line for schools, and from front door to front door along the street front property lines for churches and hospitals.
- Section 6-5 of the Code of Ordinances which states that the restaurant's alcohol sales must be incidental and secondary to the sale of food for human consumption (further clarified in the Code as non-alcohol and food sales must comprise at least 40 percent of gross receipts).

Analysis: The applicant proposes to operate the business in a similar manner to its previous restaurant at a different location in the City. The requested location is in compliance with the distance requirements of the Code of Ordinances, and the applicant is proposing to comply with the 40/60 incidental sales requirements as stated above. Approval of an SUP at this location for this user should not adversely impact surrounding uses or the character of the neighborhood.

Surrounding Development: The properties to the south and east are zoned CC-2 Shopping Center district and developed with commercial buildings. The property to the north is zoned CN Neighborhood Commercial and is improved with office buildings. The property to the west is zoned R-20 Single Family Residential and is improved with homes.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property as located within the Central Sector of the Colleyville Boulevard Corridor. This area has been identified as having the greatest potential to become a true center of activity by tying together major commercial and entertainment centers along the Corridor.

Public Notification: Staff mailed notices to all property owners within 500 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.

Staff Recommendation: Staff recommends approval of the Special Use Permit (SUP) to authorize the sale of alcoholic beverages for on-premises consumption for the Ruggeri's Pescatore Italiano Restaurant at 5604 Colleyville Boulevard, Suites A&B. The proposed business is consistent with the previous uses on along Colleyville Boulevard and should not adversely impact surrounding uses.

Recommendation

Approve

Attachments

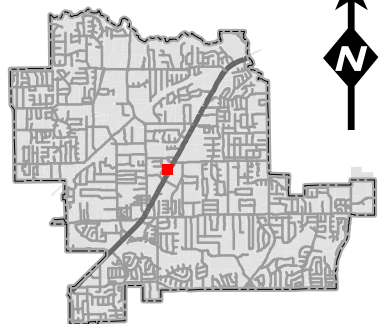
1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Site Exhibits
6. Notification Map
7. Property Owner Notification
8. Notification List
9. Draft Ordinance

Aerial Map



ZC19-011

5604 Colleyville Boulevard, Suite A & B



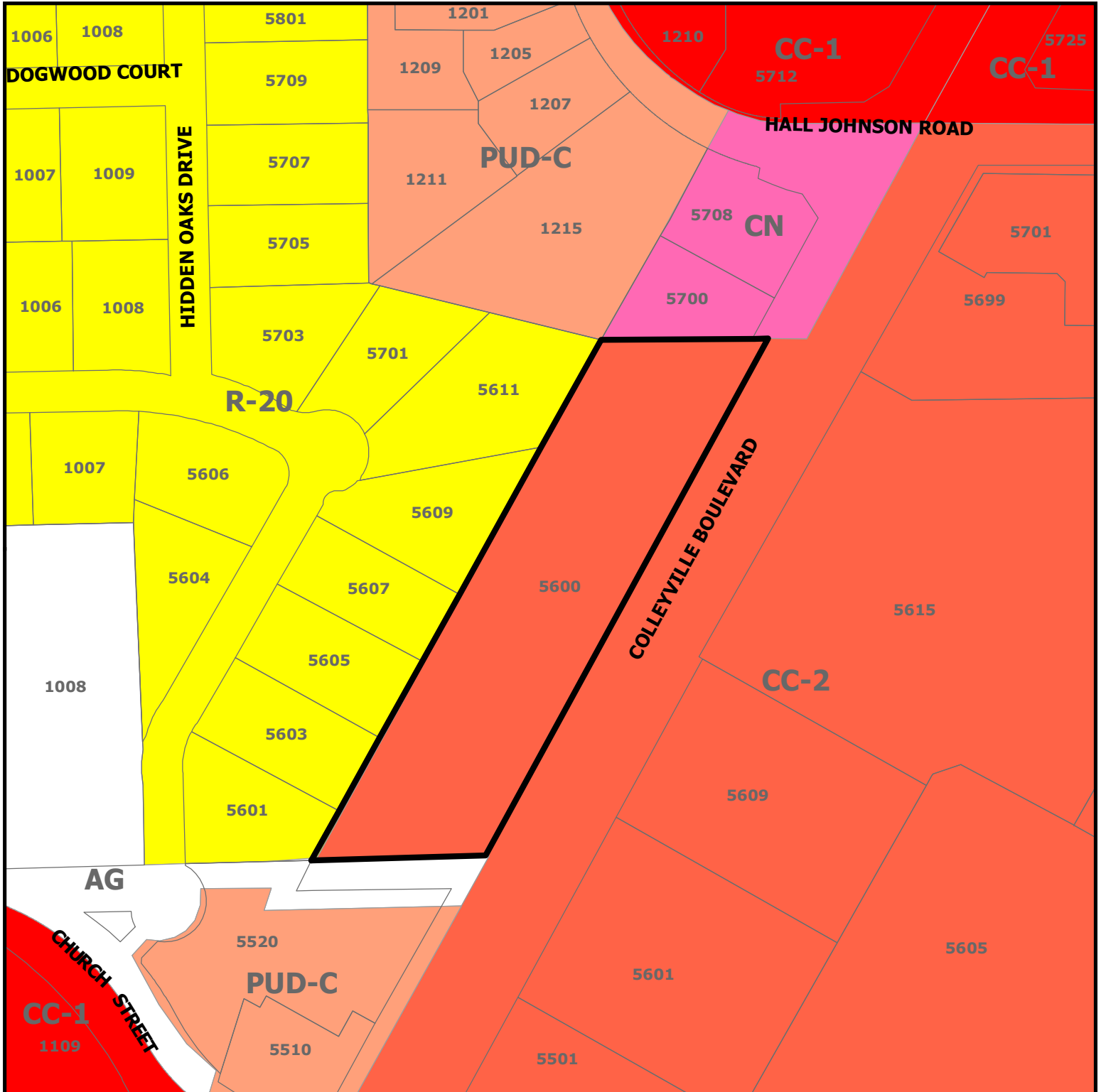
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Subject Property

Zoning Map



ZC19-011

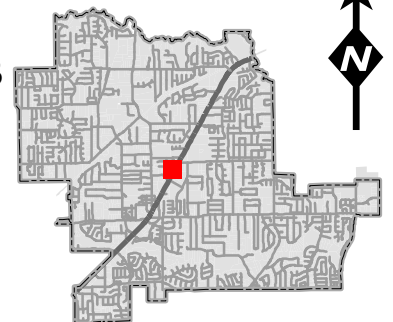
5604 Colleyville Boulevard, Suite A & B

DISCLAIMER:

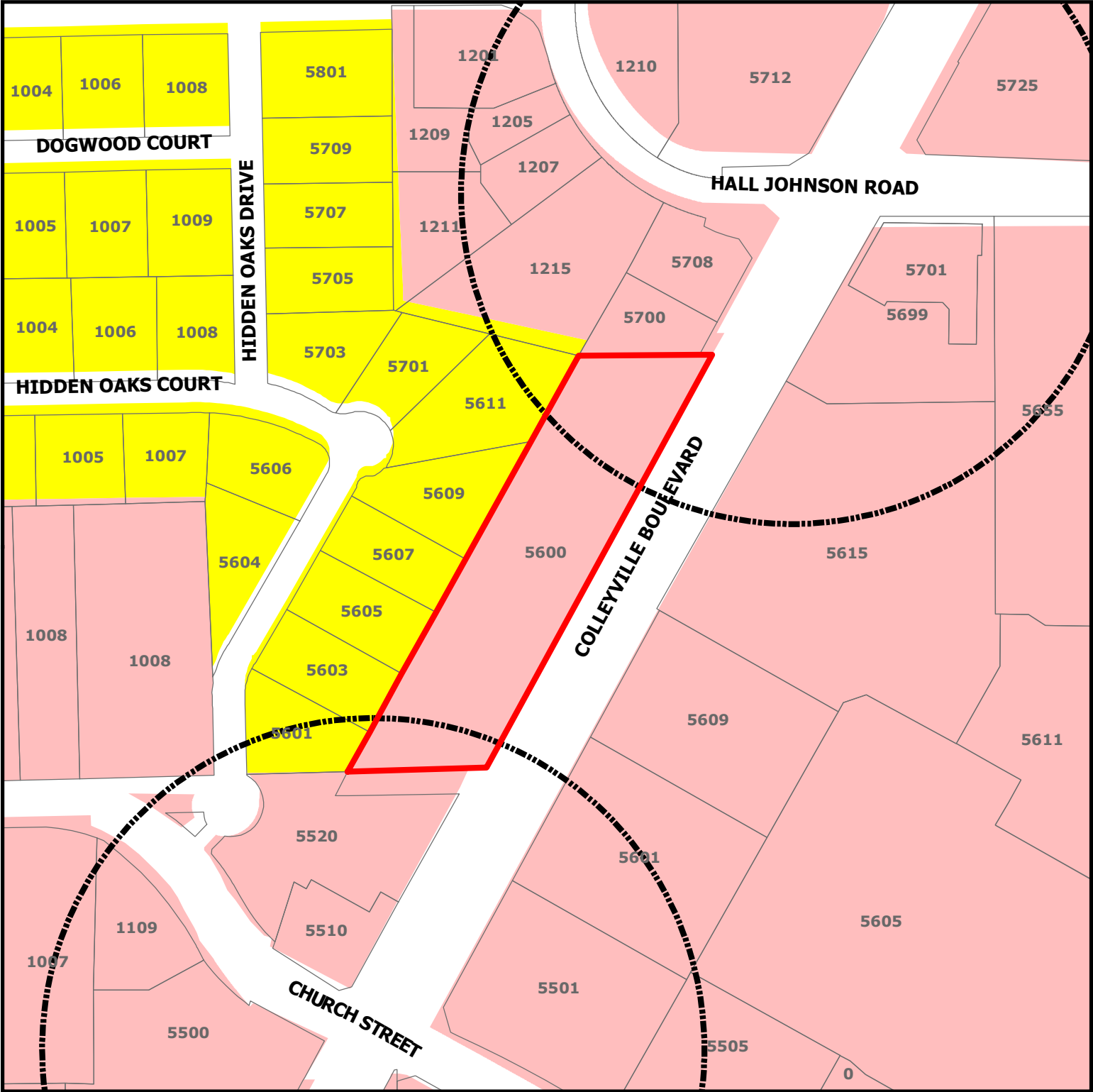
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Subject Property



Future Land Use Map

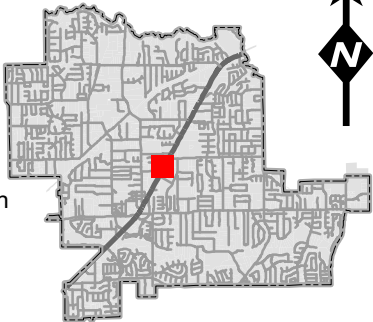


ZC19-011

5604 Colleyville Boulevard, Suite A & B

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-  Subject Property
-  Sales Tax Preferred Intersection
-  Residential
-  Colleyville Blvd Corridor



Statement of Planning Objectives

Company Summary

Ruggeri's Pescatore Italiano will feature an outstanding Northern Italian menu in an upscale and cozy atmosphere. We will be open 7 days a week. Serving dinner Sunday – Thursday 5:00 pm to 9:00 pm and Friday – Saturday 5:00pm – 9:30pm.

We will have special wine tasting events quarterly, a five-course meal featuring new wines sponsored by our distributors. Customers can come and learn more about wine & food! Other special events will also include Christmas Eve, New Year's Eve, Valentine's Day, Easter, and Mother's Day.

Ruggeri's will be the perfect place when customers need that little extra. They can have business meeting here, a place for a quiet conversation or a special occasion.

Business Description

The founders of the company are Morris Ghandi and his daughter, Juliette Gonzalez. They both have a combined experience of 75 years in the restaurant and hospitality industry. We are looking for a restaurant space in Colleyville. We hope to open Ruggeri's in the next few months.

Services

Ruggeri's Pescatore Italiano will be unique to Colleyville. Northern Italian food is a style of service that will make everyone feel welcome and special. Our food products will be the finest quality and prepared with sensitivity and care. We will go all the way to satisfy our guests. Portions will be modestly sized with attractive presentation.

Our wine list will be modest in size and primarily focused on wines from Italy, California, France and New Zealand. The comfortable soft lit bar features a comprehensive selection of the finest vodka, scotch, bourbon and after dinner drinks.

During summer months customers can also sit outside on our patio. The patio and garden setting will be a fun and casual atmosphere.

The kitchen staff will have the best in culinary education and work experience. Our creative talents will compliment one another. The lounge and restaurant staff will offer the finest service in a cozy atmosphere. And offer customers an extraordinarily successful evening.

Statement of Planning Objectives

Pricing and Profitability

We anticipate our total sales allocation to be 90% restaurant sales and 10% catering sales. The combined cost of sales will be 33% producing a gross profit of 67% on total sales.

Prices will be competitive with other upscale restaurants in the area. However, it is the strategy of Ruggeri's to give a perception of higher value than its competitors, through its food, service and entertainment.

Market Segmentation

Ruggeri's intends to cater to a wide group of people. We want everyone to feel welcome and relaxed in a cozy atmosphere with a wide and varied menu. It is our goal to have 'something for everyone' everyday on our menu. In looking at our market analysis, we defined the following groups as targeted segments.

The Business Man: They work hard all day and sometimes stays overnight in a strange city. He needs a competent establishment that helps impress his clients and prospects. Afterwards, they want to relax and use the money they are making. They are the people that spend the most on drinks, food and tips.

Happy Couples: The restaurant will have an intimate, romantic, sophisticated atmosphere that encounters people to bring dates or their spouse.

The Family: The perfect place for a family dinner. Families will come for the accommodative menu and friendly service. The excellent value in their meals will keep Ruggeri's in favor with the parents.

Strategy and Implementation Summary

Our strategy is simple, we intend to succeed by giving people a combination of excellent and interesting food in an environment that appeals to a wide and varied group of successful people. We will focus on maintaining quality and establishing a strong identity in our community. Our main focus in marketing will be to increase customer awareness in surrounding communities. We will keep our standards high and execute the concept so that word of mouth will be our main marketing force.

Statement of Planning Objectives

Personnel Plan

We believe the personnel plan is in good proportion to the size of the restaurant and projected revenues. The staff will include 11 full-time employees and 5 part-time employees. All of our previous employees are eagerly and patiently waiting to return back to us. 9 of these employees have been with us for 10 plus years.

Financial Plan

\$649,100 of funding is needed over the next year for kitchen equipment, furniture, painting, reconstruction, rent, licensing start-up labor and legal and consulting costs associated with opening our restaurant. These are the start-up requirements to the best of our knowledge and experience in the industry.

Legal	\$5,000
Stationary & Sign	\$5,000
Office Supplies	\$5,000
Uniforms	\$2,000
Insurance	\$2,000
Rent & Security Deposit	\$18,000
Outdoor Patio & Garden	\$10,000
Licensing	\$5,000
Furniture	\$50,000
Point of Sale/Software	\$20,000
Phone System	\$2,000
Food & Liquor	\$30,000
Kitchen Supplies	\$30,000
Music, Stereo, TV	\$4,000
Cleaning	\$1,000
High Chairs, & Booster Seats	\$100
Advertising & Website	\$5000
Cash on hand required	\$50,000
Restaurant Finish Out \$135/sq feet (2600 sq ft)	\$405,000
TOTAL REQUIREMENTS	\$649,100

Statement of Planning Objectives

Visuals

The Ruggeri's logo was designed by Graphic Menus. We will work with them to design our packaging, promotional materials, and printed menus.

Technology

Ruggeri's will use Aloha Point of Sale System to take orders, payments and run reports. Quickbooks will be used for payroll and financial reports.

Summary

Ruggeri's already has a successful system in place. Managing our staff, supplier relationships, customers, inventory and daily tasks will require team effort and hard work.

Our personal experiences have given us qualities that we can draw on to manage and run the business and continue growing steadily. We aim to run a tight ship and empower our staff to be the best and deliver the best customer service experience.

Statement of Planning Objectives

PROJECTED SALES

	FOOD	LIQUOR	TOTAL
2020	\$648,000.00	\$303,600.00	\$951,600.00
2021	\$680,400.00	\$318,780.00	\$999,180.00
2022	\$714,420.00	\$334,719.00	\$1,049,139.00
2023	\$750,141.00	\$351,455.00	\$1,101,596.00
2024	\$787,648.00	\$369,028.00	\$1,156,676.00

Site Exhibit



Colleyville Town Square 5600 & 5604 Colleyville Blvd. Colleyville, Texas 76034

Property Features

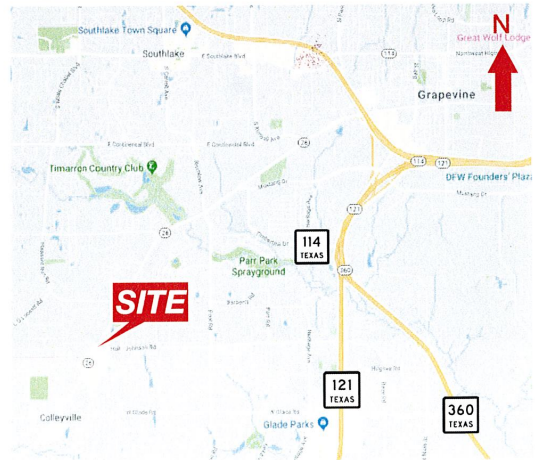
- Available:
 - Suite 5604-A: 4,485 SF (Former Gym)
 - Suite 5604-E1: 193 SF
 - Suite 5604-H: 1,500 SF (Former Veterinarian)
- End-Cap Available
- Vast Frontage on Hwy 26 (Colleyville Blvd)
- Great Access and Visibility
- Household Incomes avg. \$170,000+
- Located Directly Across from



and Anchored Center

Pricing

- Leasing Rate: Call Broker



Hunter Hayes

817 872 3911

hhayes@nairretail.com

THE INFORMATION CONTAINED HEREIN HAS BEEN GIVEN TO US BY THE OWNER OF THE PROPERTY OR OTHER SOURCES WE DEEM RELIABLE. WE HAVE NO REASON TO DOUBT ITS ACCURACY, BUT WE DO NOT GUARANTEE IT. ALL INFORMATION SHOULD BE VERIFIED PRIOR TO PURCHASE OR LEASE.

1200 Summit Ave.
Fort Worth, TX 76102
817 885 8333

nairretail.com

Site Exhibit

For Lease
193 - 4,485 SF

Colleyville Town Square
5600 & 5604 Colleyville Blvd.
Colleyville, Texas 76034



Demographics

	1 MILE	3 MILES	5 MILES
Total Population	5,561	78,861	249,076
Total Households	2,005	28,275	95,090
Average Household Size	2.80	2.80	2.60
Average Household Income	\$171,365	\$156,028	\$118,993

Source: CoStar 2018

Traffic Counts

- Blvd. 26 30,533 VPD
- Hall Johnson Rd. 13,220 VPD

Source: CoStar 2017

NAI Robert Lynn
RETAIL division

1200 Summit Ave.
Fort Worth, TX 76102
817 885 8333
nairlretail.com

Site Exhibit

For Lease
193 - 4,485 SF

Colleyville Town Square
5600 & 5604 Colleyville Blvd.
Colleyville, Texas 76034



Site Exhibit

11-2-2015



Information About Brokerage Services

Texas law requires all real estate license holders to give the following information about brokerage services to prospective buyers, tenants, sellers and landlords.

TYPES OF REAL ESTATE LICENSE HOLDERS:

- **A BROKER** is responsible for all brokerage activities, including acts performed by sales agents sponsored by the broker.
- **A SALES AGENT** must be sponsored by a broker and works with clients on behalf of the broker.

A BROKER'S MINIMUM DUTIES REQUIRED BY LAW (A client is the person or party that the broker represents):

- Put the interests of the client above all others, including the broker's own interests;
- Inform the client of any material information about the property or transaction received by the broker;
- Answer the client's questions and present any offer to or counter-offer from the client; and
- Treat all parties to a real estate transaction honestly and fairly.

A LICENSE HOLDER CAN REPRESENT A PARTY IN A REAL ESTATE TRANSACTION:

AS AGENT FOR OWNER (SELLER/LANDLORD): The broker becomes the property owner's agent through an agreement with the owner, usually in a written listing to sell or property management agreement. An owner's agent must perform the broker's minimum duties above and must inform the owner of any material information about the property or transaction known by the agent, including information disclosed to the agent or subagent by the buyer or buyer's agent.

AS AGENT FOR BUYER/TENANT: The broker becomes the buyer/tenant's agent by agreeing to represent the buyer, usually through a written representation agreement. A buyer's agent must perform the broker's minimum duties above and must inform the buyer of any material information about the property or transaction known by the agent, including information disclosed to the agent by the seller or seller's agent.

AS AGENT FOR BOTH - INTERMEDIARY: To act as an intermediary between the parties the broker must first obtain the written agreement of *each party* to the transaction. The written agreement must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. A broker who acts as an intermediary:

- Must treat all parties to the transaction impartially and fairly;
- May, with the parties' written consent, appoint a different license holder associated with the broker to each party (owner and buyer) to communicate with, provide opinions and advice to, and carry out the instructions of each party to the transaction.
- Must not, unless specifically authorized in writing to do so by the party, disclose:
 - that the owner will accept a price less than the written asking price;
 - that the buyer/tenant will pay a price greater than the price submitted in a written offer; and
 - any confidential information or any other information that a party specifically instructs the broker in writing not to disclose, unless required to do so by law.

AS SUBAGENT: A license holder acts as a subagent when aiding a buyer in a transaction without an agreement to represent the buyer. A subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first.

TO AVOID DISPUTES, ALL AGREEMENTS BETWEEN YOU AND A BROKER SHOULD BE IN WRITING AND CLEARLY ESTABLISH:

- The broker's duties and responsibilities to you, and your obligations under the representation agreement.
- Who will pay the broker for services provided to you, when payment will be made and how the payment will be calculated.

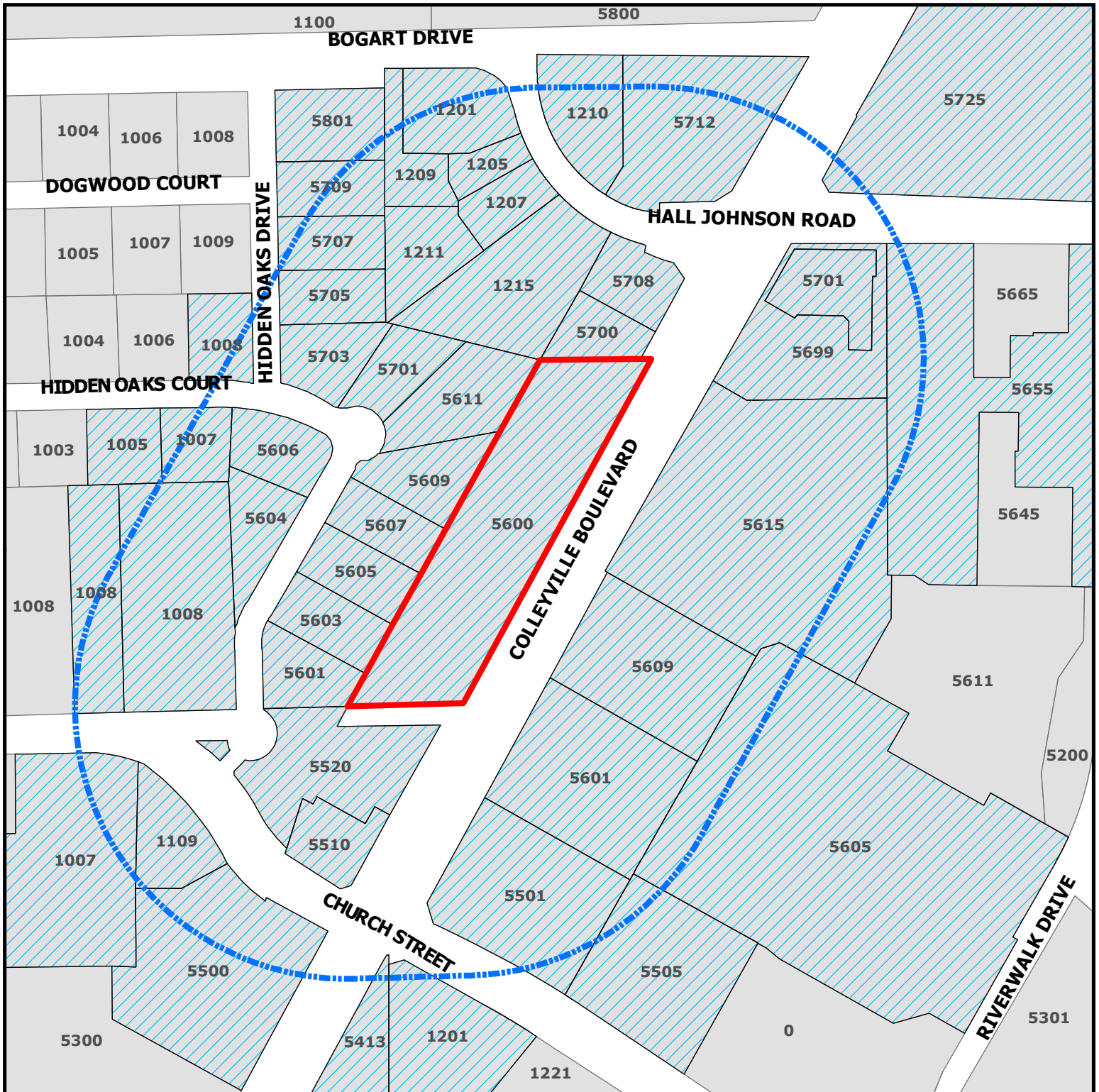
LICENSE HOLDER CONTACT INFORMATION: This notice is being provided for information purposes. It does not create an obligation for you to use the broker's services. Please acknowledge receipt of this notice below and retain a copy for your records.

Robert Lynn Company	405391	mmiller@robertlynn.com	214-256-7100
Licensed Broker /Broker Firm Name or Primary Assumed Business Name	License No.	Email	Phone
Mark Miller, SIOR	393389	mmiller@robertlynn.com	214-256-7100
Designated Broker of Firm	License No.	Email	Phone
Dan Avnery	568106	davnery@nairiretail.com	214-256-7100
Licensed Supervisor of Sales Agent/ Associate	License No.	Email	Phone
Hunter Hayes	671254	hhayes@nairiretail.com	817-885-8333
Sales Agent/Associate's Name	License No.	Email	Phone

Buyer/Tenant/Seller/Landlord Initials

Date

Notification Map

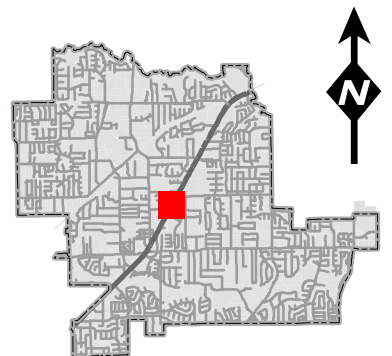


ZC19-011

5604 Colleyville Boulevard, Suite A & B

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-  Subject Property
-  500ft Buffer
-  Properties within 500ft





NOTICE OF PUBLIC HEARING

«Owner Name»

«Owner Address»

«Owner City» «Owner Zip»

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

Planning and Zoning Commission Meeting: Monday, September 9, 2019 at 7:00 p.m.
City Council Meetings: Wednesday, October 2, 2019 & Tuesday, October 15, 2019 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

Request: Consideration of a Special Use Permit for Alcoholic Beverage Sales – On-Premises Consumption. The purpose is to allow for the sale of alcohol at the proposed business Ruggeri’s Pescatore Italiano.

Zoning Case: ZC19-011

Applicant: Morris Ghandi and Juliette Gonzalez

Owner: Eagle-Colleyville Towne Square

Location: 5604 Colleyville Boulevard, Suite A&B

Property Description: Lot 1, Block 1, of the Towne Square Addition

Present Zoning: CC-2 Shopping Center District

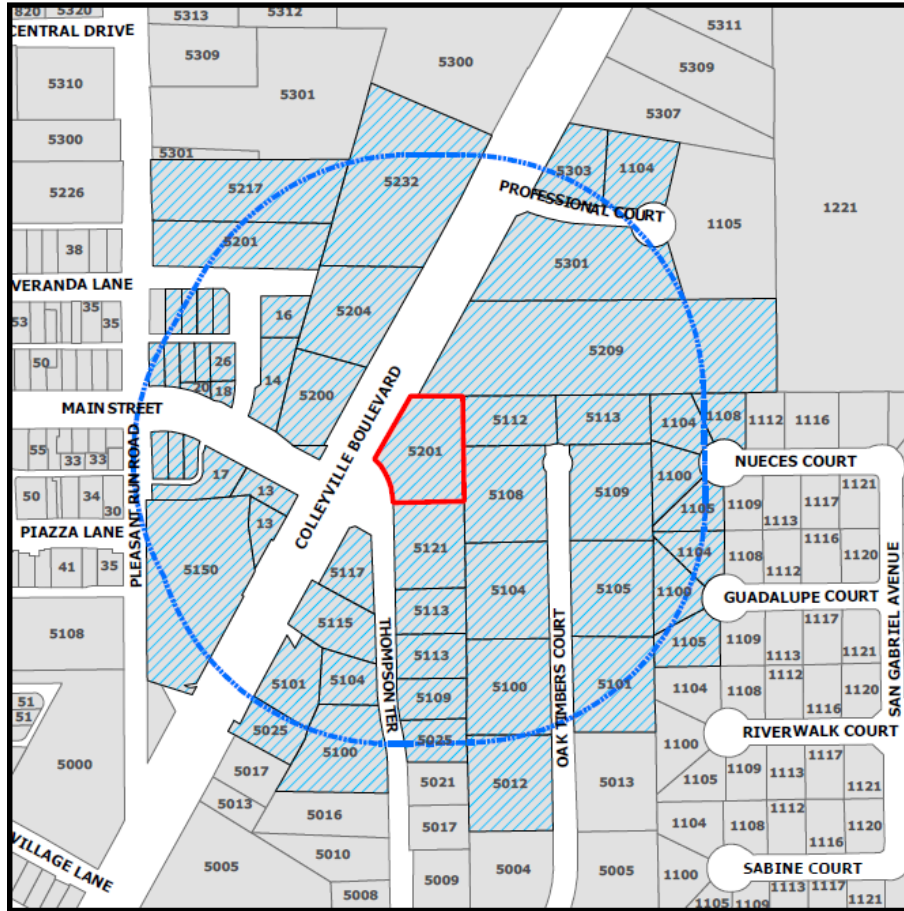
This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a 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.

NOTICE OF PUBLIC HEARING



The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas 76034. A brief project description can be found online on the Active Development Case map:

<https://www.colleyville.com/government/departments-a-l/community-development/active-development-cases>

For additional information, please contact the Community Development Department at 817.503.1056. Please reference the zoning case number when requesting information.

Jacquelyn Reyff
Principal Planner
jreyff@colleyville.com

Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
WILDER, ROBERT J	1005 HIDDEN OAKS CT	COLLEYVILLE, TX	76034	1005 HIDDEN OAKS CT
MILLER, DOUGLAS L	7112 PLEASANT RUN RD	COLLEYVILLE, TX	76034	1209 HALL JOHNSON RD
CORE-FULMER, SARAH ELIZABETH	5604 HIDDEN OAKS CT	COLLEYVILLE, TX	76034	5604 HIDDEN OAKS DR
EAGLE-COLLEYVILLE TOWNE SQUARE	5430 LBJ FWY STE 1200	DALLAS, TX	75240	5600 COLLEYVILLE BLVD
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	1100 CHURCH ST
CHARLES & ROB LTD	8235 DOUGLAS AVE STE 815	DALLAS, TX	75225	5601 COLLEYVILLE BLVD
KINGETER, SCOTT	5611 HIDDEN OAKS DR	COLLEYVILLE, TX	76034	5611 HIDDEN OAKS DR
FIRST BAPTIST CH COLLEYVILLE	5405 PLEASANT RUN RD	COLLEYVILLE, TX	76034	1007 CHURCH ST
ROB & CHARLES LTD	8235 DOUGLAS AVE STE 815	DALLAS, TX	75225	5701 COLLEYVILLE BLVD
CORGAN, KYLE D	5603 HIDDEN OAKS DR	COLLEYVILLE, TX	76034	5603 HIDDEN OAKS DR
G W J COMPANY	1100 FOUNTAIN PKWY	GRAND PRAIRIE, TX	75050	5700 COLLEYVILLE BLVD
MOVIE GRILL CONCEPTS XXVIII LL	12404 PARK CENTRAL DR STE 400N	DALLAS, TX	75251	5655 BLUEBONNET DR
TCG PL INVESTORS LLC	12720 HILLCREST RD STE 650	DALLAS, TX	75230	5501 COLLEYVILLE BLVD
COLLEYVILLE CHURCH OF CHRIST	1008 CHURCH ST	COLLEYVILLE, TX	76034	1008 CHURCH ST
UMLOR, STEVEN H	5801 HIDDEN OAKS DR	COLLEYVILLE, TX	76034	5801 HIDDEN OAKS DR
PEGASUS LIVING TRUST	1008 HIDDEN OAKS CT	COLLEYVILLE, TX	76034	1008 HIDDEN OAKS CT
BEALL LEGACY PARTNERS LP	5712 COLLYVILLE BLVD STE 200	COLLEYVILLE, TX	76034	1210 HALL JOHNSON RD
DEDIEGO FAMILY TRUST	405 LOCKE DR	APTOS, CA	95003	5510 COLLEYVILLE BLVD
GOODING, JOHN	1007 HIDDEN OAKS CT	COLLEYVILLE, TX	76034	1007 HIDDEN OAKS CT
ADRASTOS LLC	1500 OAK LN	SOUTHLAKE, TX	76092	1211 HALL JOHNSON RD
R P GANTOS VENTURES LLC	7213 COTTONWOOD CT	NORTH RICHLAND HILLS, TX	76182	5413 COLLEYVILLE BLVD
BLUEBONNET HILLS MEMORIAL PK	PO BOX 130548	HOUSTON, TX	77219	5725 COLLEYVILLE BLVD
LUNSFORD, JANET S	5705 HIDDEN OAKS DR	COLLEYVILLE, TX	76034	5705 HIDDEN OAKS DR
HOCH, JEANNE M	5709 HIDDEN OAKS DR	COLLEYVILLE, TX	76034	5709 HIDDEN OAKS DR
LEACH, TERRY	5605 HIDDEN OAKS DR	COLLEYVILLE, TX	76034	5605 HIDDEN OAKS DR
MARSHALL, D MICHAEL	5707 HIDDEN OAKS DR	COLLEYVILLE, TX	76034	5707 HIDDEN OAKS DR
HJ ROAD 26 LTD	PO BOX 1703	COLLEYVILLE, TX	76034	5609 COLLEYVILLE BLVD
JD JUDD REALTY HOLDINGS LLC	1109 CHURCH ST	COLLEYVILLE, TX	76034	1109 CHURCH ST
LILLIS, JAMES	5606 HIDDEN OAKS DR	COLLEYVILLE, TX	76034	5606 HIDDEN OAKS DR
HENNESSEY PROPERTIES & INV LLC	1205 HALL JOHNSON RD	COLLEYVILLE, TX	76034	1205 HALL JOHNSON RD
BOTTOM FAMILY TRUST	1401 FOUNTAINGROVE PKWY # M117	SANTA ROSA, CA	95403	5520 COLLEYVILLE BLVD
VELOCIS COLLEYVILLE LP	3131 MCKINNEY AVE # 10	DALLAS, TX	75204	5505 COLLEYVILLE BLVD
BAYOUPEAK INVESTMENTS LLC	7005 EDEN RD	NORTH RICHLAND HILLS, TX	76180	1207 HALL JOHNSON RD
VELOCIS COLLEYVILLE LP	3131 MCKINNEY AVE # 10	DALLAS, TX	75204	5605 COLLEYVILLE BLVD
G W J COMPANY	1100 FOUNTAIN PKWY	GRAND PRAIRIE, TX	75050	5708 COLLEYVILLE BLVD
RICHMOND, FREDRIC D	5607 HIDDEN OAKS DR	COLLEYVILLE, TX	76034	5607 HIDDEN OAKS DR
CHIVAKULA, LAKSHMI	4104 CHARBRAY CT	CEDAR PARK, TX	78613	5601 HIDDEN OAKS DR
HTA-COLLEYVILLE HOSPITAL LLC	16435 N SCOTTSDALE RD STE 320	SCOTTSDALE, AZ	85254	5500 COLLEYVILLE BLVD
ANTONETTI, ROBERT	5701 HIDDEN OAKS DR	COLLEYVILLE, TX	76034	5701 HIDDEN OAKS DR
TREMAINE, M W	5609 HIDDEN OAKS DR	COLLEYVILLE, TX	76034	5609 HIDDEN OAKS DR
NYQUIST, JOHN	5703 HIDDEN OAKS DR	COLLEYVILLE, TX	76034	5703 HIDDEN OAKS DR
JERI & HOLLY LTD	5329 MONTROSE DR	DALLAS, TX	75209	5699 COLLEYVILLE BLVD
JNS LIVING TRUST	PO BOX 1948	COLLEYVILLE, TX	76034	1201 HALL JOHNSON RD
COLLEYVILLE CHURCH OF CHRIST	1008 CHURCH ST	COLLEYVILLE, TX	76034	1008 CHURCH ST
VELOCIS COLLEYVILLE LP	3131 MCKINNEY AVE # 10	DALLAS, TX	75204	5615 COLLEYVILLE BLVD
BEALL LEGACY PARTNERS LP	5712 COLLYVILLE BLVD STE 200	COLLEYVILLE, TX	76034	5712 COLLEYVILLE BLVD
G W J COMPANY	1100 FOUNTAIN PKWY	GRAND PRAIRIE, TX	75050	1215 HALL JOHNSON RD
BRANCH BANKING & TRUST CO	150 S STRATFORD RD STE 400	WINSTON SALEM, NC	27104	1201 CHURCH ST
HIDDEN OAKS ESTATES	909 DOGWOOD COURT	COLLEYVILLE, TX	76034	COURTESY NOTICE
KINGSWOOD ESTATES-COLLEYVILLE	P.O. BOX 978	COLLEYVILLE, TX	76034	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
GHANDI, MORRIS AND GONZALEZ, JULIETTE	7651 CYPRESS COURT	NORTH RICHLAND HILLS, TX	76182	APPLICANT

ORDINANCE O-19-XXXX

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP BY CHANGING THE ZONING ON LOT 1, BLOCK 1 OF THE TOWNE SQUARE ADDITION, LOCATED AT 5604 COLLEYVILLE BOULEVARD, SUITES A&B, BY AUTHORIZING A SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for on-premise consumption of alcohol under Case No. ZC19-011; 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 and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

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

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

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on Lot 1, Block 1, of the Towne Square Addition, located at 5604 Colleyville Boulevard, Suites A&B, by authorizing a Special Use Permit for the sale of alcoholic beverages for on-premise consumption, as depicted on Exhibit "A" Exhibit "B" and Exhibit "C".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The Special Use Permit shall apply to the sale of alcoholic beverages for on-premise consumption in conjunction with a restaurant use only.
- b. The name of the business authorized for on-premise consumption alcohol sales by this Special Use Permit shall be called "Ruggeri's Pescatore Italiano".
- c. The Special Use Permit shall automatically expire upon the abandonment of the business, change in the use, a change in ownership or upon the expiration or termination of the Certificate of Occupancy.

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

2. HOURS OF OPERATION

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

Sunday – Thursday: 5:00 p.m. – 9:00 p.m.

Friday- Saturday: 5:00 p.m. – 9:30 p.m.

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

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

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 2nd day of October 2019.

The second reading and public hearing being conducted on the 15th day of October 2019.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 15TH DAY OF October 2019.

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:

Whitt Wyatt
City Attorney

Exhibit "A" – Zoning Map

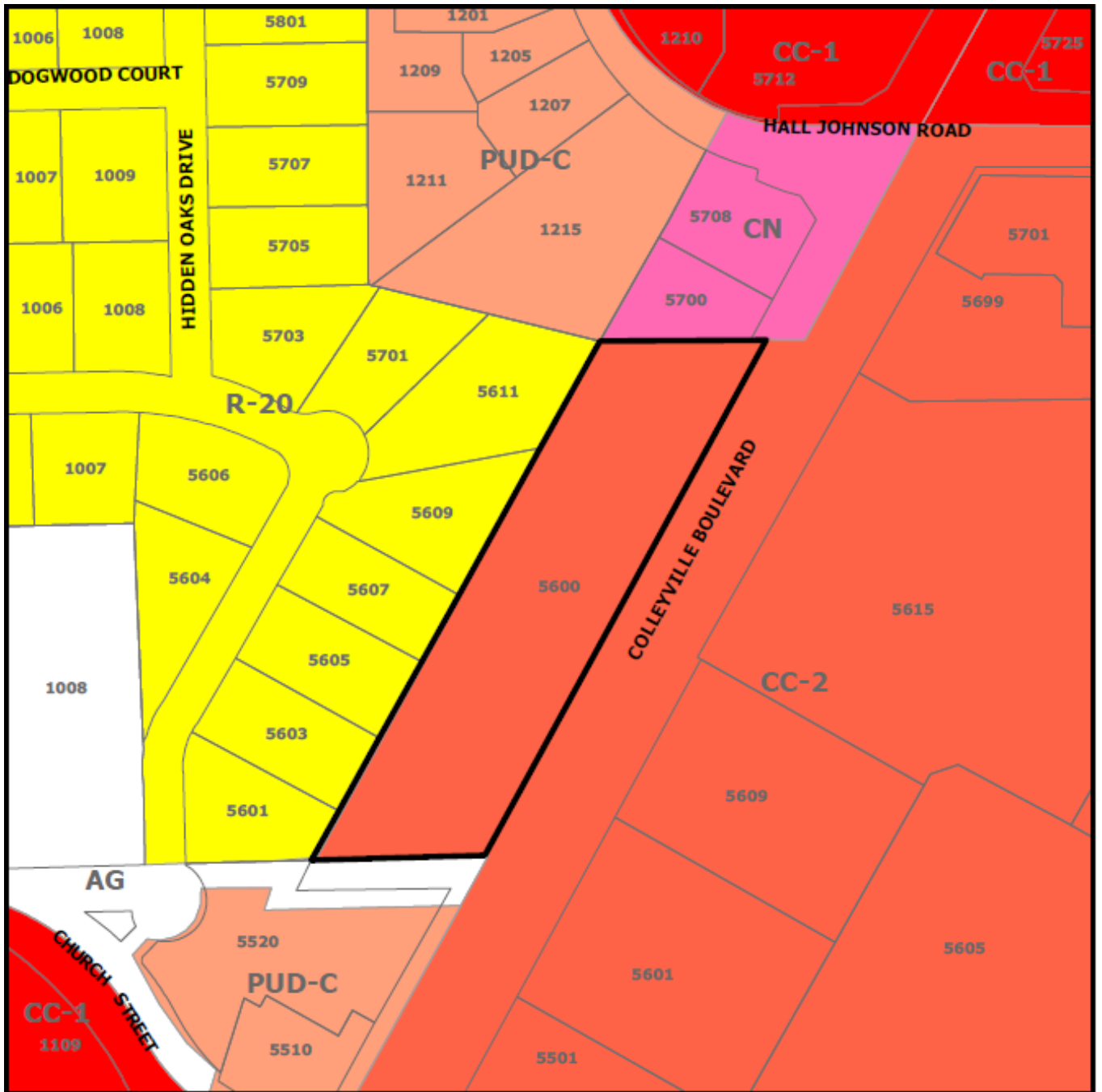


Exhibit "B" – Aerial Map

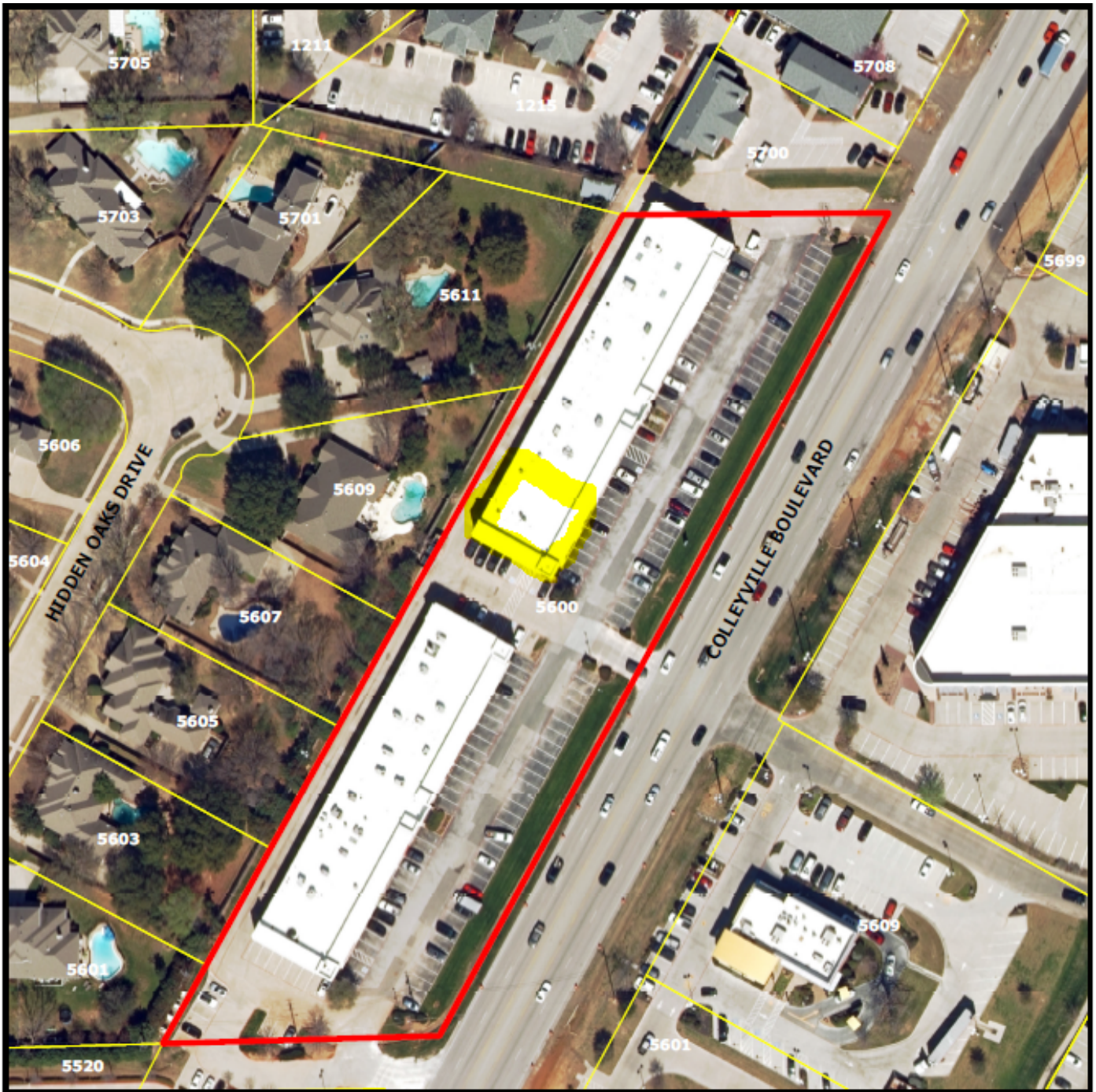


Exhibit "C" – Site Exhibit



Colleyville Town Square 5600 & 5604 Colleyville Blvd.

Colleyville, Texas 76034

Property Features

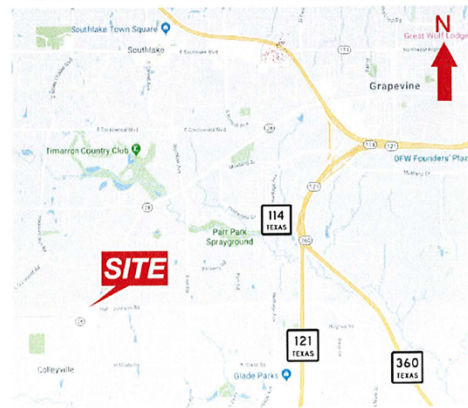
- Available:
 - Suite 5604-A: 4,485 SF (Former Gym)
 - Suite 5604-E1: 193 SF
 - Suite 5604-H: 1,500 SF (Former Veterinarian)
- End-Cap Available
- Vast Frontage on Hwy 26 (Colleyville Blvd)
- Great Access and Visibility
- Household Incomes avg. \$170,000+
- Located Directly Across from



and  Anchored Center

Pricing

- Leasing Rate: Call Broker



Hunter Hayes

817 872 3911

hhayes@nairretail.com

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