



City of Colleyville City Council Agenda

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

Tuesday, July 21, 2020

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

CALL TO ORDER

- WS-1** Discussion of fee changes
- WS-2** Discussion of Tinker Road Rehabilitation project
- WS-3** Discussion of the Drainage Utility System Rate Study
- WS-4** Discussion of the July 21, 2020 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 case for Parcel 150

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

- Acquisition of real property along Main Street
- Acquisition of real property along SH26
- Acquisition of right-of-way along Glade Road for the Roberts Road Project

Section 551.087 – Economic Development - Discuss or deliberate regarding commercial or financial information the City has received from business prospects 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 Dale Molden, First Baptist**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-20-4517****3. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS****Announcements of civic and charitable events****Presentation of calendar events and updates****Announcements of awards and recognition**

Presentation of the Mission Life Line Recognition to the Colleyville Fire Department - Chief Mark Cantrell and Mayor Richard Newton

4. CONSENT: READING AND PUBLIC HEARING- RESOLUTION R-20-4518

4a Approval of the minutes of the regular City Council meeting of July 7, 2020

4b Approval to use the Voluntary Library Fund in Fiscal Year 2020, for the purchase of library equipment, including an ECO-Master 50-Disc Repair Machine, in an amount not to exceed \$16,025

5. ITEMS NOT FOR CITY COUNCIL ACTION

5a Monthly Financial Report - June 2020

6. ORDINANCE(S): SECOND READING AND PUBLIC HEARING**6a Ordinance O-20-2122**

Request to appeal the decision of the Planning and Zoning Commission for consideration of a Special Use Permit for a fence to extend into the required street side yard on Lot 1, Block 1, of the Stowe Addition, located at 816 Shelton Drive, Case ZC20-009

6b Ordinance O-20-2123

Request to appeal the decision of the Planning and Zoning Commission for consideration of a Special Use Permit for a fence to extend into the required street side yard on Lot 1, Block 8, Creekside at Colleyville, Phase 3, located at 3501 LeJoie Lane, Case ZC20-010

6c Ordinance O-20-2124

Request to appeal the decision of the Planning and Zoning Commission for consideration of a Special Use Permit for a fence to extend into the required street side yard on Lots 9 & 10, Block 8, Creekside at Colleyville, Phase 3, located at 3609 LeJoie Lane and 3608 Valmur Avenue, Case ZC20-011

6d Ordinance O-20-2125

Consideration of amendments to Chapter 1, Section 1.17 of the Land Development Code, specifically for the permitting of expiration of vested project rights

7. ORDINANCE(S): FIRST READING AND PUBLIC HEARING**7a Ordinance O-20-2126**

Approval of the Fiscal Year 2021 Colleyville Crime Control and Prevention District budget

8. TABLED: ORDINANCE(S) READING AND PUBLIC HEARING**8a Ordinance O-20-2111**

Consideration of a zoning change request from the AG Agricultural district to the CC-1 Village Retail district on Tract 2B & 2B02, Abstract 180, in the J L Byas Survey, located at 5713 Colleyville Boulevard, Case ZC20-001

8b Ordinance O-20-2112

Consideration of a request for a Special Use Permit for Cemeteries or Mausoleums on Tract 2B & 2B02, Abstract 180, in the J L Byas Survey, located at 5713 Colleyville Boulevard, Case ZC20-002

9. REPORTS

December 9, 2019 Planning and Zoning Minutes
November 25, 2019 Planning and Zoning Worksession Minutes
May 26, 2020 Planning and Zoning Worksession Minutes
May 26, 2020 Planning and Zoning Worksession Minutes
June 8, 2020 Planning and Zoning Worksession Minutes

10. CITIZEN COMMENTS

11. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR TUESDAY, JULY 21, 2020 - READING AND PUBLIC HEARING - RESOLUTION R-20-4519

12. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards Friday, July 17, 2020 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 7/21/2020

Type Worksession

Department Finance

Title

Discussion of fee changes

Explanation

Staff and Council reviews the City's fees and charges annually as a part of the budget process. Most fees are listed in Sec. 2-26 of the Code of Ordinances, although some may be authorized in other sections of the Code that refer to Sec. 2-26 for the specific dollar amount.

Proposed changes in fees are as follows.

Colleyville Library:

- STEAM Kit rental: 1 week, 1 per household, \$1.00/day, 0 renewals
- STEAM Kit damage/replacement costs: pass through the cost of repair/replacement
- Color copies: reduce from \$1.00/page to \$0.50/page
- Removal of fees/restrictions for rental of pamphlets (previously \$0.25/day, limit 10 items for 1 week with 5 renewals)

Utilities:

- Meter damage fee: cost of meter/repairs
- Fire hydrant meter deposit: \$2,500
- Damaged double-check assembly: \$300
- Lost/missing hydra-storz cap: \$200
- Damaged register: \$100
- Damaged ball valve: \$75
- Damaged chain/lock: \$50
- Backflow test: \$50/test
- Fire hydrant meter reading: \$25

Parks and Recreation:

- Indoor rec program instructors: 70% of the total fees collected
- Outdoor rec program instructors: 80% of total fees collected

Community Development:

- Impervious coverage permit: \$100 (verify compliance with the maximum impervious coverage regulation added to land development code)

Colleyville Center:

- Sanitation Fee: \$50-75 (new)
- Decor Fee: \$300 (new)
- Weekend Rates:
 - Standard (Non-Resident) Rates: Fri/Sun \$2,500 (currently \$2,100); Prime Saturday \$3,000 (currently \$2,500); increase rental time block from 8-10 hours
 - Resident Rates: maintain 20% discount

Colleyville Business Center:

- Work Stations: \$225/mo; 20% discount for meeting room; 24-hour access
- Day Pass: \$25/day
- Office: \$600/mo; 20% discount for meeting room; 24-hour access
- Vault meeting room: \$20/hour, 2-hr minimum; 2-4 people
- Board room: \$50/hour, 2-hour min.; 12 people; flat screen TV w/hookups
- Virtual Office: \$99/mo.; business address/mail; 20% discount meeting room; 2 days/month; work station
- Facility: \$750/evening, 6-9 p.m.; Mon.-Thurs.; set up/tear down
- Mailbox: \$50/month; business address/mail

Attachments

1. 2021 Recommended Fee Changes presentation
2. Exhibit A Fees FY2021 redline

Discussion of Recommended Changes to Fees & Charges

City Council Worksession
July 7, 2020

- Review fees and charges annually during the budget process
- Departments identified needed changes and made recommendations for adjustment during the budget submission process
- Most fees are listed in Sec. 2-26 of the Code of Ordinances; some fees may be authorized in other sections of the Code that refer to Sec. 2-26 for the specific dollar amount

Objective



- To determine if the City Council would like for staff to prepare the necessary ordinance amendments for the fees and charges discussed
- Recommended adjustments could be brought back for formal City Council approval at a subsequent Council meeting

Colleyville Library

Colleyville Library



- STEAM Kit rental: 1 week, 1 per household, \$1.00/day, 0 renewals
- STEAM Kit damage/replacement costs: pass through the cost incurred to repair/replace Kit
- Color copies: reduce from \$1.00 per page to \$0.50 per page
- Removal of fees/restrictions for pamphlets (previously \$0.25/day, limit 10 items for 1 week with 5 renewals)

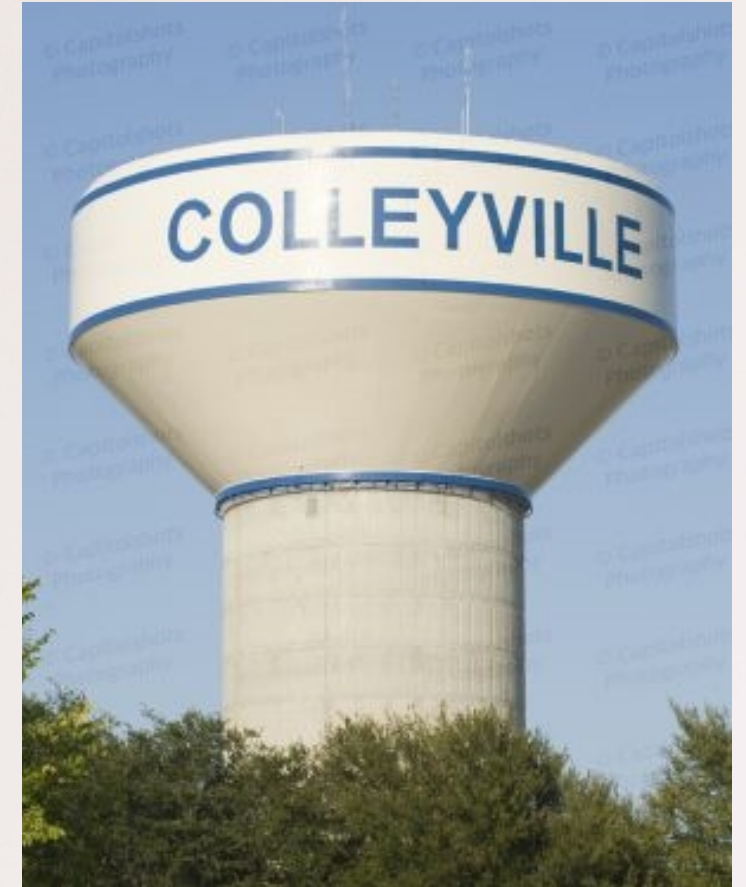


Utilities

Utilities



- Meter damage fee: cost of meter/repairs
- Fire hydrant meter deposit: \$2,500
- Damaged double-check assembly: \$300
- Lost/missing hydra-storz cap: \$200
- Damaged register: \$100
- Damaged ball valve: \$75
- Damaged chain/lock: \$50
- Backflow test: \$50/test
- Fire hydrant meter reading: \$25



Parks and Recreation

Recreation Instructor Compensation

- Indoor Rec Program Instructors: 70% of total fees collected
- Outdoor Rec Program Instructors: 80% of total fees collected



Community Development

Community Development



Impervious coverage
permit: \$100.00

*verify compliance with the maximum
impervious coverage regulation added
to land development code



Colleyville Center

Colleyville Center



Sanitation Fee: \$50-\$75 (new)

Décor Fee: \$300 (new)

Weekend Rates:

Standard (Non-Resident) Rates

- Fri/Sun: \$2,500 (currently \$2,100)
- Prime Saturday: \$3,000 (currently \$2,500)
- Increase rental time block from 8 to 10 hours
 - Most clients purchase the 2 additional hours at \$250 per hour (additional \$500 total)
 - 10 hour blocks are typical for venue rentals

Resident Rates

- Maintain 20% discount



Business Center

Business Center



- Work Stations: \$225/mo.; 20% discount for meeting room; 24-hour access
- Day Pass: \$25/day
- Office: \$600/mo.; 20% discount for meeting room; 24-hour access
- Vault Meeting Room: \$20/hour, 2-hour min.; 2-4 people
- Board Room: \$50/hour, 2-hour min.; 12 people; flat screen TV w/hooks
- Virtual Office: \$99/mo.; business address/mail; 20% discount meeting room; 2 days/month; work station
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- Mailbox: \$50/month; business address/mail

COMING SPRING 2020

Colleyville Business Center

Growing Business Locally

To better facilitate economic development within Colleyville, the City has established the Colleyville Business Center (CBC) at 5005 Colleyville Blvd.

The City of Colleyville recognizes the important role economic development plays in diversifying the property tax base. A healthy commercial tax base is essential in maintaining balance to fund public services and education.

"Economic development that meets Colleyville's quality and excellence standards will help diversify and offset the residential tax base as Colleyville builds out."
Richard Newton, Mayor

The CBC will occupy the former Wachovia Bank building on SH26, a vacant structure that would have remained without tenants if not for City involvement due to existing lease constraints.



CITY OF COLLEYVILLE TEXAS

Commercial Development • Collaboration • Connectivity

Questions and Discussion

Sec. 2-26. - Fees and charges for city services.

(a) The following fees will be in effect in all city departments:

Notary fee (non-city related business): As prescribed by V.T.C.A., Government Code § 406.024.

(b) City secretary services:

Records request research, per hour \$15.00

Document certification (per transaction) 8.00

The city will charge fees for public information per Texas Government Code, Chapter 552 in accordance with the Administrative Code, Title I, Part 3, Chapter 70.

(c) Financial services:

New utility account processing \$2.00

Confidentiality of utility records request processing 2.00

Parking violation court cost fee 5.00

Failure to appear warrant fee 25.00

Broken/damaged/cut lock or tie 25.00

(d) Police services:

Accident reports \$6.00

Fingerprinting—First card 10.00

Fingerprinting—Each additional card 5.00

Conduct letters:

For original 10.00

For each additional 5.00

Miscellaneous police reports 2.00

Press release of police report 1.00

(e) Animal services:

Daily care of impounded animals, per day \$10.00

Each additional impounded animal, same owner, per day 10.00

Removal and disposal of live unwanted pets 30.00

Animal impound fee (second impounding) 50.00

Animal impound fee (third impounding) 75.00

Animal impound fee (fourth impounding) 150.00

Animal impound fee (fifth and greater impoundings) 150.00

Removal of individually trapped animals (private trap) 30.00

(f) Fire prevention:

Fire alarm systems:

Plans review (new, alteration, or relocation) \$70.00

Inspection of system once in place:

Number of Devices	Fee
1 to 10	75.00
11 to 25	100.00
26 to 100	200.00
101 to 200	275.00
201 to 500	500.00
Per device for each over 500	1.00

Fire sprinkler systems—Above ground:

Plans review (new, alteration, or relocation) 150.00

Inspection of system once in place:

<i>Number of heads</i>	<i>Fee</i>
1 to 19 heads	75.00
20 to 100 Heads	100.00
101 to 300 Heads	200.00
301 to 1,000 Heads	400.00
Per head for each over 1,000 heads	1.00

Fire sprinkler systems—Underground:

Fire Sprinkler System (Relocation or modification) three sets of detailed plans

- a. Inspection is required before ditch is covered
- b. 2 hour/200 lb. test is required 50.00

Licensing inspections:

Hospitals 100.00

Nursing/long term care homes 75.00

Day care/mothers' day out 50.00

Foster and adoptive homes 10.00

Home inspection—Insurance 50.00

Permits and miscellaneous fees:

Fixed fire protection system (new, alteration, or relocation) three sets of detailed plans 50.00

Security gates (required three sets of detail plans) plus \$25.00 per required sign 50.00

Storage of flammable or combustible liquids at construction sites 50.00

Installation of compressed natural gas (CNG) container or stations 50.00

Removal, relocation of compressed natural gas (CNG) container or station 50.00

Installation of liquid petroleum gas (LPG) container 50.00

Removal, relocation of liquid petroleum gas (LPG) container 50.00

Installation of liquefied natural gas (LNG) container or station 50.00

Removal, relocation of liquefied natural gas (LNG) container or station 50.00

Spray booths (new) three sets of detailed plans 50.00

Spray booths (modification or relocation) three sets of detailed plans 50.00

Carnivals and fairs—Site plan and layout of vendors required 50.00

Fireworks display—Site inspection is required 100.00

Flammable and combustible liquids:

- a. Repair or modify a pipeline 100.00
- b. Product removal from underground storage tank 50.00
- c. Status change in product facilities 50.00
- d. Change type of contents in liquid tank(s) 50.00

Occupant load increase 50.00

Pyrotechnical special effects 100.00

Tents (any size) 50.00

Impervious Coverage Permit \$100.00

- (g) Response related to natural gas leaks and hazardous materials releases: Recovery of expenses related to natural gas leaks and hazardous materials releases caused by contractors or carriers which require an on scene response where city staff are unavailable for other emergencies for one hour or more and incidents involving negligence related to drug and/or alcohol impairment will be billed for public safety services if the incident involved any criminal offense greater than a Class C misdemeanor will be as follows:

Employee costs—Actual employee salary costs during the incident.

Emergency vehicle use fees:

Ambulance—To 210 HP, per hour \$ 41.00

Police car—Patrolling, per mile 0.63

Police car—Stationary, per hour 18.00

Fire truck—1500 GPM, per hour 95.00

Fire truck—2000 GPM, per hour 105.00

Ladder truck—At least 75 feet, per hour 145.00

- (h) Development fees—Planning and zoning services:

Preliminary plat, Final plat, or Replat \$500.00

plus, per lot 7.50

Minor plat 250.00

Amending plat 250.00

Rezoning application 500.00

plus, per acre 5.00

PUD application 750.00

plus, per acre 5.00

Amendment to existing PUD to add, delete, or change a special condition to an existing PUD ordinance 450.00

SUP application 500.00

plus, per acre 5.00

SUP residential accessory building 250.00

SUP residential carport 250.00

SUP alcoholic beverage sales 500.00

ZBA variance and appeal application 250.00

Sign board appeal 250.00

Tree mitigation appeal 250.00

Site plan application review 250.00

Landscape plan application review 250.00

Zoning verification letter 50.00

(i) Development fees:

Permanent sign permits 75.00

Temporary sign permits 50.00

exception: grand opening 0.00

Sign recovery fee 25.00

Network Provider Fees

Small cell application fee (this penalty shall not exceed and is capped by statutory limits)	\$500.00 (1-5 network notes); \$100.00 (each additional network node); \$1,000.00 per pole
Small cell user fees (this penalty shall not exceed and is capped by statutory limits)	\$270.00 annually for each network node
Transport facility monthly user fee (this fee shall not exceed and is capped by statutory limits)	\$28 multiplied by the number of the network provider's network nodes located in the public right-of-way for which the installed transport facilities provide backhaul, until the time the network provider's payment to the city exceeds its monthly aggregate per month compensation to the city

(j) Development fees—Plan review, inspection, and permit fees:

Permit fees. The schedule of permit fees shall be in accordance with the fee schedules contained in the 1997 Uniform Administrative Code as follows:

- (1) Table 3-A—Building Permit Fees
- (2) Table 3-B—Electrical Permit Fees
- (3) Table 3-C—Mechanical Permit Fees
- (4) Table 3-D—Plumbing Permit Fees

Calculating construction values. The construction values used for calculating permit fees shall not be less than the most recent building valuation data published by the International Conference of Building Officials. Said permit fees shall be adjusted on an annual basis for permit applications received on or after

the 1st day of June using the most recent edition of the building valuation data. The regional modifier of 0.93 shall be applied to the building valuation data used for calculating construction values.

Plan review fee. When a plan or other data are required to be submitted by the building code, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees specified in this subsection are separate fees and are in addition to the permit fees. No additional plan review fee shall be charged where plans are incomplete or for reviewing a construction plan that has been previously reviewed and resubmitted with corrections. Where construction plans are changed to a new proposal or where a third plan review is necessary, an additional plan review fee is required.

Inspection charges. Permit fees shall include the cost of all required inspections.

Reinspection fees. If the code official is required to make a reinspection, the following fees shall apply: (1) The first reinspection fee shall be \$75.00; (2) The second, and any subsequent, reinspection fee shall be \$125.00. Failure to pay such charges as provided in this code may result in the forfeiture of the right of such contractor to obtain other permits until such charges are paid.

Fees due. All building permit fees shall be due when the permit is issued.

Fee refunds. The code official shall be authorized the refunding of fees as follows:

- (1) The full amount of any fee paid hereunder that was erroneously paid or collected.
- (2) Not more than 90 percent of the permit fee when no work has been done under a permit issued in accordance with this code.
- (3) Not more than 90 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Sport court (concrete, nets, fencing, lighting) \$100.00

Lot grading and drainage compliance fee 125.00

New residence plan review 350.00

Residential addition and remodel plan review 150.00

Commercial plan review fee 65% of building permit fee

Swimming pool plan review fee 50.00

Water well drilling permit 50.00

Irrigation system permit 75.00

Fence permit 75.00

Masonry screening fence permit 125.00

Retaining wall 125.00

Swimming pool permit 300.00

Spas, Hot Tubs, or Fountains 200.00

Re-roofing permit (one square or more) 50.00

Grading and earthwork permit 75.00

Curb cut permit 55.00
 Driveway approach permit 75.00
 Temporary construction trailer 100.00
 Temporary event permit 100.00
 Temporary use permit 100.00
 Temporary use permit—Portable storage structure 25.00
 Used/obsolete street sign purchase fee (per sign) 25.00
 Certificate of Occupancy or re-occupancy 100.00
 Temporary certificate of occupancy 250.00 (per month)
 Contractor registration fee 100.00 (per 12 month period)
 Construction concealment fee (for work performed without inspections) 350.00
 Special inspection fee 100.00/hour (min. 2 hours)
 Additional plan review 50.00 per plan review
 Water heater replacement 75.00
 HVAC equipment replacement 75.00
 Application for Encroachment and Joint Use Agreement:

Document Length	Fee
1 to 10 pages	120
11 to 20 pages	160
21 to 30 pages	200
Over 30 pages	240

Weed mowing administrative fee 120.00
 Weed mowing violation notification letter fee (second and all following notification letters within current calendar year) 50.00
 Weed mowing fee, per acre 175.00
 Demolition fee 50.00

Brush abatement fee:

Actual expenses incurred, not to exceed the estimated value of the affected property.

Sidewalk waiver request general waiver request to a Land Development Code or Code of Ordinances requirement 250.00

(k) Charges related to oil and gas wells:

Gas and oil well permit fee (per well bore) \$10,000.00

Gas well special use permit fee (per pad site) 15,000.00

Seismic survey permit 250.00

Pipeline permit 2,500.00

(l) Public infrastructure plan review and inspection: Prior to the commencement of any public infrastructure improvements associated with private development, the developer shall pay the city a plan review and inspection fee as follows:

Engineering plan review fee—Two percent of the actual cost of the public improvements

Engineering inspection fee—Three percent of the actual cost of the public improvements

Construction materials testing fee—One percent of the actual cost of the public improvements

For each additional review after the second submittal \$250.00

Inspections performed outside of regular business hours for the construction of public infrastructure projects 50.00 per hour

(m) Recreation:

City sponsored activities—The fee for the city park and recreation sponsored recreation and athletic activities not covered elsewhere shall be calculated for respective activity based upon the estimated costs of conducting such activity (including such items as materials, instructors, umpires, scorekeeper, trophies and other direct program costs) plus an administrative fee, or shall be as stipulated by nationally or statewide recognized athletic organizations.

Nonresident programming fee \$5.00 per class/course

Recreation Instructor Compensation:

- Indoor Recreation Program Instructors – 70% of total fees collected (instructor) and 30% of total fees collected (City)
- Outdoor Recreation Program Instructors – 80% of total fees collected (instructor) and 20% of total fees collected (City)

Senior center annual membership required for participation in all activities:

Colleyville resident Free

Non-Colleyville resident 10.00

Senior center membership card replacement fee:

Colleyville resident 2.00

Non-Colleyville resident 2.00

(n) Parks:

Youth sports associations:

Athletic field use fees:

Colleyville residents (per participant/per season/per association) \$5.00

Non-Colleyville residents (per participant/per season/per association) 5.00

Non-Colleyville resident Fee: A fee of \$20.00 shall be charged to each non-resident, per participation in each organized sports association per season.

Field rental fees:

Field		No lights/with lights	Time
Reagan Park	Resident	35.00/50.00	Per 2 hours
	Nonresident	60.00/100.00	Per 2 hours
City Park	Resident	50.00/80.00	Per 2 hours
	Nonresident	100.00/180.00	Per 2 hours
Pleasant Run Park (Game Field)	Resident	50.00/80.00	Per 2 hours
	Nonresident	125.00/175.00	Per 2 hours
Pleasant Run Park (Practice Field)	Resident	35.00/50.00	Per 2 hours
	Nonresident	60.00/100.00	Per 2 hours

Rental fees:

Park pavilion rental per hour (no minimum):

Colleyville residents \$20.00

Non-Colleyville residents 30.00

Tennis court rental-Per person (per one and one-half hour increment): 3.00

McPherson Park group pavilion rental per hour (no minimum):

Colleyville residents 40.00

Non-Colleyville residents 70.00

Wedding event in a park without amenities 100.00

Senior Center: rooms available include the Blue Bonnet Room, Computer Room, and Cowboy Room.

Rental Fee 5.00

Deposit (refundable) 50.00

Webb House:

Monday through Thursday, 8am – 10pm

Colleyville resident\$30.00/hr; 3-hour minimum

Non-Colleyville resident\$60.00/hr; 3-hour minimum

Friday through Sunday, 8am – 10pm

Colleyville resident\$40.00/hr; 3-hour minimum

Non-Colleyville resident\$90.00/hr; 3-hour minimum

Deposit (refundable)\$200.00

(o) Colleyville center fees and charges:

Non-Resident and Business—Standard Rates

Room	* Weekday rate	Prime weekend Fri/Sat/Sun
	Four-hour block of time, except for entire building rental which is eight <u>ten</u> hours	Eight <u>Ten</u> -hour rental
Small conference room	\$200.00	Entire building rental only
North hall	\$375.00	Entire building rental only
South hall	\$375.00	Entire building rental only
North & South Hall Combined	\$700.00	Entire building rental only
Entire building	\$2,100.00 weekday	Friday and Sunday \$2,100 <u>\$3,000</u> .00 Prime Saturday \$2,500 <u>\$3,000</u> .00

Bluebonnet Courtyard	\$300.00 Available as add-on when renting North & South Hall Combined	Included in rental fee
Garden plaza (Including chairs)	\$300.00	\$300.00
<u>Décor Fee</u>	<u>\$300</u>	<u>\$300</u>

Sanitation Fee \$50-75 per rental contract

* Includes tables, chairs, and all add-ons listed in the video, audio, and room set sections of the administrative fee schedule.

Colleyville Resident/Business—With 20% Discount

Room	* Weekday rate	Prime weekend Fri/Sat/Sun
	Four-hour block of time, except for entire building rental which is eight <u>ten</u> hours	Eight <u>Ten</u> -hour rental
Small conference room	\$160.00	Entire building rental only
North hall	\$300.00	Entire building rental only
South hall	\$300.00	Entire building rental only
North & South Hall Combined	\$560.00	Entire building rental only
Entire building	\$1,680.00 weekday	\$1,680 Friday and Sunday \$2,000 Prime Saturday
Bluebonnet Courtyard	\$300.00 Available as add-on when renting	Included in rental fee

	North & South Hall Combined	
Garden plaza (including chairs)	\$300.00	\$300.00

* Includes tables, chairs, and all add-ons listed in the video, audio, and room set sections of the administrative fee schedule.

Colleyville Based Non-Profit and Civic Organizations

Room	* Weekday rate	Prime weekend Fri/Sat/Sun
	Four-hour block of time, except for entire building rental which is eight hours	Eight-hour rental
Small conference room	\$90.00	Entire building rental only
North hall	\$120.00	Entire building rental only
South hall	\$120.00	Entire building rental only
North & South Hall Combined	\$210.00	Entire building rental only
Entire building	\$450.00 weekday	50% discount Friday and Sunday \$1,050.00 20% discount prime Saturday \$2,000.00
Bluebonnet Courtyard	Included in full building or North & South Hall Combined rental fee	
Garden plaza (including chairs)	\$450.00	\$450.00

Administrative Fees		
	Non-profit	Standard
Video		
LCD Projector per hour (portable and ceiling mount)	\$65.00 with weekday max \$150.00	\$65.00
LCD 220" rear screen HD projector per hour	\$75.00 with weekday max \$200.00	\$75.00
Rolling video cart with electrical and extension	\$2.00	\$10.00
Stage front drop screen	\$10.00	\$40.00
White board/flip chart with easel	\$20.00	\$20.00
Easel	\$15.00	\$15.00
Audio		
Baby grand piano	\$100.00	\$100.00
Stage lighting and sound board	\$200.00 + AV tech	\$200.00 + AV tech
Podium with microphone	\$20.00	\$35.00
Corded microphone on stand—One free with N/S hall	\$15.00	\$15.00
Wireless microphone (hand held or lapel)	\$25.00	\$50.00
Colored up lights	\$200.00	\$200.00
Room set		
Linens (per linen) weekdays only	\$10.00	\$10.00
Draped and skirted registration table	\$15.00	\$15.00

Room change after final set (per table and chair set)	\$20.00	\$20.00
Catering		
Kitchen Use/Food Service (when food is brought in) - flat fee based upon set up or attendance whichever is greater	\$1.00 per person weekday or weekend (\$300.00 max)	\$1.00 per person weekday \$2.00 per person weekends (\$300.00 minimum)
Deluxe coffee service with condiments	15 cup carafe—\$15.00	15 cup carafe—\$15.00
Water/soda service	\$1.00 per bottle	\$1.00 per bottle
Miscellaneous		
Copies 1—50—\$0.25 first copy, \$0.10 thereafter	\$0.25/\$0.10	\$0.25/\$0.10
Deposits		
Entire building	\$500.00	\$1,000.00
Grand hall	\$300.00	\$300.00
Half hall (North or South)	\$200.00	\$200.00
Conference room	\$50.00	\$50.00

Miscellaneous Fees/Policies

Cancellation Policy—Any cancellation of a Friday, Saturday, or Sunday entire building rental or combined north/south hall booking shall result in lessee forfeiting one-half of the deposit. If the cancellation is received 180 to 120 calendar days prior to the event, the lessee will forfeit all of the deposit. If the cancellation is received less than 120 calendar days prior to the event, the lessee will forfeit all monies paid to the Colleyville Center.

Colleyville Center deposit forfeiture—Up to \$1,000.00 will be retained from lessee deposit for failure to leave the premises (building and grounds) in as good or better condition than it was prior to being leased or for failure to pay outstanding balance of other fees.

AV surcharge—All rented audio visual equipment brought into the building by another vendor incurs a 15 percent charge of the Colleyville Center fee for same equipment.

Non-profit donations—Any not for profit organization that donates over \$50,000.00 to the Colleyville Center does not incur equipment fees. Supply and service fees are not included in this waiver. If a not for

profit organization donates a single piece of equipment, it becomes Colleyville Center property and use of that equipment by that organization does not incur equipment fees.

Discount for using local businesses—If a client uses three or more Colleyville businesses during their event, the center will provide complimentary colored up-lighting (\$200.00 value).

Additional rental hours—If a client requests to extend a rental of the entire building beyond their eight hour rental, additional hours will be available for an additional \$250.00 per hour, within the business hours of the center. The additional hours must be requested in advance. Fees will not be pro-rated for increments of time less than one hour.

Late fees—The Colleyville Center closes at 12:00 a.m. (midnight) on Friday and Saturday and 11:00 p.m. Sunday through Thursday. Should a client remain on the premises after the building is closed, a fee will be assessed at the rate of \$1,000.00 per hour until such time the building is vacated. Fees will not be pro-rated for increments of time less than one hour.

Colleyville Center rental hours—The Colleyville Center is available for rental from 8:00 a.m. to 11:00 p.m. Monday through Thursday, 8:00 a.m. to midnight on Friday, 11:00 a.m. to midnight on Saturday, and 11:00 a.m. to 11:00 p.m. on Sunday. Weekday rental rates apply Monday through 4:00 p.m. on Friday. Prime weekend rates apply 4:00 p.m. Friday through 11:00 p.m. Sunday. For holiday closures, the Colleyville Center may follow the schedule for City offices.

(p) Library:

**Colleyville Public Library
Circulating Materials Restrictions**

Materials	Loan period	Limits *	Fees/fines **	Renewal limits ***
Fiction books	21 days	No limit	\$0.25 per day	5
Non-fiction books	21 days	No limit	\$0.25 per day	5
Best sellers	7 or 14 days	No limit	\$0.25 per day	5
Magazines	7 days	No limit	\$0.25 per day	5
Pamphlets	7 days	No limit	\$0.25 per day	5
Feature-length DVDs (60 min.+)	7 days	10	\$1.00 per day	5
Educational/DVDs	7 days	10	\$0.25 per day	5

Children's DVDs (under 60 min.)	7 days	10	\$0.25 per day	5
Compact discs	7 days	10	\$0.25 per day	5
J Kits	21 days	No limit	\$0.25 per day	5
Books on compact disc	21 days	No limit	\$0.25 per day	5
J Holiday books	7 days	Varies by holiday	\$0.25 per day	0 during holiday
<u>STEAM kit</u>	<u>1 week</u> <u>[7 days]</u>	<u>1 per household, adult cardholder only</u>	<u>\$1.00/day</u>	<u>0</u>

* No limit until a maximum of 40 items is reached. A total of 40 items per card.

** Overdue fines threshold is \$5.00.

*** Renewals are allowed when materials are not on reserve for another patron.

**Colleyville Public Library
Materials Replacement and Processing Fees**

Item	Cost	Processing fee
Library card	\$2.00	\$0.00
Book	Cost of item	5.00
Paperback book	Cost of item	5.00
Board book	Cost of item	2.00
Magazine	Cost of item	2.00
Compact disc	Cost of item	5.00

Lost compact disc outer insert	0.00	5.00
Book on CD	Cost of item	5.00
Lost/damaged single book on CD disc	Cost of single CD	1.00
DVD	Cost of item	5.00
Lost DVD outer insert	0.00	5.00
Audio-visual material containers	Cost of item	5.00
Kit bags	Cost of item	2.00
Bar codes/RFID tags	\$1.00	0.00
<u>STEAM Kit, STEAM Kit Case, STEAM Kit Piece(s)</u>	<u>Cost of item(s)</u>	

Print card 0.50

Color copies (per page) ~~1.00~~ \$0.50

Black and white copies (per page) 0.10

Fax—Incoming (per page) 1.00

Fax—Outgoing (per page)

Local 1.00

Long distance 2.00

Non-resident fees:

Non-resident card (non-TexShare, non-reciprocal borrowing participating home library) 25.00

Non-resident card (without home library) 25.00

Interlibrary loan materials not picked up 2.00

(q) Utilities (other than base/CIP/T.R.A. rates)

Meter damage fee – cost of the meter or meter repairs

Fire hydrant meter deposit - \$2,500

Damaged double-check assembly - \$300

Lost/missing hydra-storz cap - \$200

Damaged register - \$100

Damaged ball valve - \$75

Damaged chain or lock - \$50

Backflow test - \$50/test

Fire hydrant meter reading - \$25

Colleyville Business Center

<u>Item</u>	<u>Cost</u>	<u>Notes</u>
<u>Work Stations</u>	<u>\$225 / month</u>	<u>20% discount for meeting room;</u> <u>24-hour access with month</u>
<u>Day Pass</u>	<u>\$25 / day</u>	
<u>Office</u>	<u>\$600 / month</u>	<u>20% discount meeting room;</u> <u>24-hour access with month</u>
<u>Vault Meeting Room</u>	<u>\$20 / hour (2 hour minimum)</u>	<u>2 – 4 people</u>
<u>Board Room</u>	<u>\$50 / hour (2 hour minimum)</u>	<u>12 people; flat screen TV with</u> <u>hookups</u>
<u>Virtual Office</u>	<u>\$99 / month</u>	<u>Business address / mail; 20%</u> <u>discount meeting room; 2 days</u> <u>per month; work station</u>
<u>Facility</u>	<u>\$750 / evening, 6 – 9 p.m.</u> <u>(Mon. – Thurs.)</u>	<u>Set up and tear down</u>
<u>Mailbox</u>	<u>\$50 / month</u>	<u>Business address / mail</u>

(O-14-1945, § 2(Exh. A), 12-16-2014; Ord. No. O-15-1969, § 3, 9-15-2015; Ord. No. O-16-1991, § 2, 9-20-2016; Ord. No. O-17-2022, § 1, 8-15-17; Ord. No. O-17-2030, § 2 (exh. A), 9-19-17; Ord. No. O-18-2072, § 1, 1-15-19)

Editor's note— Ord. No. O-17-2030, § 2(Exh. A), adopted September 19, 2017, repealed the former § 2-26, and enacted a new § 2-26 as set out herein. The former § 2-26 pertained to similar subject matter. See Code Comparative Table for complete derivation.



City of Colleyville City Council Agenda Briefing

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

Agenda Number WS-2

Agenda Date 7/21/2020

Type Worksession

Department Public Works

Title

Discussion of Tinker Road Rehabilitation project

Explanation

Tinker Road is identified in the 2015 Master Thoroughfare Plan as a Major Collector. This project will include:

- Full reconstruction and widening of Tinker Road from Pleasant Run Road, going east to SH26/Colleyville Boulevard.
- Curb and gutter along the entire roadway. There is an existing 41 foot section of curb and gutter adjacent to Jewel Estates.
- Right turn lane on Tinker Road feeding westbound onto Pleasant Run Road, or consideration of a round-about.

Left turn lanes at other existing intersections: Emerald Drive eastbound, Ponderosa east and westbound, and Kingston eastbound off of Tinker Road.

Attachments

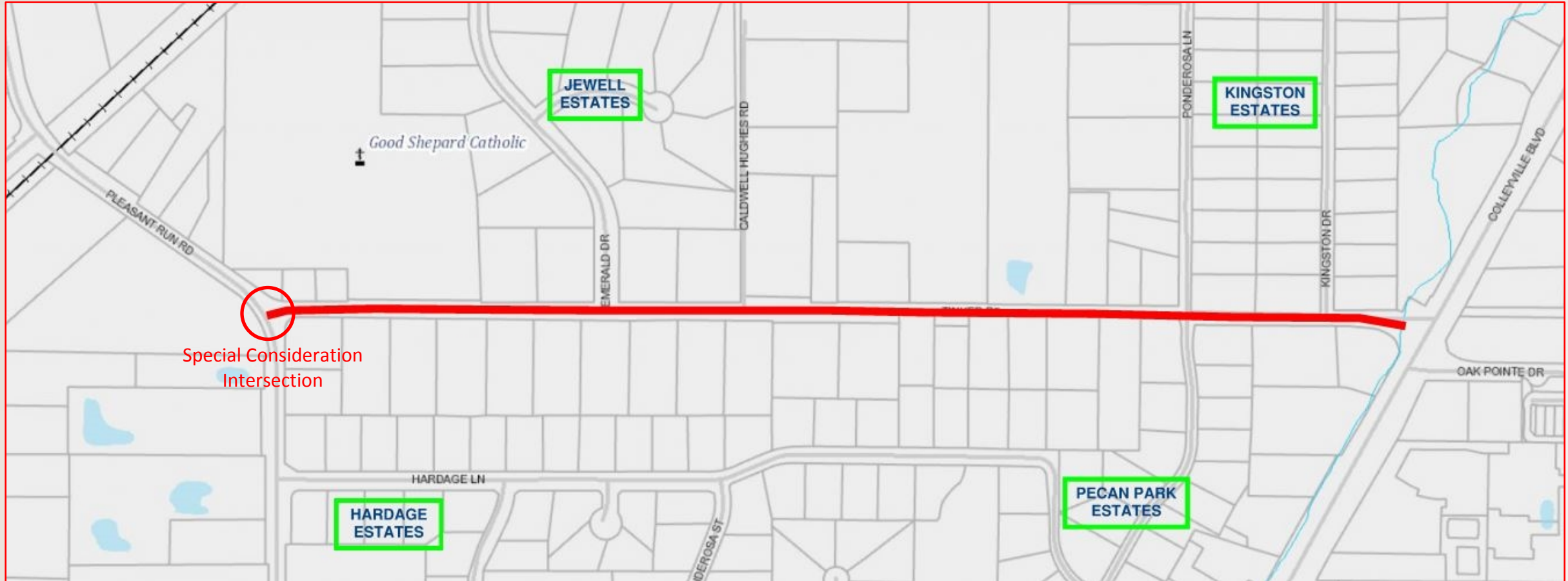
1. Tinker Road Rehabilitation project presentation

Tinker Road Presentation and Discussion

City Council Worksession

July 21, 2020

WS-2 Tinker Road

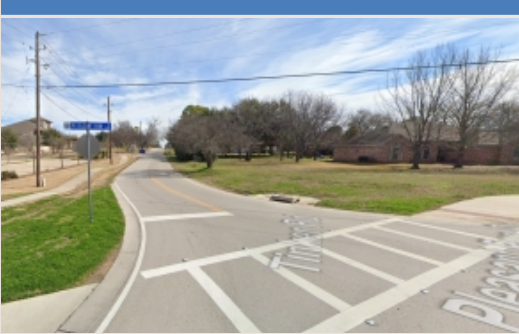


Project Information

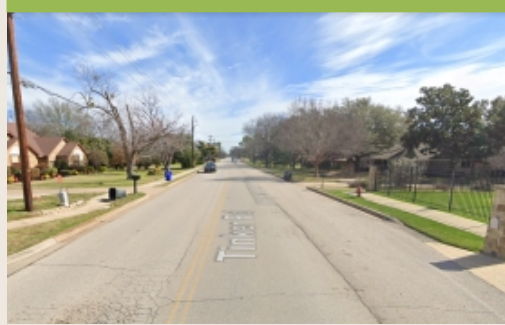
- Tinker Road is identified in the 2015 Master Thoroughfare Plan as a Major Collector. This project will include full reconstruction and widening of Tinker Road from Pleasant Run Road east to SH 26/Colleyville Boulevard.

WS-2 Tinker Road Existing Condition

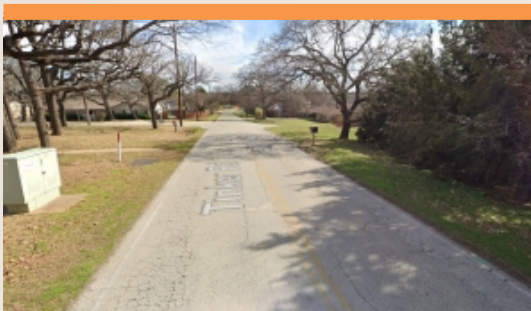
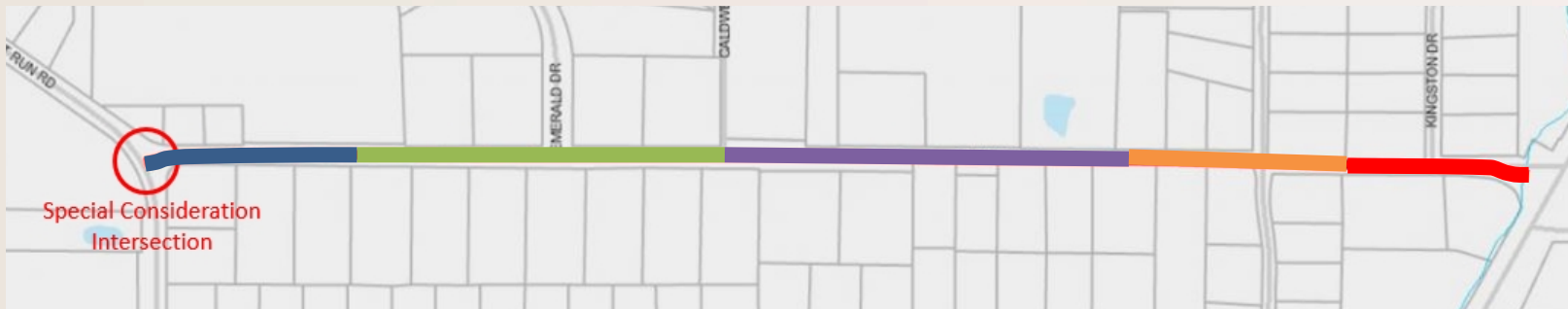
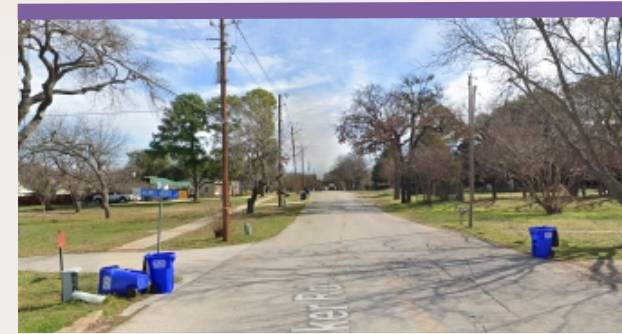
Looking east from Pleasant Run Road
21-foot wide existing section



Looking east at 40-foot wide section
in front of Jewel Estates

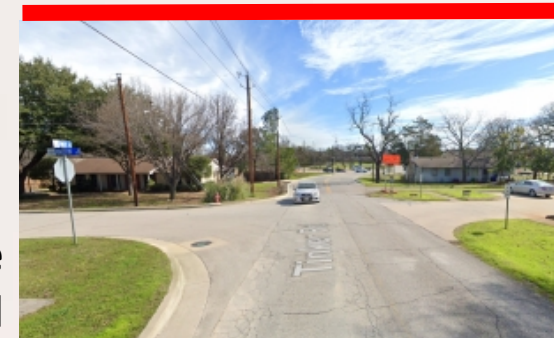


Looking east at Caldwell Hughes Road
width reduces back to 21-feet



Looking east at Ponderosa Lane
21-foot wide existing section

Looking east at Kingston Drive
and transition to 37 feet at SH-26/Colleyville Blvd

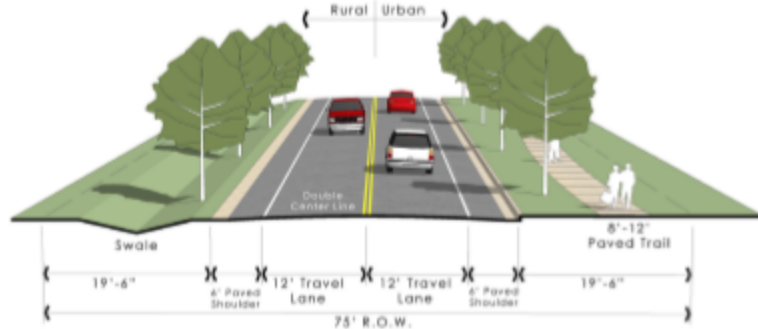


WS-2 Tinker Road

Major Collector Cross-Section

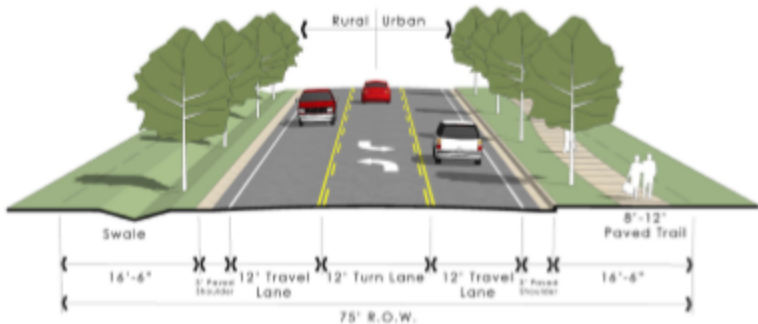
MAJOR COLLECTOR STREET CROSS-SECTIONS

Figure 5.9. Major Collector Street – Rural or Urban Two-Lane Cross-Section



The cross-section of a rural or urban two-lane major collector provides 36 feet of pavement for two travel lanes. The 36-foot pavement width provides additional width to allow for emergency vehicles to pass and provides additional capacity by allowing space for vehicles to pass on the right side of a left-turning vehicle. It also provides more room for the flow of traffic and higher traffic volumes. As shown above, a rural cross-section is depicted on the left and an urban cross-section on the right. With 75 feet of right-of-way, there should be adequate space to provide a sidewalk or trail in both rural and urban areas.

Figure 5.10. Major Collector Street – Rural or Urban Three-Lane Cross-Section



The cross-section of a rural or urban three-lane major collector provides two travel lanes, plus a two-way left-turn center lane. The rural major collector includes two-foot wide concrete ribbons along both outside edges of the travel lanes. The center turn lane provides additional capacity by providing a full lane for left-turning vehicles, allowing through traffic to flow unimpeded. As shown above, a rural cross-section is depicted on the left and an urban cross-section on the right. With 75 feet of right-of-way, there should be adequate space to provide a sidewalk or trail in both rural and urban areas.

Based upon the Master Thoroughfare Plan, Tinker Road is classified as a Major Collector.

Two Lane Cross Section Includes:

- 36-foot wide roadway with two 12-foot travel lanes
- Ribbon curb or curb and gutter along both outside edges of the travel lanes
- 75 feet of right-of-way to accommodate a sidewalk or trail

Three Lane Cross Section Includes:

- 42-foot wide roadway with two 12-foot travel lanes and a 12-foot turn lane
- Ribbon curb or curb and gutter along both outside edges of the travel lanes
- 75 feet of right-of-way to accommodate a sidewalk or trail

WS-2 Tinker Road



Staff is seeking City Council direction on the following:

City Council's preference for design roadway widths of the project along Tinker Road:

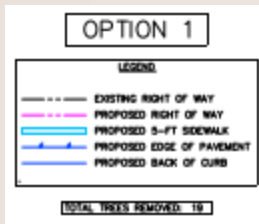
- **Option 1:** Design the road based on the Master Thoroughfare Plan Designation with curb and gutter (a portion of the road currently has curb and gutter)
- **Option 2:** Design the road based on preserving roadway character with curb and gutter (a portion of the road currently has curb and gutter) where turn lanes are not needed for intersecting roadways, decrease overall roadway width to more closely mimic existing width.
- **Both Options 1 & 2**
 - Curb and gutter along both outside edges of the travel lanes
 - Up to 75 feet of right-of-way may be needed to accommodate a 5-foot sidewalk on both sides as needed

WS-2 Tinker Road



Staff is seeking City Council direction on the following:

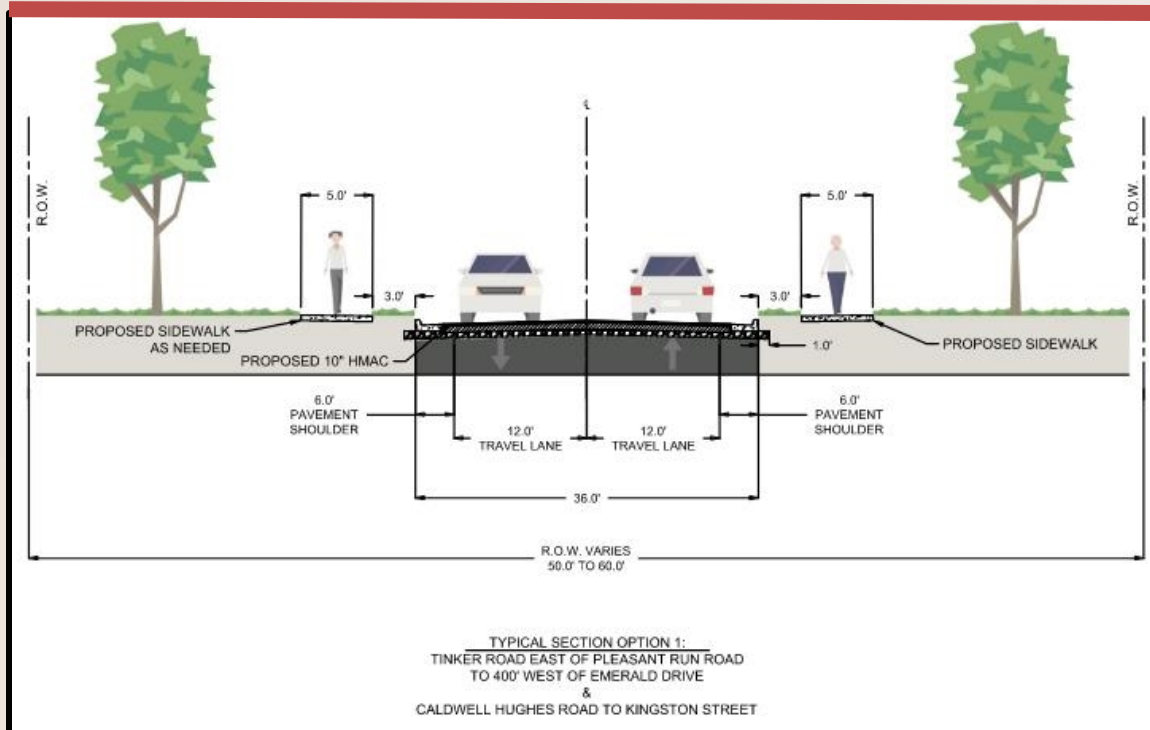
- **Option 1:** Design the road based on the Master Thoroughfare Plan Designation with curb and gutter (a portion of the road currently has curb and gutter).
 - Two plus lanes built as asphalt sections of varying widths of 35 feet to 40 feet (front-of-curb to front-of-curb) based on location
 - Nine Right of Way Parcels: Six parcels from Pleasant Run Road east along south side of Tinker and three parcels west of SH26/Colleyville Boulevard.
 - Removal of 17 trees and various Crape Myrtles and landscape improvements in existing or acquired right-of-way.



WS-2 Tinker Road

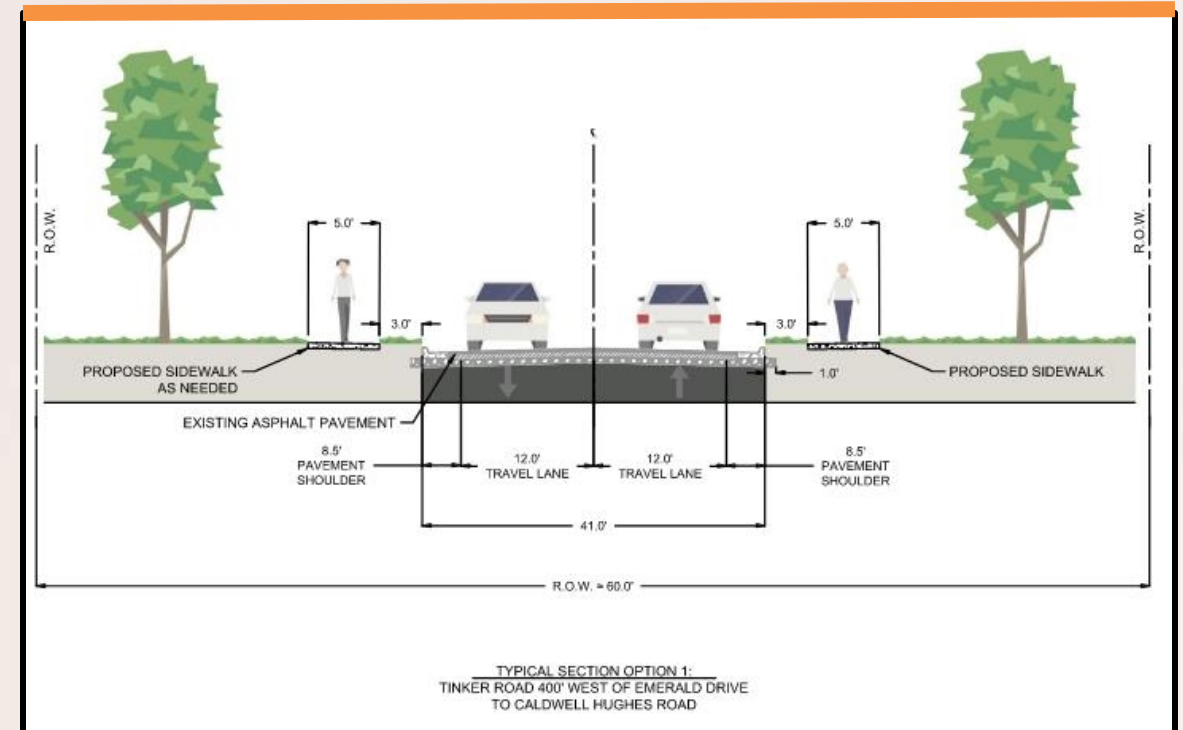


Option 1:



Proposed widening of Tinker Road

New pavement, curb and gutter, and sidewalks to be added



Existing 40' portion of Tinker Road

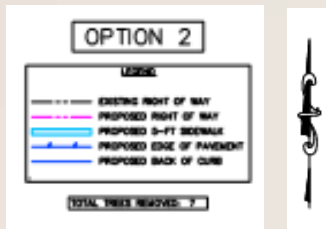
Sidewalks to be added as needed

WS-2 Tinker Road



City Council's preference for design scope of the project along Tinker Road:

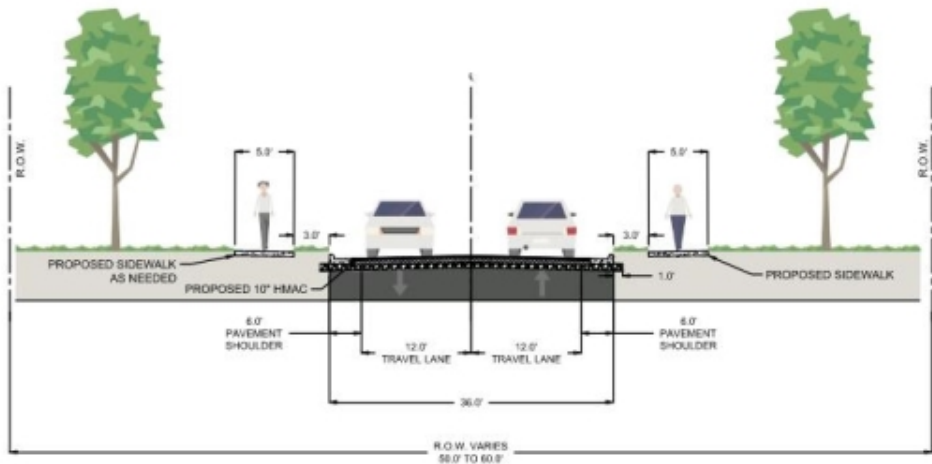
- **Option 2:** Design the road based on preserving roadway character with curb and gutter (a portion of the road currently has curb and gutter), where turn lanes are not needed for intersecting roadways, decrease overall roadway width to more closely mimic existing width.
- Two plus lanes built as asphalt sections of varying widths of 30 feet, 35 feet and 40 feet (front-of-curb to front-of-curb) based on location.
 - Nine right-of-way parcels: Six parcels from Pleasant Run Road east along south side of Tinker and three parcels west of SH26/Colleyville Boulevard.
 - Removal of eight trees and various Crape Myrtles and landscape improvements in existing or acquired right-of-way.



WS-2 Tinker Road

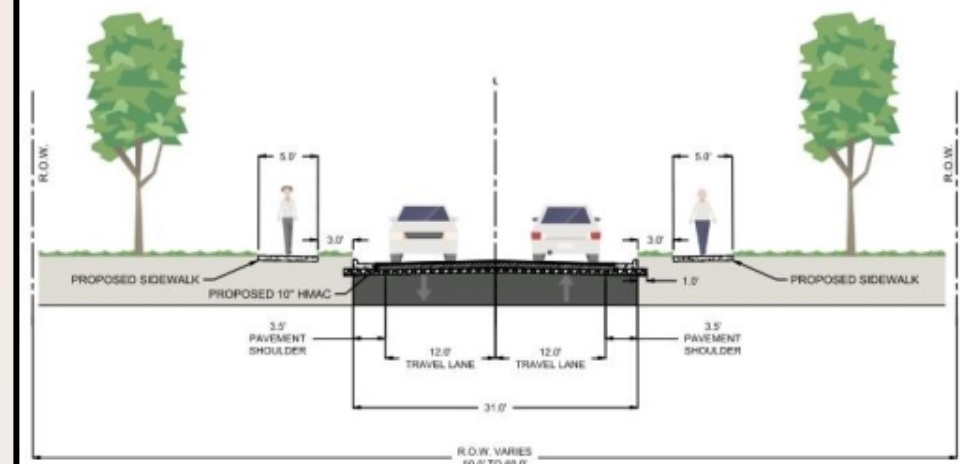


Option 2:

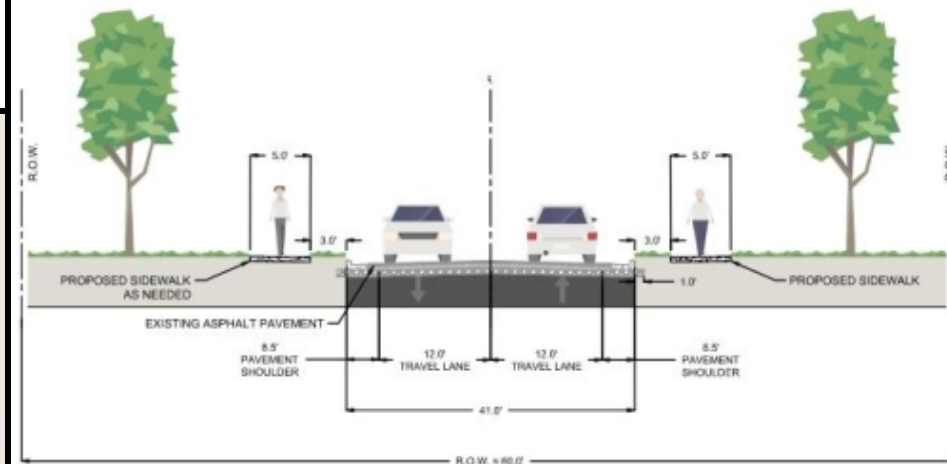


TYPICAL SECTION OPTION 2:
TINKER ROAD EAST OF PLEASANT RUN ROAD
TO 400' WEST OF EMERALD DRIVE
&
200' WEST OF PONDEROSA STREET TO KINGSTON STREET

Proposed widening of
Tinker Road
(New pavement, curb
and gutter, and
sidewalks to be added)



TYPICAL SECTION OPTION 2:
TINKER ROAD EAST OF CALDWELL HUGHES ROAD
TO 200' EAST OF PONDEROSA STREET



TYPICAL SECTION OPTION 2:
TINKER ROAD 400' WEST OF EMERALD DRIVE
TO CALDWELL HUGHES ROAD

Existing 41' portion of Tinker Road
(Sidewalks to be added as needed)

WS-2 Tinker Road

Items to be considered as part of the project scope could include the following improvements:

- Intersection improvements at Pleasant Run and Tinker Roads, as the intersection was designated as a Special Consideration Intersection in the 2015 Master Thoroughfare Plan. This could include an additional turn lane from Tinker Road and Pleasant Run Road or a one lane round-about .
- Storm drainage improvements along Tinker Road will benefit other roadways such as Ponderosa Lane.
- Tinker Road right-of-way is very narrow in places, varying from 40 feet to approximately 80 feet depending on location. The existing limited space is occupied by streets, sidewalks, trees and franchise utilities.

**Looking at improvements at Pleasant Run Road from
21-foot wide existing section**



**Looking at improvements near Ponderosa Lane and
Kingston Drive and required right-of-way**



Questions and Discussion



City of Colleyville City Council Agenda Briefing

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

Agenda Number WS-3

Agenda Date 7/21/2020

Type Worksession

Department Public Works

Title

Discussion of the Drainage Utility System Rate Study

Explanation

On June 15, 1993, City Council adopted Ordinance O-93-902, declaring the drainage of the City of Colleyville to be a public utility in order to, "Protect the public health and safety from loss of life caused by surface water overflows, surface water stagnation, and pollution arising from non-point of source runoff within the city."

On August 31, 1993, City Council adopted Ordinance O-93-912, which established a schedule of drainage utility charges to be levied on all property within the boundaries of the City of Colleyville, except those properties specifically exempted in the Ordinance. The fee schedule established a monthly flat rate of \$4.00 for all residential lots or tracts, and a varying rate, based on land use, ranging from \$6.10 for park land to \$13.94 per acre for business/ commercial properties. The establishment of the drainage utility system and the schedule of charges are codified in Part II, Chapter 98, of the Code of Ordinances of the City of Colleyville.

On September 5, 2000, City Council adopted Ordinance O-00-1239, amending the schedule of charges by increasing the residential rate to \$6.00 per month, and the range of the non-residential charge from \$9.15 to \$20.91 per acre per month.

On September 20, 2005, City Council adopted Ordinance O-05-1545, again increasing the residential fee to \$7.00 per month, and the range of the non-residential fee from \$10.68 to \$24.40 per acre per month. These rates are the rates currently in effect as contained in the attached Section 98 of the Code of Ordinances.

Staff entered into a professional services agreement with Westra Consultants, LLC to perform a stormwater utility rate study. The study includes a review of the current fees and revenue generated, determine the correlation of generated revenue to fund operations and capital improvement costs associated with drainage project recommendations, and based upon the findings, if the current fee structure is reasonable and equitable. When the drainage utility was created, the enabling ordinance declared, "The City will offer drainage service on non-discriminatory, reasonable, and equitable terms."

Colleyville was one of the first cities in north Texas to adopt a drainage utility, and had very little precedent upon which to develop the program and establish the schedule of fees, so it was determined land use would be the basis for fees. Over the years, as more cities have established drainage utilities, the most commonly accepted

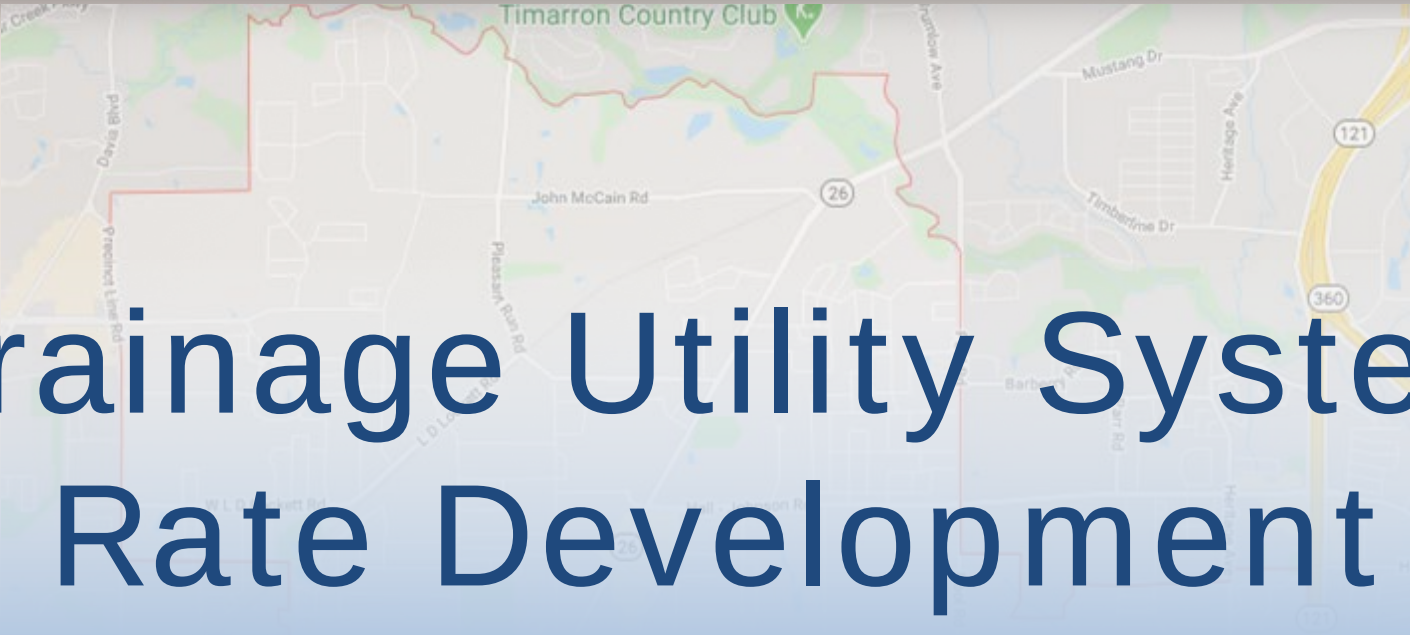
methodology, and the most equitable, is based on runoff, which is a function of impervious surface on a parcel of land.

The analysis includes the evaluation of other municipal residential drainage utility fees for similar cities and the methodology used and assessing a sample of Colleyville's fees based on impervious area instead of land use to determine if equitability of fees will improve as the fee and the service being provided more closely correlate.

This discussion is not intended to be about the amount being charged, but if the fees are reasonable and equitable. If Council desires changing the methodology of assessing fees, an in-depth analysis will be performed and staff will present recommendations on a potential rate structure at a future meeting.

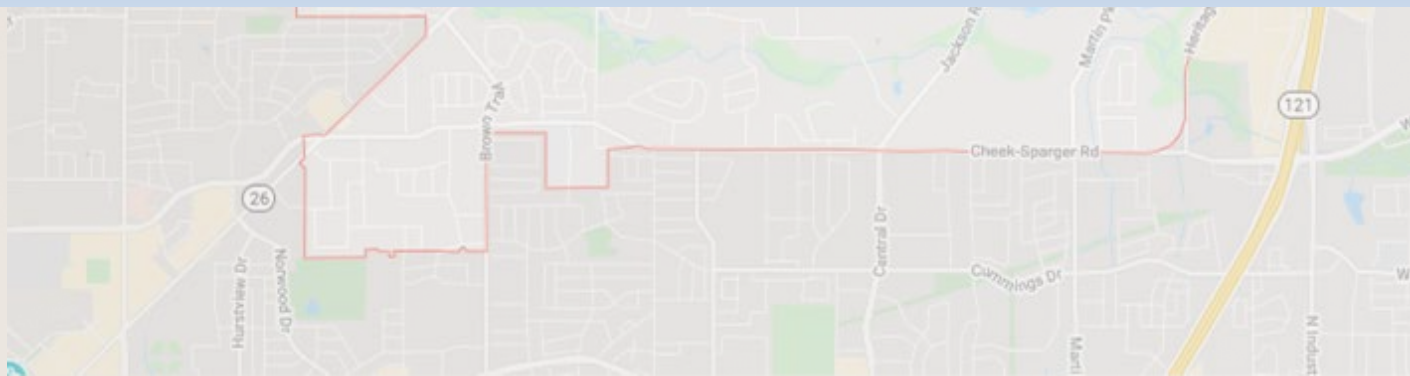
Attachments

1. Drainage Fee Presentation



Drainage Utility System Rate Development

July 21, 2020



Drainage Utility System



Provide additional revenue source to:

1. Fund capital stormwater projects needed to provide for adequate drainage and protect property from flooding.
2. Pay for operation and maintenance of the existing drainage systems.
3. Pay for those federally mandated requirements of the Clean Water Act and the Texas Commission on Environmental Quality (TCEQ) stormwater permit.

Drainage Utility Recap



- Current flat rate is \$7.00 per month for residential.
- Current drainage utility annual revenue = \$1,000,000
Annual O&M Cost deduction = - \$600,000
Available for CIP projects = \$400,000
- Current rate structure disparity within classes of residential and commercial properties.
- Restructure the drainage utility fee based on impervious areas.
- Projected drainage fees and revenues for two impervious area-based methods.
- Examples for residential and commercial properties.

Current Drainage Utility Fee Recap



- Current rate structure developed in 1993.
- Last rate increase in 2005.

Current Approach

- **Fee Structure**
 - Flat rate per month on water bill
 - \$7.00/residential
 - \$10.68 - \$24.40 per acre non-residential & land use
- **Revenue: ~\$1,000,000**

Non-Residential Land Use	Monthly Fee Per Acre
Parkland, Open Space	\$10.68
Church	\$15.25
School, Business, Commercial, Industrial	\$24.40

Possible Rate Revision Options



- X **Option 1** = Maintain the current fee structure & increase fee.
 - Flat fee does not account for property impervious areas.
 - Disparity among classes of property.

- ✓ **Option 2** = All non-residential properties pay the same rate per an established **ERU** (equivalent residential unit) and residential properties pay based on a range of impervious areas (**4 tiers**).
 - More equitably accounts for all classes of property.
 - Easier to administer for residential.

- ✓ **Option 3** = All properties pay the same rate per square foot of **impervious area**.
 - Most equitable given the large variation in residential impervious area.
 - More time consuming to administer.

Example Residential Recap



1

1.3 Acres

5,700 sf
impervious
(10%)

Current \$7.00
Option 2 \$12.62
Option 3 \$11.40

2

2.5 Acres

20,000 sf impervious
(18%)

Current \$7.00
Option 2 \$25.64
Option 3 \$40.00

3

0.5 Acres

8,900 sf
impervious
(45%)

Current \$7.00
Option 2 \$16.45
Option 3 \$17.80

Discussions



Notes from Council Workshop on June 2, 2020:

- Develop a **baseline** for changing to an impervious area structure.
- Baseline should be based on current revenues and **average residential impervious area** for the City.
- Evaluate the effects on residential and commercial rates by using this baseline rate.
- Set the new fee and rates using this starting point.

Discussions



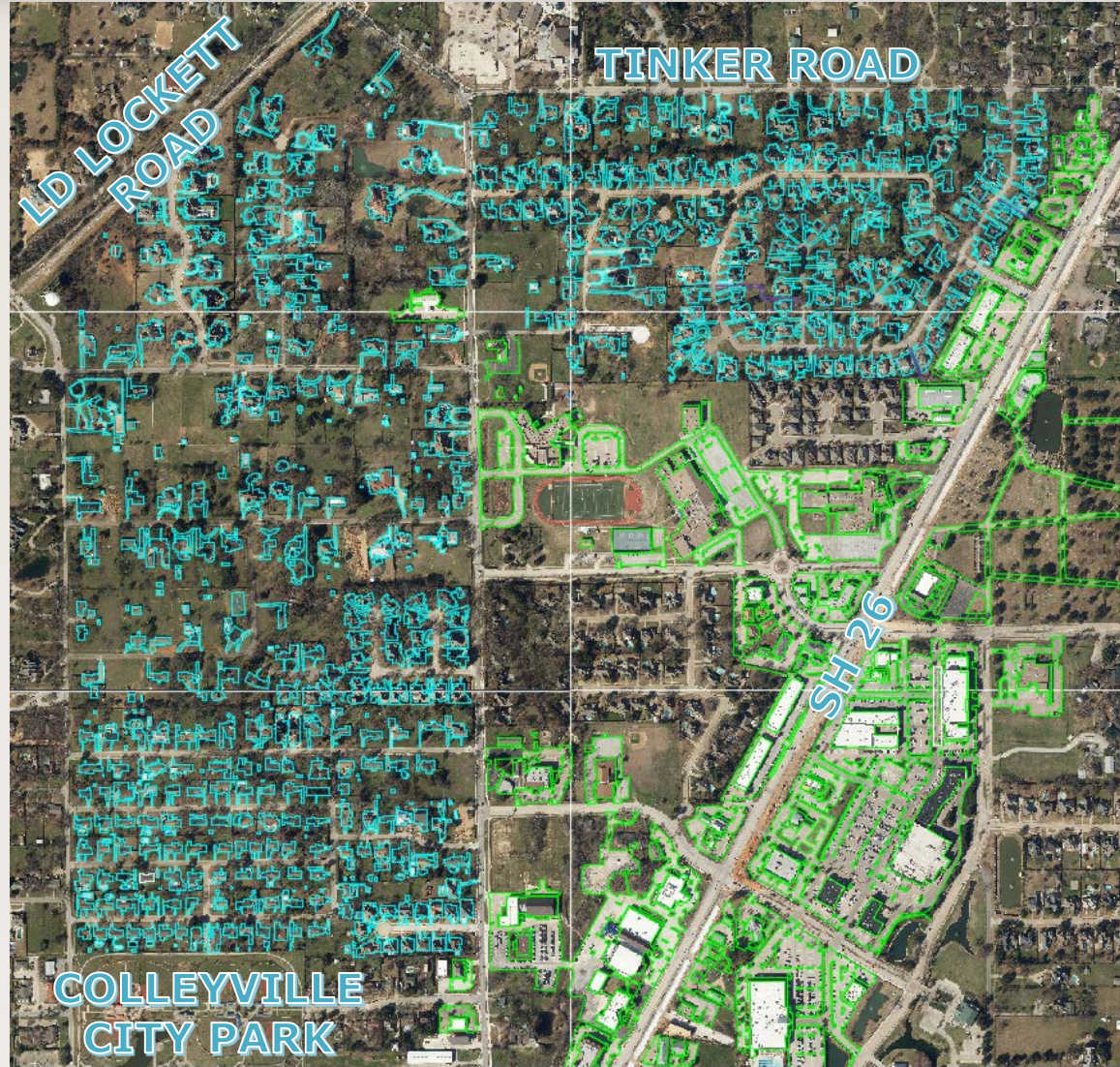
Notes from Council Workshop on June 2, 2020 (continued):

- **Communication** is imperative. Need time for public outreach and meetings to properly inform.
- Be sensitive to **timing**, current economic climate, and impacts to non-residential.
- Be cautious using a “**tier**” system for residential.
- What are the effects on drainage **runoff** for larger properties versus smaller? Encourage more **open space**.
- Consider a **phased** approach to increasing fees.

Setting a Baseline



- Sample Area
- 400 Residential Lots
- Median residential lot = 20,000 sf
- Median residential impervious area = **7,00 sf**
- Set baseline at 7,000 sf of impervious area



Baseline Fee Projection



Projected Drainage Utility Fee Revenue by Impervious Area

Property Type	Total Land Area (Million Sq. Ft.)	Sample Area % Impervious	Estimated Impervious Area (Million Sq. Ft.)	Estimated Impervious Area (ERUs)	% of Run-Off	Projected Annual Revenue
Residential	226	26.8%	60	8,571	71%	\$720,000
Non-Residential	<u>47</u>	52.5%	<u>24</u>	<u>3,429</u>	29%	<u>\$288,000</u>
Totals	273		84	12,000		\$1,008,000

1 ERU = 7,000 square feet impervious area @ \$7.00

Baseline Fee Projections



Baseline Structure

- Charge of \$7.00 monthly per 7,000 sf of impervious area
- Revenue Neutral: ~\$1,000,000 annual revenue
- Each \$1.00 of monthly rate generates \$145,000 annually

Increase Rate By	Incremental Increase	Total Revenue	Less O&M	CIP Budget
\$0	\$0	\$1,000,000	\$600,000	\$400,000
\$1.70	\$250,000	\$1,250,000	\$600,000	\$650,000
\$3.40	\$250,000	\$1,500,000	\$600,000	\$900,000
\$6.90	\$500,000	\$2,000,000	\$600,000	\$1,400,000
\$11.00	\$600,000	\$2,600,000	\$600,000	\$2,000,000

Example Baseline Fees: Residential Comparison



1

1.3 Acres

5,700 sf
impervious
(10%)

Current \$7.00
Option 2 \$12.62
Option 3 \$11.40

Baseline \$5.70

2

2.5 Acres

20,000 sf impervious
(18%)

Current \$7.00
Option 2 \$25.64
Option 3 \$40.00

Baseline \$20.00

3

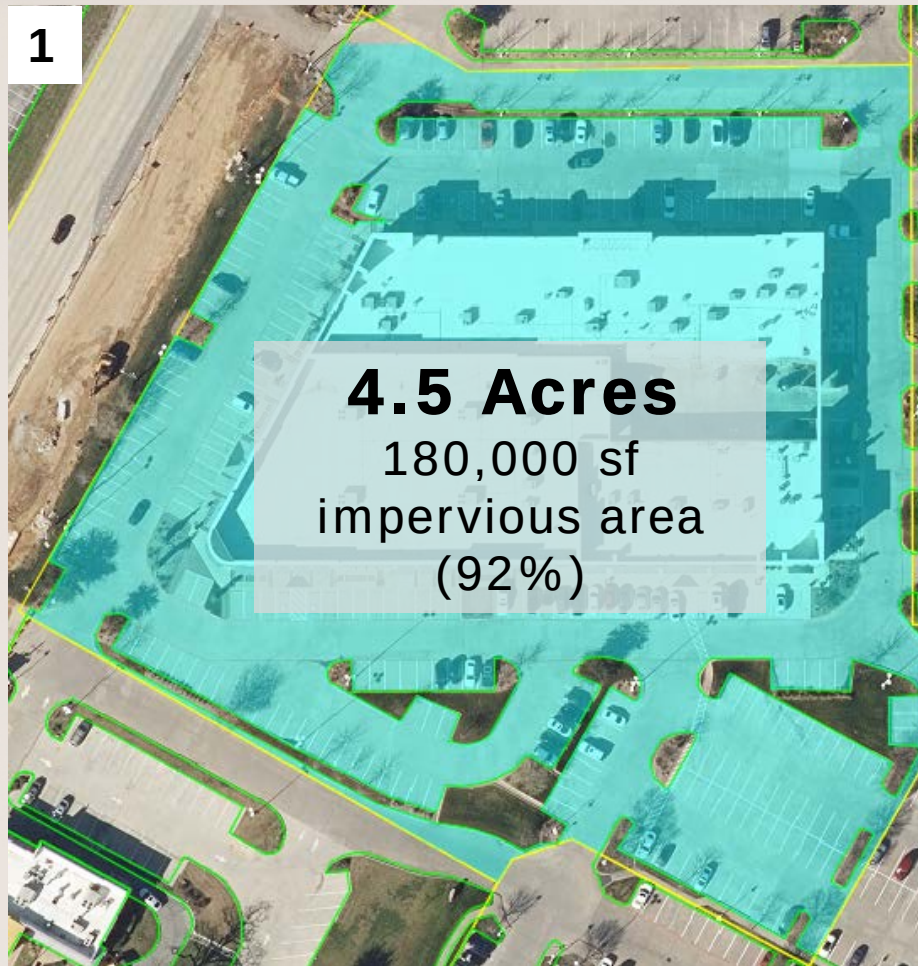
0.5 Acres

8,900 sf
impervious
(45%)

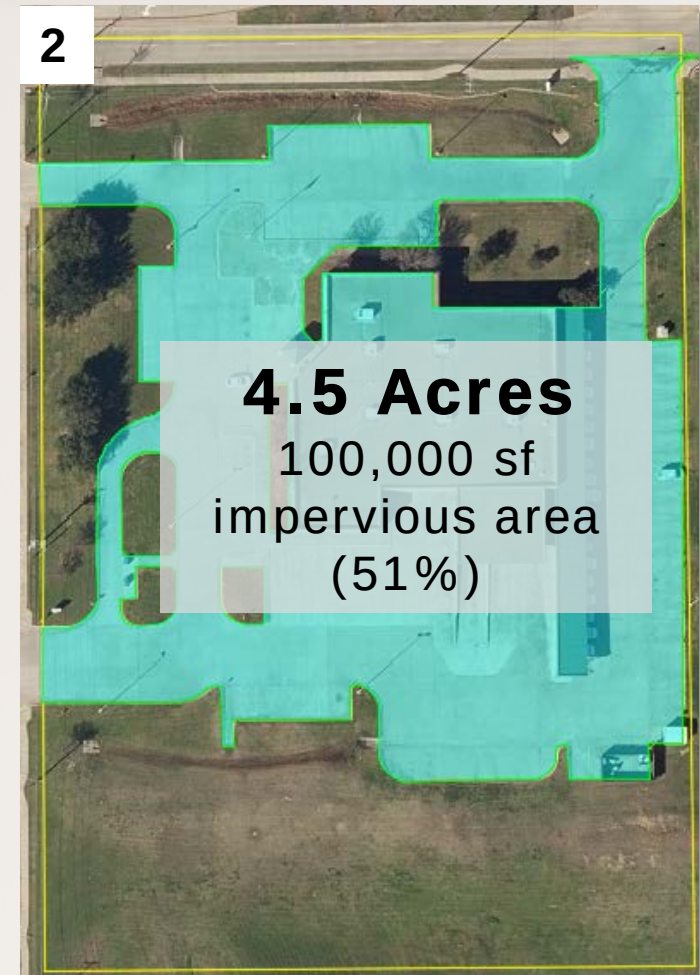
Current \$7.00
Option 2 \$16.45
Option 3 \$17.80

Baseline \$8.90

Example Baseline Fees: Commercial Comparison



Current \$122, Baseline \$180

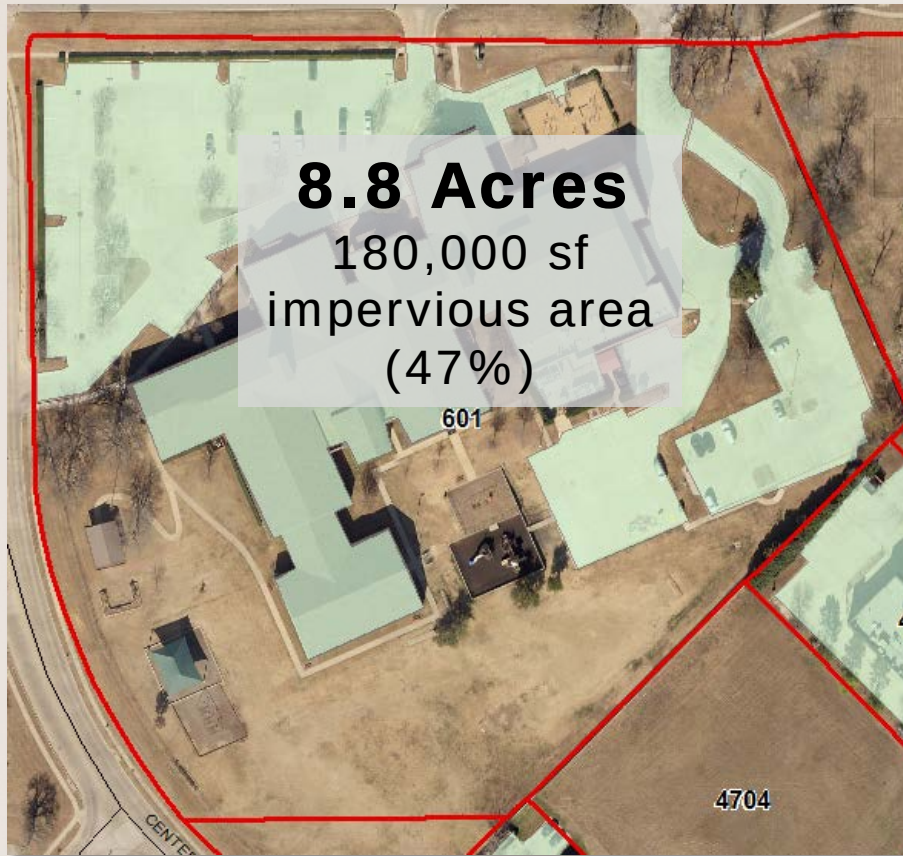


Current \$122, Baseline \$100

Example Baseline Fees: School and Commercial

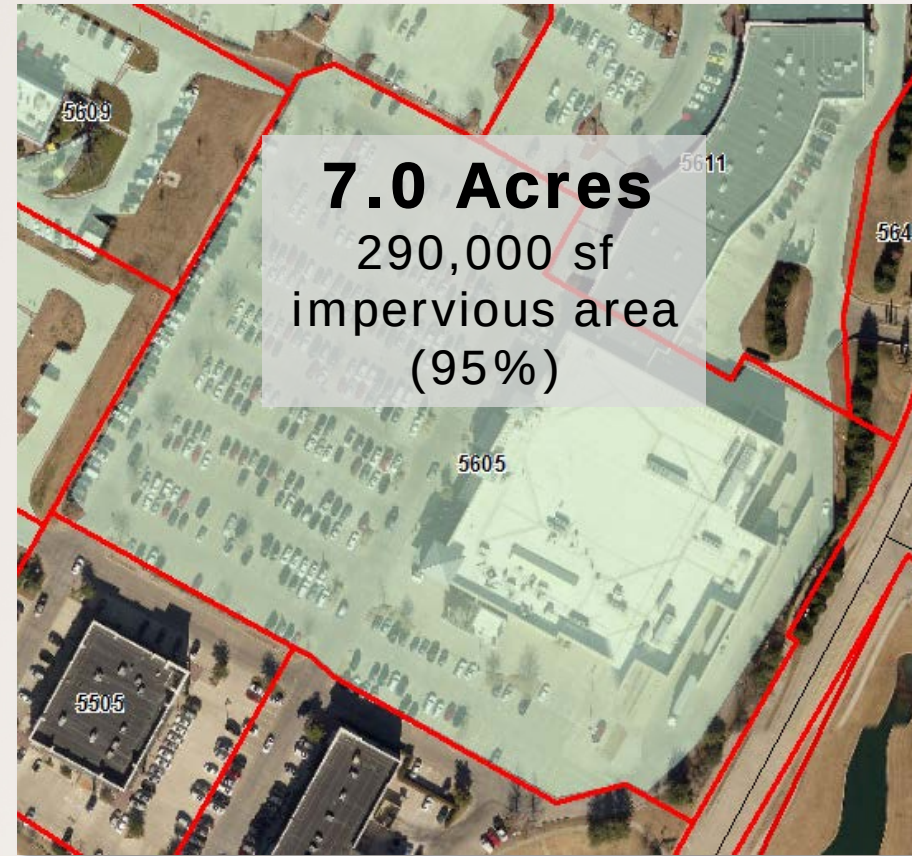


Bransford Elementary



Current \$210, *Baseline \$180*

Market Street



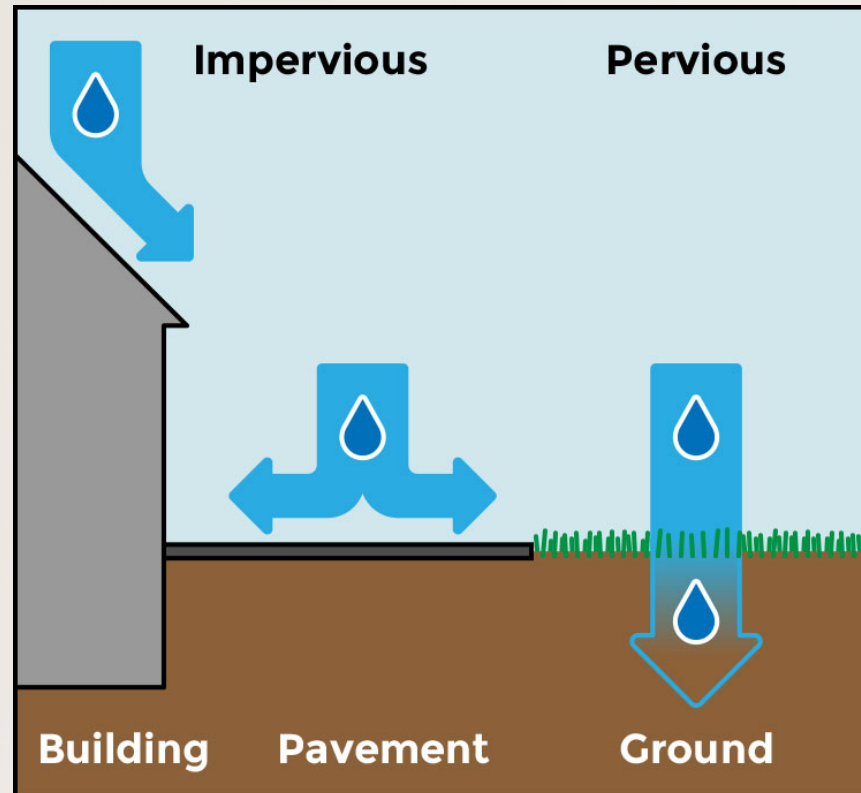
Current \$171, *Baseline \$290*

Impervious Area & Stormwater



Public Outreach Message

Impervious areas cause stormwater runoff which increases the needed capacity and cost of the City's drainage system.

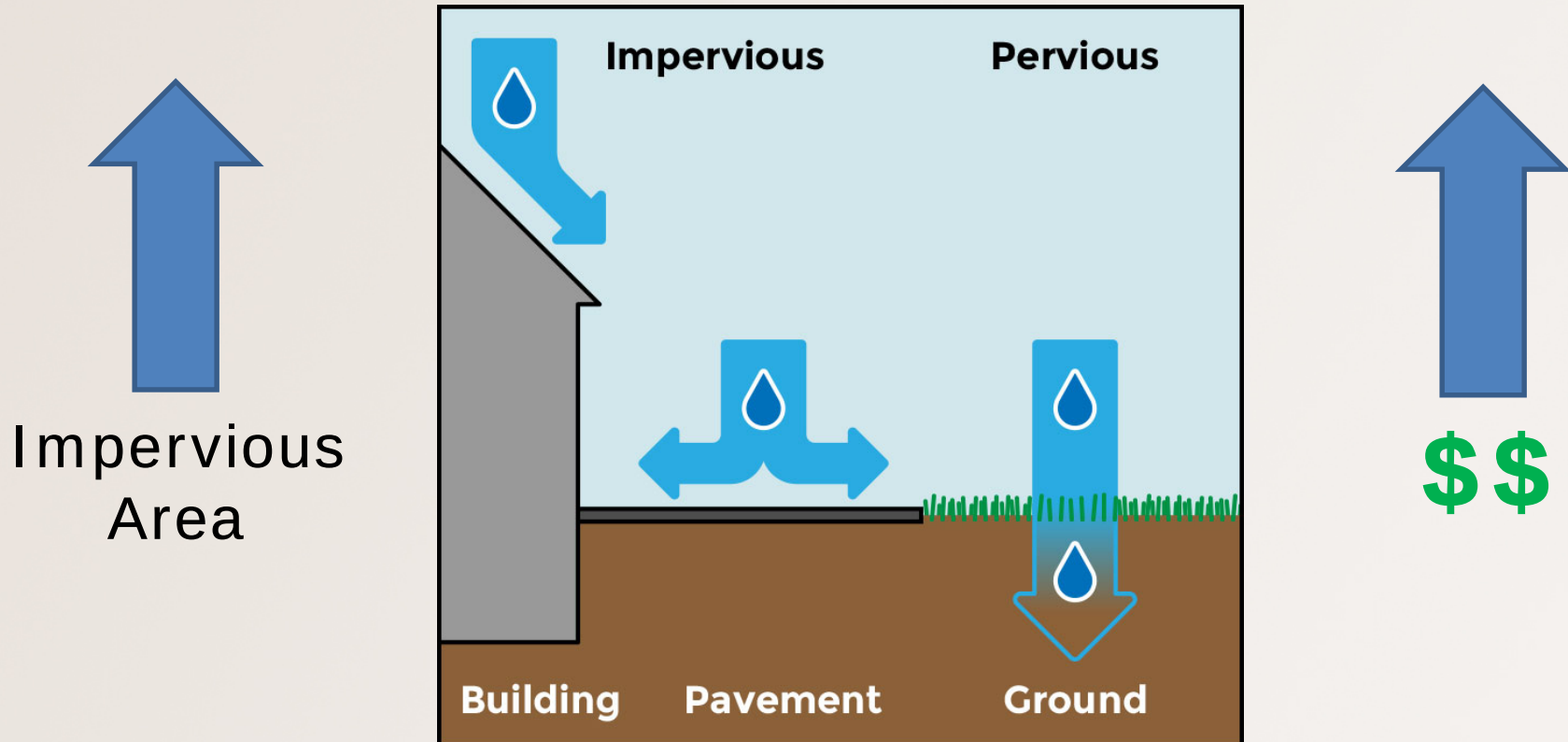


Impervious Area & Stormwater



Public Outreach Message

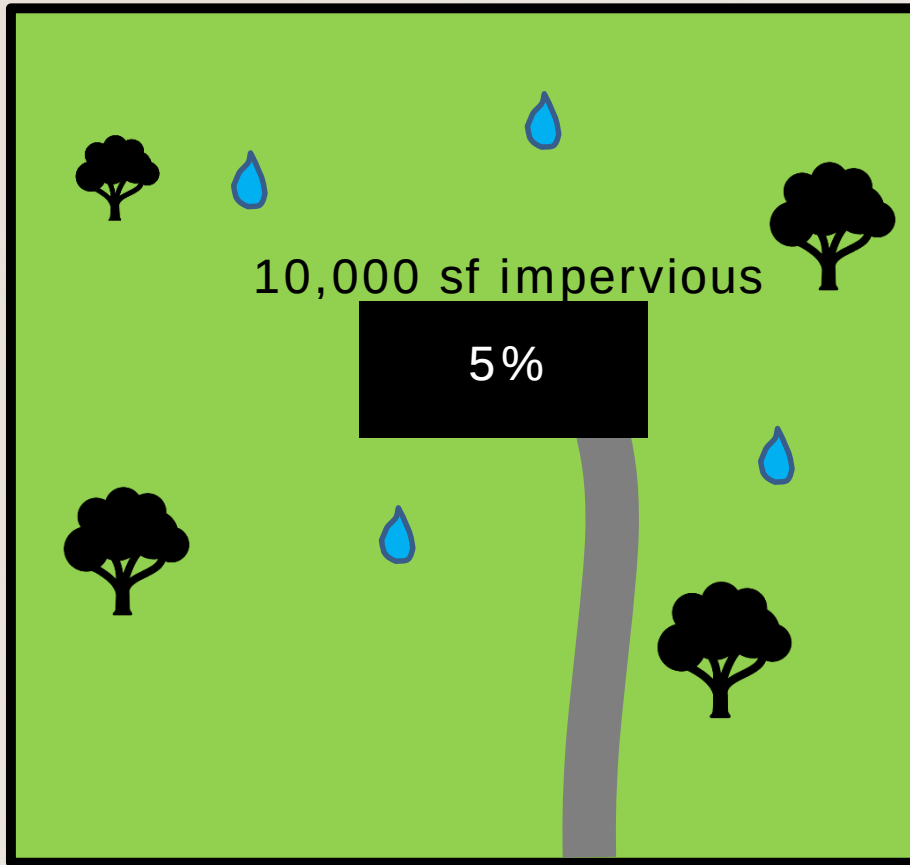
Impervious areas cause stormwater runoff which increases the needed capacity and cost of the City's drainage system.



Runoff Comparison



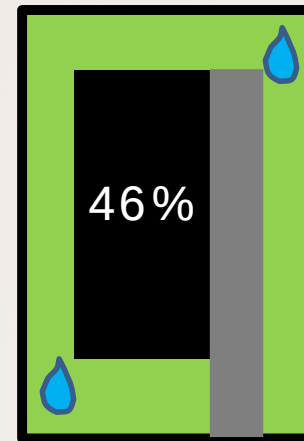
Property 1



5 Acres
Residential

Property 2

10,000 sf impervious



0.5 Acre
Residential

Runoff Calculation



Rational Method

$$Q = CIA$$

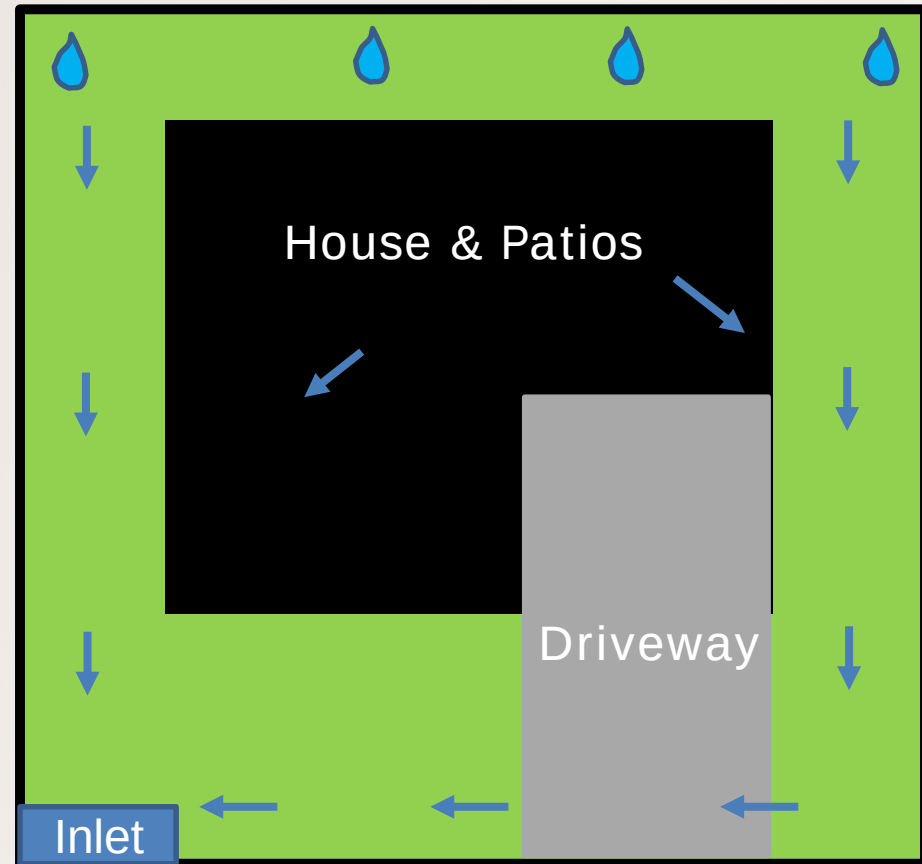
Q = rate of runoff (cfs)

**C = runoff coefficient
(ratio of rainfall to
runoff)**

I = rainfall intensity (in/hr)

A = drainage area (acres)

Example

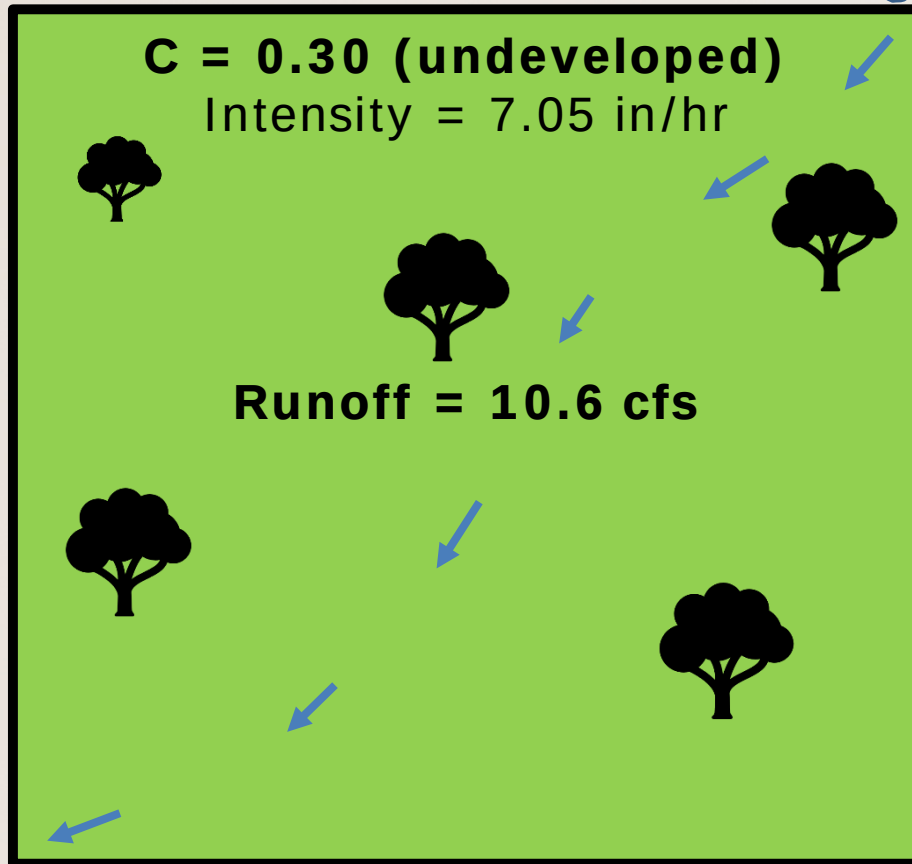


0.5 Acre
Residential

Runoff Comparison Pre-development



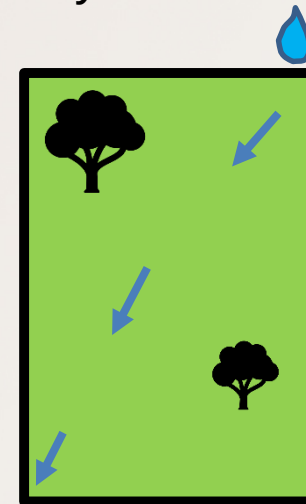
Property 1



5 Acres
Residential

Property 2

C=0.30 (undeveloped)
Intensity = 7.98 in/hr



Runoff = 1.2 cfs

0.5 Acre
Residential

Runoff Comparison Post-development



Property 1

C = 0.33 (developed)

Intensity = 7.39 in/hr

10,000 sf impervious

(5%)

Runoff = 12.2 cfs

5 Acres
Residential

Property 2

C = 0.62 (developed)

Intensity = 9.24 in/hr

46%

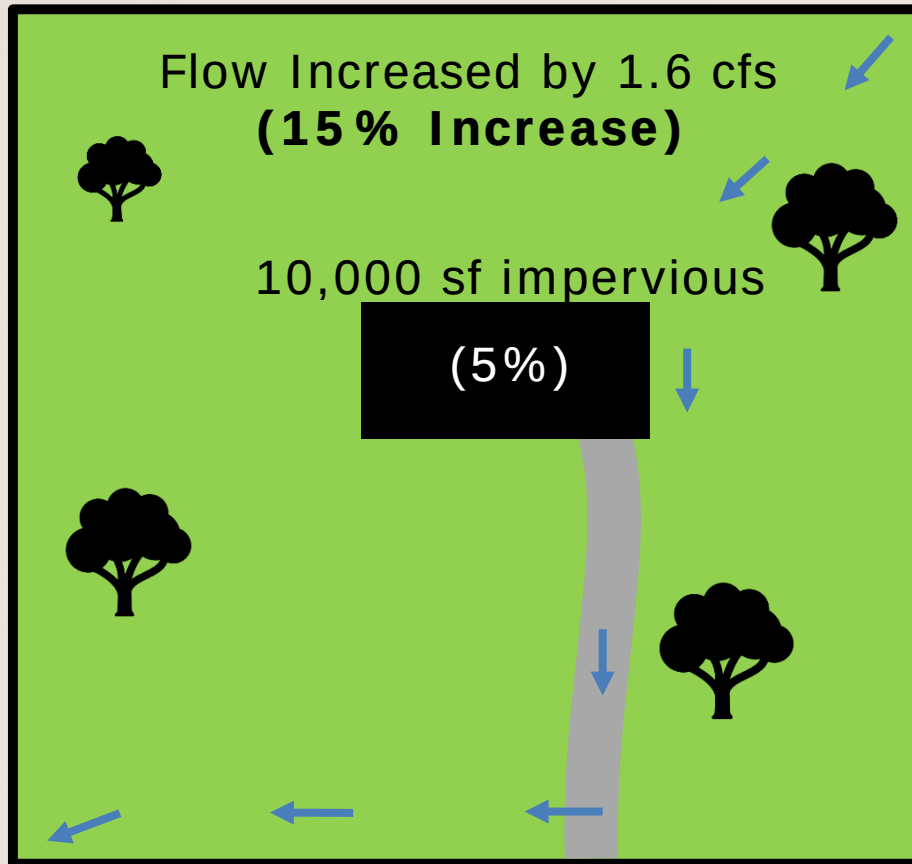
Runoff = 2.9 cfs

0.5 Acre
Residential

Runoff Comparison Results



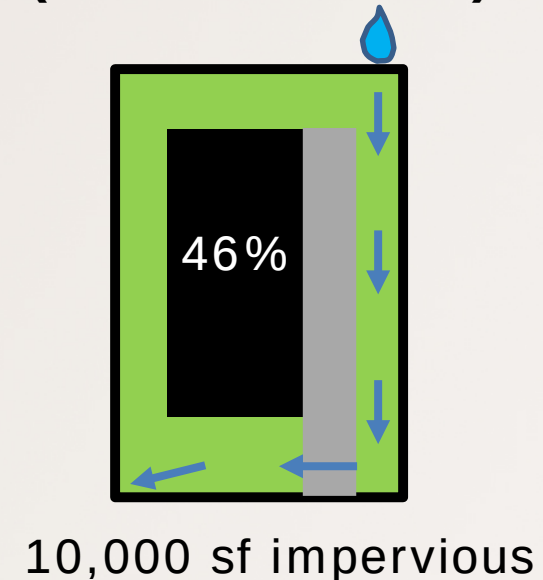
Property 1



5 Acres
Residential

Property 2

Flow Increased by 1.7 cfs
(140% Increase)

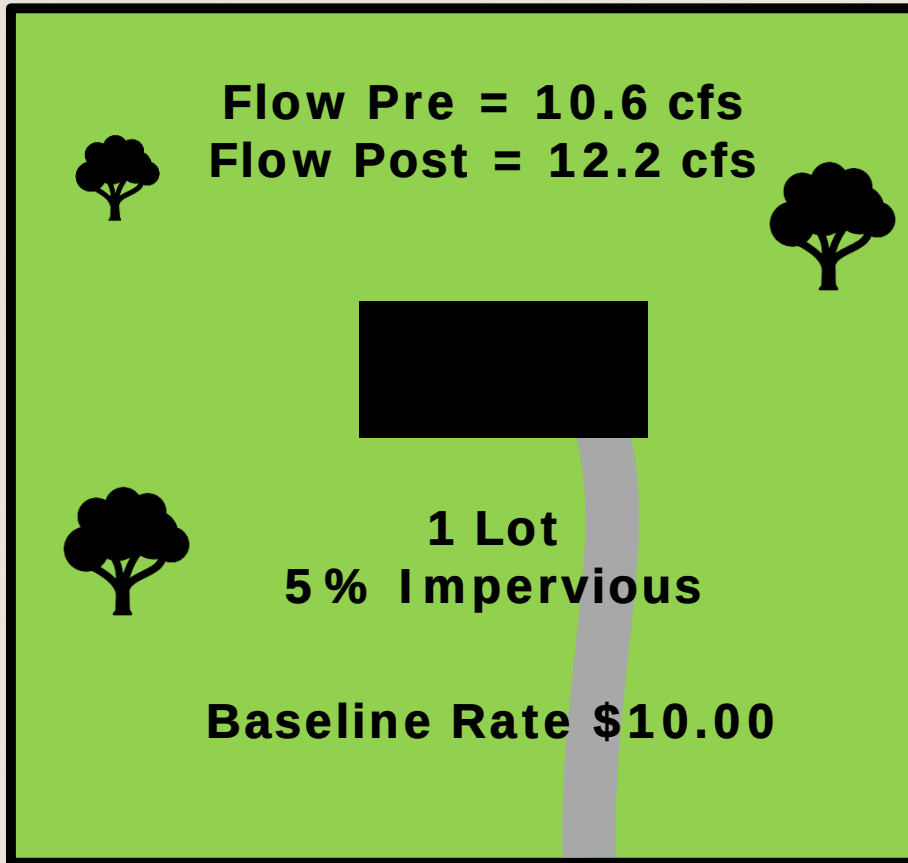


0.5 Acre
Residential

Runoff Comparison Development



Property 1



5 Acres
Residential

10 Lot Development



5 Acres
Residential

Runoff Comparison Summary Table



	Property 1	Property 2	Development
# Homes	1	1	10
Total Land Area	5 acres	0.5 acres	5 acres
Impervious Area	10,000 sf	10,000 sf	100,000 sf
Pre-development Runoff	10.6 cfs	1.2 cfs	10.6 cfs
Post-development Runoff	12.2 cfs	2.9 cfs	28.6 cfs
Runoff Increase	1.6 cfs	1.7 cfs	18 cfs
Baseline Rate	\$10 / mo	\$10 / mo	\$100 / mo (10 homes)

Phased Implementation



1

- Consider rate changes and methods.

2

- City Council selects methodology.

3

- Public outreach process.

4

- Implement revenue neutral rate change.

5

- Set revenue goals to execute Stormwater Master Plan projects.

Summary



- Charging fees based on impervious area is fair, equitable and clear to understand.
- Impervious areas create stormwater runoff increases and are easy to identify.
- Baseline ERU has been established at 7,000 sf for revenue projections.
- Each \$1.00 increase will increase annual revenue by \$145,000.



Additional Considerations



- ✓ Revise the fee structure to be more **equitable** using **impervious areas**.
- Considerations for Council:
 1. What annual revenue do we need for CIP projects?
 2. What utility rate increases do you support?
 3. Do we establish a credit system for fee reductions?
 4. Should we phase a rate increase over time?
 5. When do we want to start implementation?



Questions?

The background is a map of Colleyville, Texas. A red line outlines a specific area within the city. The map shows various streets including John McCain Rd, Pleasant Run Rd, W L D Lockett Rd, W Glade Rd, Brow's Trail, Cheek-Sparger Rd, Central Dr, Cummings Dr, Jackson Rd, Martin Pkwy, Heritage Ave, Mustang Dr, Timberline Dr, Barberry Rd, and Pool Rd. It also shows landmarks like the Timarron Country Club and Glade Parks. Highway markers for 26, 121, and 360 are visible.



City of Colleyville City Council Agenda Briefing

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

Agenda Number WS-4

Agenda Date 7/21/2020

Type Worksession

Department City Secretary

Title

Discussion of the July 21, 2020 City Council regular agenda items



City of Colleyville City Council Agenda Briefing

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

Agenda Number 1

Agenda Date 7/21/2020

Type Executive Session

Department City Secretary

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 case for Parcel 150

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

- Acquisition of real property along Main Street
- Acquisition of real property along SH26
- Acquisition of right-of-way along Glade Road for the Roberts Road Project

Section 551.087 - Economic Development - Discuss or deliberate regarding commercial or financial information the City has received from business prospects 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-20-4517

**A RESOLUTION APPROVING COUNCIL ACTION
REGARDING EXECUTIVE SESSION ITEMS AT THE REGULAR
CITY COUNCIL MEETING OF JULY 21, 2020**

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 ON THIS THE 21ST DAY OF JULY 2020.

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 7/21/2020

Type Announcements, Proclamations, and Presentations

Department City Secretary

Title

Presentation of the Mission Life Line Recognition to the Colleyville Fire Department
- Chief Mark Cantrell and Mayor Richard Newton

Attachments

RESOLUTION R-20-4518

**A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER
CONSENT ITEMS AT THE REGULAR CITY COUNCIL MEETING OF
JULY 21, 2020**

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 July 7, 2020
 - b. Approval to use the Voluntary Library Fund in Fiscal Year 2020, for the purchase of library equipment, including an ECO-Master 50-Disc Repair Machine, in an amount not to exceed \$16,025

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _ AYES, _ NAYS ON THIS THE 21ST DAY OF JULY 2020.

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 Minutes - Draft

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

Tuesday, July 7, 2020

City Council Chambers

Mayor Richard Newton called the Colleyville City Council Worksession to order on Tuesday, July 7, 2020, at 5:03 p.m.

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

ALSO PRESENT: City Manager Jerry Ducay, Assistant City Manager Adrienne Lothery, Police Chief Michael Miller, Fire Chief Mark Cantrell, Public Works Director Ray Silva-Reyes, Finance Director Kyle Lester, City Attorney Whitt Wyatt, and City Secretary Christine Loven.

Mayor Newton welcomed everyone and stated the room has been rearranged to provide appropriate social distancing and remove the need for masks.

WS-1 Follow-up discussion of SH26 Gateway Elements

Assistant City Manager Adrienne Lothery introduced this item stating the purpose of this presentation is to receive direction from City Council with the goal of being able to move toward preparation of construction documents and going out to bid.

David Newman and Stan Cowan, MESA, reviewed the designs and provided a "perspective" video for the gateway elements and answered questions of the City Council.

There was general discussion of stone signage, the tower heights with finials, and the project timeline. The City Council directed MESA to move forward with the towers being the tallest option presented. That is 90 feet in height for the southern gateway, the John McCain and Main Street towers were shorter.

Councilmember Kelley stated for the record he thought the 90 foot tower was too big and blocky.

Mayor Pro Tem Lindamood stated he thinks the towers will be impressive when the drooping wires are straightened up and the light poles are installed. He further confirmed TIF funding is being used for the gateway elements.

Mr. Newman stated they will move forward with the construction documents and will come back to City Council with any questions and updates.

WS-2 Discussion of the draft Capital Improvement Program (CIP)

Public Works Director Ray Silva-Reyes provided an overview of the benefits of a CIP, highlights of the FY2020 CIP, and proposed FY2021 projects.

City Council thanked Director Silva-Reyes and his team for all their efforts in creating and overseeing all the CIP projects.

WS-3 Discussion of landscape design for Glade Road/Riverwalk Drive roundabout

Assistant City Manager Adrienne Lothery presented this item. The size, possible art, and the roundabout layout were discussed. City Council directed staff to provide a rendering with the roundabout dimensions and overlays for landscape and sculptures for further Council review and direction.

WS-4 Discussion of a date for the City Council Goal Setting Worksession

The City Council chose the date of Wednesday, July 22, 2020 at 12 noon for the goal setting worksession.

WS-5 Discussion of the July 7, 2020, City Council regular agenda items

Mayor Newton stated there were four first reading ordinances on the agenda and the two tabled ordinances will remain tabled.

Mayor Newton adjourned the Worksession at 6:12 p.m.

Mayor Newton called Executive Session to order at 6:12 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.

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 case for Parcel 150

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

- Acquisition of real property along Main Street
- Acquisition of real property along SH26
- Acquisition of right-of-way along John McCain Road

Section 551.074 - Personnel - Deliberate the appointment, employment, evaluation, and duties of the City Manager

Section 551.087 – Economic Development - Discuss or deliberate regarding commercial or financial information the City has received from business prospects 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 explained the Executive Session had been called in accordance with the Texas Government Code, Chapter 551, Subchapter D, Section 551.071, Legal, Section 551.072, Real Estate, Section 551.074 – Personnel, and Section 551.087, Economic Development. He further explained there would be no decisions made or action taken during this time. Executive Session was adjourned at 7:08 p.m.

The regular meeting of the Colleyville City Council was called to order by Mayor Newton at 7:31 p.m.

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

INVOCATION: Pastor Jeff Strickland, Journey Church

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-20-4513

Mayor Newton read Resolution R-20-4513 in its entirety.

Public Works Director Ray Silva-Reyes presented this item, stating the purchase is for right-of-way along John McCain which will allow for the hike and bike trail to be completed to the Cotton Belt Trail, all the way to McPherson Park.

Mayor Newton stated the CIP provides the plan and funding to fill in the gaps in the trail.

Mayor Newton opened the public hearing at 7:36 p.m. There was no one present wishing to speak and Mayor Newton closed the public hearing at 7:36 p.m.

Mayor Pro Tem Lindamood thanked the property owners for working with the City.

Councilmember Dodson made a motion to approve Resolution R-20-4513, seconded by Councilmember Rigney.

The motion to approve carried by the following vote:

Ayes: 7 – Mayor Newton, Mayor Pro Tem Lindamood, and Councilmembers Nakamura, Wheat, Dodson, Kelley, and Rigney

Mayor Newton read Resolution R-20-4513-1 in its entirety.

Mayor Newton stated the City Manager is evaluated by the City Council, following the standard evaluation process which includes a self-evaluation and a 10-part criteria and rating system. He noted each Councilmember completes an evaluation for the City Manager and scores are averaged.

The Mayor and each of the Councilmembers thanked the City Manager for guidance and leadership.

Mayor Newton opened the public hearing at 7:42 p.m. There was no one present wishing to speak and Mayor Newton closed the public hearing at 7:42 p.m.

Mayor Pro Tem Lindamood thanked the property owners for working with the City.

Councilmember Kelley made a motion to approve Resolution R-20-4513-1, seconded by Councilmember Nakamura.

The motion to approve carried by the following vote:

Ayes: 7 – Mayor Newton, Mayor Pro Tem Lindamood, and Councilmembers Nakamura, Wheat, Dodson, Kelley, and Rigney

3. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

Announcements of civic and charitable events

Presentation of calendar events and updates

Announcements of awards and recognition

Mayor Newton provided the following update on COVID-19:

COVID-19 Update: Both COVID-19 testing and COVID-19 cases have been increasing across our state and our region. As of today, Colleyville had 45 active cases and thankfully still no deaths. I have said numerous times that each of us individually have the most control over our safety regarding the coronavirus. I urge you to avoid crowds and socially distance. If you are around people outside your family, please wear a mask. Even though numerous media and social media

have said I am opposed to masks – that is not true. I regularly wear a mask and I encourage others to do so. In fact I am asking as Mayor of Colleyville that you voluntarily follow all safety protocols. That is in your best interests, your family's best interests, and your friends and neighbors best interests. I have the upmost confidence in Colleyville residents – you are intelligent, have pride in our community, and care about your family and others. Please do this for your own sake.

Here is a summary of the facts as I see them. As I've told you many times, I track hospital beds in use by COVID patients – or hospital bed capacity, ventilator capacity and deaths. AS of today Tarrant County hospital bed available capacity is at 32%, just as it was when I did my last video update. Ventilator available capacity is still at 67% and the death rate is not increasing. As of today Tarrant County total deaths are 0.0001 per person in the county – that's 248 total deaths.

If you look at the statistics for testing and deaths by age group, you find that 59% of cases are in the age group less than 45 years old while only 5% of the deaths are in that age group. However, while the age group older than 65 have only 12% of the cases, the over 65 age group has 67% of the deaths. So if you are older - like me – please take extreme precautions.

Testing is increasing dramatically in the under 45 age group, therefore more cases are coming in – thank goodness that age group is resilient and the death rate is not increasing.

In view of all of this the governor has issued a new order basically requiring that you wear a face mask if you are not socially distanced from others. If you are socially distanced – inside or outside – The governor's order does not require a mask. I think the governor is working hard to find a balance between our individual constitutional rights as free and healthy people and urging people to take every precaution against the risk of getting the virus. And I do the same.

City Councilmembers made the following announcements:

Stars & Guitars Event Wrap-up: Approximately 2,500 visitors enjoyed our annual Stars & Guitars Event June 26th. The event culminated with an exceptional, patriotic themed, fireworks show. This family-friendly event provided for social distancing with large open space and radio simulcast of the music for those choosing to remain in their cars. Thank you to all who worked to make this event possible.

Election Day Early Voting Information for Primary Runoff Election: Early voting will continue to take place at Colleyville City Hall, 100 Main Street, through July 10 for primary runoff elections. Election Day voting will also be held at Colleyville City Hall on July 14.

License Plate Reader Technology Success Story: A few meetings back, this council approved the purchase and installation of license plate readers (LDR) along SH26. We did so with the hope that such technology would assist in criminal investigations. Currently, only a single trailer-mounted LPR is in use within the city. Last week, that single unit assisted our department in apprehending a residential burglar. Police Chief Miller provided highlights of how police work and technology were combined to identify and locate the suspect.

Solicitors Active in Colleyville: Residents may notice solicitors in their neighborhood or at their door. It is that time of year when solicitors will be working in our area. All solicitors are required to have a permit from the city. Residents may also request they be added to the "no solicitation list" maintained by the city staff. If a solicitor is active without a permit, please contact the police department.

Census Update: Census workers begin knocking on doors August 11, to ensure all residents respond to the 2020 Census through October 31. In the meantime, the Census Bureau continues efforts to increase response rates across our region. Once again, Colleyville leads the county with the highest response rate – currently at 83.3%. If you have not completed your census response, please do so. Responses can be online, phone, or paper form. Call 817-503-1111 for additional information.

Library Offers Online Origami Program: Learn the art of Origami in a fun, easy, and interactive setting! This is a wonderful start if you want to learn to fold or improve your folding skills. You only need paper (6 or 8 inch is preferable). Remember, the smaller the square, the harder it will be to fold. Registration required to receive a WebEx event invitation by email. The event will be held on Sat., July 18, noon - 1:30 pm (Ages: 12+). Registration can be done online at ColleyvilleLibrary.com. You can also contact Adult Services at 817-503-1155 or reference@colleyville.com.

Encouragement: Mayor Pro Tem Lindamood thanked McKenzie Wollin, owner of Card My Yard, Colleyville, for placing all the encouraging signs around town.

4. CONSENT: READING AND PUBLIC HEARING- RESOLUTION R-20-4514

- 4a** Approval of the minutes of the regular City Council meeting of June 16, 2020
- 4b** Approval of the renewal of Superior Vision Insurance, and renewal and award of medical and dental insurance to BlueCross/BlueShield of Texas, and authorizing the City Manager to execute the agreements
- 4c** Approval of a Construction Services Agreement with The Fain Group, Inc., for the SH26 Beautification Project, in an amount not to exceed

\$5,748,040.30, and authorizing the City Manager to execute the agreement

Mayor Newton read Resolution R-20-4514 in its entirety.

Human Resources Director Jesse Perez presented item 4b and answered questions of the City Council. Director Perez explained the health insurance premium bidding process and stated after final negotiations, Blue Cross\Blue Shield was the low bidder offering a premium decrease of 0.2%.

Assistant City Manager Adrienne Lothery, Public Works Director Ray Silva-Reyes, and David Newman and Stan Cowan, of MESA, presented item 4c, reviewing the bidding process, the add/alternates, the selection of medium and high priorities, the review process and the recommendation of entering into an agreement with The Fain Group.

The Mayor and City Council thanked everyone for their work going into the bidding process which resulted in receiving bids under budget and allowing flexibility in options.

Mayor Newton opened the public hearing at 8:19 p.m.

Kathy Hadley, 204 Timberline Drive North, spoke in favor of 4c, stating the design sounds wonderful and encouraged the use of ground cover to soften the area and make it appear less stark. She also suggested involving the Garden Club. There were no others wishing to speak and Mayor Newton closed the public hearing at 8:22 p.m.

Mayor Pro Tem Lindamood made a motion to approve Resolution R-20-4514, seconded by Councilmember Nakamura.

The motion to approve carried by the following vote:

Ayes: 7 – Mayor Newton, Mayor Pro Tem Lindamood, and Councilmembers Nakamura, Wheat, Dodson, Kelley, and Rigney

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

5a Ordinance O-20-2122

Request to appeal the decision of the Planning and Zoning Commission for consideration of a Special Use Permit for a fence to extend into the required street side yard on Lot 1, Block 1, of the Stowe Addition, located at 816 Shelton Drive, Case ZC20-009

Mayor Newton read the caption of Ordinance O-20-2122.

Principal Planner Jackie Reyff presented this item stating the applicant is requesting a Special Use Permit to allow a five foot steel fence to be located approximately 10 feet from the corner street side property line, which is within the street side yard of the property.

Mark Cooper, 2804 Lake Brook Court, Highland Village, the builder and applicant representing the homeowner, stated the SUP for the fence is requested for safety along the driveway and privacy and security from Pleasant Run Road. He further explained he did not apply for a fence permit at the time the building permits were applied for and received and learned of the changes to the Land Development Code when applying for the fence permit in February 2020.

Mayor Newton stated the City Council spent a lot of time dealing with this property and stated Mr. Cooper had built a beautiful home on a complicated lot. He further advised Mr. Cooper the timing of the permit did not matter as this Council has not allowed fences to encroach from the side yard to the front and he cannot vote for this.

Councilmember Nakamura asked Mr. Cooper why the driveway was not on the west side of the house since that would have solved the problem. Mr. Cooper explained if the driveway had been placed on the west side, there would be no backyard.

Mayor Pro Tem Lindamood and Councilmember Dodson stated the regulations were very specific and they will not vote to approve the fence.

Councilmember Rigney asked Mr. Cooper if the homeowners would consider a vegetation screening.

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

Kathy Hadley, 204 Timberline Drive North, suggested using shrubs. There were no others wishing to speak and Mayor Newton closed the public hearing at 8:40 p.m.

Mr. Cooper asked the City Council to please reconsider their decision.

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

5b Ordinance O-20-2123

Request to appeal the decision of the Planning and Zoning Commission for consideration of a Special Use Permit for a fence to extend into the required street side yard on Lot 1, Block 8, Creekside at Colleyville, Phase 3, located at 3501 LeJoie Lane, Case ZC20-010

Mayor Newton read the caption of Ordinance O-20-2123.

Principal Planner Jackie Reyff presented this item stating the applicant is requesting a Special Use Permit to allow for a five foot iron rod fence to be located five feet from the corner street side property line which is within the street side yard of the property.

Planner Reyff explained the building permit was issued for the construction of a new home in August of 2019 and the fence permit was applied for in April 2020 and was denied. The applicant was informed the Land Development Code had been amended by the City Council in August 2019 (Ordinance O-19-2088) and therefore the request by the applicant is not allowed unless approved with an SUP.

Cheryl Turner, 5835 Shoreside Bend, Irving, the applicant and President of MainVue Homes, Texas Division, advised the City Council they had not been aware of the change to the LDC until applying for the fence permit. Ms. Turner stated only 10-percent of the lots are left and up until this time, when the lots were being sold and homes designed, MainVue has always represented to homeowners they may determine the type and placement of a fence. She also noted with 89-percent of the development being built out, the precedence for the fence has already been established and in the case before them tonight, this request seeks to tie into an existing fence on the connecting property. Ms. Turner stated she will be bringing forward additional requests for fencing within the development in the future.

Mayor Newton asked Ms. Turner if the other fence case before them on this agenda was also hers. Ms. Turner stated the next item will be presented by her colleague Zack Schneider, with Tradition Homes, who is a development partner with MainVue and of the 81 lots MainVue develops, Tradition Homes owns 39 of the lots.

Mayor Newton stated he is very tough on variances, there has to be a good reason for the variance, and he and City Council are concerned allowing this SUP would set the wrong precedence for the standards they have established for Colleyville. Mayor Newton noted this development is a PUD which is usually very restrictive, and he does not know why this one does not carry some of those restrictions. He stated he understands why the variance would be asked for as the other homes have a fence, however, it does violate the Land Development Code.

Ms. Turner noted Creekside is a more urban feel development with private streets which is 89-percent built, and the community has allowed the fences. She feels the last 10-percent of the properties will be at a disadvantage if they are not allowed the fence as well and the fence is not contrary to the other homeowners within the development.

Mayor Pro Tem Lindamood asked Ms. Turner how many lots are left and how many are corner lots. She responded there are 22 starts left and provided an exhibit showing there are nine corner lots, including those belonging to Tradition Homes.

At this time, Zach Schneider, 8751 Collin McKinney Pkwy Suite 402, McKinney, Tradition Homes, joined Ms. Turner at the podium to assist in answering Councilmember Wheat's question regarding the number of homes which are not sold on the properties within the development which MainVue and Tradition Homes will seek variances for.

Mayor Newton opened the public hearing at 9:04 p.m.

Kathy Hadley, 204 Timberline Drive North, spoke in opposition to urban fencing.

Mark Cooper, 2804 Lake Brook Court, Highland Village, stated the restriction is unusual and he was curious what instituted the change.

Mayor Newton stated Colleyville is not any other city, we have very, very high standards, that one of the critical success factors for Colleyville, and I find over time it is very hard work to uphold those standards as elected officials, because you don't want to tell people no for the things they want to do, but it is fundamentally important to keeping the quality and uniqueness of Colleyville.

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

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

5c Ordinance O-20-2124

Request to appeal the decision of the Planning and Zoning Commission for consideration of a Special Use Permit for a fence to extend into the required street side yard on Lots 9 & 10, Block 8, Creekside at Colleyville, Phase 3, located at 3609 LeJoie Lane and 3608 Valmur Avenue, Case ZC20-011

Mayor Newton read the caption of Ordinance O-20-2124.

Principal Planner Jackie Reyff presented this item stating this request was different from the previous as the applicant is requesting approval of an SUP to allow for an eight foot pre-sealed cedar fence above an existing retaining wall located within the corner street side yard setback for both properties which is approximately 10 feet from the property line.

Zach Schneider, 8751 Collin McKinney Pkwy Suite 402, McKinney, Tradition Homes, the applicant, stated there are seven corner lots within Creekside which have a side yard and retaining walls for which they will be requesting fences, thus making those lots more unique. Mr. Schneider noted the retaining walls have sleeves where the fence is supposed to be located. He noted the fences are and will be requested for safety and maintenance. Mr. Schneider noted the request is

really to place the fence where the fence was designed to go and work well with the City.

Mayor Newton noted the Council did allow a fence on a retaining wall in another neighborhood for safety reasons, and this may also be the case with this fence, however, he has not reviewed all the lots in detail as of yet.

There was discussion on the location of the retaining wall, fence, and sidewalk, and the code regarding elevation, retaining walls and engineered walls.

Mayor Newton opened the public hearing at 9:24 p.m. There were no one present wishing to speak and Mayor Newton closed the public hearing at 9:25 p.m.

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

5d Ordinance O-20-2125

Consideration of amendments to Chapter 1, Section 1.17 of the Land Development Code, specifically for the permitting of expiration of vested project rights

Mayor Newton read the caption of Ordinance O-20-2125.

Principal Planner Jackie Reyff presented this item stating the City Attorney recommends a development expiration ordinance which would provide for placing an expiration on a permit if progress is not made toward completion of the project in a specified time. Planner Reyff reviewed the definitions, expirations for development projects and permits, individual permits and when a new permit application would be required.

City Attorney Whitt Wyatt stated state law provides for cities to adopt dormancy provisions and this is procedural in nature.

Mayor Newton stated this would provide for individual permits to expire if nothing had been done within two years of the permit being issued and five years on projects as a whole. Attorney Wyatt concurred this was the most basic explanation.

There was general discussion on the types of permits and projects and how they would be considered. Mayor Newton asked where the five year period came from and Attorney Wyatt stated state law.

Mayor Newton opened the public hearing at 9:33 p.m. There was no one present wishing to speak and Mayor Newton closed the public hearing at 9:33 p.m.

Ordinances O-20-2111 and O-20-2112 remained tabled. City Manager Jerry Ducay stated staff has met with the applicant and has another meeting planned, and believes the ordinances will come before the City Council soon.

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

6a Ordinance O-20-2111

Consideration of a zoning change request from the AG Agricultural district to the CC-1 Village Retail district on Tract 2B & 2B02, Abstract 180, in the J L Byas Survey, located at 5713 Colleyville Boulevard, Case ZC20-001

6b Ordinance O-20-2112

Consideration of a request for a Special Use Permit for Cemeteries or Mausoleums on Tract 2B & 2B02, Abstract 180, in the J L Byas Survey, located at 5713 Colleyville Boulevard, Case ZC20-002

7. RESOLUTION(S): READING AND PUBLIC HEARING

7a Resolution R-20-4515

Approving a resolution amending Resolution R-20-4464 by approving the revised City of Colleyville City Hall Polling Place Electioneering Regulations and Electioneering Designation Map

Mayor Newton read Resolution R-20-4515 in its entirety.

City Secretary Christine Loven presented this item, highlighting the changes to the electioneering regulations and map.

Mayor Newton opened the public hearing at 10:02 p.m.

Kathy Hadley, 204 Timberline Drive North, spoke in opposition to this item, feeling there is too much government and not enough common sense.

There were no others present wishing to speak and Mayor Newton closed the public hearing.

Councilmember Dodson made a motion to approve Resolution R-20-4515, seconded by Councilmember Kelley.

The motion to approve carried by the following vote:

Ayes: 4 – Mayor Pro Tem Lindamood, and Councilmembers Dodson, Kelley, and Rigney

Nays: 3 – Mayor Newton, Councilmembers Nakamura and Wheat

8. CITIZEN COMMENTS

Kathy Hadley, 204 Timberline Drive North, stated Colleyville has the best staff and Council, all are accessible, knowledgeable, and kind. She would like the roundabout at Jackson and Glade Roads to appear softer and more natural. Mrs. Hadley stated she will ask about property lines which she needs some assistance with and again thanked the Mayor and City Council for all their hard work.

9. REPORTS

Planning and Zoning Commission Minutes - May 11, 2020

There was no discussion of this item.

10. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR TUESDAY, JULY 7, 2020 - READING AND PUBLIC HEARING - RESOLUTION R-20-4516

This resolution was not needed.

11. ADJOURNMENT

There being no further business before the City Council, Mayor Newton adjourned the meeting without objection by the City Council at 10:08 p.m.

APPROVED BY A VOTE OF _ AYES, _ NAYS, ON THIS THE 21ST DAY OF JULY 2020.

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 4b

Agenda Date 7/21/2020

Number

Type Resolution

Department Library

Title

Approval to use the Voluntary Library Fund in Fiscal Year 2020, for the purchase of library equipment, including an ECO-Master 50-Disc Repair Machine, in an amount not to exceed \$16,025

Strategic Plan

- 2.1 Provide responsive, efficient city services
- 2.4 Demonstrate stewardship of public resources
- 5.3 Provide attractive facilities for leisure and recreation

Explanation

Reading and Public Hearing

Attached Resolution R-03-2237 provides for the Voluntary Library Fund to be used for the purpose of the development and improvement of library programs and services, and for approved library programs and capital items, including collection development (books, DVDs, CDs, digital, and other materials). In October 2006, City Council approved an increase of the monthly Voluntary Library Fund contribution amount from \$1.00 to \$2.00 per month.

Since FY 2004, the Colleyville Public Library budget has included use of the Voluntary Library Fund for the purchase of collection materials, collection processing supplies, and library programs. Additionally, the Fund has been used for several Special Library Projects. The attached Voluntary Library Fund Report FY2004 – FY2020 provides an overview of Library Board recommended and City Council approved expenditures.

Currently, the Library has 9,087 DVDs and Blu-rays, 1,694 music CDs, 3,428 books on CD, and 301 children's book kits with CDs. Annually, these collections circulate over 16,134 times. Popular children's DVDs can circulate 100 plus times and often are returned dirty and scratched. The Library has maintained all disc collections with an ECO-Master Disc Repair Machine that was purchased in 2005. The machine has been used extensively through the years and recently stopped functioning. Staff is requesting to replace the Library's 15-year old existing ECO-Master 50-Disc Repair Machine with a new ECO-Master 50-Disc Repair Machine. The attached ECO-Master specification sheet provides an overview of the machine.

The new machine will help to maintain the Library's disc collections, provide faster turnaround time from check-in to back on the shelf, and save staff cleaning time through a fully automatic batch cleaning process vs a single disc manual cleaning

process, which is ineffective in removing scratches on discs. Additionally, the Library saves money by repairing damaged discs. The average cost per disc to repair is 18 to 20 cents, dependent upon level of repair, vs the cost of replacing with a new DVD at the average cost of \$20.99, or a new book on CD, which can range in cost from \$40.00 - \$80.00.

Currently, the pricing for this machine is \$21,995. For a limited time, the supplier is offering special discounts, including a double trade-in value promotion, which will give the Library \$4,000 for the trade-in of our old ECO- Master 50-Disc Repair Machine. The special offers reduce the cost of the machine to \$16,025.

On June 8, 2020, the Colleyville Public Library Board reviewed the proposed expenditure and unanimously approved the use of the Voluntary Library Fund for the purchase of a new ECO-Master 50-Disc Repair Machine in an amount not to exceed \$16,025.00.

Financial Impact

Funds are available in the Voluntary Library Fund, in the amount of \$355,455 as of May 31, 2020, per attached Financial Status of Voluntary Library Fund at May 31, 2020

Recommendation

Approve

Attachments

1. Disc Repair Machine Presentation
2. Resolution R-03-2237
3. Resolution R-06-2768
4. Voluntary Library Fund Report FY 2004 - FY2020
5. ECO-Master Machine Specifications
6. Financial Status of Voluntary Library Fund at May 31, 2020 Report

4b. READING AND PUBLIC HEARING RESOLUTION R-20-4518



Approval to use the Voluntary Library Fund in Fiscal Year 2020, for the purchase of library equipment, including an ECO-Master 50-Disc Repair Machine, in an amount not to exceed \$16,025

ECO-Master Disc Repair Machine purchased in 2005 no longer functioning

ECO-Master 50-Disc Repair Machine will help maintain the Library's disc collections

- Average cost per disc repair of \$0.18 to \$0.20 vs new DVD - \$21, new book CD - \$40 - \$80
- Faster turnaround time from check-in to back on the shelf
- Fully automatic batch cleaning process vs single disc manual cleaning
- Limited time supplier discounts and double trade-in value promotion, final purchase price \$16,025

ECOMASTER

The ECO Master is a 50 disc, fully automatic disc repair system for CDs, DVDs, Books on Disc, Blu-ray, and even the latest game discs.

- **FULLY AUTOMATED** - Repairs up to 50 discs as a batch...select the depth of repair on the color touch screen & press start. Walk away...It's that simple!!
- **NO EXTERNAL PLUMBING OR HOSES** - Completely self contained water recycling system. Cleans, filters and recycles the water.
- **SUPER FAST PROCESS** - Cleans disc's in less than a minute and most repairs take less than 3 minutes.
- **SUPER QUIET PROCESS** - The ultra-quiet design is perfect for a library or retail environment.
- **FROM THE MACHINE BACK TO THE SHELF** - No hand finishing or cleaning after the repair process. With all of the ECO brand Disc Repair Systems, discs come out of the machine clean, dry, free of residue and ready to go back on the shelf. Compare that to **ANY** of the competitors machines.
- **NO MESS** - Do you really want your staff subjected to the mess the other brands make. ECO Brand Disc Repair Systems are the cleanest repair process available. Try the others, then compare. Just make sure you bring a change of clothes when trying the others.
- **NO HEAT...NO ODOR** - The liquid cooled repair process means no heat or damage to the disc. Other brands use heat from a high-speed buffing process to repair the disc. The problem is, heat can damage a disc by warping it. Heat also produces odor. Do you really want your library to smell of melted plastic?
- **COMPACT DESIGN** - A very small footprint (12" x 19") and heavy duty casters allow the ECO Master to be placed virtually anywhere and moved easily by anyone.
- **VERY LOW COST PER DISC** - ECO Brand disc repair systems have the lowest cost per disc than any other machine.



RESOLUTION R-03-2237

**A RESOLUTION ESTABLISHING THE ALLOWED USES OF THE
VOLUNTARY LIBRARY FUND**

WHEREAS, the mission of the Colleyville Public Library is to provide cultural, educational, intellectual and recreational resources in an inviting environment to enhance the quality of life for all ages; and

WHEREAS, the City of Colleyville can anticipate continued growth in the demand for library programs and services; and

WHEREAS, it is the opinion of the City Council that the best interest of the citizens of Colleyville will be served by providing for a voluntary library fund; and

WHEREAS, the City Council has established the Colleyville Public Library Board and this Board shall serve as a recommending body to the City Council for the use of the Voluntary Library Fund.

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

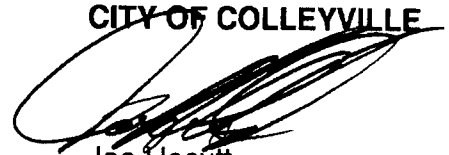
- Sec. 1. THAT a voluntary library fund has been established for the purpose of the development and improvement of library programs and services; and said fund can be used for approved library programs and capital items, including collection development (books and materials) and other items as desired by the City Council; however, said fund will not be used to provide for ongoing library maintenance and operations.
- Sec. 2. THAT the voluntary library fund is funded through a voluntary donation of one (\$1) per month from the citizens of Colleyville.
- Sec. 3. THAT this fee is listed with the Library Donation Fund as a separate entry on the Colleyville residents' water bills and is in all ways strictly voluntary.

AND SO IT IS RESOLVED.

PASSED BY A VOTE OF 5 AYES, 0 NAYS AND 0 ABSTENTIONS ON THIS
THE 7th DAY OF October 2003.

ATTEST:


Cynthia Singleton, TRMC
City Secretary

CITY OF COLLEYVILLE

Joe Hocutt
Mayor

RESOLUTION R-06-2768

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEYVILLE,
TEXAS, INCREASING THE VOLUNTARY LIBRARY FUND CONTRIBUTION
AMOUNT**

WHEREAS, the City Council previously created the Voluntary Library Fund; and

WHEREAS, in order to enhance the services at the Colleyville Public Library,
the Colleyville Library Board has asked to increase the monthly
Voluntary Library Fund contribution amount.

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

Sec. 1. THAT the voluntary donation amount to the Voluntary Library Fund
is increased to two (\$2) per month from the citizens of Colleyville.

Sec. 2. THAT this Resolution shall take effect November 1, 2006.

AND IT IS SO RESOLVED.

PASSED BY A VOTE OF 7 AYES, 0 NAYS AND 0 ABSTENTIONS ON
THIS THE 17th DAY OF October 2006.

ATTEST:



Cynthia Singleton, TRMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor



Public Library

Voluntary Library Fund Report *

FY 2004 - FY 2020

Fiscal Year (FY)	Board Recommended	Council Approved
FY 2004	\$36,436	\$36,436
FY 2005	\$46,750	\$46,750
FY 2006	\$102,370	\$102,370
FY 2007	\$220,825	\$220,825
FY 2008	\$126,000	\$126,000
FY 2009	\$130,000	\$130,000
FY 2010	\$135,000	\$135,000
FY 2011	\$145,000	\$145,000
FY 2012	\$145,000	\$145,000
FY 2013	\$145,000	\$145,000
FY 2014	\$145,000	\$145,000
FY 2015	\$145,000	\$145,000
FY 2016	\$145,000	\$145,000
FY 2017	\$155,000	\$155,000
FY 2018	\$160,000	\$160,000
FY 2019	\$167,000	\$167,000
FY 2020	\$170,000	\$170,000

*Use of the Voluntary Library Fund for the purchase of collection materials, collection processing supplies and library programs

Voluntary Library Fund Report

Special Project Expenditures

Fiscal Year (FY)	Board Recommended	Council Approved
FY 2003 - Library Building Construction	\$400,000	\$400,000
FY 2011 - Library Second Floor Audio-Visual Equipment	\$50,000	\$50,000
FY 2015 - Library Long-Range Plan 2016-2021	\$25,000	\$25,000
FY 2020 - Library Equipment-ECO-Master 50-Disc Repair Machine with Blu-Ray Mode	\$16,025	

ECOMASTER

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- **NO MESS** - Do you really want your staff subjected to the mess the other brands make. ECO Brand Disc Repair Systems are the cleanest repair process available. Try the others, then compare. Just make sure you bring a change of clothes when trying the others.
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- **VERY LOW COST PER DISC** - ECO Brand disc repair systems have the lowest cost per disc than any other machine.



FINANCIAL STATUS OF VOLUNTARY LIBRARY FUND AT 5-31-2020

FUND BALANCE AT 9-30-2019:

\$481,190

FY 2020 REVENUE

Donations:	PROJECTED	ACTUAL
October	\$14,544	\$14,544
November	\$13,785	\$13,785
December	\$15,664	\$15,664
January	\$15,035	\$15,035
February	\$14,097	\$14,097
March	\$14,954	\$14,954
April	\$14,883	\$14,883
May	\$14,157	\$14,157
June	\$14,167	\$0
July	\$14,177	\$0
August	\$14,187	\$0
September	\$14,197	\$0
Total Donations	\$173,850	\$117,120
Interest income Received	\$5,000	\$3,450
TOTAL	\$178,850	\$120,570

FY 2020 EXPENDITURES

	RECOMMENDED (BOARD)	APPROVED (COUNCIL)	EXPENDED YEAR-TO-DATE
BOOKS AND PROCESSING MATERIALS			
FY 2019 BALANCE OF AUTHORIZATION	\$76,306	\$76,306	\$76,306
FY 2020 AUTHORIZATION (R-19-4415, 9/03/19)	\$170,000	\$170,000	\$33,749
TOTAL	\$246,306	\$246,306	\$110,055
AVAILABLE AMOUNT LEFT TO SPEND IN FY 2020			\$136,252

AVAILABLE FUND BALANCE AT 5-31-2020 (COUNCIL APPROVED)

\$355,455

PROJECTED AVAILABLE FUND BALANCE AT 9-30-2020 (COUNCIL APPROVED)

\$413,734



City of Colleyville City Council Agenda Briefing

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

Agenda Number 5a
Type Presentation
Department City Secretary

Agenda Date 7/21/2020

Number

Title

Monthly Financial Report - June 2020

Explanation

General Fund

Through June, the General Fund has collected 91% of its budgeted revenue (net of the CARES Act funding) and spent 70% of its budgeted expenditures. While sales and property taxes have had a strong year, there are a few line items that still lag behind FY19 (predominately permits and recreation fees), and staff will continue to monitor those line items monthly. Regardless, the General Fund continues to post a higher surplus than anticipated through this month. The chart below does include the \$1.4 million received from the CARES Act. If we factor that out, our surplus falls to approximately \$5.4 million.

Ad Valorem tax revenue.

Historically, the majority of the City's property taxes hit our accounts from December through March, although the bulk hits in December and January. As of this month, we've collected \$15 million, or 99.5% of our budget. This figure represents a 2.1% increase over FY19. Any increases in property tax revenue over FY19 are solely due to properties that have been newly developed or substantially redeveloped, and therefore were previously untaxed or taxed at a much lower value in FY19.

Sales tax revenue.

Economic uncertainty has plagued every Texas city since March, but we are happy to report that Colleyville's sales tax collections from May have built upon the increase we saw in April. The 10.4% growth from May of 2019 to May of 2020 has increased Colleyville's total year-to-date gain to 7.3%, or approximately \$385,000.

Utility Fund

Through the eighth month of the fiscal year, the Utility Fund has collected 59% of its budgeted revenue and spent 52% of its budgeted expenditures. Our surplus of \$1.12 million is stronger than we saw last June, and it includes the true-up from the Trinity River Authority of \$430,000. While spending has

increased by almost \$800,000 from last year, the lion's share of this reflects higher passed-through costs from the Trinity River Authority. Netting out the pass-through cost of water/sewer services from the T.R.A. which the City does not control, spending for the City's direct costs still track significantly under budget. Regardless, this fund is designed to be a break-even fund once the City makes its annual transfer to the utility capital projects fund.

Drainage Fund

To date, the Drainage Fee Fund has received \$764,218, or 78%, of its budgeted revenues and spent \$480,547, or 60%, of its budgeted expenses.

Attachments

1. June 2020 MFR
2. June 2020 - Monthly Financial Report Presentation

Monthly Financial Report - June 2020

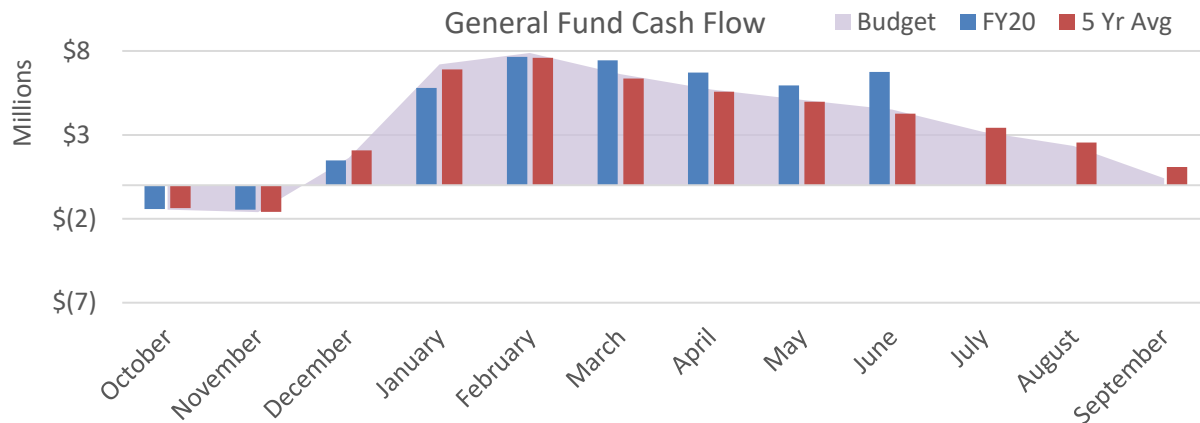
% of year Completed 75%

General Fund

% of Budget Spent 70%

	FY20 Budget	FY20 YTD	% of Budget	FY19 YTD	FY19% of Budget
Revenues	\$ 24,589,177	\$ 23,738,245	97%	\$ 22,076,416	92%
Expenditures	\$ 24,182,805	\$ 16,980,468	70%	\$ 16,599,848	69%
	\$ 406,372	\$ 6,757,777		\$ 5,476,568	

Through June, the General Fund has collected 91% of its budgeted revenue (net of the CARES Act funding) and spent 70% of its budgeted expenditures. While sales and property taxes have had a strong year, there are a few line items that still lag behind FY19 (predominately permits and recreation fees), and staff will continue to monitor those line items monthly. Regardless, the General Fund continues to post a higher surplus than anticipated through this month. The chart below does include the \$1.4 million received from the CARES Act. If we factor that out, our surplus falls to approximately \$5.4 million. For the predicted cash flow trajectory, please see the graph below.



General Fund Highlights

Revenue (FY20/FY19)

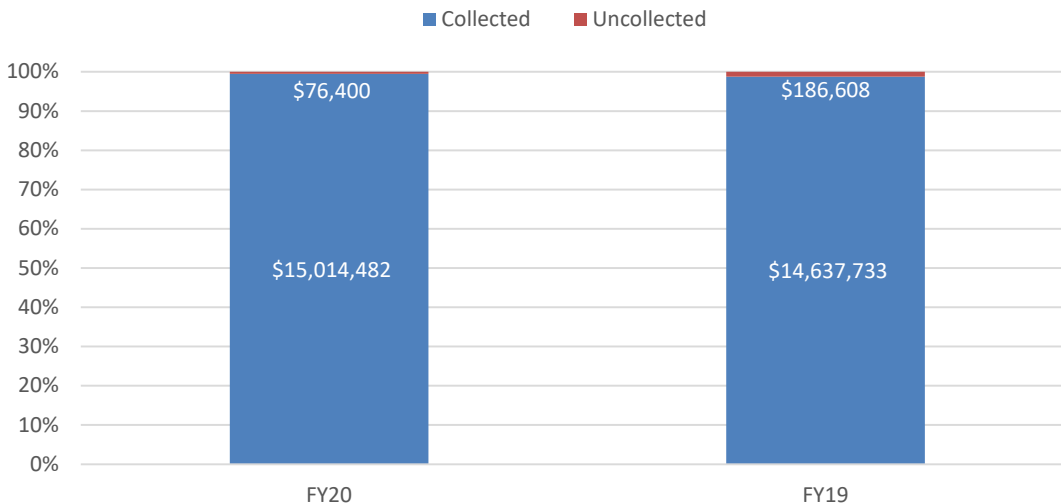
Property Tax	+ \$377k	Sales Tax	+ \$153k	Franchise Tax	-\$157k
Licenses	-\$112k	Other Revenue	+ \$1400	Total Rev	+ \$1662k

Expenditures (FY20/FY19)

Personnel	+ \$631k	Contractual	+ \$194k	Supplies	-\$453k
Capital	\$9k	Transfers	\$00k	Total Exp	+ \$381k

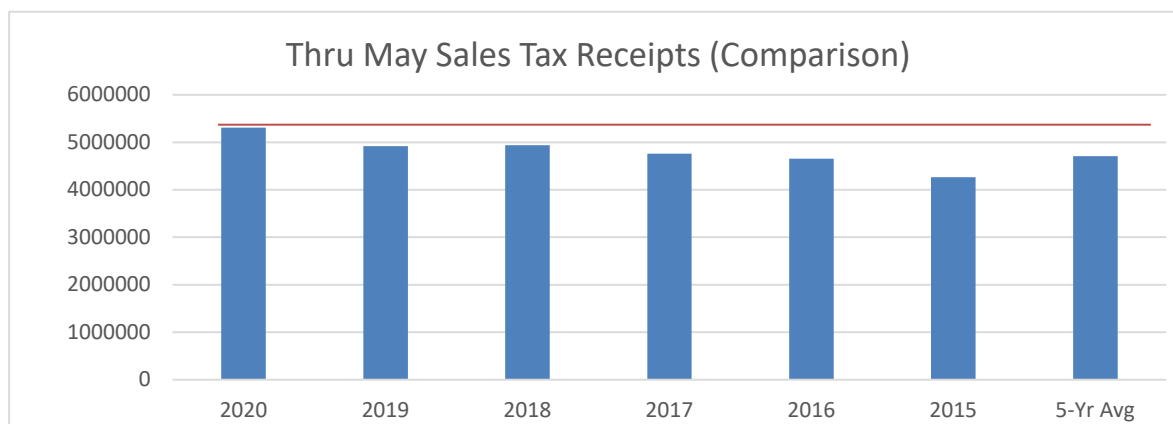
Monthly Financial Report - June 2020

Revenue Highlight: Property Tax



In total, Colleyville anticipates receiving almost \$15.1m in General Fund property tax this year. This makes for a 2.2%, or \$320k, increase over actual FY19 property tax receipts. It should be noted that this increase comes from taxes off of new property, as opposed to increased taxes on existing property inside the City. Through May, we have received 99.5% of this revenue, which is similar to last year.

Revenue Highlight: Sales Tax



FY20/Budget	FY20/FY19
↑ 8.7%	↑ 7.3%

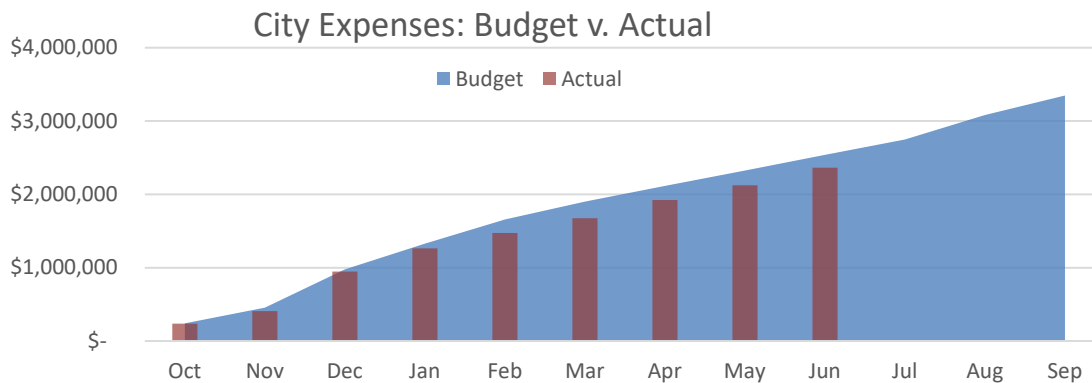
Economic uncertainty has plagued every Texas city since March, but we are happy to report that Colleyville's sales tax collections from June continue our positive trend for FY20 with a 10% increase over June of 2019. At present, staff will keep our end of year projections conservative, but our modeling shows the potential for a 7-8% surplus, putting the City's collections at over \$8 million total.

Monthly Financial Report - June 2020

Water/Sewer Utility Fund % of year Completed 75%
 % of Budget Spent 52%

	FY20 Budget	FY20 YTD	% of Budget	FY19 YTD	FY19% of Budget
Revenues	\$ 17,555,789	\$ 10,416,864	59%	\$ 8,937,021	54%
Expenditures	\$ 17,555,789	\$ 9,202,717	52%	\$ 8,369,333	51%
	\$ -	\$ 1,214,147		\$ 567,688	

Through the eighth month of the fiscal year, the Utility Fund has collected 59% of its budgeted revenue and spent 52% of its budgeted expenditures. Our surplus of \$1.12 million is stronger than we saw last June, and it includes the true-up from the Trinity River Authority of \$430,000. While spending has increased by almost \$800,000 from last year, the lion's share of this reflects higher passed-through costs from the Trinity River Authority. Netting out the pass-through cost of water/sewer services from the T.R.A. which the City does not control, spending for the City's direct costs still track significantly under budget. For the typical trajectory of the City's direct expenses throughout the year, please see the graph below.



Utility Operation Highlights

Avg Customer Count

FY20/FY19



0.7%

YTD Rainfall (Inches)

FY20/FY19

-11.24

Expenditures (FY20/FY19)

Personnel	+ \$113k	Contractual	+ \$654k	Supplies	+ \$79k
Capital	+ \$9k	Transfers	-\$20k	Total Exp	+ \$833k

Colleyville's rate structure enables the City to more easily manage years of low consumption, which is what we've have seen through FY19. While FY20 is shaping up to be a higher consumption year, it should be noted that the majority of the City's rate is comprised of a direct pass-through to TRA for water costs. The goal of this fund is to break-even at the end of the year.

Monthly Financial Report - June 2020

% of year Completed 75%

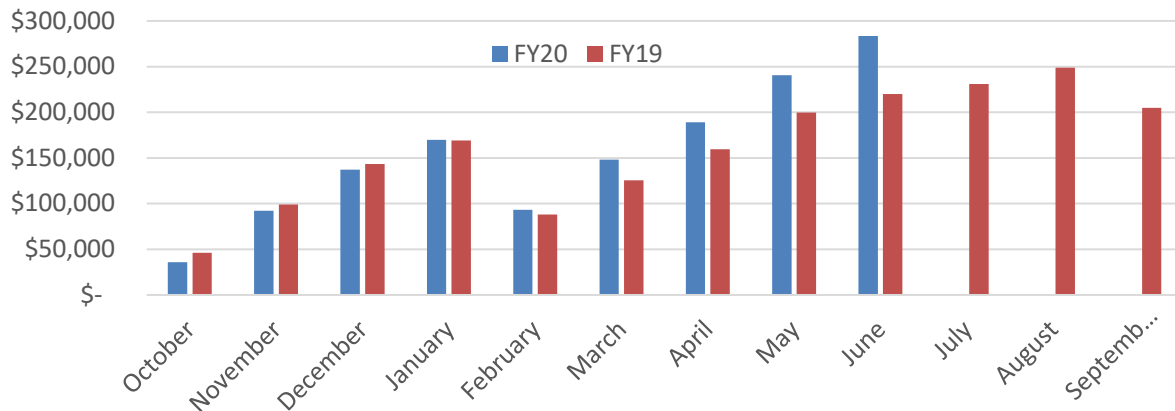
Drainage Utility Fund

% of Budget Spent 60%

	FY20 Budget	FY20 YTD	% of Budget	FY19 YTD	FY19% of Budget
Revenues	\$ 978,508	\$ 764,218	78%	\$ 776,894	80%
Expenditures	\$ 795,844	\$ 480,547	60%	\$ 549,533	71%
	\$ 182,664	\$ 283,671		\$ 227,360	

To date, the Drainage Utility Fund has received 78% of its budgeted revenue and spent 60% of its budgeted expenditures. This fund's cash flow is tracking a little better than expected, with a \$280,000 surplus showing to date. Drainage fee revenues tend to average at 1.5% higher than the previous fiscal year, although at this point we're seeing around one percent growth for FY20.

FY20 vs. FY19 Cash Flow



Drainage Fund Operation Highlights

Revenue - Drainage Fees

FY20/FY19 0.4%

FY20/5-Yr Avg 3.3%

Expenditures (FY20/FY19)

Personnel	-\$50k
Supplies	-\$18k
Debt Service	+\$7k

Contractual	-\$9k
Capital/Xfers	\$00k
Total Exp.	-\$69k

Note: this fund's debt service is scheduled to be retired in Fiscal Year 2021.

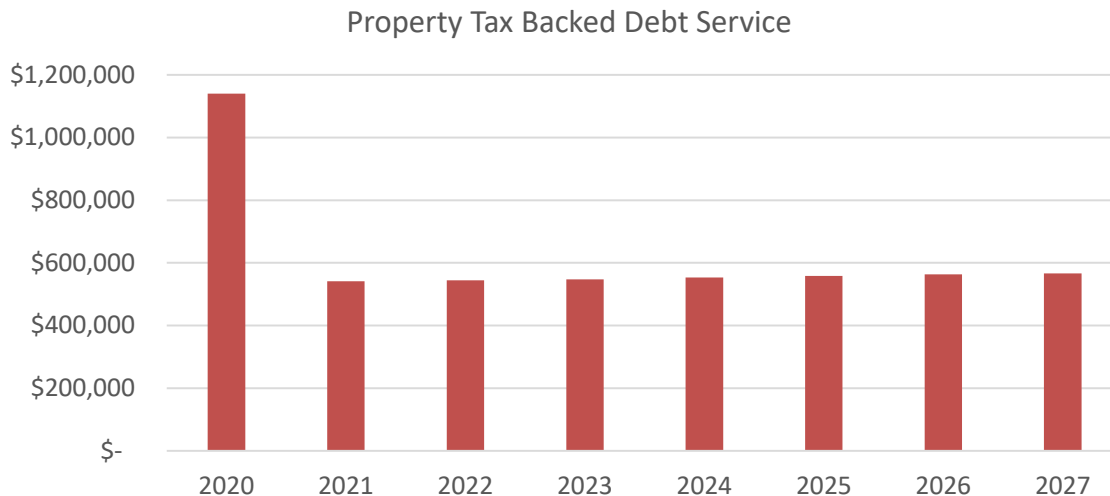
Monthly Financial Report - June 2020

Debt Service Fund % of year Completed 75%
 % of Budget Spent 85%

	FY20 Budget	FY20 YTD	% of Budget	FY19 YTD	FY19% of Budget
Revenues	\$ 1,356,398	\$ 1,507,291	111%	\$ 1,992,360	107%
Expenditures*	\$ 1,406,398	\$ 1,198,198	85%	\$ 1,805,526	97%
	\$ (50,000)	\$ 309,093		\$ 186,833	

Similar to our General Fund's property tax collections, the Debt Service fund has received the majority of its revenue for the year. Cash flow for this fund is very predictable, as debt service payments occur twice annually. As of June's figures, the fund is running a surplus of \$309,000. Costs added to the budget for this year include the lease of a new ambulance for Colleyville's emergency response. With Colleyville's current debt service schedule, all property tax bonded debt is on track to be paid off by FY27, with the remaining CEDC sales tax debt to be paid off by 2029.

*Please note that staff has planned to rely on \$50k of excess fund balance to pay for this year's costs.



For any questions or comments regarding this report, please contact:

Kyle Lester
 Finance Director
 City of Colleyville, TX
klester@colleyville.com
 817-503-1014



Agenda Item - Items not for council action

Monthly Financial Report June 2020

City Council Meeting
July 21, 2020

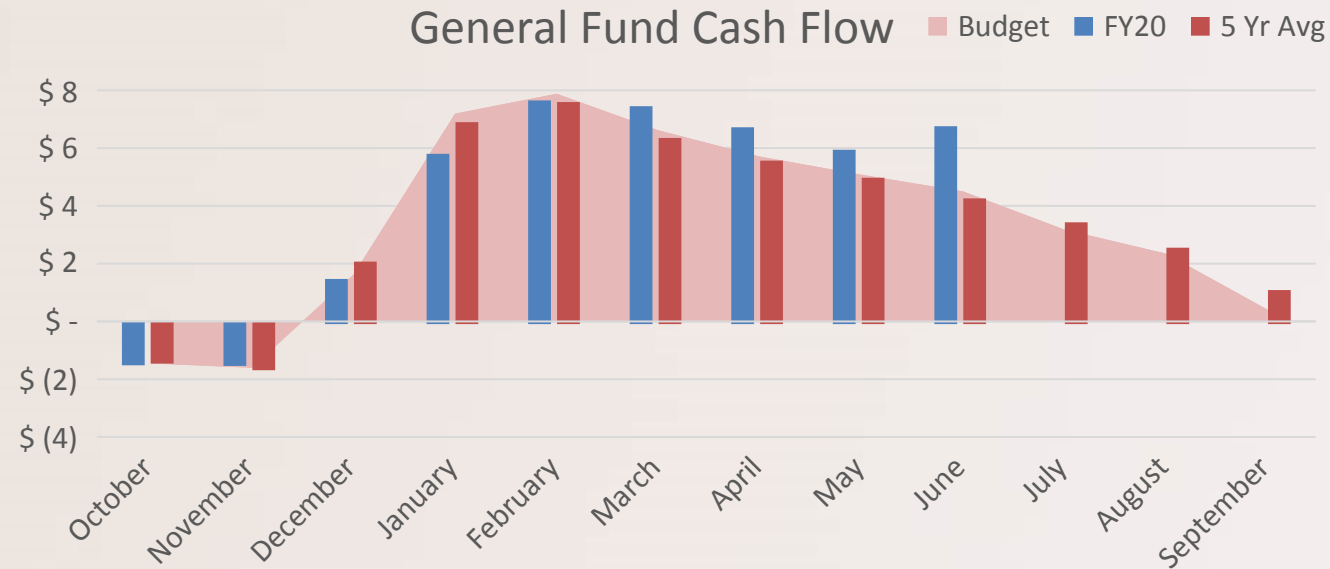
General Fund



General Fund

	FY20 Budget		FY20 YTD		% of Budget	FY19 YTD		FY19 % of Budget
Revenues	\$	24,589,177	\$	23,738,245	97%	\$	22,076,416	92%
Expenditures	\$	24,182,805	\$	16,980,468	70%	\$	16,599,848	69%
	\$	406,372	\$	6,757,777		\$	5,476,568	

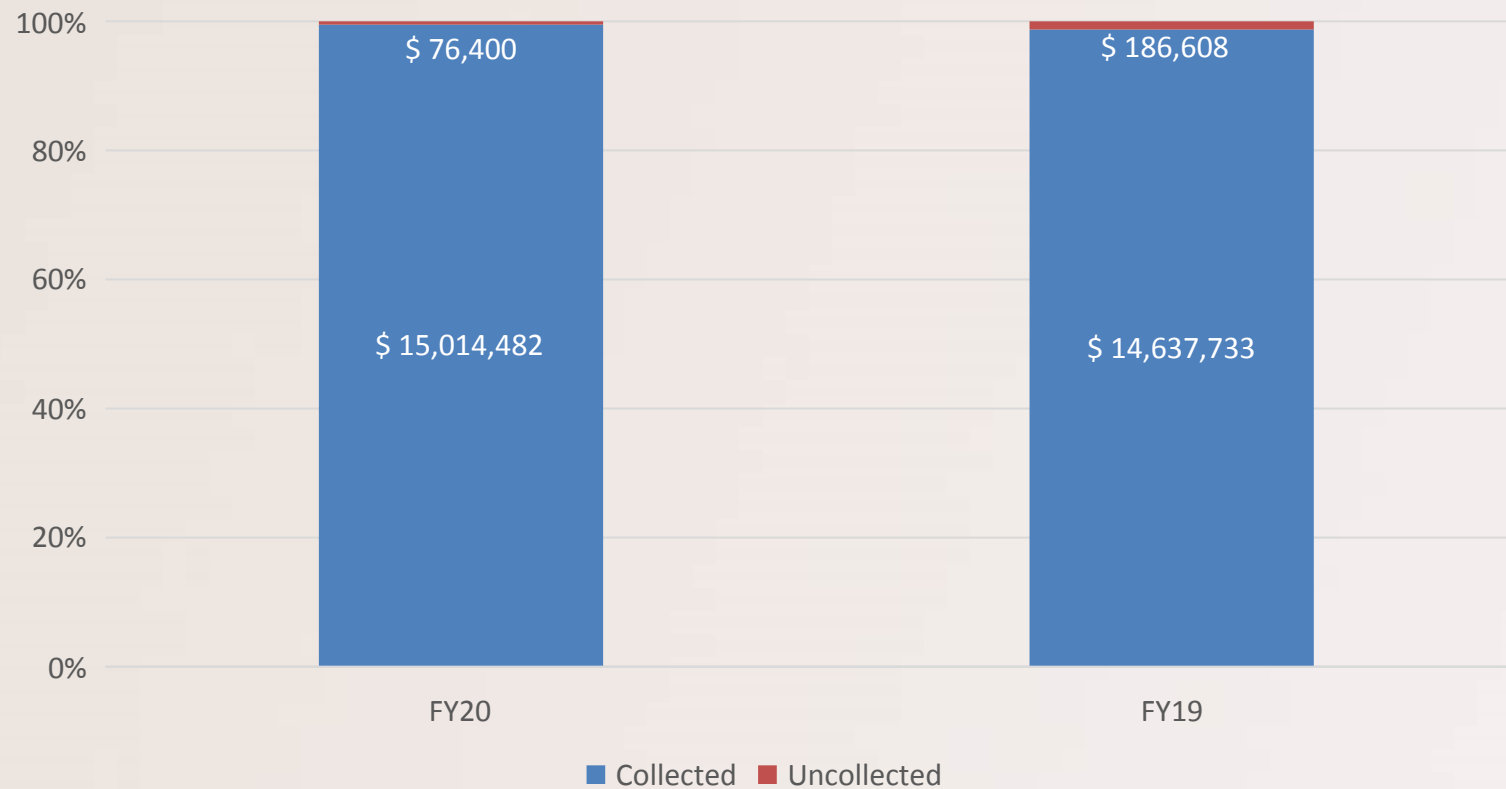
*75% of the year is completed



Property Tax Highlight



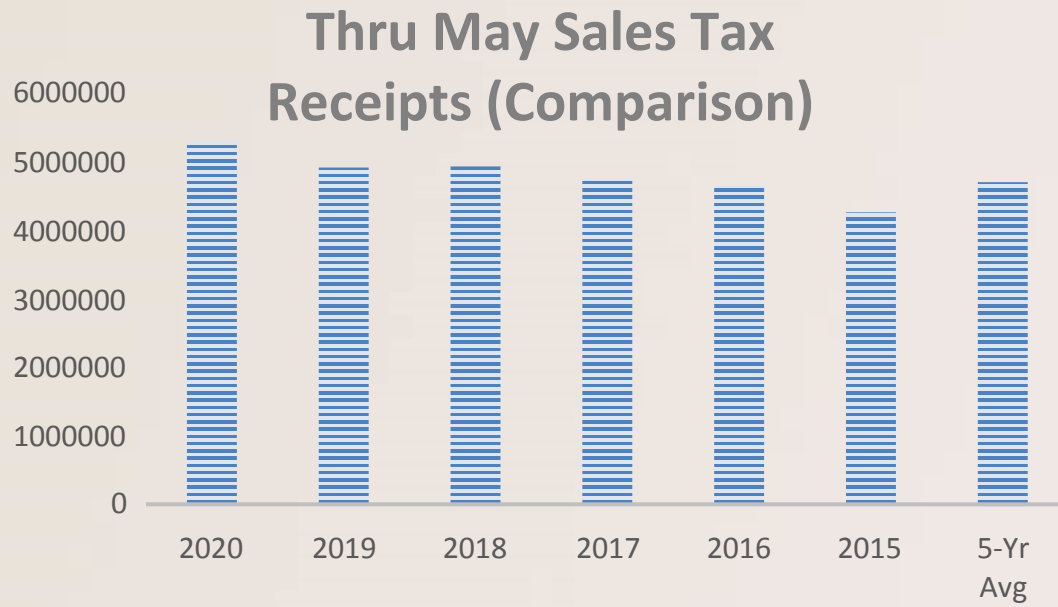
We have collected 99.5% of our tax levy



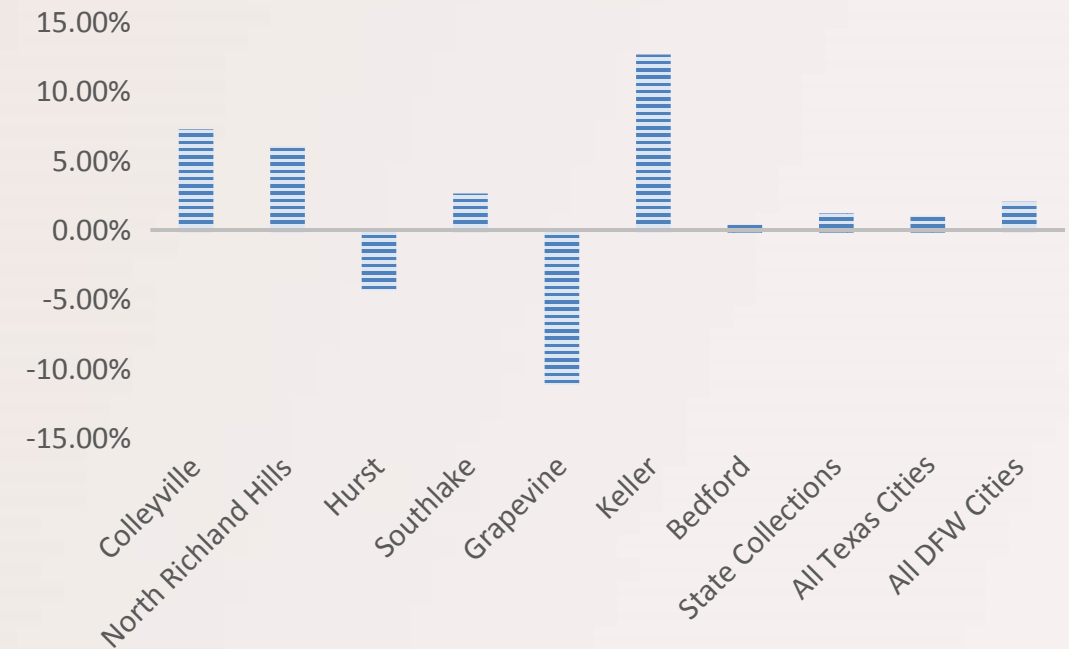
Sales Tax Highlight



FY20 YTD Receipts compared to Previous Years



City/State Comparisons

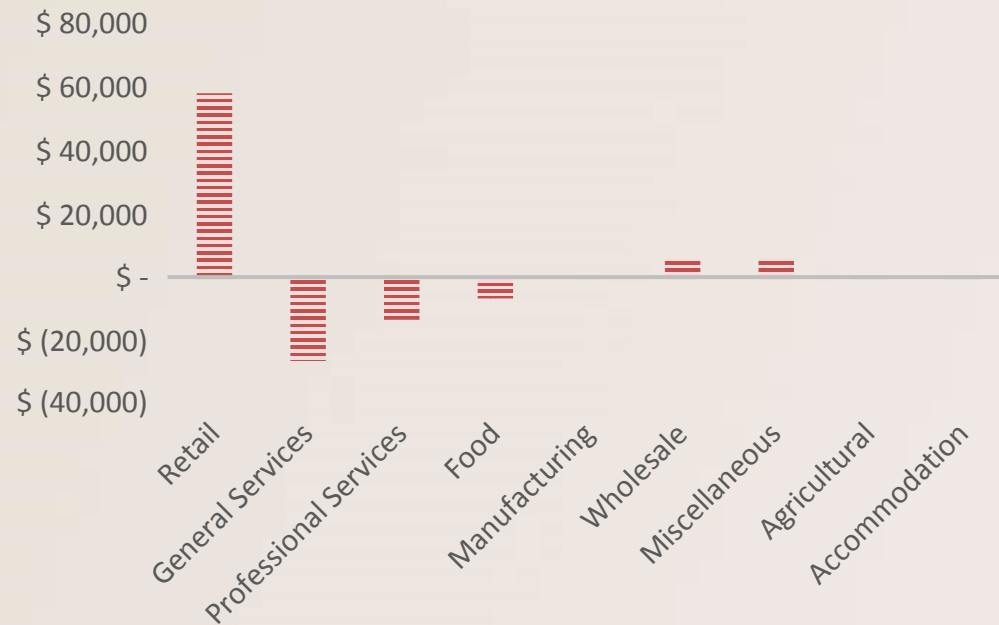


Sales Tax Highlight



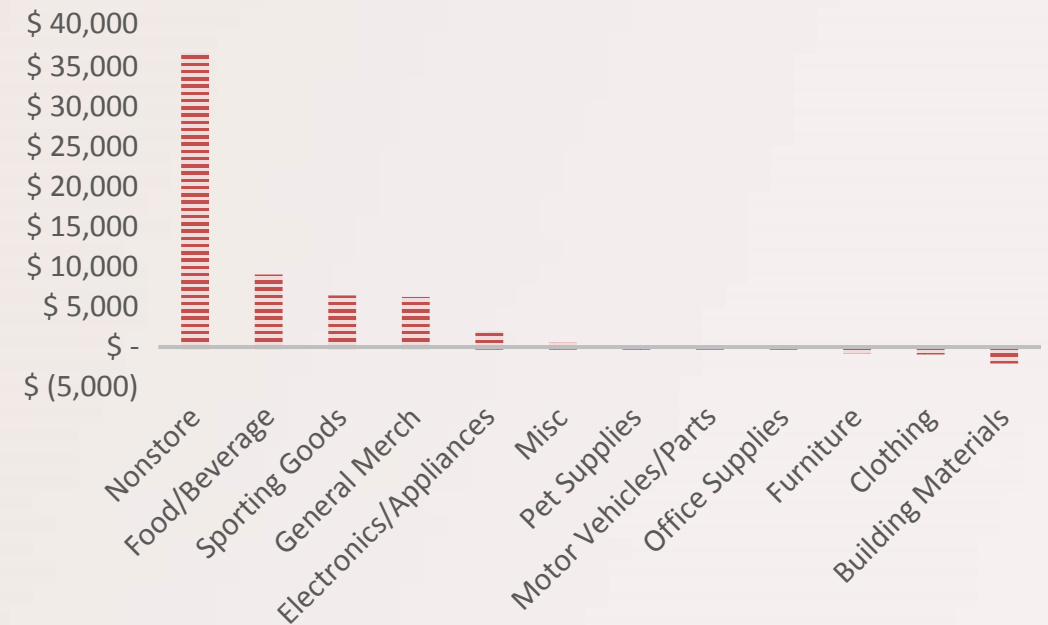
April FY20 to April FY19 by Category

\$\$ Change



April FY20 to April FY19, Retail Only

\$\$ Change

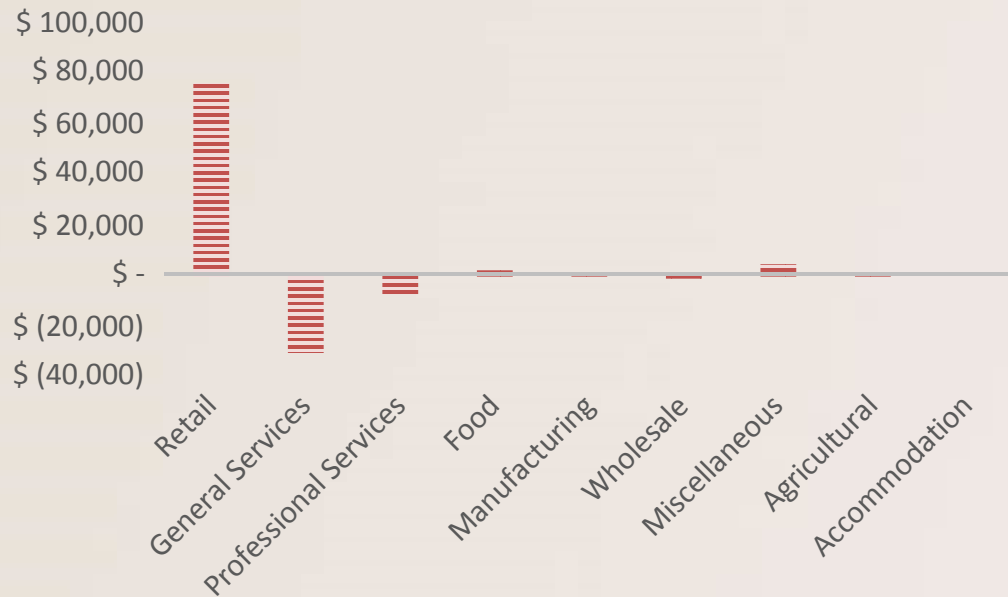


Sales Tax Highlight



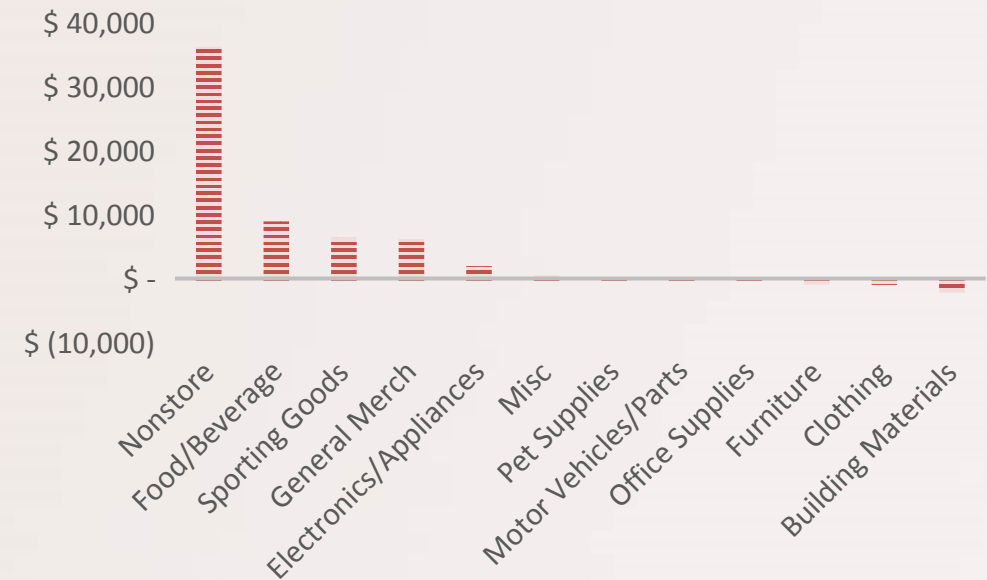
May FY20 to May FY19 by Category

\$\$ Change



May FY20 to May FY19, Retail Only

\$\$ Change

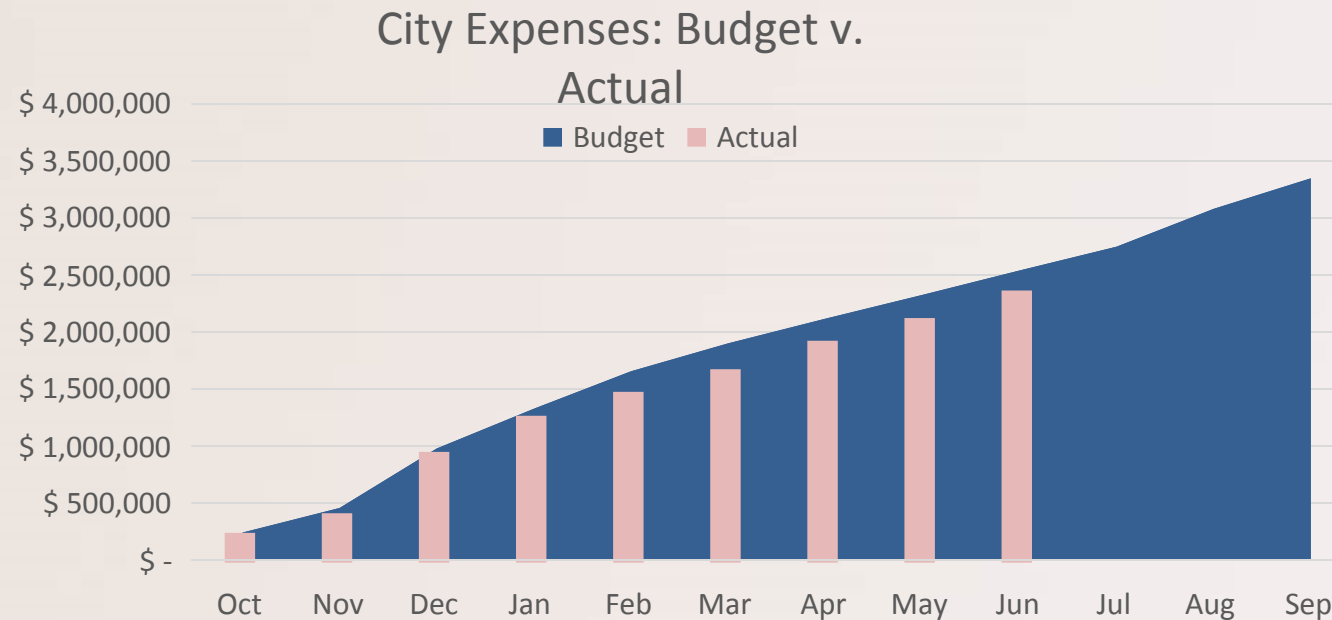


Utility Fund



Utility Fund					
	FY20 Budget	FY20 YTD	% of Budget	FY19 YTD	FY19 % of Budget
Revenues	\$ 17,555,789	\$ 10,416,864	59%	\$ 8,937,021	54%
Expenditures	\$ 17,555,789	\$ 9,202,717	52%	\$ 8,369,333	51%
	\$ -	\$ 1,214,147		\$ 567,688	

*75% of the year is completed



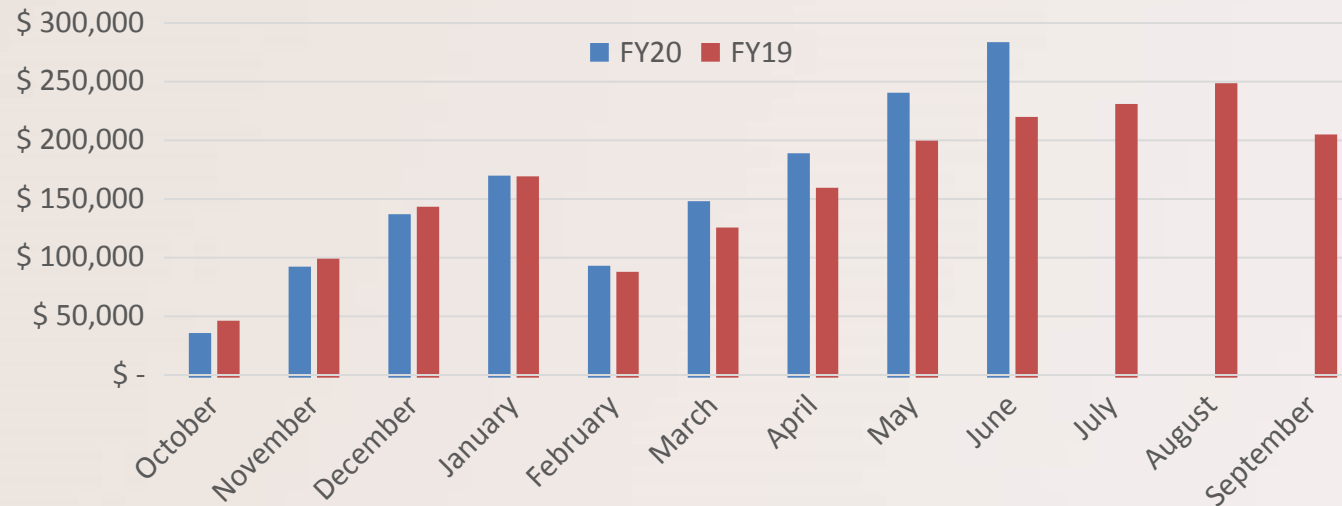
Drainage Fund



Drainage Fund					
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Revenues	\$ 978,508	\$ 764,218	78%	\$ 776,894	80%
Expenditures	\$ 795,844	\$ 480,547	60%	\$ 549,533	71%
	\$ 182,664	\$ 283,671		\$ 227,360	

*75% of the year is completed

FY20 vs. FY19 Cash Flow





City of Colleyville City Council Agenda Briefing

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

Agenda Number 6a

Agenda Date 7/21/2020

Number Ordinance O-20-2122

Type Ordinance

Department Community Development

Title

Request to appeal the decision of the Planning and Zoning Commission for consideration of a Special Use Permit for a fence to extend into the required street side yard on Lot 1, Block 1, of the Stowe Addition, located at 816 Shelton Drive, Case ZC20-009

Strategic Plan

4.1 Protect Colleyville's semi-rural residential character

Explanation

Second Reading & Public Hearing

There was one speaker regarding this item at the July 7, 2020 City Council meeting.

First Reading & Public Hearing

Mark Cooper, the applicant, has submitted a request for a Special Use Permit (SUP) for a five foot steel fence to encroach into the street side yard setback for a corner lot on Lot 1, Block 1, of the Stowe Addition, being approximately 0.48 acres, and zoned AG Agricultural district.

Existing Conditions/Background: The subject property, 816 Shelton Drive, has AG zoning and is located on the northwest corner at the intersection of Shelton Drive and Pleasant Run Road. The subject property has a new single family residence.

In 2017, the property received approval for a minor plat with plat waivers from City Council (Resolution R-17-4171) for lot size and lot dimensions. This allowed for the zoning to remain AG. This approval also required for the home to face Shelton Drive and not Pleasant Run Road.

In 2018, permits were applied for and approved to build a new home on the property. At this time no permit was sought for the fence. The Land Development Code was amended by City Council in August 2019 (Ordinance O-19-2088), which then changed the placement of fencing and where it may be allowed for property lines facing a street (front and street side).

In 2020, home construction is nearing completion and a fence permit application was received in February. The fence permit was denied based on the proposed location to encroach into the street side yard setback for a corner lot. The applicant subsequently

applied for an SUP as allowed per the Land Development Code.

SUP Request:

Request – The applicant is requesting approval of an SUP to allow for a five foot steel fence to be located approximately 10 feet from the corner street side property line, which is within the street side yard of the property.

Ordinance – Section 3.26 Fences, Free Standing Walls, and Screening Materials Regulations of the Land Development Code establishes the maximum size and location of fencing to be permitted by staff on a residential lot:

"E. Fence and Free-Standing Wall Setback Requirement:

2. Corner Side Yards: Except where allowed elsewhere in this chapter, no fence or free standing wall greater than thirty (30) inches in height and no greater than twenty-five (25) percent opaque construction shall extend into the required street side yard. The regulations of 1.a through 1.d above shall apply.

Regulation "2" above applies in this case requiring no fence be allowed to extend into the street side yard which is 40 feet per the zoning and approved plat. The applicant proposes to locate a 5 foot steel fence to encroach into the side yard setback approximately 10 feet from the property line. The Land Development Code provides the opportunity to modify from the requirements per this:

Special Use Permit Provision: Any request for a building permit for a fence/wall which does not meet the criteria in this Section shall only be authorized after approval of a Special Use Permit by the City Council using the procedures contained elsewhere in this Land Development Code.

Analysis: Any request for a residential fence which differs from the Land Development Code shall only be authorized after approval of a Special Use Permit by the City Council. The applicant is proposing the fence for privacy and security from Pleasant Run Road, which is designated as a major collector roadway. Shelton Drive is designated as a minor collector roadway.

Surrounding Development: The properties to the north, east and west are zoned AG and contain residential and institutional development. The property to the south is zoned R-40 and contains a single-family residential development.

Public Notification: Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 1,000 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, one (1)

correspondence in opposition has been received.

Staff Recommendation: Staff recommends denial as it does not meet the technical requirements of the Land Development Code.

Planning & Zoning Commission Recommendation: The Planning and Zoning Commission denied the request at their June 22, 2020 meeting by a vote of 5-1. When the Planning and Zoning Commission makes a recommendation of denial, a favorable vote of three fourths (3/4) of all members of the City Council is required for approval of the request.

Financial Impact

There is no fiscal impact to the City of Colleyville for this item.

Recommendation

Denial

Attachments

1. Appeal to City Council
2. Aerial Map
3. Zoning Map
4. Future Land Use Map
5. Statement of Planning Objectives
6. Site Plan
7. Fence Details
8. Photos Provided by Applicant
9. Landscape Plan
10. Grading Plan
11. Notification Map
12. Notification List
13. Property Owner Notification
14. Letter of Opposition
15. Ordinance O-20-2122

From: [Mark Cooper](#)
To: [Jackie Reyff](#)
Subject: Re: P&Z Agenda Packet for June 22nd Work Session and Regular Meeting
Date: Wednesday, June 24, 2020 4:18:14 PM

Jackie,

As we spoke about earlier we would like to appeal our zoning case for 816 Shelton.

Thank you,
Mark Cooper

Get [Outlook for Android](#)

From: Jackie Reyff <JReyff@colleyville.com>
Sent: Thursday, June 18, 2020 2:04:26 PM
To: Mark Cooper <mark@copperstreethomes.com>
Cc: Ben Bryner <BBryner@colleyville.com>
Subject: P&Z Agenda Packet for June 22nd Work Session and Regular Meeting

Good afternoon,

Below is the link for the June 22, 2020 Planning and Zoning Commission Agenda:

Here is the link: <ftp://publicdocs.colleyville.com/Public/Agendas/06-22-2020%20Planning%20and%20Zoning%20Commission%20Agenda%20Packet.pdf>

Please be aware that due to the large content of material in the agenda packet, it may take more time than usual to download onto cell phones and iPad devices; otherwise the material can be easily accessible through the use of a desktop or laptop computer.

Using this link will allow viewing of the packet from any computer or mobile device (with web access, outside of the City of Colleyville connection), including an iPad or other Apple-based device. The link is located on the PUBLIC MEETINGS page of the City's website and is accessible to the public. If you have any issues accessing the agenda packet, please contact Jacquelyn Reyff at 817-503-1056 for assistance. Thank you.

ATTENTION ALL PUBLIC OFFICIALS: A "Reply to All" of this e-mail could lead to violations of the Texas Open Meeting Act. Please reply only to the sender.

Best Regards,

Jackie

Jacquelyn Reyff, AICP
Principal Planner

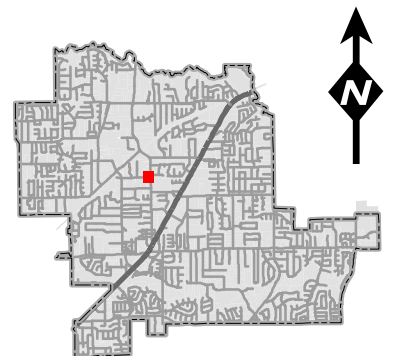
Aerial Map



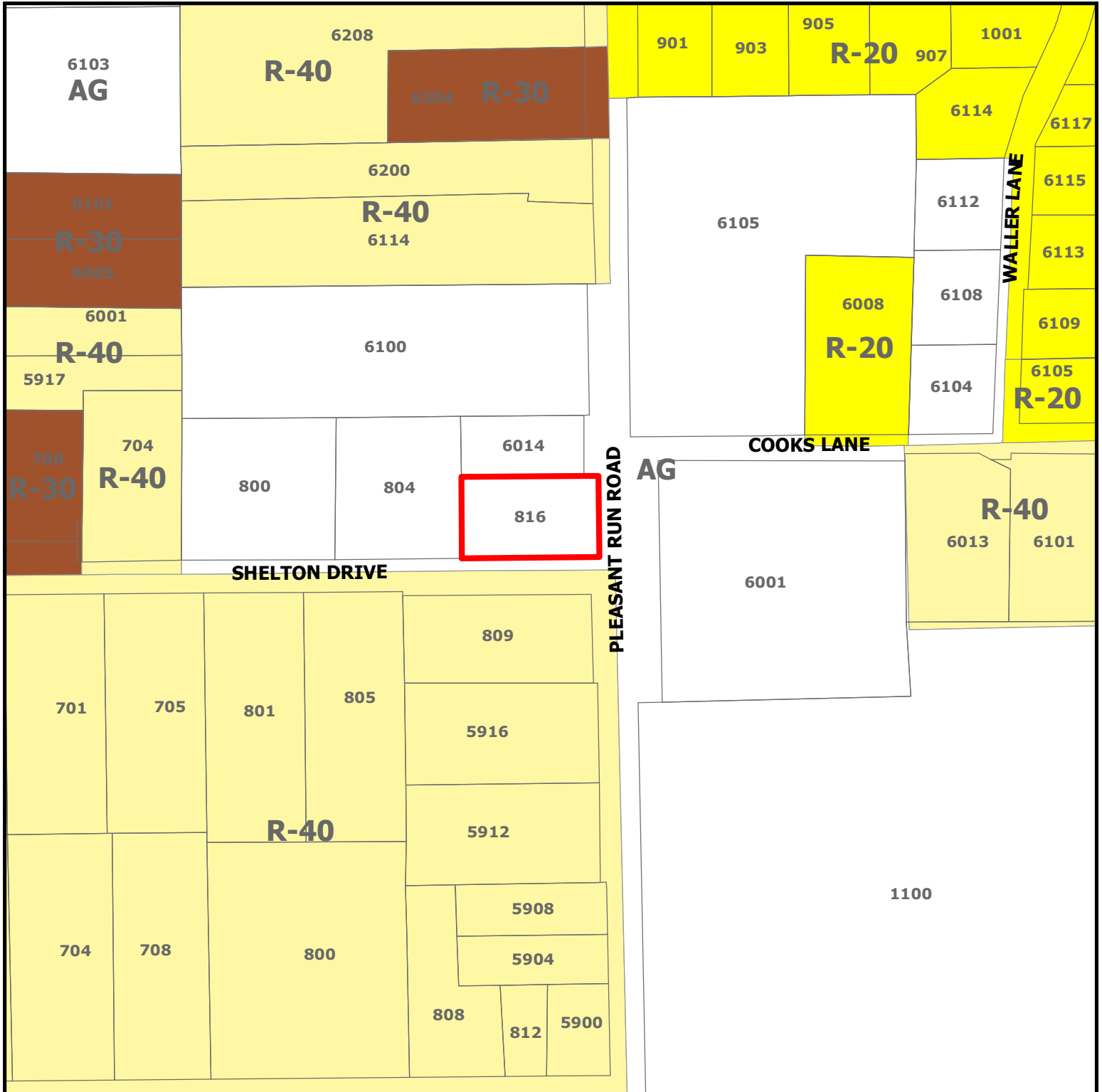
ZC20-009
816 Shelton Drive

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



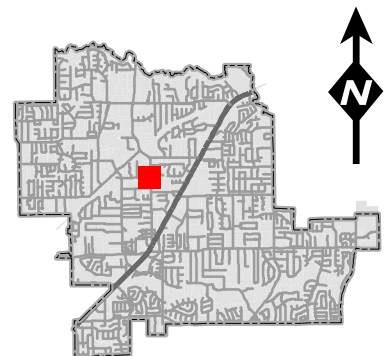
Zoning Map



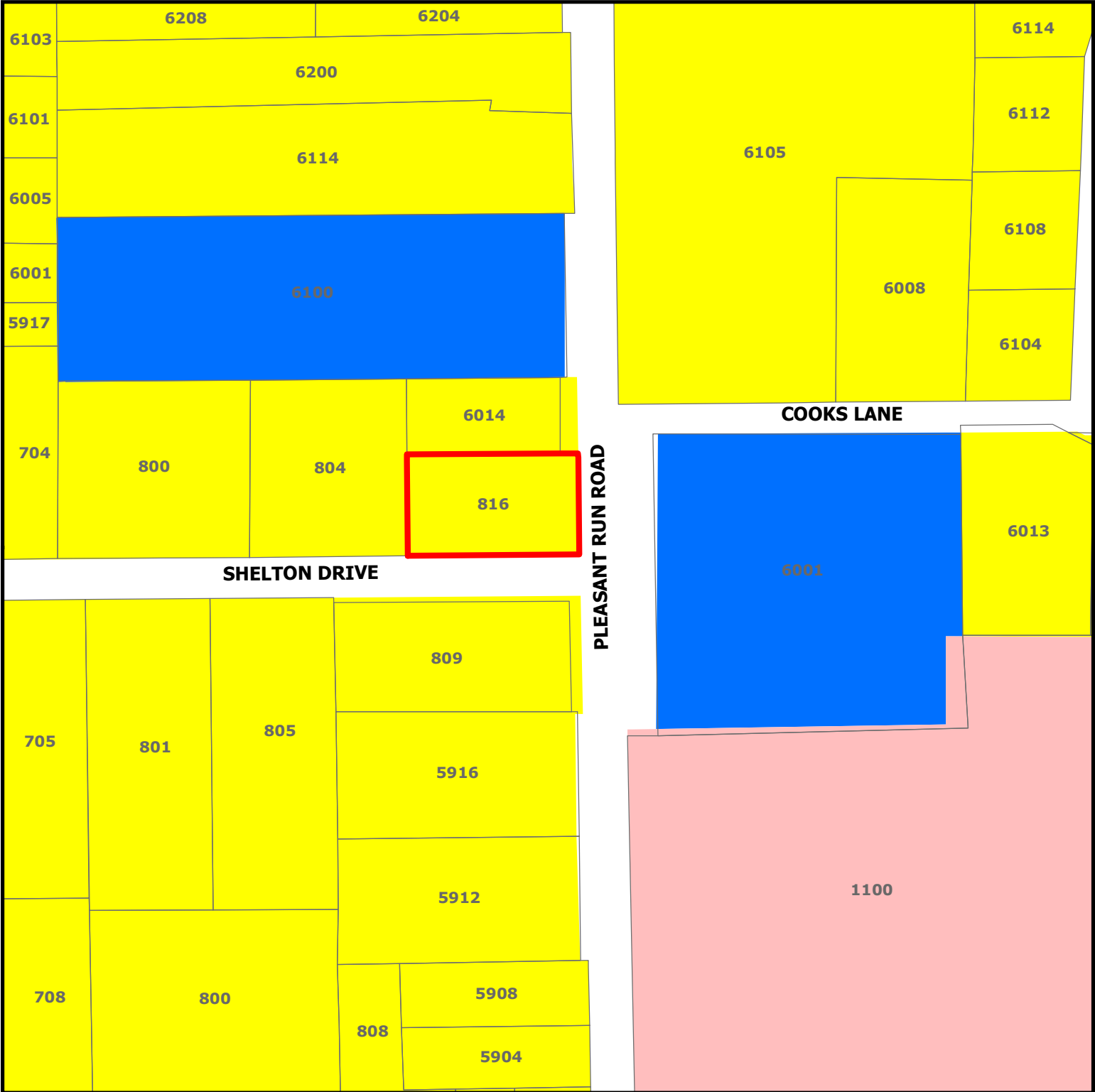
ZC20-009
816 Shelton Drive

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 Subject Property



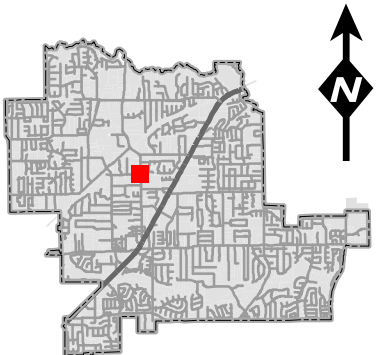
Future Land Use Map



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ZC20-009
816 Shelton Drive

- Subject Property
- Residential
- Institutional
- Colleyville Blvd Corridor



Statement of Planning Objectives

816 Shelton Dr. Application for Special Use Permit

Applicant, Mark Cooper of Copper Street homes, is proposing to construct a 5' high steel fence with a double arched gate at the driveway entrance to the garage at the stated location. The gate will be powered by electricity with a solar backup and will be operated by remote control. The main purpose for the fence and the gate is to ensure security for the Rick's family as they enter in and out of their garage. They are concerned that others could easily approach them as they enter and exit their garage if not shielded by a fence to give them protection. Their house is on the corner of Pleasant Run Dr. and Shelton Dr. Pleasant Run Dr. is a busy road and carries traffic from City Hall to as far north as Grapevine as it transitions into White Chapel Rd. There is a church located directly across the street with a large parking lot and there is also a middle school. During school opening and closing there is a considerable amount of traffic and School children that are walking and riding their bikes to and from school. The end of the driveway that they are proposing to fence is approximately 11' away from the City sidewalk on Pleasant Run Dr. This is not a safe situation for the Rick's or for the school children in the area when the school is in operation. A child could easily veer off the sidewalk as the Ricks are existing their garage and become injured. With the church parking lot directly across the street they are also concerned that someone could easily park there at night and enter through their garage as they are coming in or leaving their house.

We applied for a fence permit in February of this year as we were completing the construction of their home and were denied because the Land Development Code passed last year prohibits a metal fence over 30" to be built on a corner lot over the building setback line. See Land Development Code, Section 3.26 Fences, Free Standing Walls, and Screening Materials, Section 7, d, 2

a. The primary fencing material shall be of wrought iron, pre-formed concrete, poured in place concrete, concrete masonry unit (CMU), brick, approved wood rail construction, a combination thereof or other similar material approved by the City Building Official. All poured in place concrete and CMU shall contain an architectural finish.

b. On a corner lot, a house shall be deemed to face on that street on which it has its least dimension unless otherwise determined by the Building Official.

c. Vehicle Gate setback: Any vehicle gate shall be set back a sufficient distance from the property line to allow vehicle queuing space in order to maintain safety and to prevent backup along the street pavement. Sufficient distance shall be determined by the Building Official.

*d. Exceptions to front yard requirement: Lots containing a minimum of 40,000 square feet, and subdivisions, shall be allowed to construct a perimeter fence within the front yard setback. Said fencing shall be no greater than eight (8) feet in height and shall have no greater than twenty five (25) percent opaque construction within the front yard. Allowed construction materials shall be the same as paragraph "1.a" above. **This exception shall not apply to properties zoned as a PUD district.***

2. Corner Side Yards: Except where allowed elsewhere in this chapter, no fence or free standing wall greater than thirty (30) inches in height and no greater than twenty-five (25) percent opaque construction shall extend into the required street side yard. The regulations of 1.a through 1.d above shall apply.

Statement of Planning Objectives

We started the Rick's Home back in December of 2018 and included the fence locations as part of the site plan. The intention from day one was always to build this fence around the drive. At the time we applied for the Building Permit we did not, unfortunately, apply for the Fence Permit as well. Had we done so it would have been approved under the Codes at that time. We were also not aware that the Codes were going to change when we were building their house, so we were obviously surprised when the metal fence was not allowed to be permitted in February. Especially since there are so many homes on Shelton Dr., Pleasant Run Rd., and on corner lots at Shelton Dr. and Bransford Rd. with large entrances and fences located at the property lines. Included in the application are pictures of existing fences and entrances on Shelton Dr. within walking distances to their house. It is obvious when you look at these homes that the residences of the houses are also concerned about their security and safety as well. It is surprising that these structures are now so restricted. This has been a practice that has been in place for a long time in Colleyville and it makes sense to allow a fence to protect a garage drive on corner lots especially when the streets carry a lot of traffic or have public uses directly across the street. I hope you share my concern and understand the necessity of the request for a Special Use Permit for the Ricks home. Jerome Ricks grew up in Colleyville and is very excited to have a new home back in Colleyville with his wife. They like many Colleyville residence want to be able to live and enjoy their home without having to worry about the concerns I stated above. Please approve this request and allow them to live with security and peace of mind in their new home.

Regards

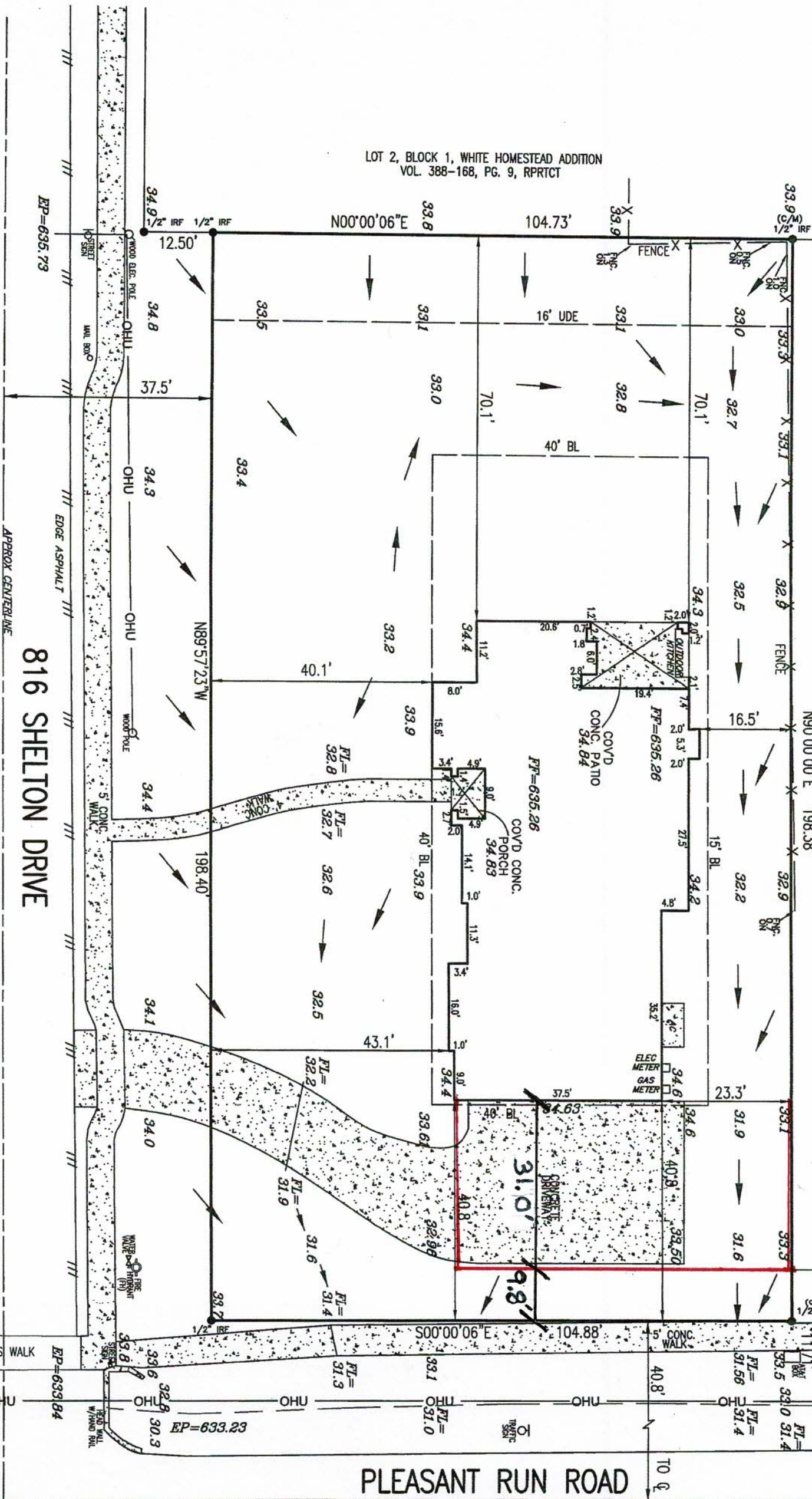
A handwritten signature in blue ink, appearing to read 'Mark Cooper', with a long horizontal stroke extending to the right.

Mark Cooper

Copper Street Homes LLC

LOT 1, BLOCK 1, GROSSMAN ADDITION
INST. NO. D214183221, RPRCT

(CONTROL BEARING)
N90°00'00"E 198.38'



LOT 2, BLOCK 1, WHITE HOMESTEAD ADDITION
VOL. 388-168, PG. 9, RPRCT



"FLOOD CERTIFICATION"
Subject property is located in
Zone X (unshaded) according to
the Flood Insurance Rate Map
Community Panel Map # 48439C0095 K
Map Revised September 25, 2009

"Zone X (unshaded)"
Areas determined to be outside
the 0.2% annual chance floodplain.

Determination based on graphically
scaling from the above listed
map, only.

This flood statement does not create
liability on part of the surveyor and/or
surveying company.

VERTICAL SOURCE:
Elevations shown hereon were
derived locally from RTK Network
via Real Time Kinematic (RTK)
methods.

BEARING SOURCE
BEARINGS SHOWN HEREON
ARE BASED ON THE PLAT RECORDED
IN DOC. NO. D218004066, D.R.I.C.T.

I, Ricky L. Gentry, hereby certify that the elevations and drainage pattern shown
hereon, were developed from a survey of the above described property, as they
performed on the ground, and accurately depict the elevations as they
occurred on the date of the survey. The elevations as depicted hereon, are
accurate to the nearest 1/10 foot. The elevations as depicted hereon, may
change subsequent to the date hereof, due to the subsidence or upland of
the soil, addition or removal of soil by acts of man, erosion by wind or water
or other factors. Therefore, the survey may not accurately depict the elevations
and drainage pattern of the above property after the date of survey.

SURVEY DATE: 02-24-2020

LEGEND
BL = BUILDING LINE
UE = UTILITY EASEMENT
DE = DRAINAGE EASEMENT
PUE = PUBLIC UTILITY EASEMENT
CM = CONTROLLING MONUMENT
IRF = IRON ROD FOUND
IRS = IRON ROD SET
-X- = FENCE
-> = DIRECTION OF FLOW

SCALE: 1" = 20'

DRAWN BY: PDS

JOB # SA-01-01

BLS JOB # 1804060-05



COPPER STREET HOMES

Platting / Planning / Residential / Commercial

3970 SANDSHELL DRIVE
FORT WORTH, TEXAS 76137

PHONE (817) 961-0082

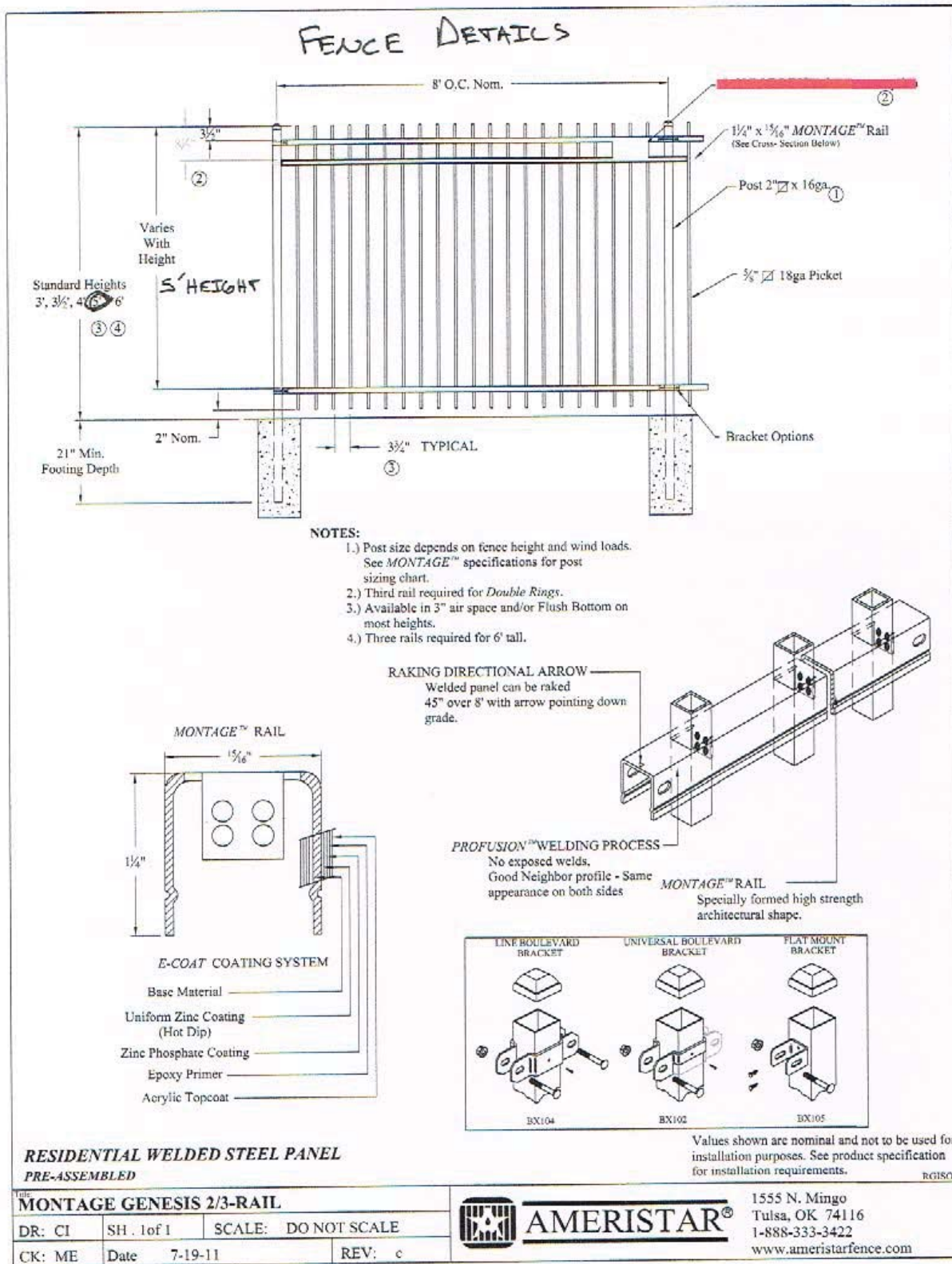
FAX (817) 961-0086

FIRM REGISTRATION NO. 10183700

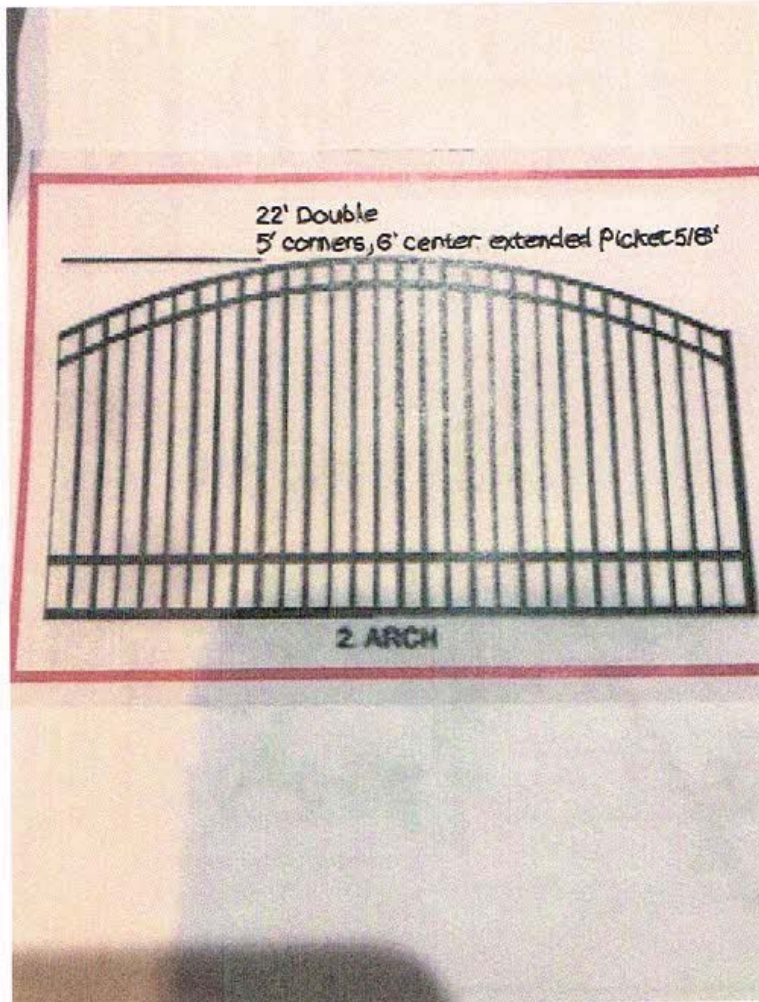
Lot 1, Block 1, of STOWE ADDITION, an addition to the
City of Colleyville, Tarrant County, Texas, according to the Plat Recorded
in Document No. D218004066, Deed Records, Tarrant County, Texas.
816 SHELTON DRIVE
GRADE CERTIFICATE

NOTE:
THIS SURVEY WAS PERFORMED WITHOUT
THE BENEFIT OF A TITLE COMMITMENT,
THUS OTHER INTEREST MAY EXIST.

Fence Details



Fence Details



Fence Details

Colleyville, Texas, Land Development Code

E. Fence and Free Standing Wall Setback Requirements

1. *Front Yards:* No fence or free standing wall greater than thirty (30) inches in height and no greater than twenty-five (25) percent opaque construction shall be located beyond the front façade of the primary residential structure.
 - a. The primary fencing material shall be of wrought iron, pre-formed concrete, poured in place concrete, concrete masonry unit (CMU), brick, approved wood rail construction, a combination thereof or other similar material approved by the City Building Official. All poured in place concrete and CMU shall contain an architectural finish.
 - b. On a corner lot, a house shall be deemed to face on that street on which it has its least dimension unless otherwise determined by the Building Official.
 - c. *Vehicle Gate setback:* Any vehicle gate shall be set back a sufficient distance from the property line to allow vehicle queuing space in order to maintain safety and to prevent backup along the street pavement. Sufficient distance shall be determined by the Building Official.
 - d. *Exceptions to front yard requirement:* Lots containing a minimum of 40,000 square feet, and subdivisions, shall be allowed to construct a perimeter fence within the front yard setback. Said fencing shall be no greater than eight (8) feet in height and shall have no greater than twenty-five (25) percent opaque construction within the front yard. Allowed construction materials shall be the same as paragraph "1.a" above. ~~This exception shall not apply to properties zoned as a PUD district.~~
2. *Corner Side Yards:* Except where allowed elsewhere in this chapter, no fence or free standing wall greater than thirty (30) inches in height and no greater than twenty-five (25) percent opaque construction shall extend into the required street side yard. The regulations of 1.a through 1.d above shall apply.

A decorative wall or fence (which is defined as any wall or fence not greater than thirty inches in height and not greater than twenty-five percent opaque construction) within a required street side yard shall not be placed less than three feet (3') from the side property line, and shall not be subject to the provisions of the preceding paragraph.

3. *Adjacent to Undeveloped Property:* Except for perimeter subdivision fencing meeting the requirements above, no fence or wall greater than thirty (30) inches in height that is greater than twenty-five (25) percent opaque construction, shall be located less than fifteen (15) feet from the side property line adjacent to the street which leads into undeveloped property. See Exhibit "3-4".
4. *Rear Fence and Free Standing Wall Setbacks:* Fences and walls meeting all of the construction requirements of paragraph "1.a" above and other adopted standards may be erected on the rear property line except; however, lots whose rear property line abuts a public street on which one of the immediate adjacent lots maintains its required front yard, then no fence nor wall greater than thirty (30) inches in height shall be located within fifteen (15) feet of the subject lots rear property line. See Exhibit "3-4".

Photos Provided By Applicant



Photos Provided By Applicant

816 SHELTON - FRONT VIEW



Photos Provided By Applicant



Photos Provided By Applicant



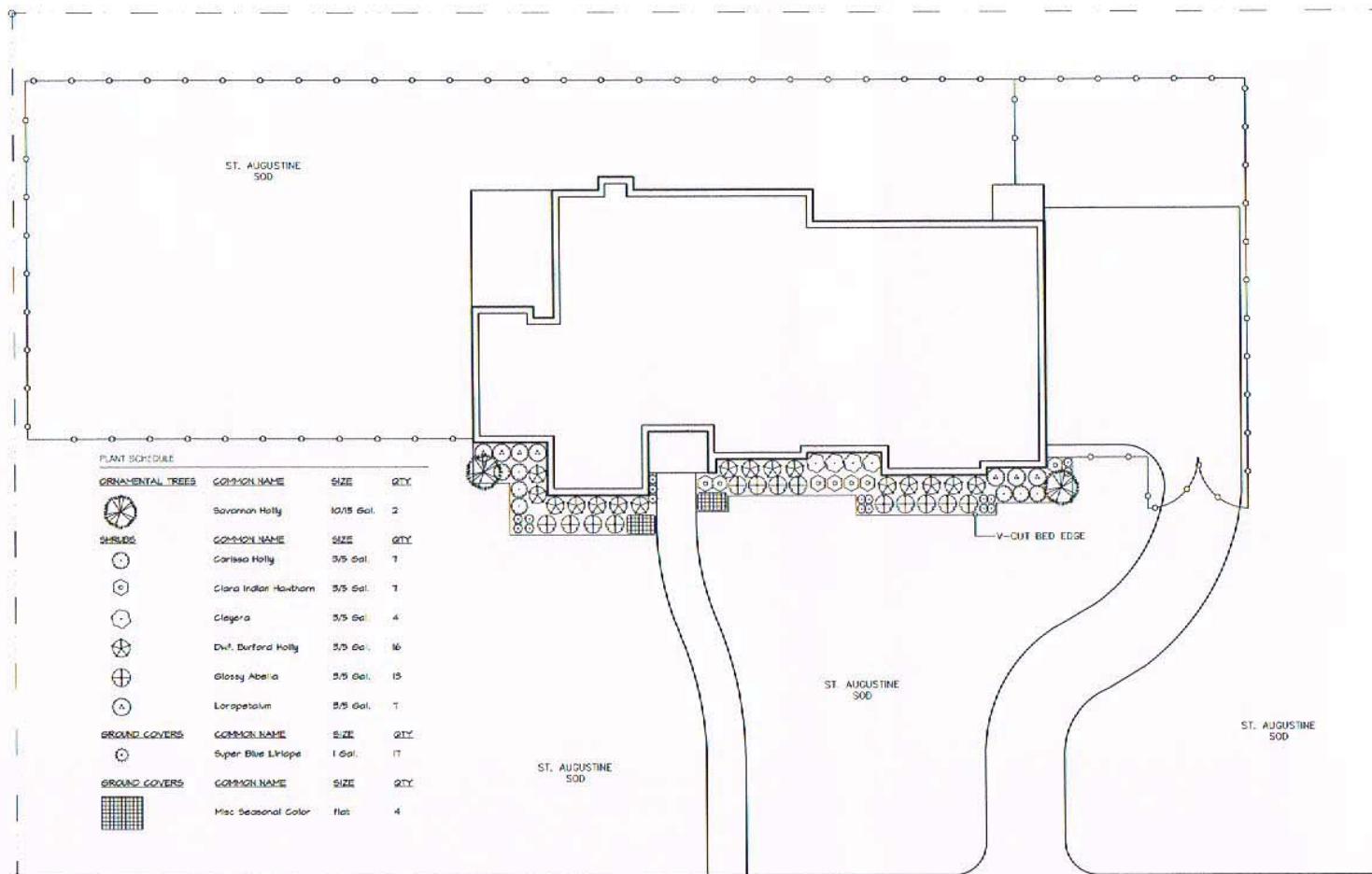
6001 BRANSFORD RD
AND CORNER OF SHELDON DR.

Photos Provided By Applicant

6204 REASNET RUN ROAD



Landscape Plan



CONTRACTOR NOTE:
INDICATION OF PLANTING AREAS ARE TO BE
FOLLOWED ON THE HOUSE EXTERIOR, UNLESS
OTHERWISE NOTED OR PROHIBITED



NOTE: PREPARED TO PROVIDE
DETAILED LAYOUT INFORMATION IN ANY
AREA MARKED AS SEASONAL COLOR

1" = 10'
Scale: 1/8" = 1'-0"

THIS DESIGN IS A WATER PLAN AND ONLY
ITEMS ON THE HOUSE CONTRACT WILL BE
INSTALLED

MEASUREMENTS AND LOCATIONS OF
MATERIALS ON PLANS ARE APPROXIMATE.
EXACT PLACEMENT TO BE DETERMINED AT
TIME OF INSTALLATION AND MAY VARY
BASED UPON ACTUAL SITE CONDITIONS

ALL PLANTS AND SPECIFICATIONS ARE
PROPERTY OF GARDEN DESIGN, LLC.
ANY USE FOR ANY OTHER PROJECT IS
PROHIBITED UNLESS A DESIGN FEE HAS BEEN
PAID TO GARDEN DESIGN, LLC

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PLAN APPROVAL, DATE:

SIGNATURE:



RICKS RESIDENCE
816 Shelton Drive
Colleyville, Texas

DATE/PERSON
2.7.20 JRP

DESIGNED BY
GARDEN DESIGN

SCALE: 1/8" = 1'-0"

GARDEN
DESIGN



214.350.2525

SHEET 1 OF 1

L1

Grading Plan

2/28/2020



ERIC L. DAVIS ENGINEERING, INC.
F-3987
120 EAST MAIN STREET
Ferry, Texas 75125
972/564-0592 Fax: 972/564-6523
E-Mail: eric.davis@eldengineering.com

GRADING PLAN
ENGINEERED FOR
COPPER STREET HOMES

PLAN: GRADING
ELD JOB NO. DIF18-1197
DRAWN BY: BW
CHECKED BY: ML
LOT: 1 BLOCK: 1
CITY: COLLETTVILLE, TX

SCALE: 1" = 30'

SHEET 01

- NOTE:
1. SITE PREPARATION MUST COMPLY WITH PROJECT GEOTECHNICAL REPORT SPECIFICATIONS.
 2. REMOVE AND DISCARD ALL VEGETATION WHERE GRADING IS PROPOSED.
 3. SITE DRAINAGE MUST BE WELL DEVELOPED AND DIRECTED AWAY FROM THE FOUNDATION. GRADE SHALL FALL A MINIMUM OF 6 INCHES WITHIN THE FIRST 10 FEET. FLOWLINE SLOPES OF SWALES AND SIDE YARDS SHALL NOT BE LESS THAN 1.25%. NO PONDING OF SURFACE WATER SHALL BE ALLOWED NEAR THE STRUCTURE.
 4. BACKFILL AROUND THE FOUNDATION SHALL BE WITH COHESIVE SOIL.
 5. ROOF DOWNSPOUTS AND DRAINS SHALL BE EXTENDED AND DRAIN AWAY FROM FOUNDATION.
 6. PAVING AND STRUCTURAL DESIGN BY OTHERS.

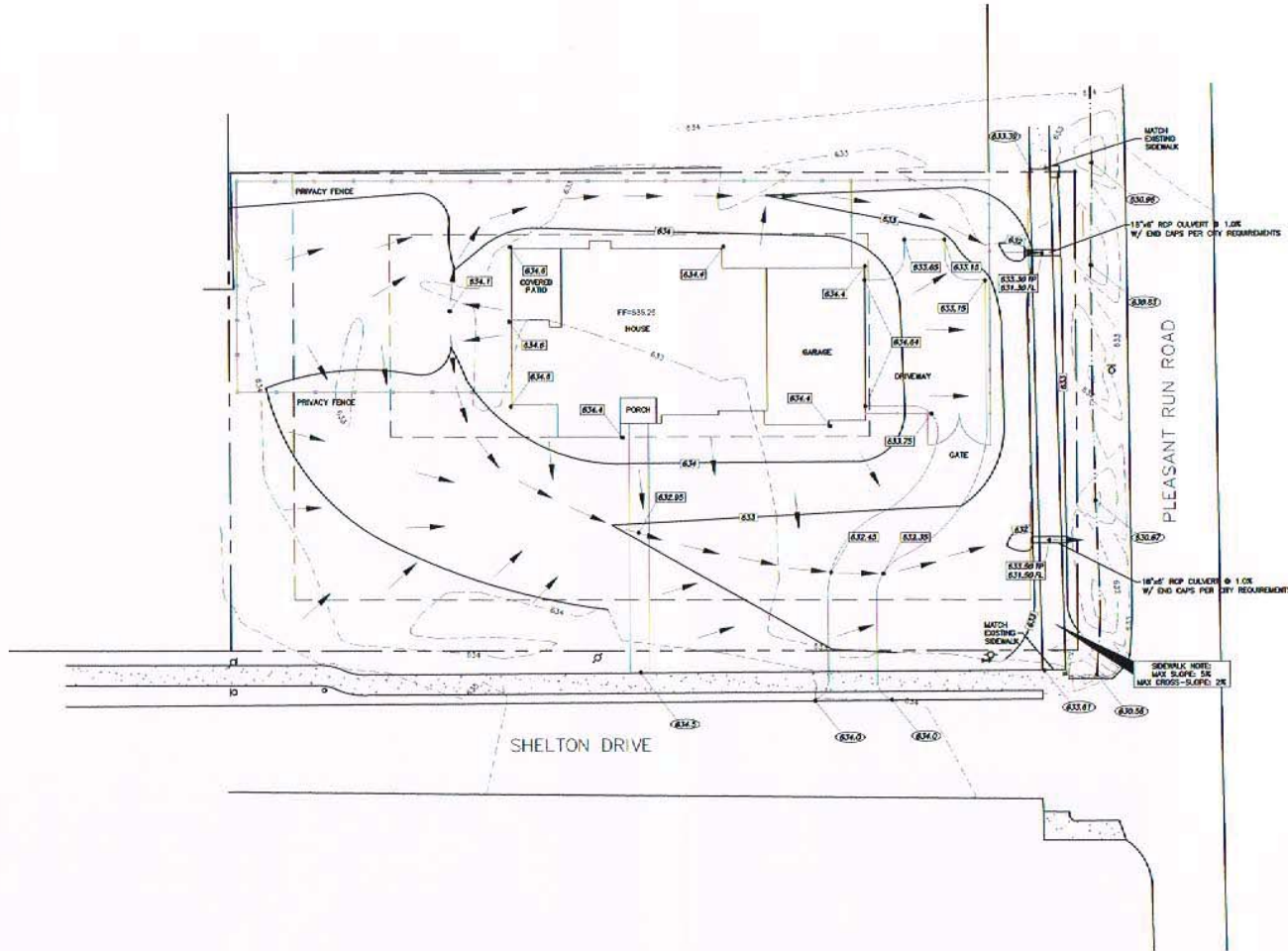
ALL ELEVATIONS ARE BASED ON SURVEY DATA PROVIDED BY THE OWNER AND/OR SURVEYOR. DESIGN ENGINEER ASSUMES NO RESPONSIBILITY FOR DISCREPANCIES RESULTING FROM SURVEY DATA.

CAUTION!!
CALL TEXAS ONE CALL @
1-800-245-4545
48 HRS PRIOR TO CONSTRUCTION

(U) CAUTION (U)
EXISTING UTILITIES AND UNDERGROUND FACILITIES INDICATED ON THESE PLANS HAVE BEEN LOCATED FROM REFERENCE INFORMATION SUPPLIED BY VARIOUS OWNERS OF THE FACILITIES. THE ENGINEER DOES NOT ACCEPT THE RESPONSIBILITY FOR THE UTILITY LOCATIONS SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY BOTH HORIZONTALLY AND VERTICALLY THE LOCATION OF ALL EXISTING UTILITIES AND UNDERGROUND FACILITIES PRIOR TO CONSTRUCTION, TO TAKE NECESSARY PRECAUTIONS IN ORDER TO PROTECT ALL FACILITIES ENCOUNTERED, AND TO NOTIFY THE ENGINEER PROMPTLY OF ALL CONFLICTS OF THE WORK WITH EXISTING FACILITIES. THE CONTRACTOR SHALL PRESERVE AND PROTECT ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION, AND DAMAGE BY THE CONTRACTOR TO EXISTING UTILITIES SHALL BE REPAIRED BY THE CONTRACTOR AT HIS OR HER EXPENSE.

LEGEND

- EASEMENT
- XXX EXISTING SPOT ELEVATION
- XXX PROPOSED SPOT ELEVATION
- PROPERTY LINE
- XXX PROPOSED CONTOURS
- XXX EXISTING CONTOURS
- PROPOSED FLOW DIRECTION
- FLOW LINE
- TP TOP OF PAVEMENT
- FL FLOWLINE



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY MITCHELL K. LENHARDT, P.E. 92714 ON 2/28/2020

Notification Map



ZC20-009
816 Shelton 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.



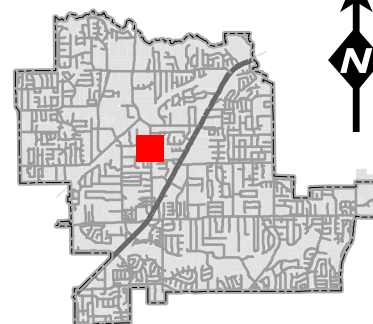
Subject Property



500ft Buffer



Properties within 500ft



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
CONGREGATION BETH ISRAEL	PO BOX 397	COLLEYVILLE, TX	76034	6100 PLEASANT RUN RD
GABLE, STEPHAN D	705 SHELTON DR	COLLEYVILLE, TX	76034	705 SHELTON DR
SLINEY, PAMELA M	6008 COOKS LN	COLLEYVILLE, TX	76034	6008 COOKS LN
MCCLURE, RICK	800 BEVERLY DR	COLLEYVILLE, TX	76034	800 BEVERLY DR
IRVING INVESTMENT LTD	4004 GATEWAY DR #109	COLLEYVILLE, TX	76034	704 SHELTON DR
MCMEANS, JAY B	6013 COOKS LN	COLLEYVILLE, TX	76034	6013 COOKS LN
ROBARE, LISA	PO BOX 2802	GRAPEVINE, TX	76099	6001 HUNTER LN
ST CLAIR, LLOYD S	808 BEVERLY DR	COLLEYVILLE, TX	76034	808 BEVERLY DR
HEDGES, B D	6104 WALLER LN	COLLEYVILLE, TX	76034	6104 WALLER LN
PANNO, RYAN	PO BOX 217	COLLEYVILLE, TX	76034	809 SHELTON DR
HASSAN FAMILY TRUST, THE	5912 PLEASANT RUN RD	COLLEYVILLE, TX	76034	5912 PLEASANT RUN RD
WILLIS, SCOTT A	6114 PLEASANT RUN RD	COLLEYVILLE, TX	76034	6200 PLEASANT RUN RD
MCINTYRE, TREVOR	5917 HUNTER LN	COLLEYVILLE, TX	76034	5917 HUNTER LN
GROSSMAN, LISA	6014 PLEASANT RUN RD	COLLEYVILLE, TX	76034	6014 PLEASANT RUN RD
WILLIS FAMILY REVOCABLE TRUST,	6114 PLEASANT RUN RD	COLLEYVILLE, TX	76034	6114 PLEASANT RUN RD
ELMS, JASON R	801 SHELTON DR	COLLEYVILLE, TX	76034	801 SHELTON DR
STOWE, ELLIE P	13548 W MAUNA LOA LN	SURPRISE, AZ	85379	816 SHELTON DR
PLEASANT RUN BAPTIST CHURCH	6005 PLEASANT RUN RD	COLLEYVILLE, TX	76034	6001 PLEASANT RUN RD
DAY, JAMES B	805 SHELTON DR	COLLEYVILLE, TX	76034	805 SHELTON DR
KAUL, SONIA	5908 PLEASANT RUN RD	COLLEYVILLE, TX	76034	5908 PLEASANT RUN RD
KERLEE, TWYLA	800 SHELTON DR	COLLEYVILLE, TX	76034	800 SHELTON DR
WALKER, DONNA	804 SHELTON DR	COLLEYVILLE, TX	76034	804 SHELTON DR
CRUSON, GLEN A	5916 PLEASANT RUN RD	COLLEYVILLE, TX	76034	5916 PLEASANT RUN RD
COULTER, MONA COOK	6105 PLEASANT RUN RD	COLLEYVILLE, TX	76034	6105 PLEASANT RUN RD
GRAPEVINE, ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051	1100 BOGART DR
FARAGHER, JACK	6005 HUNTER LN	COLLEYVILLE, TX	76034	6005 HUNTER LN
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
COOPER, MARK	404 E WALL STREET	GRAPEVINE, TX	76051	APPLICANT

Property hearing notices were mailed on May 22, 2020



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, June 8, 2020 at 7:00 p.m.
City Council Meetings: Tuesday, July 7, 2020 & Tuesday, July 21, 2020 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

Request: Consideration of a Special Use Permit for a Fence to extend into the required street side yard. The purpose is to allow for a 5 foot steel fence to encroach into the side yard setback.

Zoning Case: ZC20-009

Applicant: Mark Cooper

Owner: Jerome Ricks and Qing Bai

Location: 816 Shelton Drive

Property Description: Lot 1, Block 1, of the Stowe Addition

Present Zoning: AG Agricultural

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**

NOTICE OF PUBLIC HEARING

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 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 Reyer

Jacquelyn Reyff
Principal Planner
jreyff@colleyville.com

July 7, 2020 City Council #1

I am sorry that I am unable to speak with you in person tonight. I am Lisa Grossman and I live at 6014 Pleasant Run Rd., to the north of 816 Shelton. I've built two houses in Colleyville and have lived in this one for four years. (The top of the photo is to the south.)



The homeowners want to put 140 ft. of 6-ft.-tall wrought iron fence around their driveway pad in their side yard, which faces Pleasant Run, in the area where all the other houses have front yards. The homeowners are asking you to overrule the planning and zoning commission, which voted 6 to 1 against their proposed fence. I spoke in opposition then and am writing in opposition now.

The city ordinance limits fences in side yards to 30 inches. This requirement is common in nearby cities like Bedford, Arlington, Fort Worth and Grand Prairie. The rule prevents the unfriendly looking fortress walls that we see in some parts of the Metroplex.



In February, without a fence permit, they installed 6 ft.-4 in. fenceposts, although they say they intend to build a 5 ft. fence. If this fence is allowed, it won't provide extra privacy or additional security for them, or more safety for pedestrians. No special conditions existed on their lot. They just want this fence. But it will be an eyesore for me and everyone else who drives down the street. And it will set a precedent for others.

My lot and theirs were zoned AG and required variances. Neighbors and I spoke before the city council about this lot four times between June and October 2017. We all agreed that they should receive the same setbacks that I received.

However, they did not receive the same setbacks I did. My rear setback is 25 ft. (to the west) and theirs is 15 ft. (to my fence on the north). They were only required to give an 11 ft. right-of-way on Pleasant Run and I was required to give 22 ft.

The green indicates the stockade fence they extended beyond my fence and my living room windows. The blue is their proposed wrought iron fence.

So, the buyer built a 5000 sq. ft., two-story house 15 ft. from my fence. The house is 85 ft. long with 12 windows facing me. Because of the right-of-way discrepancy, and their choice to build tightly to the east setback instead of the west setback, their house extends 11 ft. beyond the front of mine.

I have seven windows on the south, facing their house. I have lost all my sunlight. I can't see any sky. All I can see is their brick and their 12 windows.

The only sky and greenery I can see is out my front windows. If they are allowed to build this fence, my view will resemble looking through a jail cell.





The owners could have done research with the city like many of us did. They could have selected house plans that put their driveway on the west side. They could have bought different land. Just because they wanted a fence, and started erecting it without a permit, does not make their wishes more important than mine. It does not make their desire more important than the image the City of Colleyville wants to project.

Only three homes on Shelton have driveway gates and all are in front yards. Colleyville is ranked in the top 100 safest cities in the country. This family has apparently lived here safely for four months without a fenced driveway. Their garage is near the street where it is unlikely they would have intruders.

Mr. Cooper, their builder, explained to P & Z that the family said they needed a fence for privacy, safety and to prevent children from falling on their driveway. No one walks on our side of Pleasant Run because there are long sections without sidewalks. Their house will not be safer with a fence than without. Their land had no special circumstances that would require this fence.

And I believe it is in the public good, and certainly my enjoyment of my home, to not look at steel bars where everyone else has grass, bushes and flowers in their front yards. This fence would be an eyesore, would look out of place and would diminish the beauty and uniformity of our neighborhood.

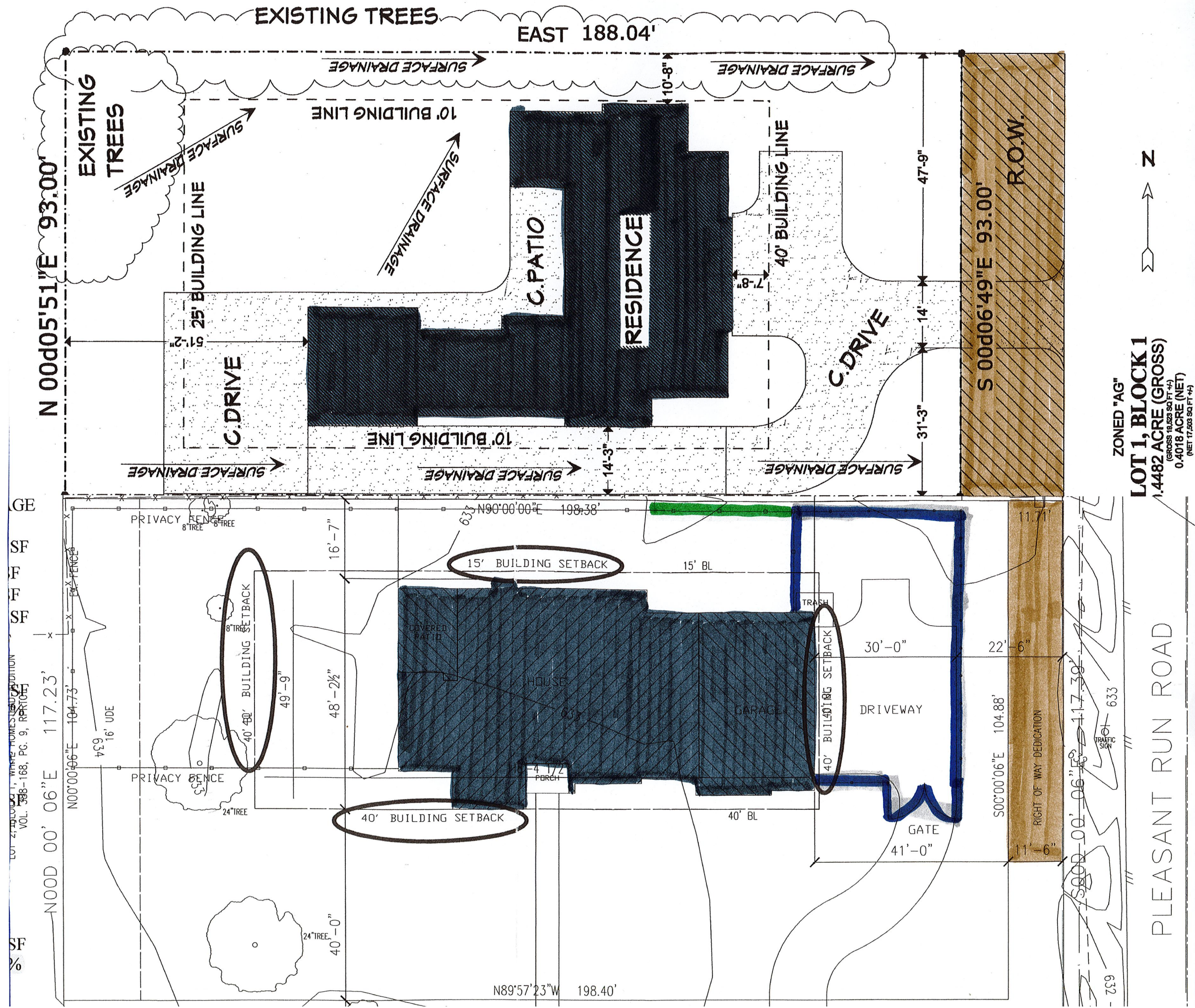
Thank you.



Lisa Grossman







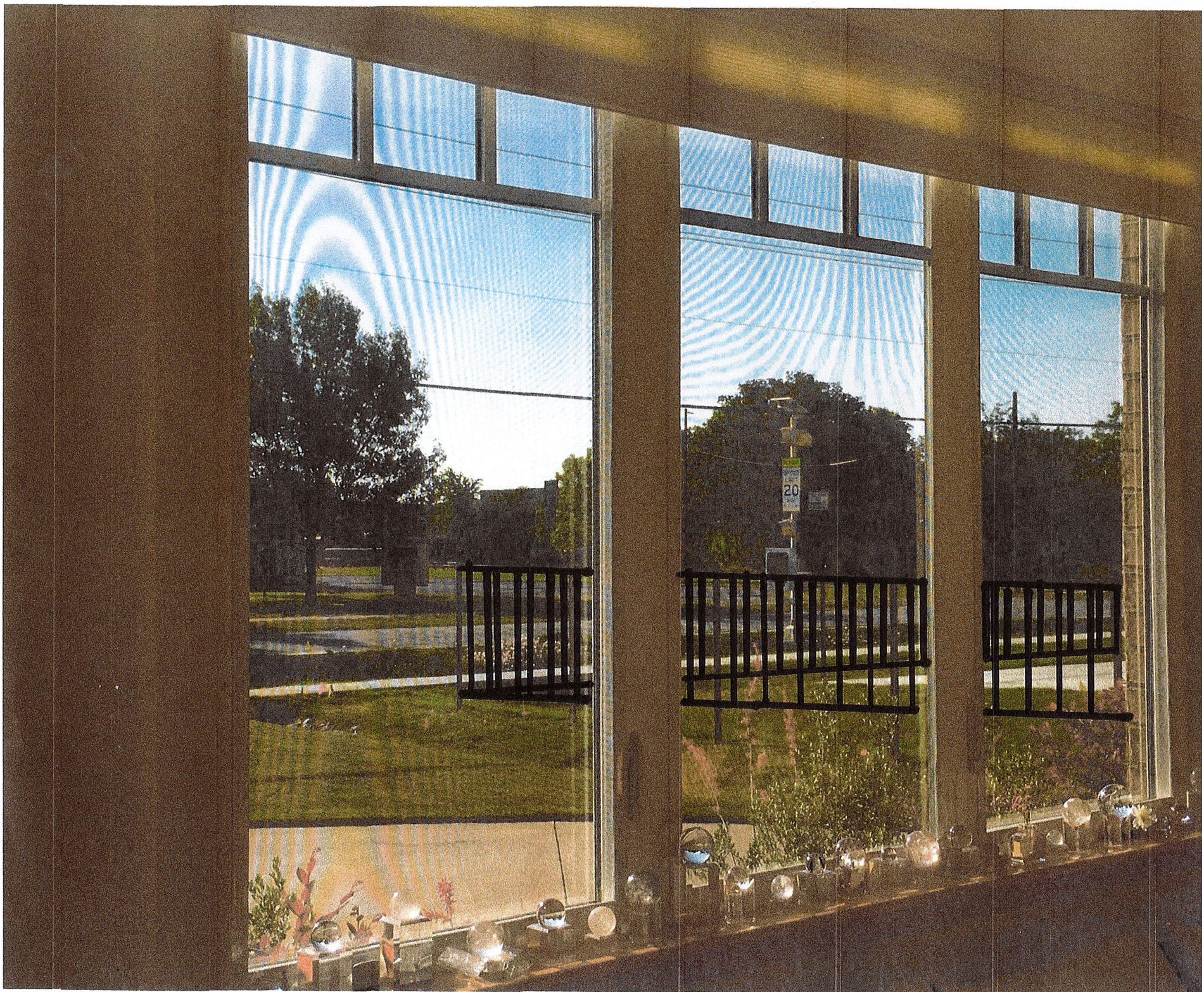
ZONED "AG"
LOT 1, BLOCK 1
1.4482 ACRE (GROSS)
(GROSS 18,523 SQ FT +/-)
0.4018 ACRE (NET)
(NET 17,503 SQ FT +/-)

PLEASANT RUN ROAD



4

5



ORDINANCE O-20-2122

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 0.48 ACRES, BEING LOT 1 BLOCK 1, OF THE STOWE ADDITION, LOCATED AT 816 SHELTON DRIVE, BY AUTHORIZING A SPECIAL USE PERMIT FOR A 5 FOOT STEEL FENCE TO ENCROACH INTO THE SIDE YARD SETBACK FOR A CORNER 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 a 5 foot steel fence to encroach into the street side yard setback for a corner lot under Case No. ZC20-009; 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 amend the City's zoning ordinance; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the City's zoning 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 City Council is of the opinion that the change in zoning provided for herein should be made, in compliance with the City Charter, and state law with reference to changes to zoning classifications under the City's zoning ordinance and zoning map, having given the requisite notices required by law and having held public hearings affording all interested persons and property owners a full and fair opportunity to be heard.

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

- Sec. 1. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a Special Use Permit for a 5 foot steel fence to encroach into the street side yard setback for a corner lot on 0.48 acres, being Lot 1 Block 1, of the Stowe Addition, located at 816 Shelton Drive, as depicted on the attached as Exhibit "A".

Sec. 2. 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. 3. 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 5 foot steel fence to encroach into the street side yard setback for a corner lot.
- b. The fence location shall be approximately 10 feet from the street side property line and shall be generally consistent with the site plan and as depicted on the attached Exhibit "B".
- c. All requirements of the Land Development Code shall be met, except where 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 this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 7th day of July 2020.

The second reading and public hearing being conducted on the 21st day of July 2020.

PASSED AND APPROVED BY A VOTE OF _ AYES, _ NAYS, AND _ ABSTENTIONS ON THIS THE 21ST DAY OF JULY 2020.

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

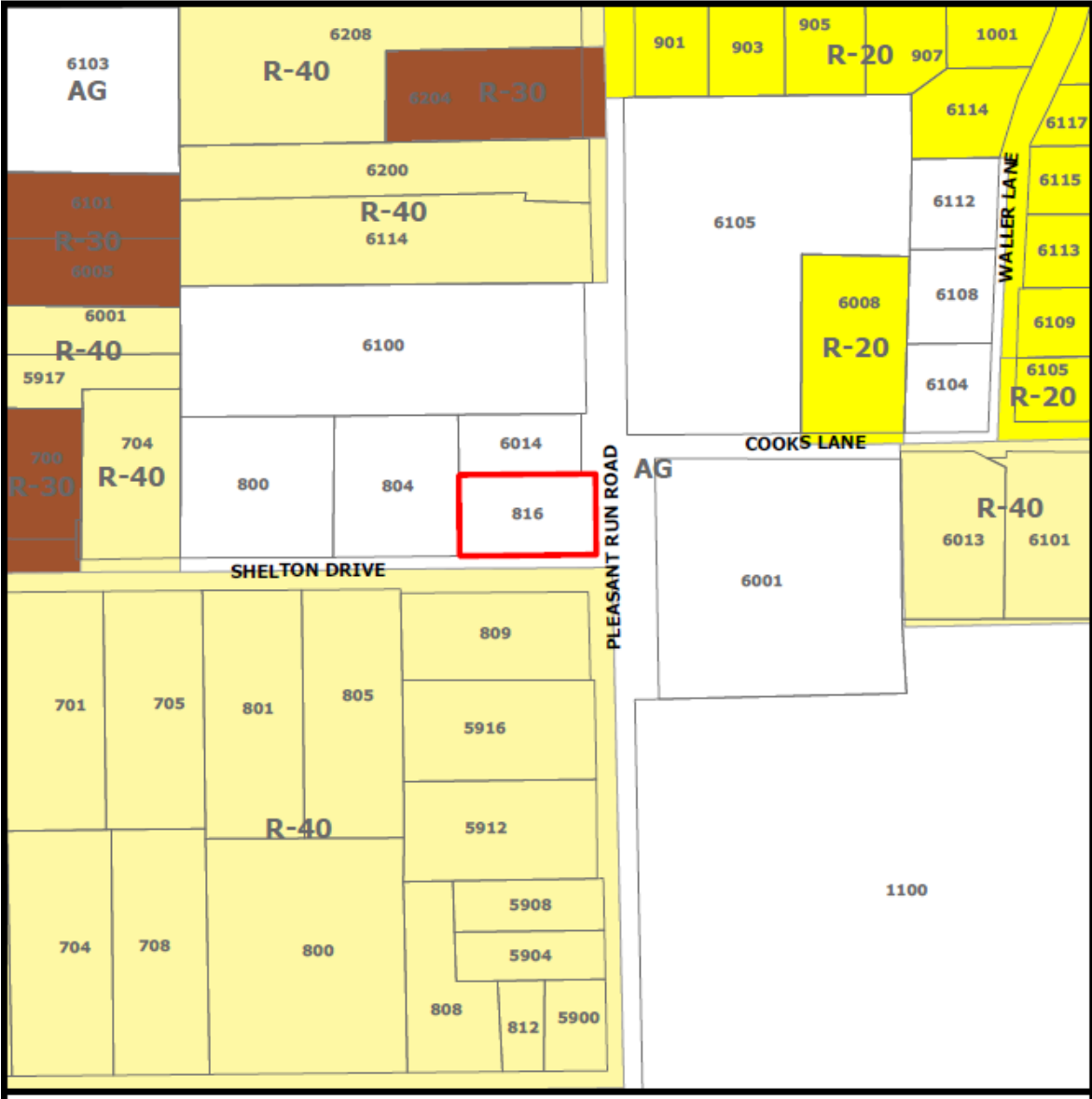
Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM:

Whitt Wyatt
City Attorney

Exhibit "A" - Location and Zoning Map



TO OUR CERTIFICATE
 Subject property located in Zone X (unshaded) according to Community Parcel Map # 4843400095 K Map Revised September 25, 2009
 "Zone X (unshaded)" be outside the 0.2% annual chance floodplain.
 Determination based on graphically map only.
 This flood statement does not create liability on part of the surveyor and/or surveying company.
VERTICAL SOURCE:
 Elevations shown hereon were derived locally from RTK Network via Real Time Kinematic (RTK) methods.

BEARING SOURCE:
 BEARINGS SHOWN HEREON ARE BASED ON THE PLAT RECORDED IN DOC. NO. D218004066, D.R.T.C.T.

NOTES:
 THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, THUS OTHER INTEREST MAY EXIST.

LOT 1, BLOCK 1, GROSSMAN ADDITION
 INST. NO. D218183221, R.P.R.C.T.
 (CONTROL BEARING)
 N90°00'00"E 198.38'

LOT 2, BLOCK 1, WHITE HOMESTEAD ADDITION
 VOL. 386-166, P. 9, R.P.R.C.T.

816 SHELTON DRIVE
 GRADE CERTIFICATE

LOT 1, Block 1, of STOWE ADDITION, an addition to the City of Colleyville, Tarrant County, Texas, according to the Plat Recorded in Document No. D218004066, Deed Records, Tarrant County, Texas.

816 SHELTON DRIVE
 GRADE CERTIFICATE

NOTE:
 THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, THUS OTHER INTEREST MAY EXIST.

BARROW LAND SURVEYING, INC.
 Planning / Planning / Residential / Commercial
 3970 SANDSHELL DRIVE
 FORT WORTH, TEXAS 76137
 PHONE (817) 961-0082
 FAX (817) 961-0086
 FIRM REGISTRATION NO. 10183700

SCALE: 1" = 20'
DRAWN BY: PDS
JOB # SA-01-01
BLS JOB # 1804060-05

SURVEY DATE: 12-24-2020

LEGEND:
 BL = BUILDING LINE
 UE = UTILITY EASEMENT
 PUE = PUBLIC UTILITY EASEMENT
 CM = CONTROLLING MONUMENT
 IRS = IRON ROD SET
 IR = IRON ROD
 D = DIRECTION OF FLOW

DEED RECORDS
 TARRANT COUNTY, TEXAS
 DOCUMENT NO. D218004066



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6b

Agenda Date 7/21/2020

Number Ordinance O-20-2123

Type Ordinance

Department Community Development

Title

Request to appeal the decision of the Planning and Zoning Commission for consideration of a Special Use Permit for a fence to extend into the required street side yard on Lot 1, Block 8, Creekside at Colleyville, Phase 3, located at 3501 LeJoie Lane, Case ZC20-010

Strategic Plan

4.1 Protect Colleyville's semi-rural residential character

Explanation

Second Reading & Public Hearing

During the applicant's presentation at the July 7, 2020 City Council meeting, Zach Schneider, Tradition Homes, also addressed the City Council regarding lots in this development. The Corner Lot Analysis provided by the applicant is attached.

First Reading & Public Hearing

Cheryl Turner, the applicant, has submitted a request for a Special Use Permit (SUP) for a five foot iron rod fence to encroach into the street side yard setback for a corner lot on Lot 1, Block 8, of the Creekside at Colleyville, being approximately 0.1885 acres, and zoned PUD-R Planned Unit Development - Residential district.

Existing Conditions/Background: The subject property, 3501 LeJoie Lane, has PUD-R zoning and is located on the southeast corner at the intersection of Petrus Boulevard and LeJoie Lane. The subject property has a new single family residence.

The applicant was in receipt of an informational letter from staff dated November 16, 2018 and at that time the Land Development Code allowed for a non-privacy fence (wrought iron, no more than 25% opaque) to be allowed within the street side yard setback and even along the exterior side property line.

A building permit was issued for the construction of a new home in August of 2019.

The fence permit was applied for in April 2020 and was denied. The applicant was informed the Land Development Code had been amended by the City Council in August 2019 (Ordinance O-19-2088) and therefore the request by the applicant is not allowed unless approved with an SUP. The applicant subsequently applied for an SUP as

allowed per the Land Development Code.

SUP Request:

Request – The applicant is requesting approval of an SUP to allow for a five foot iron rod fence to be located approximately five feet from the corner street side property line which is within the street side yard of the property.

Ordinance – Section 3.26 Fences, Free Standing Walls, and Screening Materials Regulations of the Land Development Code establishes the maximum size and location of fencing to be permitted by staff on a residential lot:

"E. Fence and Free-Standing Wall Setback Requirement:

2. Corner Side Yards: Except where allowed elsewhere in this chapter, no fence or free standing wall greater than thirty (30) inches in height and no greater than twenty-five (25) percent opaque construction shall extend into the required street side yard. The regulations of 1.a through 1.d above shall apply.

Regulation "2" above applies in this case requiring no fence be allowed to extend into the street side yard which is 15' per the zoning. The applicant proposes to locate a 5 foot iron rod fence to encroach into the side yard setback for a corner lot. The Land Development Code provides the opportunity to modify from the requirements per this:

Special Use Permit Provision: Any request for a building permit for a fence/wall which does not meet the criteria in this Section shall only be authorized after approval of a Special Use Permit by the City Council using the procedures contained elsewhere in this Land Development Code.

Analysis: Any request for a residential fence which differs from the Land Development Code shall only be authorized after approval of a Special Use Permit by the City Council. The applicant is proposing the fence similar to what was previously allowed in the subdivision prior to August 2019 and to match the adjacent lot to the south.

Surrounding Development: The properties to the north, south, east and west are zoned PUD-R zoning and contain residential development in the Creekside at Colleyville subdivision.

Public Notification: Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 1,000 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: Staff recommends denial as it does not meet the technical requirements of the Land Development Code.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission made a motion to approve the request at their June 8, 2020 meeting. However, the motion failed by a vote of 3-1. A minimum of 4 affirmative votes is needed for the motion to pass or else it is deemed a recommendation of denial. When the Planning and Zoning Commission makes a recommendation of denial, a favorable vote of three-fourths (3/4) of all members of the City Council is required for approval of the request.

Financial Impact

There is no fiscal impact to the City of Colleyville for this item.

Recommendation

Denial

Attachments

1. 3501 LeJoie Appeal to City Council
2. Aerial Map
3. Zoning Map
4. Future Land Use Map
5. Statement of Planning Objectives
6. Statement of Planning Objectives - Updated
7. Site Plan
8. Photos Provided by Applicant
9. Letter Provided by Applicant
10. Corner Lot Fence Analysis by Applicant
11. Notification Map
12. Notification List
13. Property Owner Notification
14. Ordinance O-20-2123

Jackie Reyff

From: Cheryl Turner <Cheryl.Turner@mainvuehomes.com>
Sent: Friday, June 12, 2020 8:59 AM
To: Jackie Reyff
Cc: Ben Bryner; Araceli Botello
Subject: RE: Possible Appeal to City Council Case ZC20-010

I apologize! I just checked my drafts and I had forgot to hit send. I definitely would like to appeal! Is this email sufficient? Per our discussion, I will be sending some updated information to include with my appeal by the end of next week.

From: Jackie Reyff <JReyff@colleyville.com>
Sent: Friday, June 12, 2020 8:25 AM
To: Cheryl Turner <Cheryl.Turner@mainvuehomes.com>
Cc: Ben Bryner <BBryner@colleyville.com>; Araceli Botello <ABotello@colleyville.com>
Subject: Possible Appeal to City Council Case ZC20-010

Morning Ms. Turner,

I'm just checking in with you regarding an appeal for Case ZC20-010 to City Council. We are in need of an email verifying as such. Any additional information for the case can come separately from the appeal email.

If you have any questions, I may be reached by phone or email.

Best Regards,

Jackie

Jacquelyn Reyff, AICP
Principal Planner



817.503.1056

Integrity ~ Communication ~ Excellence ~ Transparency



ATTENTION ALL PUBLIC OFFICIALS: A "Reply to All" of this e-mail could lead to violations of the Texas Open Meeting Act. Please reply only to the sender.

*****Email from External Sender*****

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you may not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

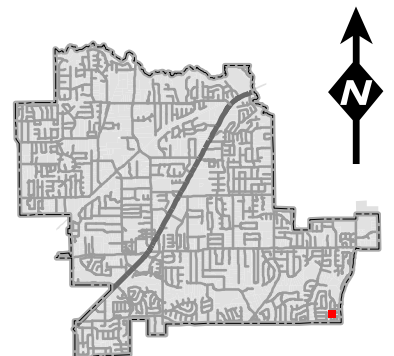
Aerial Map



ZC20-010
3501 LeJoie Lane

DISCLAIMER:
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 Subject Property



Zoning Map



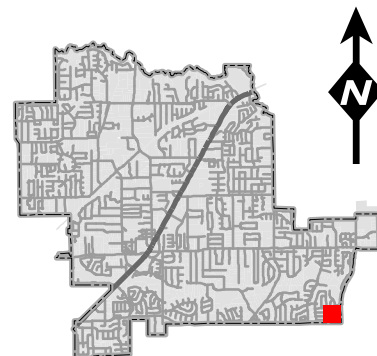
ZC20-010
3501 LeJoie Lane

DISCLAIMER:

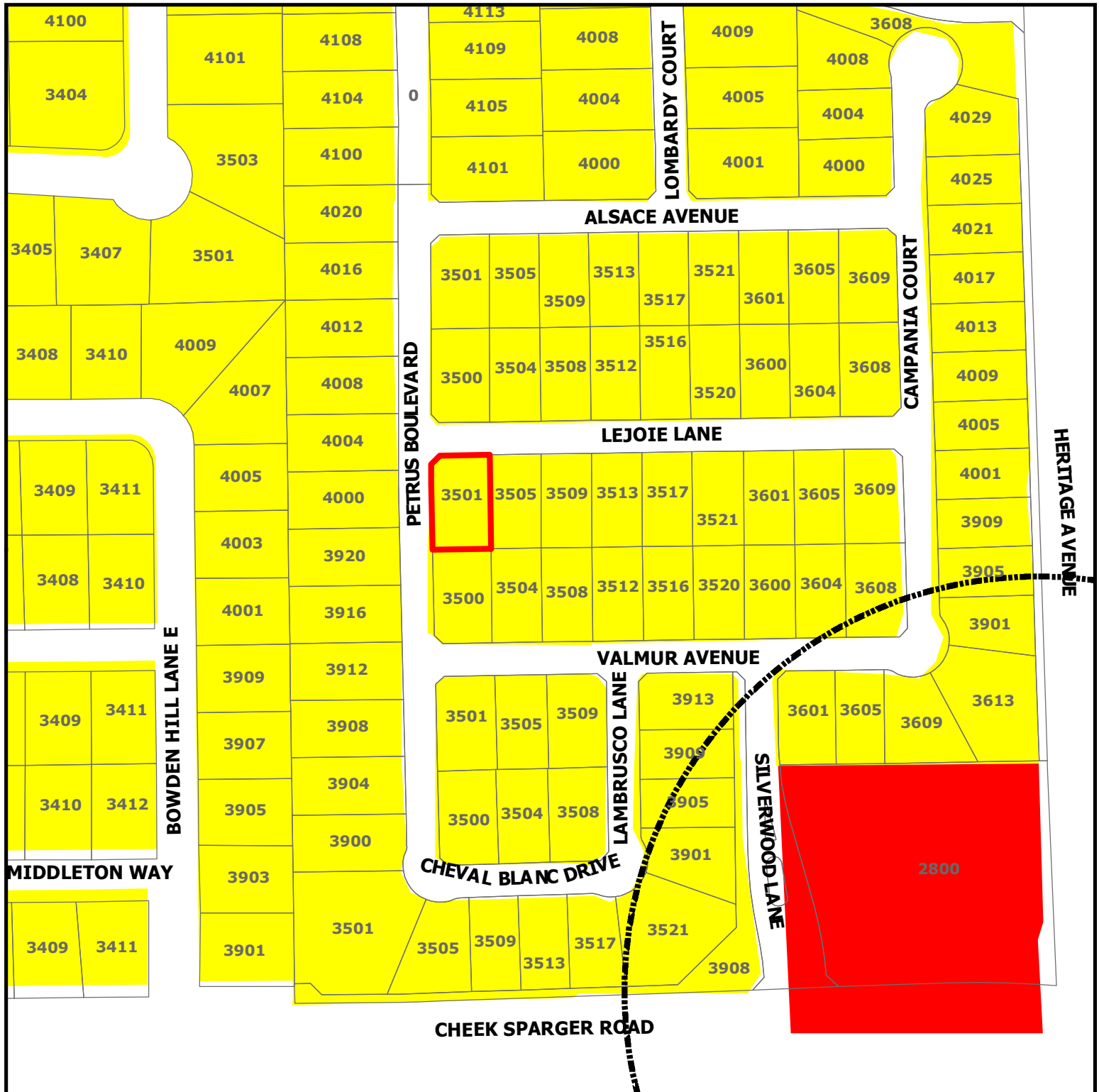
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Subject Property



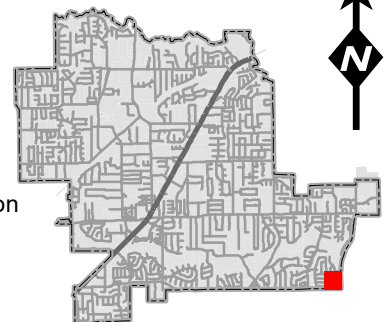
Future Land Use Map



DISCLAIMER:
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ZC20-010
3501 LeJoie Lane

- Subject Property
- Sales Tax Preferred Intersection
- Residential
- Commercial



Statement of Planning Objectives

EXHIBIT TO APPLICATION FOR SPECIAL USE PERMIT

FOR A RESIDENTIAL FENCE AT 3501 LEJOIE LANE

REQUEST: This SUP is sought to allow a rod iron fence at 3501 LeJoie Lane to terminate 18" from the sidewalk and to tie into the adjacent fence at 3500 Valmur. This fence will be of the same, 5' black rod iron material as all the existing rod iron fences in Creekside at Colleyville. The fence will not exceed 25% opacity.

BACKGROUND:

Applicant MainVue Homes is the builder of 41 single family luxury homes in the gated community of Creekside at Colleyville, Phase 3. Creekside is a very unique community for Colleyville, with smaller (approximately 60' x 115') lot sizes and minimal (5') side yards. Because of the smaller lots, fence locations differing only by a few feet can have a dramatic impact on the amount of a homeowner's usable, private yard.

The subject property is a home under construction on a corner lot. The adjacent property to south (3500 Valmur) of the subject is an occupied residence.

The property lines for the homes in Creekside at Colleyville Phase 3 terminate at the street, meaning that sidewalks and parkways are within the property boundary for each lot. In early 2018, some confusion arose over allowable locations for fencing. After some discussion, the City of Colleyville issued a letter on November 18, 2018 clarifying that corner lot fences constructed of iron with no more than 25% opacity could extend to 18" from the sidewalk. The letter is attached to this application.

In reliance of the November 18, 2018 letter, the builders in Creekside at Colleyville constructed several homes with rod iron fencing terminating 18" from the sidewalk. One such home is located at 3500 Valmur and is adjacent to the subject property. Photographs of the existing fence at 3500 Valmur and the proposed fence at subject property are attached to this application.

In August of 2019, Council adopted O-19-2089, limiting side yard fences to 30" in height and no more than 25% opacity.

BASIS FOR REQUEST:

Over 75% of the homes in Creekside at Colleyville are occupied residences. Many of the occupied homes were allowed to construct fences in various locations beyond the build line, setting the precedent for property owners in this unique, small-lot, gated community to expect the ability to expand their fenced yard. In the case of the subject property, requiring the fence to be placed at the build line only yields a 1055sf private yard. Allowing a rod iron fence as previously allowed in Creekside increases the usable fenced yard to 2301sf. While such a move may be insignificant on a large lot community, in a small lot community, the difference is very significant. The request further allows for consistency by placing the subject fence in the same location as the adjacent existing fence.

**EXHIBIT TO APPEAL OF APPLICATION FOR SPECIAL USE PERMIT
FOR A RESIDENTIAL FENCE AT 3501 LEJOIE LANE**

REQUEST: This SUP is sought to allow a rod iron fence at 3501 LeJoie Lane to terminate 18" from the sidewalk, and tie into the adjacent fence at 3500 Valmur. This location is similar to the location of several other rod iron fences in the gated community of Creekside at Colleyville. This fence will be of the same, 5' black rod iron material as all the existing rod iron fences in Creekside at Colleyville. The fence will not exceed 25% opacity.

CHANGE OF ORDINANCE IN A VESTED COMMUNITY: Creekside Phase 3 was issued a Final Plat in March of 2015. Corrective amendments were made, resulting in the operative Second Amended Plat, filed June 20, 2017. At the time the community was platted, fence extensions such as the one requested herein were permissible. In August of 2019, Council adopted O-19-2089, limiting side yard fences to 30" in height and no more than 25% opacity. This ordinance was passed after more than 75% of Creekside was built-out under the previous fence ordinance. The precedent in this gated community has been to allow fences to extend into the side yards. Applicant is requesting a continuation of the prior precedent to ensure continuity in this almost completed gated community. Applicant asserts a vested right in the version of the ordinance that existed at the time the plat was granted and objects to being required to file an SUP to do what it already has a right to do.

ACTIONS PRIOR TO APPEAL: This SUP was brought before P&Z on June 8, 2020. Only four (4) members of P&Z were present. No opposition was presented and one Creekside resident filled out a card in support of the request. Upon closing the public hearing, committee members engaged in commentary, all of which supported the approval of the SUP. No committee member noted any opposition. Nevertheless, the Committee voted to recommend approval by a vote of 3 in favor, 1 opposed. No reason was stated for opposition to the request, and MainVue Homes was subsequently informed that this vote constituted a recommendation for denial. MainVue Homes maintains that this vote was a vote to recommend approval because the charter provision requiring at least four affirmative votes applies when the P&Z approves an action, not when it is merely recommending approval as an advisory body.

BACKGROUND:

Applicant MainVue Homes is the builder of 41 single family luxury homes in the gated community of Creekside at Colleyville, Phase 3. Only 16 MainVue homes remain unclosed and all 16 are under construction or complete. Creekside is a very unique community for Colleyville, with smaller (approximately 60' x 115') lot sizes and minimal (5') side yards. Because of the smaller lots, fence locations differing only by a few feet can have a dramatic impact on the amount of a homeowner's usable, private yard. Depriving corner lots of a side yard fence extension means that those homes do not have any fenced side yard on the street-facing side.

The subject property is a home under construction on a corner lot. The adjacent property to the south (3500 Valmur) is an occupied residence with a fence adjoining the subject property. The SUP is requested merely for the purpose of connecting to the existing fence to allow for continuity in the streetscape.

The property lines for the homes in Creekside at Colleyville Phase 3 terminate at the street, meaning that sidewalks and parkways are within the property boundary for each lot. In early 2018, some confusion arose over allowable locations for fencing in relation to sidewalks. After some discussion, the City of Colleyville issued a letter on November 18, 2018 clarifying that corner lot fences constructed of iron with no more than 25% opacity could extend to approximately 18" from the sidewalk. The letter is attached to this application.

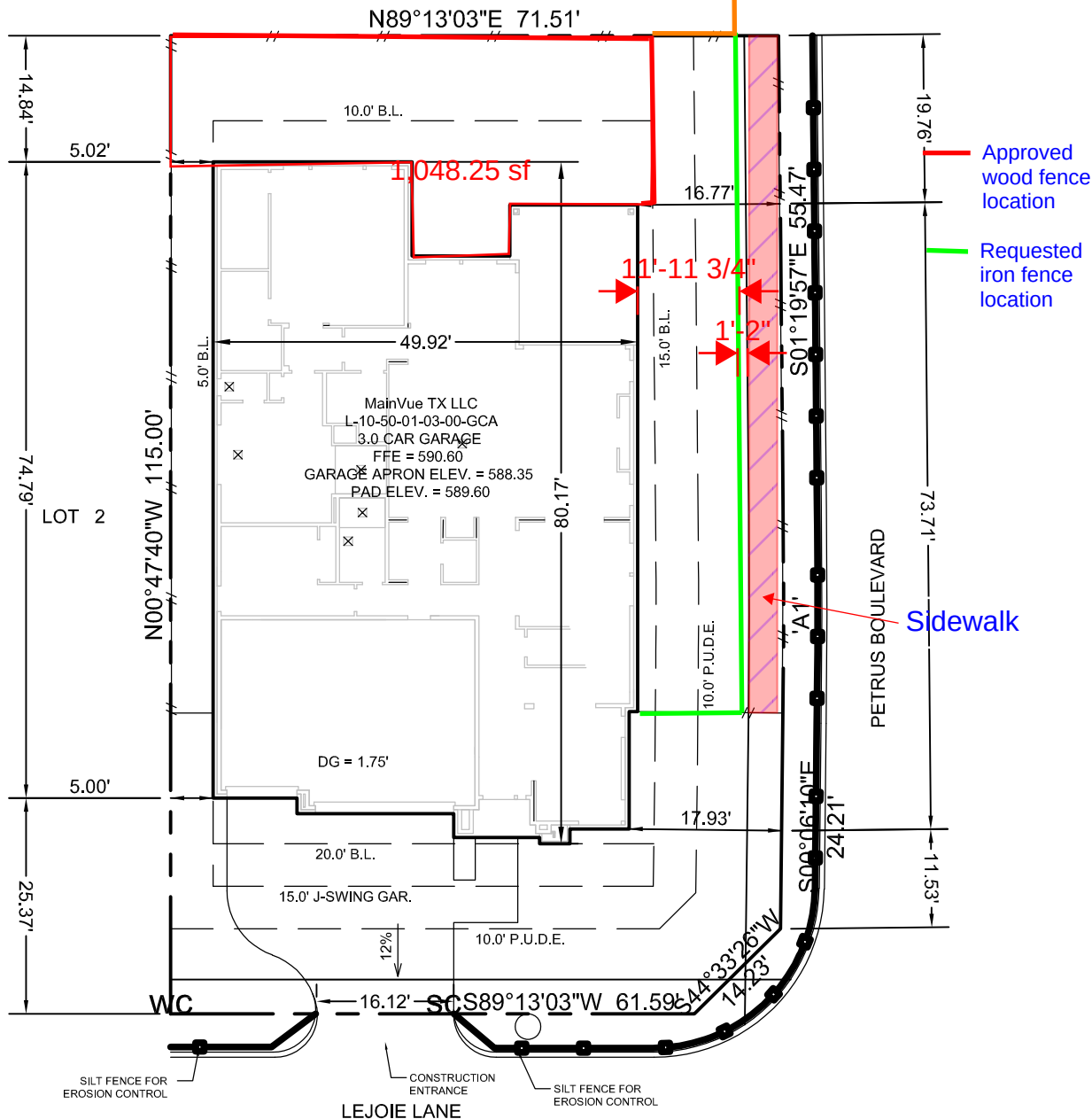
In reliance of the November 18, 2018 letter, the builders in Creekside at Colleyville constructed several homes with rod iron fencing terminating approximately 18" from the sidewalk. One such home is located at 3500 Valmur and is across the street from the subject property. Photographs of the existing fence at 3500 Valmur and the proposed fence at subject property are attached to this application.

BASIS FOR REQUEST:

Over 75% of the homes in Creekside at Colleyville are occupied residences. Many of the occupied homes were allowed under the pre- August 2019 ordinance revision to construct fences in various locations beyond the build line, setting the precedent for property owners in this unique, small-lot, gated community to expect the ability to expand their fenced yard. While such a move may be insignificant on a large lot community, in a small lot community, the difference is very significant. The request further allows for consistency by placing the subject fence in the same location as other metal fences in Creekside. The subject home is one of the last group of homes to be constructed in Creekside, and not allowing additional back yard space will likely prejudice the value of this home in relation to neighboring properties that were allowed to place their fences outside the build line.

LOT 18

Existing iron fence on Lot 18 (adjacent to subject property)



	- BOUNDARY CORNER
	- FIRE HYDRANT
	- WATER VALVE
	- WATER METER
	- IRRIGATION CONTROL VALVE
	- STORM DRAIN
	- TRANSFORMER
	- ELECTRIC JUNCTION BOX
	- ELECTRICAL METER
	- AIR CONDITIONER
	- GAS METER
	- COMMUNICATION PEDESTAL
	- COMMUNICATION JUNCTION
	- CLEAN OUT
	- SANITARY SEWER MANHOLE
	- SIGN
	- MAILBOX
	- MISC. VAULT
	- ZERO LOT LINE

IRF - IRON ROD FOUND
FFE - FINISHED FLOOR ELEVATION
WC - WATER CONNECTION
SC - SEWER CONNECTION
G - GAS CONNECTION
DG - DROP GARAGE W/ DISTANCE
FG - FINISHED GRADE
TW - TOP OF WALL
BW - BOTTOM OF WALL
BL - BUILD LINE
UE - UTILITY EASEMENT
DE - DRAINAGE EASEMENT
CONC. - CONCRETE
NG - NATURAL GROUND
XXX.X - NG ELEVATION
XXX.XX - PAVING ELEVATION

NOTE: This plot plan does not represent an on the ground survey. All improvements shown hereon are for illustration purposes only. Builder to verify ALL information and actual improvement locations on this plot plan before construction. Refer to city and/or county approved subdivision construction documents for minimum slab elevation and drainage requirements. Improvements and elevations shown hereon are based on construction plans provided by Builder. Driveway slopes are calculated from garage apron to right-of-way line.

FLATWORK	SQ.FT.	AREAS	
Driveway:	565	Lot Area:	8212 s.f.
Citywalk:	725	House & Garage:	3644 s.f.
Approach:	92	House & Driveway:	4209 s.f.
TOTAL:	1382	Total Impervious:	5026 s.f.
SOD	SQ.YDS.		
Front:	110	House & Garage:	44.37 %
Left:	6	House & Driveway:	51.25 %
Back:	303	Impervious Coverage:	61.20 %
Right:	28		
TOTAL:	447	Fence:	252.0 l.f.

REV.	DATE	DESCRIPTION
1.	4/29/2019	Final, L-10-50-01-03-00-GCA
2.		
3.		
4.		
5.		

SPRY  SURVEYORS

8241 Mid-Cities Blvd., Suite 102 • North Richland Hills, TX 76182
PH: 817.776.4049 • spry@sprysurveyors.com • www.sprysurveyors.com
Firm Reg. No. 10112000

builder
MainVue TX LLC

subdivision

Creekside at Colleyville

lot 1	blk 8	phase / section 3
----------	----------	----------------------

address
3501 Lejoie Lane

city
Colleyville, TX

date 4/29/2019

L-10-50-01-03-00-GCA



November 16, 2018

RE: Corner Side Street Fencing – Creekside at Colleyville

To Whom It May Concern:

In regard to the type of fencing allowed along/within the exterior side (corner side street) setback, a wrought-iron fence is a permitted fence type under the fencing regulations found within Chapter 3 of the Land Development Code (LDC).

A privacy fence (solid wood or masonry) along the exterior side property is allowed but must be setback from the property line a minimum of 15 feet to the required building setback line. However, a non-privacy fence (wrought iron, no more than 25% opaque) is allowed along the exterior side property and may be located on the property line.

Due to the existence of easements adjacent to the right-of-way that allow for utilities and sidewalks to be located on private property, a minimum 'shy' distance (buffer distance) of 18 inches will be required from the edge of the sidewalk. This will allow for appropriate maintenance of the sidewalk and maneuverability for those using the sidewalks.

Please contact me for questions or comments.

Sincerely,

A handwritten signature in cursive script that reads "Benjamin L. Bryner".

Ben Bryner, AICP
Director, Community Development Department
(817) 503-1052
bbryner@colleyville.com



SUBJECT SHOWING PROPOSED
FENCE LOCATION



ADJACENT PROPERTY TO SUBJECT
SHOWING EXISTING FENCE LOCATION.
PROPOSED FENCE TO BE OF SAME
HEIGHT AND STYLE.

TIE INTO EXISTING FENCE



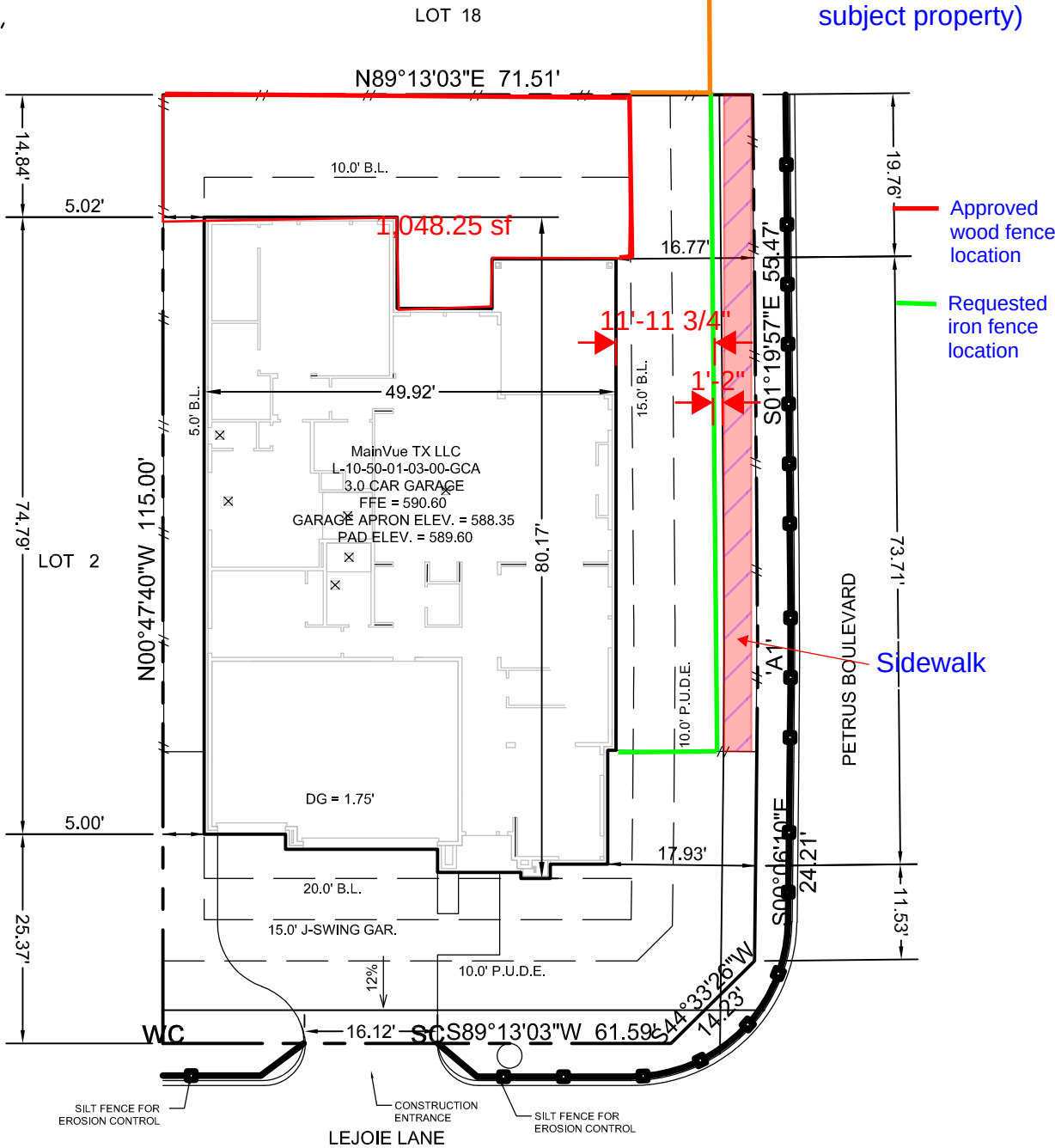
Tarrant County
Lot Area: 8212 Sq.Ft.



SCALE: 1 = 20'

ARC TABLE				
ARC	LEN.	RAD.	CHRD.	BRG.
'A1'	25.33'	1180.00'	S00°43'04"E	

Existing iron fence on Lot 18 (adjacent to subject property)



LEGEND:

- - BOUNDARY CORNER
- - FIRE HYDRANT
- ⊙ - WATER VALVE
- ⊞ - WATER METER
- ⊙ - IRRIGATION CONTROL VALVE
- ⊙ - STORM DRAIN
- ⊞ - TRANSFORMER
- ⊞ - ELECTRIC JUNCTION BOX
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- ⊞ - SANITARY SEWER MANHOLE
- ⊞ - SIGN
- ⊞ - MAILBOX
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- ▶ - ZERO LOT LINE

ABBREVIATIONS:

- IRF - IRON ROD FOUND
- FFE - FINISHED FLOOR ELEVATION
- WC - WATER CONNECTION
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- DE - DRAINAGE EASEMENT
- CONC. - CONCRETE
- NG - NATURAL GROUND
- XXX.X - NG ELEVATION
- XXX.XX - PAVING ELEVATION

LINETYPES:

- - WOOD FENCE
- ◇ - WROUGHT IRON FENCE
- - FENCE LINE

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REV.	DATE	DESCRIPTION
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3.		
4.		
5.		

SPRY SURVEYORS

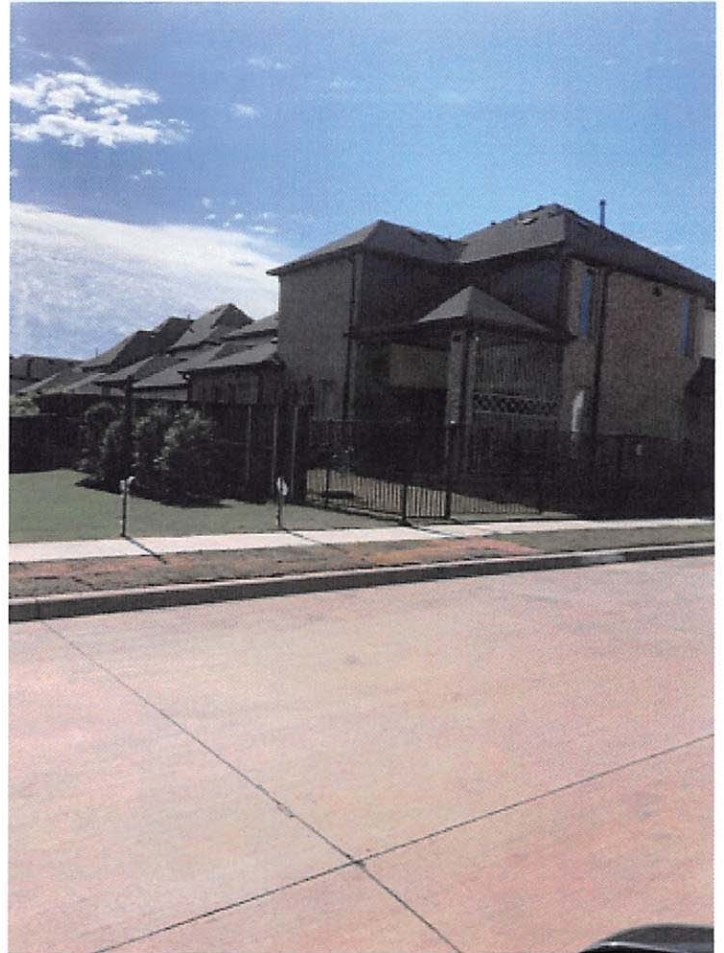
8241 Mid-Cities Blvd., Suite 102 • North Richland Hills, TX 76182
PH: 817.776.4049 • spry@sprysurveyors.com • www.sprysurveyors.com
Firm Reg. No. 10112000

builder MainVue TX LLC		
subdivision Creekside at Colleyville		
lot 1	blk 8	phase / section 3
address 3501 Lejoie Lane		city Colleyville, TX
date 4/29/2019		plan L-10-50-01-03-00-GCA

Photos Provided By Applicant



SUBJECT SHOWING PROPOSED
FENCE LOCATION



ADJACENT PROPERTY TO SUBJECT
SHOWING EXISTING FENCE LOCATION.
PROPOSED FENCE TO BE OF SAME
HEIGHT AND STYLE.

Letter Provided By Applicant



November 16, 2018

RE: Corner Side Street Fencing – Creekside at Colleyville

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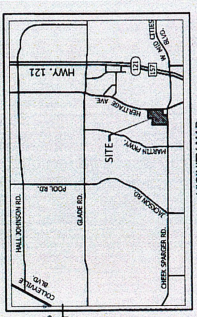
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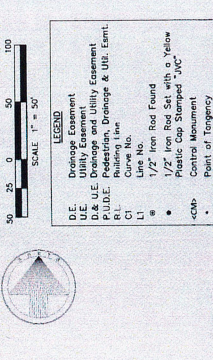
Sincerely,

A handwritten signature in cursive script, reading "Benjamin L. Bryner".

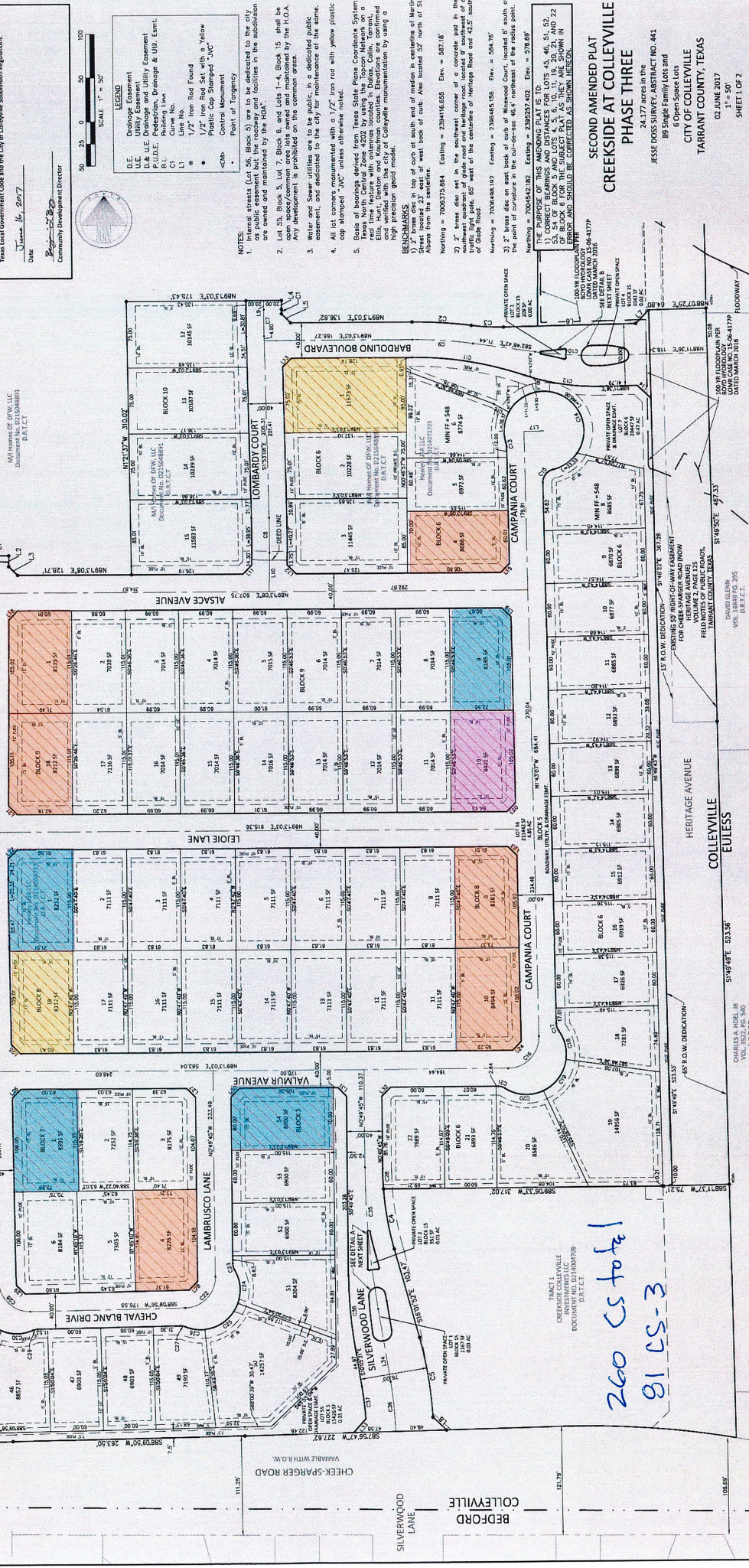
Ben Bryner, AICP
Director, Community Development Department
(817) 503-1052
bbryner@colleyville.com



Staff Approval Authority
 The amending or minor plat is approved in accordance with Section 112.005 of the Texas Local Government Code and the City of Colleyville Subdivision Regulations.
 Date: June 16, 2017
 Community Development Director



MainVue SUBJECT Corner Lots
 Tradition SUBJECT Corner Lots
 Existing Corner Lots w/ Fence at Sidewalk
 Existing Corner Lots w/ Fence on Retaining Wall



SECOND AMENDED PLAT
CREEKSIDE AT COLLEYVILLE
PHASE THREE
 JESSE DOSS SURVEY ABSTRACT NO. 441
 89 Single Family Lots and
 6 Open Space Lots
 CITY OF COLLEYVILLE
 TARRANT COUNTY, TEXAS
 02 JUNE 2017
 SHEET 1 OF 2

Engineer/Planner:
 J. J. J. Consulting
 8402 Central Expressway, Suite 300
 Plano, Texas 75074
 972-201-3100
 972-201-3100
 972-201-3100

Owner/Applicant:
 M/Homes of DFW, LLC
 11100 Main Street, Suite 100
 Dallas, Texas 75240
 214-353-6600
 214-353-6600
 214-353-6600

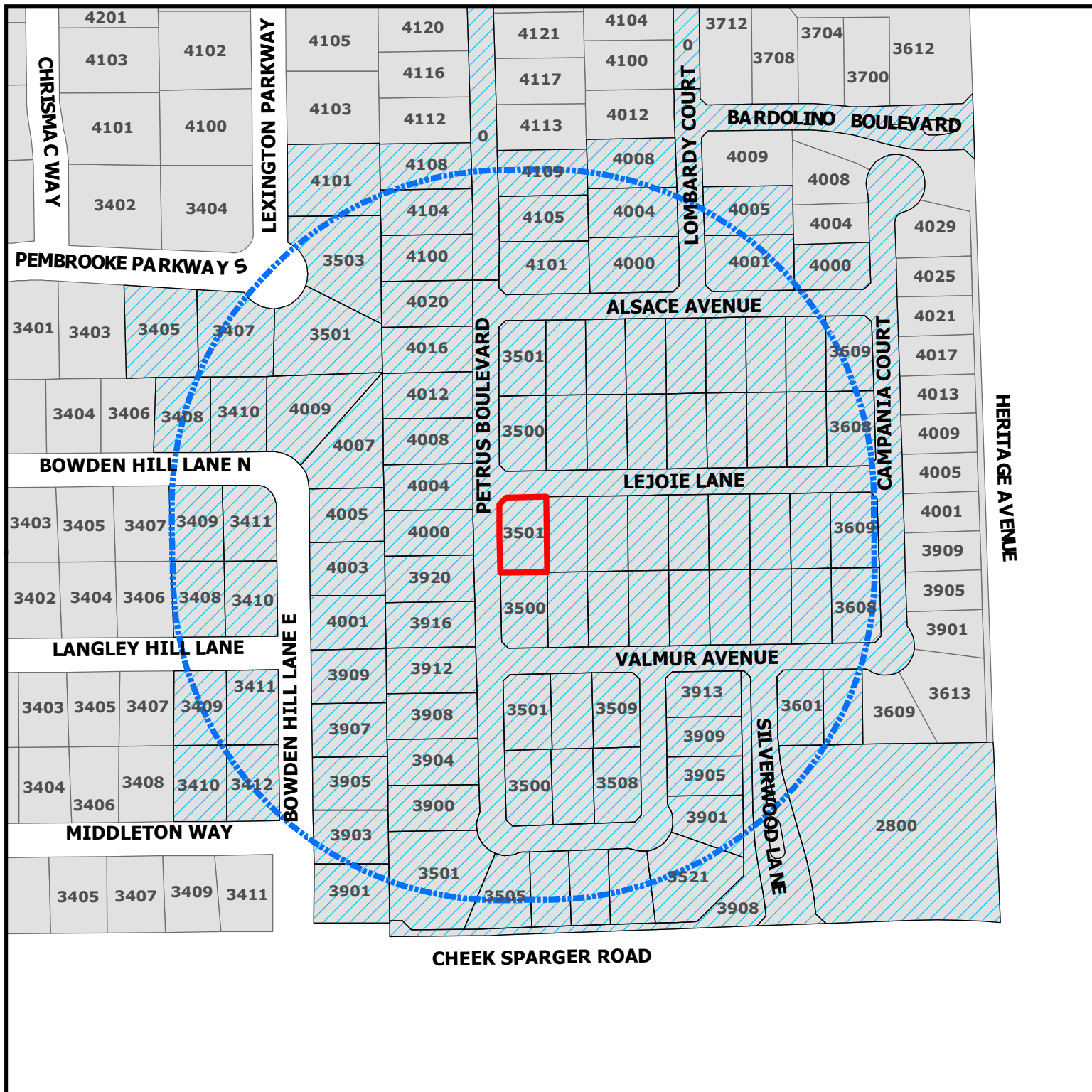
Engineer/Planner:
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 8402 Central Expressway, Suite 300
 Plano, Texas 75074
 972-201-3100
 972-201-3100
 972-201-3100

260 CS total
 81 CS-3

Notification Map

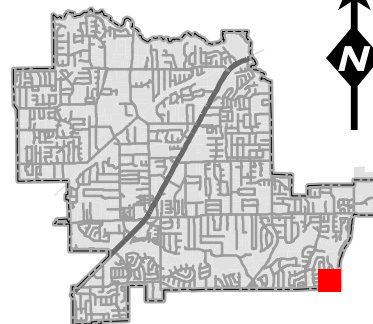


ZC20-010
3501 LeJoie Lane

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



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
DAVIS, LARRY	3409 BOWDEN HILL LN N	COLLEYVILLE, TX	76034	3409 BOWDEN HILL LN N
HALBACH, CHAD	3405 PEMBROOKE PKWY S	COLLEYVILLE, TX	76034	3405 PEMBROOKE PKWY S
CANTU, GARY	3410 MIDDLETON WAY	COLLEYVILLE, TX	76034	3410 MIDDLETON WAY
JOHNSON, LARRY B	3408 LANGLEY HILL LN	COLLEYVILLE, TX	76034	3408 LANGLEY HILL LN
MILLER, RONALD JAKE	3409 LANGLEY HILL LN	COLLEYVILLE, TX	76034	3409 LANGLEY HILL LN
WRIGHT, DAVID R	3407 PEMBROOKE PKWY S	COLLEYVILLE, TX	76034	3407 PEMBROOKE PKWY S
BILL AND MARY OTTO FAMILY TRUS	3412 MIDDLETON WAY	COLLEYVILLE, TX	76034	3412 MIDDLETON WAY
BATES, STEPHEN	3411 LANGLEY HILL LN	COLLEYVILLE, TX	76034	3411 LANGLEY HILL LN
HEMLER, TAYLOR	3410 BOWDEN HILL LN N	COLLEYVILLE, TX	76034	3410 BOWDEN HILL LN N
ZIEGLER, DAVID C	3410 LANGLEY HILL LN	COLLEYVILLE, TX	76034	3410 LANGLEY HILL LN
LANE, LOUIS H	3408 BOWDEN HILL LN N	COLLEYVILLE, TX	76034	3408 BOWDEN HILL LN N
HOHERTZ, MICHAEL	3411 BOWDEN HILL LN N	COLLEYVILLE, TX	76034	3411 BOWDEN HILL LN N
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3908 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3517 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3512 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4020 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3501 VALMUR AVE
REDDY, DIVAKAR	3517 ALSACE	COLLEYVILLE, TX	76034	3517 ALSACE AVE
CUMMINGS, KIM	3601 ALSACE	COLLEYVILLE, TX	76034	3601 ALSACE AVE
FANG, ZHENG	4104 PETRUS BLVD	COLLEYVILLE, TX	76034	4104 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3501 CHEVAL BLANC DR
CREEKSIDE AT COLLEYVILLE HOA I	101 CLARIDEN RANCH RD	SOUTHLAKE, TX	76092	3904 SILVERWOOD LN
				3908 SILVERWOOD LN
PATEL, HAREN	4000 LOMBARDY CT	COLLEYVILLE, TX	76034	4000 LOMBARDY CT
DAR, HASSAN	4101 PETRUS BLVD	COLLEYVILLE, TX	76034	4101 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3517 CHEVAL BLANC DR
PEREZ, ALFONSO	3509 ALSACE AVE	COLLEYVILLE, TX	76034	3509 ALSACE AVE
TRADITION HOMES LLC	8751 COLLIN MCKINNEY PKWY STE	MCKINNEY, TX	75070	3916 PETRUS BLVD
PETTY, BRYCE	3500 CHEVAL BLANC	COLLEYVILLE, TX	76034	3500 CHEVAL BLANC DR
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3505 CHEVAL BLANC DR
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3508 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4016 PETRUS BLVD
AJANI, ZUMERA	3521 CHEVAL BLANC	COLLEYVILLE, TX	76034	3521 CHEVAL BLANC DR
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3600 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3516 VALMUR AVE
CHIU, CHIN	3604 LEJOIE LN	COLLEYVILLE, TX	76034	3604 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3608 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3521 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3520 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4004 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3505 VALMUR AVE
NATURON PROPERTIES LLC	PO BOX 610	COLLEYVILLE, TX	76034	3504 VALMUR AVE
BROWN, JOSHUA	3521 ALSACE AVE	COLLEYVILLE, TX	76034	3521 ALSACE AVE
SINGEETHAM, SHIVA	4109 PETRUS BLVD	COLLEYVILLE, TX	76034	4109 PETRUS BLVD
MALLAMPATI, SANJAY	4004 LOMBARDY CT	COLLEYVILLE, TX	76034	4004 LOMBARDY CT
ZEPEDA, GABRIEL	4005 LOMBARDY CT	COLLEYVILLE, TX	76034	4005 LOMBARDY CT
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3508 CHEVAL BLANC DR
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4012 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4000 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3513 LEJOIE LN
BEYENE, SABA	3508 VALMUR AVE	COLLEYVILLE, TX	76034	3508 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3900 PETRUS BLVD
MATHUR, POONAM	4100 PETRUS BLVD	COLLEYVILLE, TX	76034	4100 PETRUS BLVD
TRADITION HOMES LLC	8751 COLLIN MCKINNEY PKWY STE	MCKINNEY, TX	75070	3912 PETRUS BLVD
PATEL, AMISH	3509 VALMUR AVE	COLLEYVILLE, TX	76034	3509 VALMUR AVE
CHAN, ELIZABETH	3509 CHEVAL BLANC	COLLEYVILLE, TX	76034	3509 CHEVAL BLANC DR
GERDES, DAVID	4008 LOMBARDY CT	COLLEYVILLE, TX	76034	4008 LOMBARDY CT
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3509 LEJOIE LN
STIEGLER, DANIEL	3901 LAMBRUSCO	COLLEYVILLE, TX	76034	3901 LAMBRUSCO LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3609 ALSACE AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3500 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3913 LAMBRUSCO LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3520 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3505 ALSACE AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3605 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3501 LEJOIE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3605 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3905 LAMBRUSCO LN
K E GIBSON LLC	4609 ELDER RD	VILLA RIDGE, MO	63089	4108 PETRUS BLVD
CREEKSIDE AT COLLEYVILLE HOA I	101 CLARIDEN RANCH RD	SOUTHLAKE, TX	76092	PETRUS BLVD
MAMIDIBATTULA, KRISHNA	3505 LEJOIE LN	COLLEYVILLE, TX	76034	3505 LEJOIE LN
WANG, CHAO-CHENG	3608 LEJOIE LN	COLLEYVILLE, TX	76034	3608 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3501 ALSACE AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4000 CAMPANIA CT
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3920 PETRUS BLVD
XUE, YAN	3500 VALMUR AVE	COLLEYVILLE, TX	76034	3500 VALMUR AVE
PATEL, ANIL	3605 ALSACE AVE	COLLEYVILLE, TX	76034	3605 ALSACE AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3609 LEJOIE LN
CONG, ZHEN	4105 PETRUS BLVD	COLLEYVILLE, TX	76034	4105 PETRUS BLVD
170 PLAYERS LLC	170 PLAYERS CIR	SOUTHLAKE, TX	76092	2800 HERITAGE AVE
LIM, GRACE	3513 CHEVAL BLANC	COLLEYVILLE, TX	76034	3513 CHEVAL BLANC DR
YORK, CHRISTOPHER	3909 LAMBRUSCO	COLLEYVILLE, TX	76034	3909 LAMBRUSCO LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3904 PETRUS BLVD
SKINNER, GINA	4001 LOMBARDY CT	COLLEYVILLE, TX	76034	4001 LOMBARDY CT
WHIP, MATTHEW	3504 CHEVAL BLANC DR	COLLEYVILLE, TX	76034	3504 CHEVAL BLANC DR
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3600 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3601 LEJOIE LN
SOHAIL, MOHAMMAD	3513 ALSACE AVE	COLLEYVILLE, TX	76034	3513 ALSACE AVE
TRADITION HOMES LLC	8751 COLLIN MCKINNEY PKWY STE	MCKINNEY, TX	75070	3604 VALMUR AVE
WU, WANG	3512 VALMUR AVE	COLLEYVILLE, TX	76034	3512 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3504 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4008 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3601 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3516 LEJOIE LN
BIEHL, STEVE	4001 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	4001 BOWDEN HILL LN E
WOEHRLE, SANDRA	3907 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	3907 BOWDEN HILL LN E
STOVALL, SCOTT	3905 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	3905 BOWDEN HILL LN E
LINCOLN, KATHLEEN K	4101 LEXINGTON PKWY	COLLEYVILLE, TX	76034	4101 LEXINGTON PKWY
HARRIS-CASTRO, JILL	3450 KEYSTONE LOOP	DISCOVERY BAY, CA	94505	3903 BOWDEN HILL LN E
AMH ROMAN TWO TX LLC	30601 AGOURA RD STE 200	AGOURA HILLS, CA	91301	3503 PEMBROOKE PKWY S
VON STORCH, KENNETH	4713 BEHRENS CT	COLLEYVILLE, TX	76034	4009 BOWDEN HILL LN E
AKERS, THOMAS R	4003 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	4003 BOWDEN HILL LN E
BOSTICK, JAMES D	3909 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	3909 BOWDEN HILL LN E
YU, CHIAO-CHIN MARK	3901 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	3901 BOWDEN HILL LN E
DANNER, DELYLE JE	4005 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	4005 BOWDEN HILL LN E
DANA, FARID	3501 PEMBROOKE PKWY S	COLLEYVILLE, TX	76034	3501 PEMBROOKE PKWY S
GEORGE, JOHN	4007 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	4007 BOWDEN HILL LN E
WOODLAND HILLS (COLLEYVILLE)	4100 OXFORD COURT	COLLEYVILLE, TX	76034	COURTESY NOTICE
CREEKSIDE	101 CLARIDEN RANCH RD	SOUTHLAKE, TX	76092	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
TURNER, CHERYL	6900 DALLAS PKWY, 3RD FLOOR	PLANO, TX	75024	APPLICANT



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, June 8, 2020 at 7:00 p.m.
City Council Meetings: Tuesday, July 7, 2020 & Tuesday, July 21, 2020 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

Request: Consideration of a Special Use Permit for a Fence to extend into the required street side yard. The purpose is to allow for a 5 foot wrought-iron fence to encroach into the side yard setback.

Zoning Case: ZC20-010

Applicant: Cheryl C. Turner

Owner: Cheryl C. Turner

Location: 3501 LeJoie Lane

Property Description: Lot 1, Block 8, Creekside at Colleyville, Phase 3

Present Zoning: PUD-R Planned Unit Development-Residential

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**

NOTICE OF PUBLIC HEARING

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 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

ORDINANCE O-20-2123

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 0.1885 ACRES, BEING LOT 1 BLOCK 8, OF THE CREEKSIDE AT COLLEYVILLE, LOCATED AT 3501 LEJOIE LANE, BY AUTHORIZING A SPECIAL USE PERMIT FOR A 5 FOOT IRON ROD FENCE TO ENCROACH INTO THE STREET SIDE YARD SETBACK FOR A CORNER 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 a 5 foot iron rod fence to encroach into the street side yard setback for a corner lot under Case No. ZC20-010; 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 amend the City's zoning ordinance; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the City's zoning 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 City Council is of the opinion that the change in zoning provided for herein should be made, in compliance with the City Charter, and state law with reference to changes to zoning classifications under the City's zoning ordinance and zoning map, having given the requisite notices required by law and having held public hearings affording all interested persons and property owners a full and fair opportunity to be heard.

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

- Sec. 1. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a Special Use Permit for a 5 foot iron rod fence to encroach into the street side yard setback for a corner lot on 0.1885 acres, being Lot 1 Block 8, of the Creekside at Colleyville, located at 3501 Lejoie Lane, as depicted on the attached as Exhibit "A".

Sec. 2. 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. 3. 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 5 foot iron rod fence to encroach into the street side yard setback for a corner lot.
- b. The fence location shall be approximately 5 feet from the street side property line shall be generally consistent with the site plan and as depicted on the attached Exhibit "B".
- c. All requirements of the Land Development Code shall be met, except where 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 this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 7th day of July 2020.

The second reading and public hearing being conducted on the 21st day of July 2020.

PASSED AND APPROVED BY A VOTE OF _ AYES, _ NAYS, AND _ ABSTENTIONS ON THIS THE 21ST DAY OF JULY 2020.

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

The map shows a residential area with the following streets and lot numbers:

- Lexington Parkway:** 4101, 4100, 3402, 3404, 3405, 3407, 3501, 3503, 4103, 4101, 4108, 4104, 4100, 4020, 4016, 4012, 4008, 4004, 4000, 4009, 4007, 4005, 4003, 4001, 3909, 3907, 3905, 3903, 3901.
- Bardolino Boulevard:** 3712, 3708, 3704, 3700, 3612, 4009, 3608, 4008, 4004, 4001, 4000, 4029, 4025, 4021, 4017, 4013, 4009, 4005, 4001, 3909, 3905, 3901, 3613, 2800.
- Alsace Avenue:** 3501, 3505, 3509, 3513, 3517, 3521, 3601, 3605, 3609, 3500, 3504, 3508, 3512, 3516, 3520, 3600, 3604, 3608.
- Lejoie Lane:** 3501, 3505, 3509, 3513, 3517, 3521, 3601, 3605, 3609, 3500, 3504, 3508, 3512, 3516, 3520, 3600, 3604, 3608.
- Valmur Avenue:** 3501, 3505, 3509, 3913, 3909, 3905, 3901, 3500, 3504, 3508, 3601, 3605, 3609, 3908.
- Cheval Blanc Drive:** 3501, 3505, 3509, 3513, 3517, 3521, 3908.
- Silverwood Lane:** 3601, 3605, 3609, 3613, 2800.
- Lambrusco Lane:** 3501, 3505, 3509, 3913, 3909, 3905, 3901, 3500, 3504, 3508, 3601, 3605, 3609, 3908.
- Petrus Boulevard:** 3501, 3505, 3509, 3513, 3517, 3521, 3601, 3605, 3609, 3500, 3504, 3508, 3512, 3516, 3520, 3600, 3604, 3608.
- Bowden Hill Lane N:** 3407, 3409, 3411, 3406, 3408, 3410.
- Langley Hill Lane E:** 3407, 3409, 3411, 3408, 3410, 3412.
- Middleton Way:** 3407, 3409, 3411.

A red box highlights lot 3501 on Petrus Boulevard.

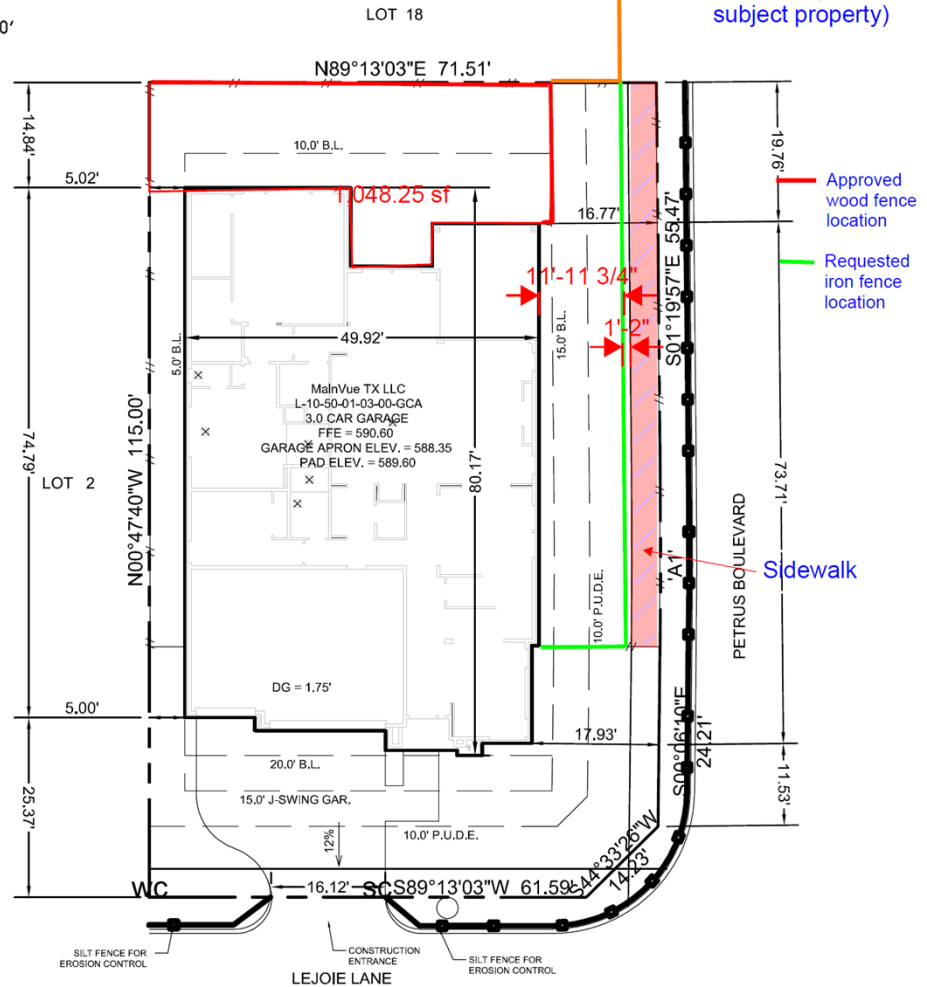
Exhibit "B" – Site Plan

Tarrant County
Lot Area: 8212 Sq.Ft.

SCALE: 1" = 20'

ARC	LEN.	RAD.	CHRD.	BEG.
'A1'	25.33'	1180.00'	S00°43'04"E	

Existing iron fence on Lot 18 (adjacent to subject property)



LEGEND:

- - BOUNDARY CORNER
- ⊕ - FIRE HYDRANT
- ⊙ - WATER VALVE
- ⊞ - WATER METER
- ⊞ - IRRIGATION CONTROL VALVE
- ⊞ - STORM DRAIN
- ⊞ - TRANSFORMER
- ⊞ - ELECTRIC JUNCTION BOX
- ⊞ - ELECTRICAL METER
- ⊞ - AIR CONDITIONER
- ⊞ - GAS METER
- ⊞ - COMMUNICATION PEDESTAL
- ⊞ - COMMUNICATION JUNCTION BOX
- ⊞ - CLEAN OUT
- ⊞ - SANITARY SEWER MANHOLE
- ⊞ - SIGN
- ⊞ - MAILBOX
- ⊞ - MISC. VAULT
- ⊞ - ZERO LOT LINE

ABBREVIATIONS:

- IRF - IRON ROD FOUND
- FFE - FINISHED FLOOR ELEVATION
- WC - WATER CONNECTION
- SC - SEWER CONNECTION
- G - GAS CONNECTION
- DG - DROP GARAGE W/ DISTANCE
- FG - FINISHED GRADE
- TW - TOP OF WALL
- BW - BOTTOM OF WALL
- BL - BUILD LINE
- UE - UTILITY EASEMENT
- DE - DRAINAGE EASEMENT
- CONC. - CONCRETE
- NG - NATURAL GROUND
- XXX.X - NG ELEVATION
- XXX.XX - PAVING ELEVATION

LINETYPES:

- WOOD FENCE
- ◇—◇—◇— WROUGHT IRON FENCE
- //—//—//— FENCE LINE

NOTE: This plot plan does not represent an on the ground survey. All improvements shown hereon are for illustration purposes only. Builder to verify ALL information and actual improvement locations on this plot plan before construction. Refer to city and/or county approved subdivision construction documents for minimum slab elevation and drainage requirements. Improvements and elevations shown hereon are based on construction plans provided by Builder. Driveway slopes are calculated from garage apron to right-of-way line.

FLATWORK	SQ.FT.	AREAS	
Driveway:	565	Lot Area:	8212 s.f.
Citywalk:	725	House & Garage:	3644 s.f.
Approach:	92	House & Driveway:	4209 s.f.
TOTAL:	1382	Total Impervious:	5026 s.f.
SQD	SQ.YDS.		
Front:	110	House & Garage:	44.37 %
Left:	6	House & Driveway:	51.25 %
Back:	303	Impervious Coverage:	61.20 %
Right:	28		
TOTAL:	447	Fence:	252.0 l.f.



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6c

Agenda Date 7/21/2020

Number Ordinance O-20-2124

Type Ordinance

Department Community Development

Title

Request to appeal the decision of the Planning and Zoning Commission for consideration of a Special Use Permit for a fence to extend into the required street side yard on Lots 9 & 10, Block 8, Creekside at Colleyville, Phase 3, located at 3609 LeJoie Lane and 3608 Valmur Avenue, Case ZC20-011

Strategic Plan

4.1 Protect Colleyville's semi-rural residential character

Explanation

Second Reading & Public Hearing

First Reading & Public Hearing

Zach Schneider, the applicant, has submitted a request for a Special Use Permit (SUP) for an eight foot pre-sealed cedar fence above an existing retaining wall to encroach into the street side yard setback for a corner lot on Lots 9 & 10, Block 8, Creekside at Colleyville, being approximately 0.3851 acres, and zoned PUD-R Planned Unit Development - Residential district.

Existing Conditions/Background: The subject properties, 3609 LeJoie Lane and 3608 Valmur Avenue, have PUD-R zoning and are located on the south west and northwest corners at the intersections of Petrus Boulevard and LeJoie Lane and Valmur Avenue. The subject properties are undeveloped currently, but planned for new single family residences.

A building permit has not yet been issued for the construction of a new home at 3609 LeJoie Lane.

A building permit was issued for the construction of a new home at 3608 Valmur Avenue in May of 2020.

The applicant was informed the Land Development Code had been amended by the City Council in August 2019 (Ordinance O-19-2088) and therefore, the request for the location of future fences is not allowed unless approved with an SUP.

SUP Request:

Request – The applicant is requesting approval of an SUP to allow for an eight foot pre-

sealed cedar fence above an existing retaining wall located within the corner street side yard setback for both properties. The proposed fence is approximately 10 feet from the property line.

Ordinance – Section 3.26 Fences, Free Standing Walls, and Screening Materials Regulations of the Land Development Code establishes the maximum size and location of fencing to be permitted by staff on a residential lot:

"E. Fence and Free-Standing Wall Setback Requirement:

2. Corner Side Yards: Except where allowed elsewhere in this chapter, no fence or free standing wall greater than thirty (30) inches in height and no greater than twenty-five (25) percent opaque construction shall extend into the required street side yard. The regulations of 1.a through 1.d above shall apply.

Regulation "2" above applies in this case requiring no fence be allowed to extend into the street side yard which is 15 feet per the PUD-R zoning. The applicant proposes to locate an 8 foot pre-sealed cedar fence above an existing retaining wall to encroach into the street side yard setback approximately 10 feet from the property line. The Land Development Code provides the opportunity to modify from the requirements per this:

Special Use Permit Provision: Any request for a building permit for a fence/wall which does not meet the criteria in this Section shall only be authorized after approval of a Special Use Permit by the City Council using the procedures contained elsewhere in this Land Development Code.

Analysis: Any request for a residential fence which differs from the Land Development Code shall only be authorized after approval of a Special Use Permit by the City Council. The applicant is proposing the fence to be located on the retaining wall for safety and maintenance reasons. It differs from other requests being a wooden fence. The height of the retaining wall is of varying height from 2.1 feet to 3.9 feet in height.

Surrounding Development: The properties to the north, south, east, and west are zoned PUD-R and contain residential development in the Creekside at Colleyville Subdivision.

Public Notification: Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 1,000 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: Staff recommends denial of the requested SUP as it does

not meet the technical requirements of the Land Development Code.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission made a motion to approve the request at their June 8, 2020 meeting. However, the motion failed by a vote of 3-1. A minimum of four affirmative votes is needed for the motion to pass or else it is deemed a recommendation of denial. When the Planning and Zoning Commission makes a recommendation of denial, a favorable vote of three-fourths (3/4) of all members of the City Council is required for approval of the request.

Financial Impact

There is no fiscal impact to the City of Colleyville for this item.

Recommendation

Denial

Attachments

1. Appeal to City Council
2. Aerial Map
3. Zoning Map
4. Future Land Use Map
5. Statement of Planning Objectives
6. Site Plan
7. Photos Provided by Applicant
8. Grading Plan
9. Corner Lot Fence Analysis by Applicant
10. Notification Map
11. Notification List
12. Property Owner Notification
13. Ordinance O-20-2124

Araceli Botello

Subject: FW: Tradition Homes - Creekside - SUP Application

From: Zach Schneider <zach@traditionhomes.com>

Sent: Wednesday, June 10, 2020 3:59 PM

To: Ben Bryner <BBryner@colleyville.com>

Subject: RE: Tradition Homes - Creekside - SUP Application

Thank you Ben. As discussed, please accept this email as written notice that we plan to appeal. I greatly appreciate your time, effort, support and guidance throughout this process.

All the best,

Zach

Zach Schneider

President, Tradition Homes

8751 Collin McKinney Pkwy, Suite 402

McKinney, TX 75070

(469) 371-9612

zach@traditionhomes.com

traditionhomes.com

Facebook & Instagram: @traditionhomestx

Aerial Map



ZC20-011

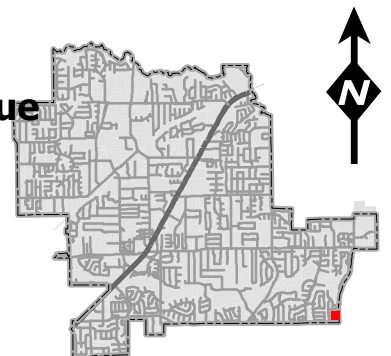
3609 LeJoie Lane and 3608 Valmur Avenue

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



ZC20-011

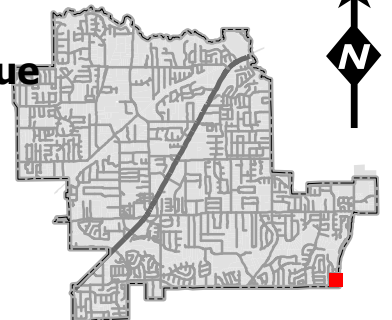
3609 LeJoie Lane and 3608 Valmur Avenue

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Subject Property



Future Land Use Map



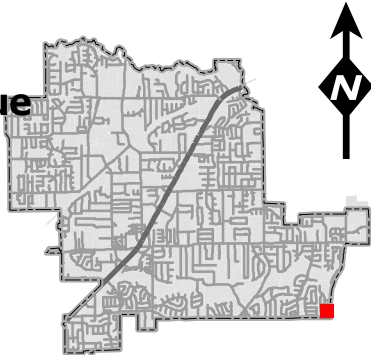
ZC20-011



3609 LeJoie Lane and 3608 Valmur Avenue

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-  Subject Property
-  Residential
-  Commercial



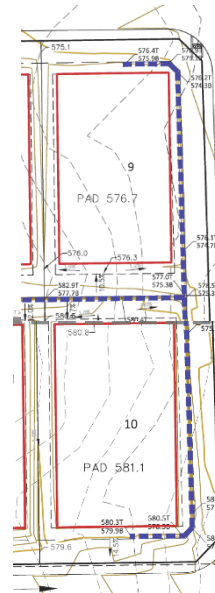
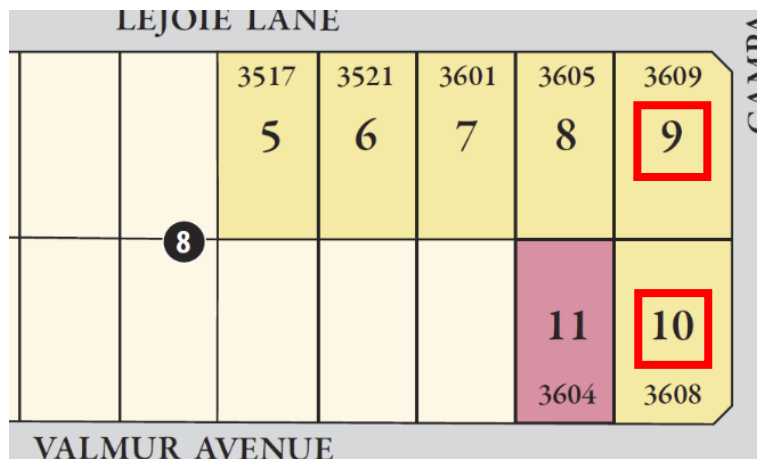
Statement of Planning Objectives

The purpose of this Special Use Permit (SUP) is to request the City of Colleyville's approval to construct a pre-sealed cedar fence on top of the existing retaining wall in Creekside Phase 3 on a corner lot.

By constructing the fence on top of the wall, Tradition Homes will be addressing safety concerns and adhering to continuity already established in Creekside at Colleyville.

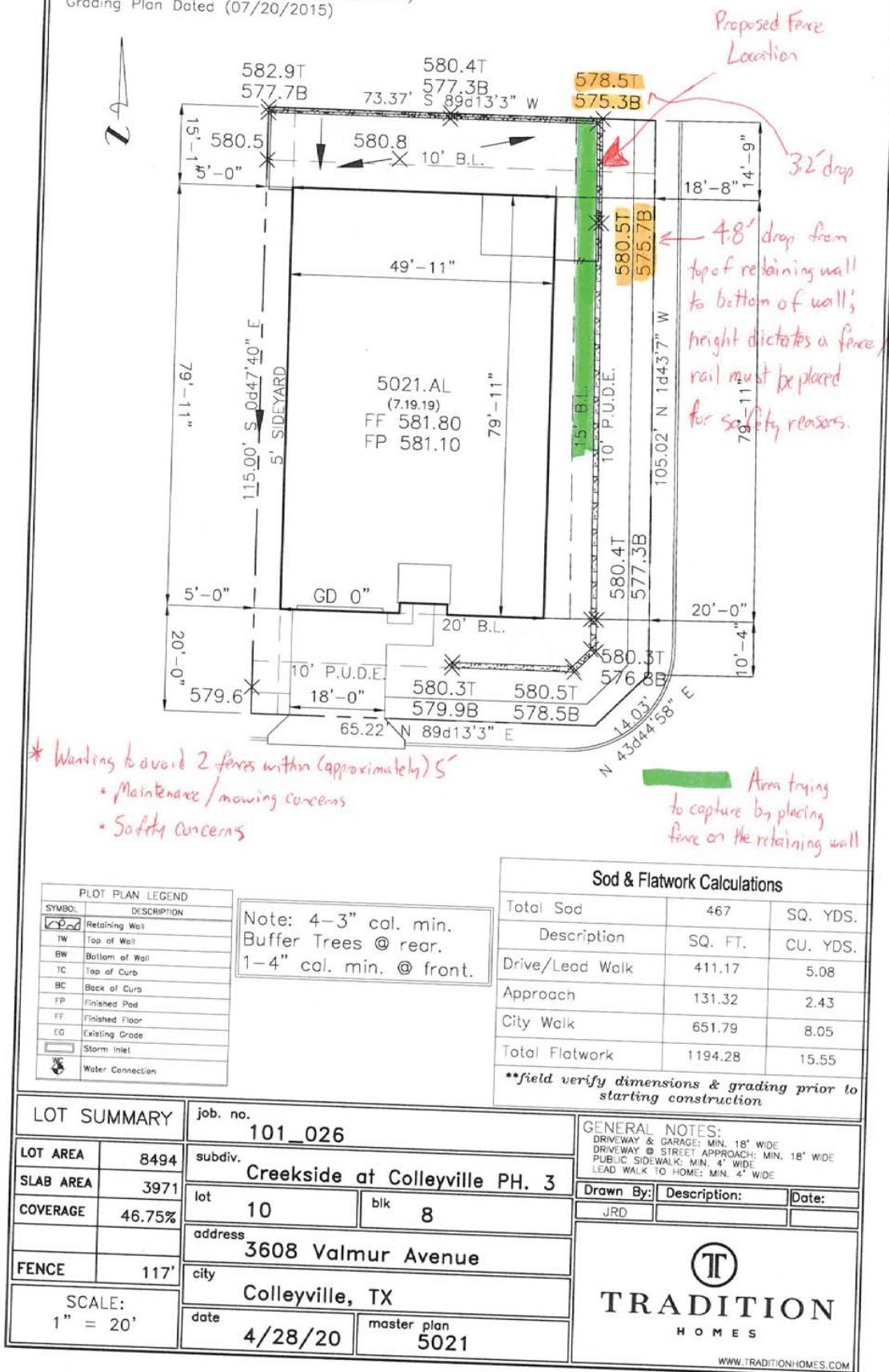
The lots located at 3608 Valmur Ave and 3609 Lejoie Lane are adjacent to one another. Both lots have an existing retaining wall located along the eastern side of the lots (along Campania Court).

- The retaining wall was constructed during development operations and is located in between the build line and property line.
- The retaining wall was “cored” during development operations in order for the fence to be installed on top of the wall.
- By placing this fence on the build line in situations where there is an existing retaining wall, the future homeowner would be subject to safety issues because there would be a “gap” between the fence and the retaining wall. *Efforts to maintain this area would be challenging and unsafe given the height and location of the wall.*
- In an effort to adhere to the continuity already established in this gated community, the Applicant believes installing the fence on top of the retaining wall would be appropriate and aesthetically pleasing to the overall neighborhood. This proposed fence location would also allow the future homeowner to enjoy a much more usable backyard.
- The schematic below shows the two lots in question. A cut out of the approved and stamped grading plans are show below on the right. The blue dashed line represents the existing retaining wall.



Tradition Homes, LLC is the applicant. Tradition Homes has thirty-nine (39) lots under contract in Creekside at Colleyville Phase 3. Tradition's model home is located at 3604 Valmur Avenue, Colleyville, TX 76034. Our model lot is identified in pink in the schematic above (Lot 11/Block 8). Our first home closing is anticipated to occur in June 2020. Attached to this SUP application you will find the stamped/approved Grading Plans for the community. The Grading Plans identify the location of the retaining wall. As previously stated, the retaining wall was built by the Developer (Terra Manna). It was designed and cored in anticipation of the fence posts/fence installation.

Lot created from following plans:
Second Amended Plat Dated (June 2, 2017)
Grading Plan Dated (07/20/2015)



Photos Provided By Applicant

The applicant's desire is to install the fence on top of the retaining wall. The Customer under Contract to purchase the home located at 3608 Valmur would like us to locate the fence on the wall also.



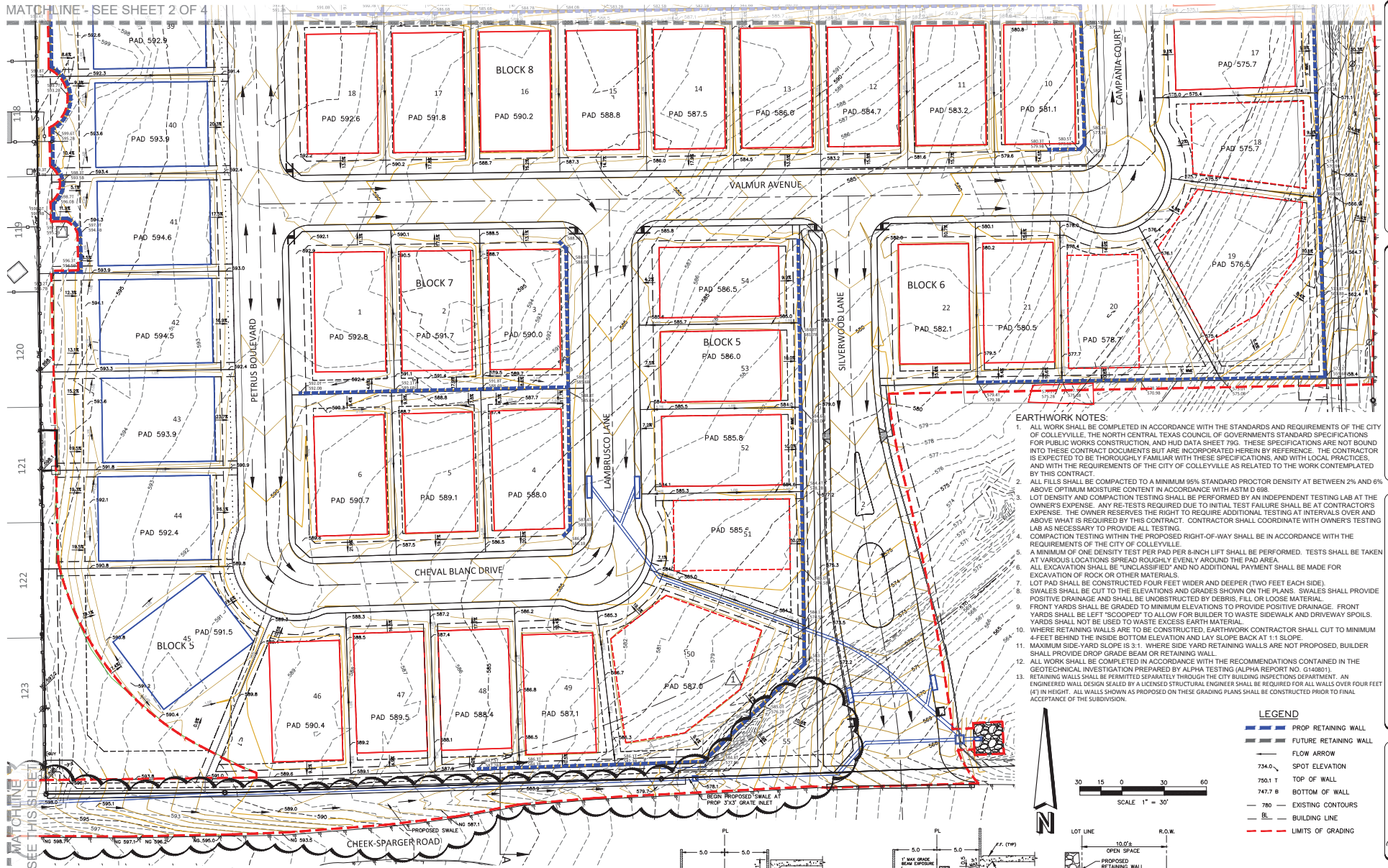
The above picture of an existing home in Creekside at Colleyville @ Bardolino Blvd Entrance. This is a great example of what we are proposing to do in Phase 3. The picture below is a step and level example as we fence to grade. The rear fence will look like this, and along the street the height will be no higher than 8' in order to comply with the City of Colleyville height requirements.



The next page shows the plot plan for 3608 Valmur. Please note how close the Build Line (B.L.) is located to the existing retaining wall.

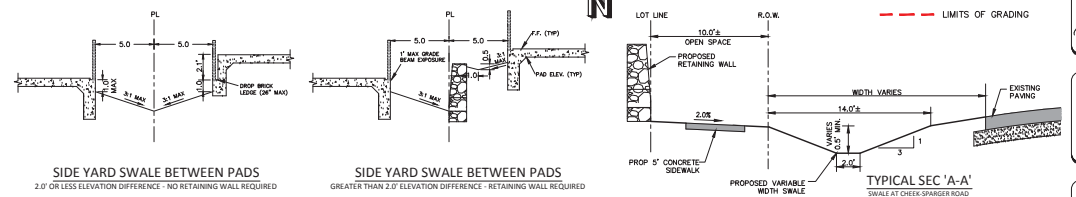
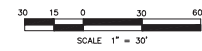
Grading Plan

MATCHLINE - SEE SHEET 2 OF 4



- EARTHWORK NOTES:**
1. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE STANDARDS AND REQUIREMENTS OF THE CITY OF COLLEVILLE, THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, AND HUD DATA SHEET 799. THESE SPECIFICATIONS ARE NOT BOUND INTO THESE CONTRACT DOCUMENTS BUT ARE INCORPORATED HEREIN BY REFERENCE. THE CONTRACTOR IS EXPECTED TO BE THOROUGHLY FAMILIAR WITH THESE SPECIFICATIONS, AND WITH LOCAL PRACTICES, AND WITH THE REQUIREMENTS OF THE CITY OF COLLEVILLE AS RELATED TO THE WORK CONTEMPLATED BY THIS CONTRACT.
 2. ALL FILLS SHALL BE COMPACTED TO A MINIMUM 95% STANDARD PROCTOR DENSITY AT BETWEEN 2% AND 6% ABOVE OPTIMUM MOISTURE CONTENT IN ACCORDANCE WITH ASTM D 698.
 3. LOT DENSITY AND COMPACTION TESTING SHALL BE PERFORMED BY AN INDEPENDENT TESTING LAB AT THE OWNER'S EXPENSE. ANY RE-TESTS REQUIRED DUE TO INITIAL TEST FAILURE SHALL BE AT CONTRACTOR'S EXPENSE. THE OWNER RESERVES THE RIGHT TO REQUIRE ADDITIONAL TESTING AT INTERVALS OVER AND ABOVE WHAT IS REQUIRED BY THIS CONTRACT. CONTRACTOR SHALL COORDINATE WITH OWNER'S TESTING LAB AS NECESSARY TO PROVIDE ALL TESTING.
 4. COMPACTION TESTING WITHIN THE PROPOSED RIGHT-OF-WAY SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF COLLEVILLE.
 5. A MINIMUM OF ONE DENSITY TEST PER PAD PER 8-INCH LIFT SHALL BE PERFORMED. TESTS SHALL BE TAKEN AT VARIOUS LOCATIONS SPREAD ROUGHLY EVENLY AROUND THE PAD AREA.
 6. ALL EXCAVATION SHALL BE "UNCLASSIFIED" AND NO ADDITIONAL PAYMENT SHALL BE MADE FOR EXCAVATION OF ROCK OR OTHER MATERIALS.
 7. LOT PAD SHALL BE CONSTRUCTED FOUR FEET WIDER AND DEEPER (TWO FEET EACH SIDE). SWALES SHALL BE CUT TO THE ELEVATIONS AND GRADERS SHOWN ON THE PLANS. SWALES SHALL PROVIDE POSITIVE DRAINAGE AND SHALL BE UNOBTSTRUCTED BY DEBRIS, FILL, OR LOOSE MATERIAL.
 8. FRONT YARDS SHALL BE GRADDED TO MINIMUM ELEVATIONS TO PROVIDE POSITIVE DRAINAGE. FRONT YARDS SHALL BE LEFT "SCOOPED" TO ALLOW FOR BUILDER TO WASTE SIDEWALK AND DRIVEWAY SPOILS. YARDS SHALL NOT BE USED TO WASTE EXCESS EARTH MATERIAL.
 9. WHERE RETAINING WALLS ARE TO BE CONSTRUCTED, EARTHWORK CONTRACTOR SHALL CUT TO MINIMUM 4 FEET BEHIND THE INSIDE BOTTOM ELEVATION AND LAY SLOPE BACK AT 1:1 SLOPE.
 10. MAXIMUM SIDE-YARD SLOPE IS 3:1. WHERE SIDE YARD RETAINING WALLS ARE NOT PROPOSED, BUILDER SHALL PROVIDE DROP GRADE BEAM OR RETAINING WALL.
 11. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE RECOMMENDATIONS CONTAINED IN THE GEOTECHNICAL INVESTIGATION PREPARED BY ALPHA TESTING (ALPHA REPORT NO. G140801).
 12. RETAINING WALLS SHALL BE PERMITTED SEPARATELY THROUGH THE CITY BUILDING INSPECTIONS DEPARTMENT. AN ENGINEER WALL DESIGN SEALED BY A LICENSED STRUCTURAL ENGINEER SHALL BE REQUIRED FOR ALL WALLS OVER FOUR FEET (4') IN HEIGHT. ALL WALLS SHOWN AS PROPOSED ON THESE GRADING PLANS SHALL BE CONSTRUCTED PRIOR TO FINAL ACCEPTANCE OF THE SUBDIVISION.

- LEGEND**
- PROP RETAINING WALL
 - FUTURE RETAINING WALL
 - FLOW ARROW
 - SPOT ELEVATION
 - 734.0 T TOP OF WALL
 - 750.1 T TOP OF WALL
 - 747.7 B BOTTOM OF WALL
 - 780 EXISTING CONTOURS
 - BL BUILDING LINE
 - LIMITS OF GRADING



REVISIONS	DATE
REVISED OPEN SPACE GRADING	JUNE-2015

J. VOLK consulting
6301 Central Expressway East, Suite 300 | Plano, Texas 75074
972.201.3300 (office) | 972.201.3009 (fax)
JVC No 14002
1" = 30' H

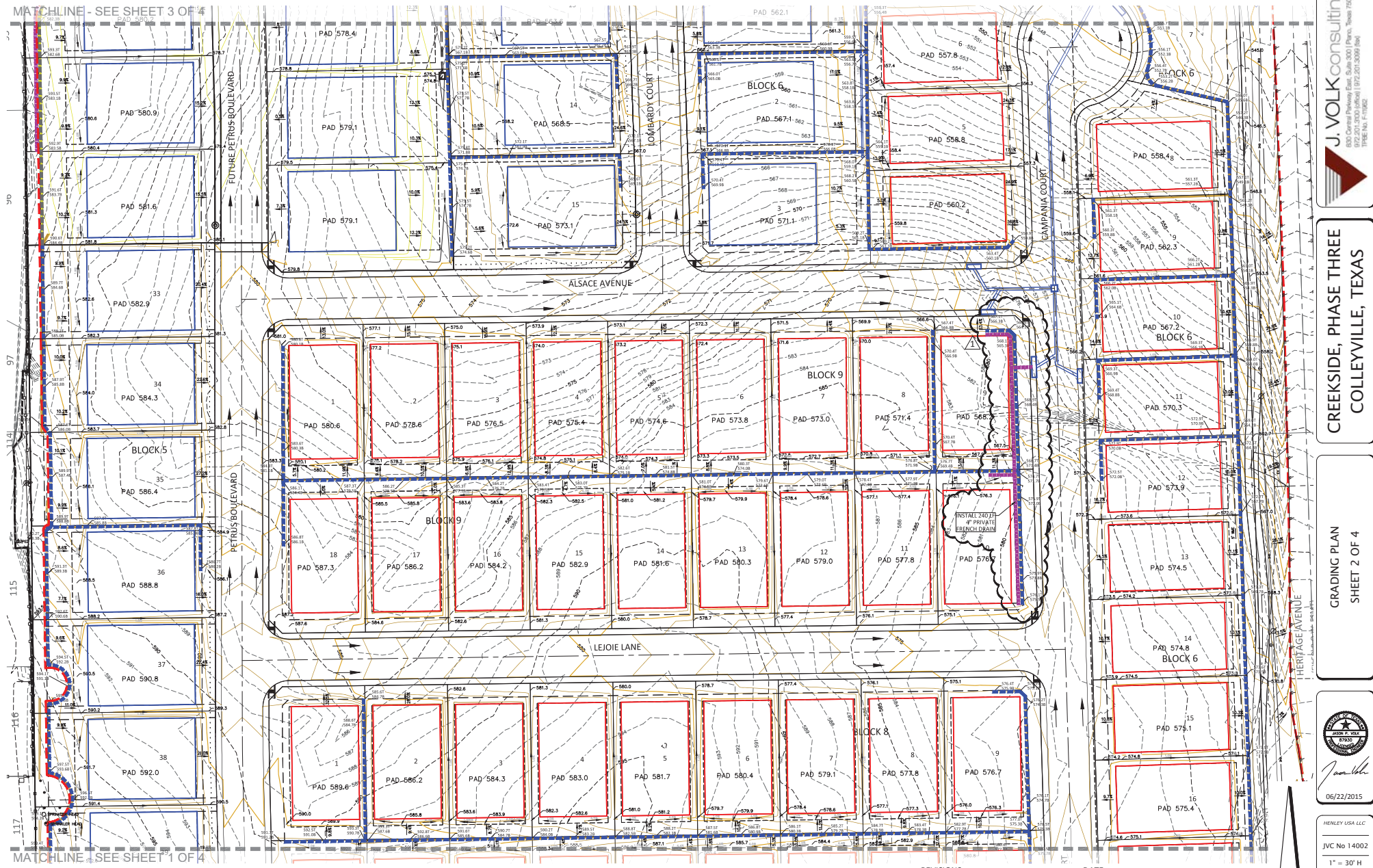
**CREEKSIDE, PHASE THREE
COLLEEVILLE, TEXAS**

**GRADING PLAN
SHEET 1 OF 4**

07/20/2015

11

Grading Plan

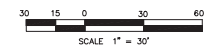


REVISIONS

1	ADDED PRIVATE FRENCH DRAIN ALONG RETAINING WALL FOOTING
----------	--

DATE

JUNE-2015



J. VOLK consulting
830 Central Expressway East, Suite 300 | Plano, Texas 75074
972.201.3000 (office) | 972.201.3009 (fax)
TPBE No. F-11902

CREEKSIDE, PHASE THREE
COLLEYVILLE, TEXAS

GRADING PLAN
SHEET 2 OF 4



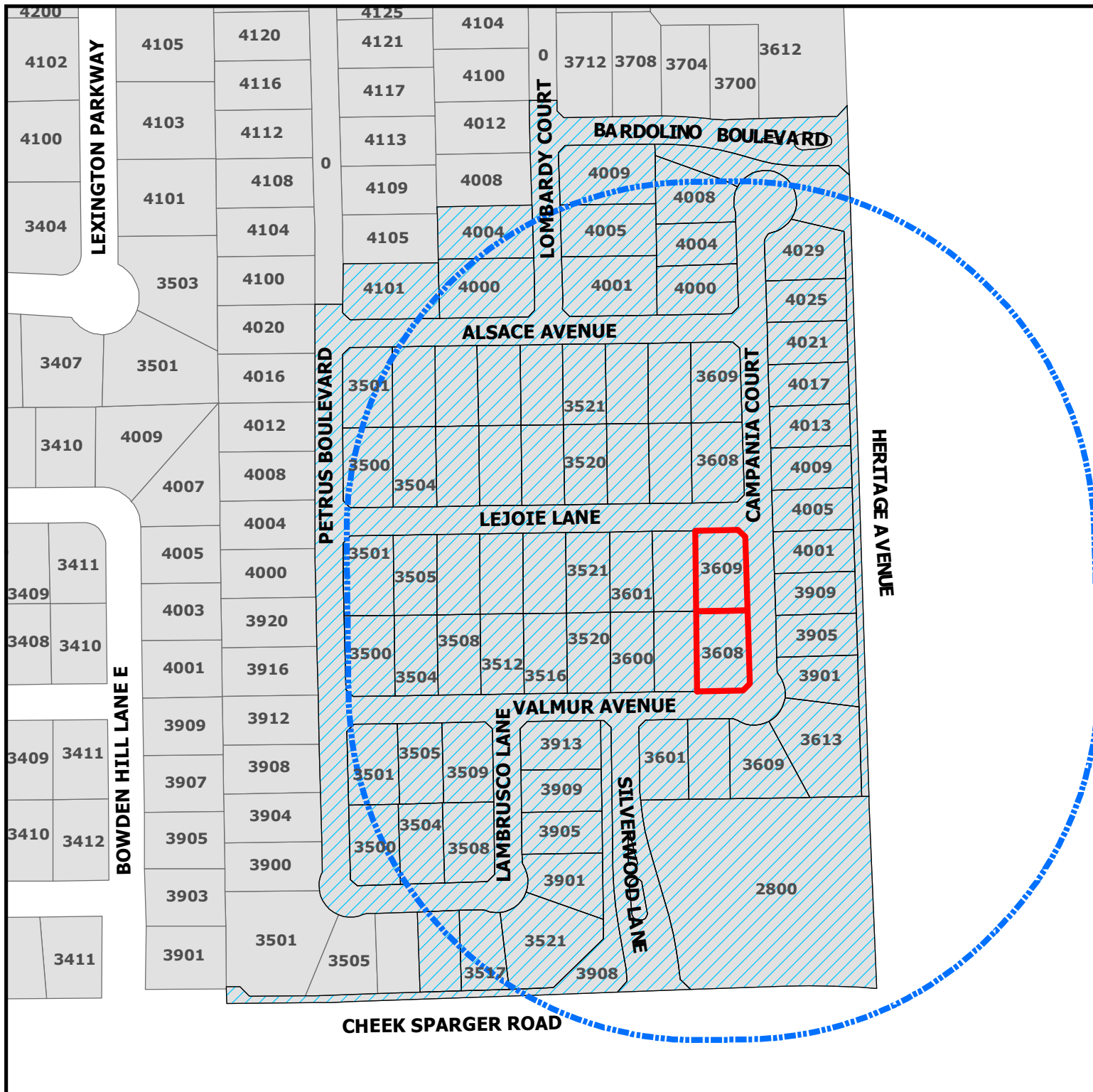
06/22/2015

HENLEY USA LLC

JVC No 14002

12

Notification Map

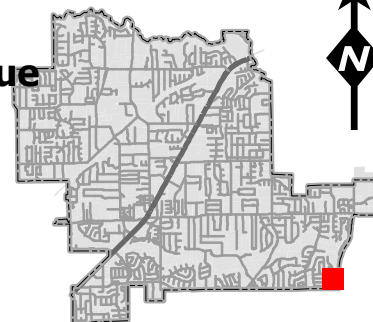


ZC20-011

3609 LeJoie Lane and 3608 Valmur Avenue

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
-  500ft Buffer
-  Properties within 500ft



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3517 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4005 CAMPANIA CT
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3512 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4013 CAMPANIA CT
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3501 VALMUR AVE
REDDY, DIVAKAR	3517 ALSACE	COLLEYVILLE, TX	76034	3517 ALSACE AVE
CUMMINGS, KIM	3601 ALSACE	COLLEYVILLE, TX	76034	3601 ALSACE AVE
CREEKSIDE AT COLLEYVILLE HOA I	101 CLARIDEN RANCH RD	SOUTHLAKE, TX	76092	3900 SILVERWOOD LN
CREEKSIDE AT COLLEYVILLE HOA I	101 CLARIDEN RANCH RD	SOUTHLAKE, TX	76092	3904 SILVERWOOD LN
				3908 SILVERWOOD LN
PATEL, HAREN	4000 LOMBARDY CT	COLLEYVILLE, TX	76034	4000 LOMBARDY CT
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4008 CAMPANIA CT
				3608 CAMPANIA CT
DAR, HASSAN	4101 PETRUS BLVD	COLLEYVILLE, TX	76034	4101 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3517 CHEVAL BLANC DR
PEREZ, ALFONSO	3509 ALSACE AVE	COLLEYVILLE, TX	76034	3509 ALSACE AVE
PETTY, BRYCE	3500 CHEVAL BLANC	COLLEYVILLE, TX	76034	3500 CHEVAL BLANC DR
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3508 LEJOIE LN
AJANI, ZUMERA	3521 CHEVAL BLANC	COLLEYVILLE, TX	76034	3521 CHEVAL BLANC DR
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3600 VALMUR AVE
DHARANI, SOHAIL	4009 LOMBARDY CT	COLLEYVILLE, TX	76034	4009 LOMBARDY CT
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3516 VALMUR AVE
CHIU, CHIN	3604 LEJOIE LN	COLLEYVILLE, TX	76034	3604 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3608 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3521 LEJOIE LN
JACKSON, LOREN	3613 VALMUR AVE	COLLEYVILLE, TX	76034	3613 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3520 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4029 CAMPANIA CT
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3505 VALMUR AVE
NATURON PROPERTIES LLC	PO BOX 610	COLLEYVILLE, TX	76034	3504 VALMUR AVE
BROWN, JOSHUA	3521 ALSACE AVE	COLLEYVILLE, TX	76034	3521 ALSACE AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4001 CAMPANIA CT
MALLAMPATI, SANJAY	4004 LOMBARDY CT	COLLEYVILLE, TX	76034	4004 LOMBARDY CT
ZEPEDA, GABRIEL	4005 LOMBARDY CT	COLLEYVILLE, TX	76034	4005 LOMBARDY CT
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3508 CHEVAL BLANC DR
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4025 CAMPANIA CT
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3513 LEJOIE LN
BEYENE, SABA	3508 VALMUR AVE	COLLEYVILLE, TX	76034	3508 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4004 CAMPANIA CT
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3609 VALMUR AVE
PATEL, AMISH	3509 VALMUR AVE	COLLEYVILLE, TX	76034	3509 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3509 LEJOIE LN
STIEGLER, DANIEL	3901 LAMBRUSCO	COLLEYVILLE, TX	76034	3901 LAMBRUSCO LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3609 ALSACE AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4017 CAMPANIA CT
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3500 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3913 LAMBRUSCO LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3520 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3505 ALSACE AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3605 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3501 LEJOIE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3605 LEJOIE LN
JHUNJHUNWALA, PRAKASH	4021 CAMPANIA CT	COLLEYVILLE, TX	76034	4021 CAMPANIA CT
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3901 CAMPANIA CT
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3905 LAMBRUSCO LN
MAMIDIBATTULA, KRISHNA	3505 LEJOIE LN	COLLEYVILLE, TX	76034	3505 LEJOIE LN
WANG, CHAO-CHENG	3608 LEJOIE LN	COLLEYVILLE, TX	76034	3608 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3501 ALSACE AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4000 CAMPANIA CT
XUE, YAN	3500 VALMUR AVE	COLLEYVILLE, TX	76034	3500 VALMUR AVE
PATEL, ANIL	3605 ALSACE AVE	COLLEYVILLE, TX	76034	3605 ALSACE AVE
TRADITION HOMES LLC	8751 COLLIN MCKINNEY PKWY STE	MCKINNEY, TX	75070	3909 CAMPANIA CT
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3609 LEJOIE LN
170 PLAYERS LLC	170 PLAYERS CIR	SOUTHLAKE, TX	76092	2800 HERITAGE AVE
LIM, GRACE	3513 CHEVAL BLANC	COLLEYVILLE, TX	76034	3513 CHEVAL BLANC DR
YORK, CHRISTOPHER	3909 LAMBRUSCO	COLLEYVILLE, TX	76034	3909 LAMBRUSCO LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4009 CAMPANIA CT
SKINNER, GINA	4001 LOMBARDY CT	COLLEYVILLE, TX	76034	4001 LOMBARDY CT
WHIP, MATTHEW	3504 CHEVAL BLANC DR	COLLEYVILLE, TX	76034	3504 CHEVAL BLANC DR
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3600 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3905 CAMPANIA CT
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3601 LEJOIE LN
SOHAIL, MOHAMMAD	3513 ALSACE AVE	COLLEYVILLE, TX	76034	3513 ALSACE AVE
TRADITION HOMES LLC	8751 COLLIN MCKINNEY PKWY STE	MCKINNEY, TX	75070	3604 VALMUR AVE
WU, WANG	3512 VALMUR AVE	COLLEYVILLE, TX	76034	3512 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3504 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3601 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3516 LEJOIE LN
WOODLAND HILLS (COLLEYVILLE)	4100 OXFORD COURT	COLLEYVILLE, TX	76034	COURTESY NOTICE
CREEKSIDE	101 CLARIDEN RANCH RD	SOUTHLAKE, TX	76092	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
SCHNEIDER, ZACH	8751 COLLIN MCKINNEY PKWY, STE 402	MCKINNEY, TX	75070	APPLICANT



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, June 8, 2020 at 7:00 p.m.
City Council Meetings: Tuesday, July 7, 2020 & Tuesday, July 21, 2020 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

Request: Consideration of a Special Use Permit for a Fence to extend into the required street side yard. The purpose is to allow for a less than 8 foot pre-sealed cedar fence along (above) an existing retaining wall which encroaches into the side yard setback.

Zoning Case: ZC20-011

Applicant: Zach Schneider

Owner: Zach Schneider

Location: 3609 LeJoie Lane and 3608 Valmur Avenue

Property Description: Lots 9 & 10, Block 8, of the Creekside at Colleyville

Present Zoning: PUD-R Planned Unit Development-Residential

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**

NOTICE OF PUBLIC HEARING

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 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

ORDINANCE O-20-2124

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 0.3851 ACRES, ON LOTS 9 & 10, BLOCK 8, CREEKSIDE AT COLLEYVILLE, LOCATED AT 3609 LEJOIE LANE AND 3608 VALMUR AVENUE, BY AUTHORIZING A SPECIAL USE PERMIT FOR AN 8 FOOT PRE-SEALED CEDAR FENCE ABOVE AN EXISTING RETAINING WALL TO ENCROACH INTO THE STREET SIDE YARD SETBACK LINE FOR A CORNER 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 an 8 foot pre-sealed cedar fence above an existing retaining wall to encroach into the street side yard setback for a corner lot under Case No. ZC20-011; 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 amend the City's zoning ordinance; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the City's zoning 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 City Council is of the opinion that the change in zoning provided for herein should be made, in compliance with the City Charter, and state law with reference to changes to zoning classifications under the City's zoning ordinance and zoning map, having given the requisite notices required by law and having held public hearings affording all interested persons and property owners a full and fair opportunity to be heard.

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

Sec. 1. 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 an 8 foot pre-sealed cedar fence above an existing retaining wall to encroach into the side yard property line for a corner lot on 0.3851 acres, being Lots 9 & 10

Block 8, of the Creekside at Colleyville, located at 3609 LeJoie Lane and 3608 Valmur Avenue, as depicted on the attached as Exhibit "A".

Sec. 2. 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. 3. 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 8 foot pre-sealed cedar fence above an existing retaining wall to encroach into the street side yard setback for a corner lot.

b. The fence location shall be approximately 10 feet from the street side property line and shall be generally consistent with the site plan and as depicted on the attached Exhibit "B".

c. All requirements of the Land Development Code shall be met, except where 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 this ordinance shall take effect immediately from and after

its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 7th day of July 2020.

The second reading and public hearing being conducted on the 21st day of July 2020.

PASSED AND APPROVED BY A VOTE OF __ AYES, __ NAYS, AND __ ABSTENTIONS ON THIS THE 21ST DAY OF JULY 2020.

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:

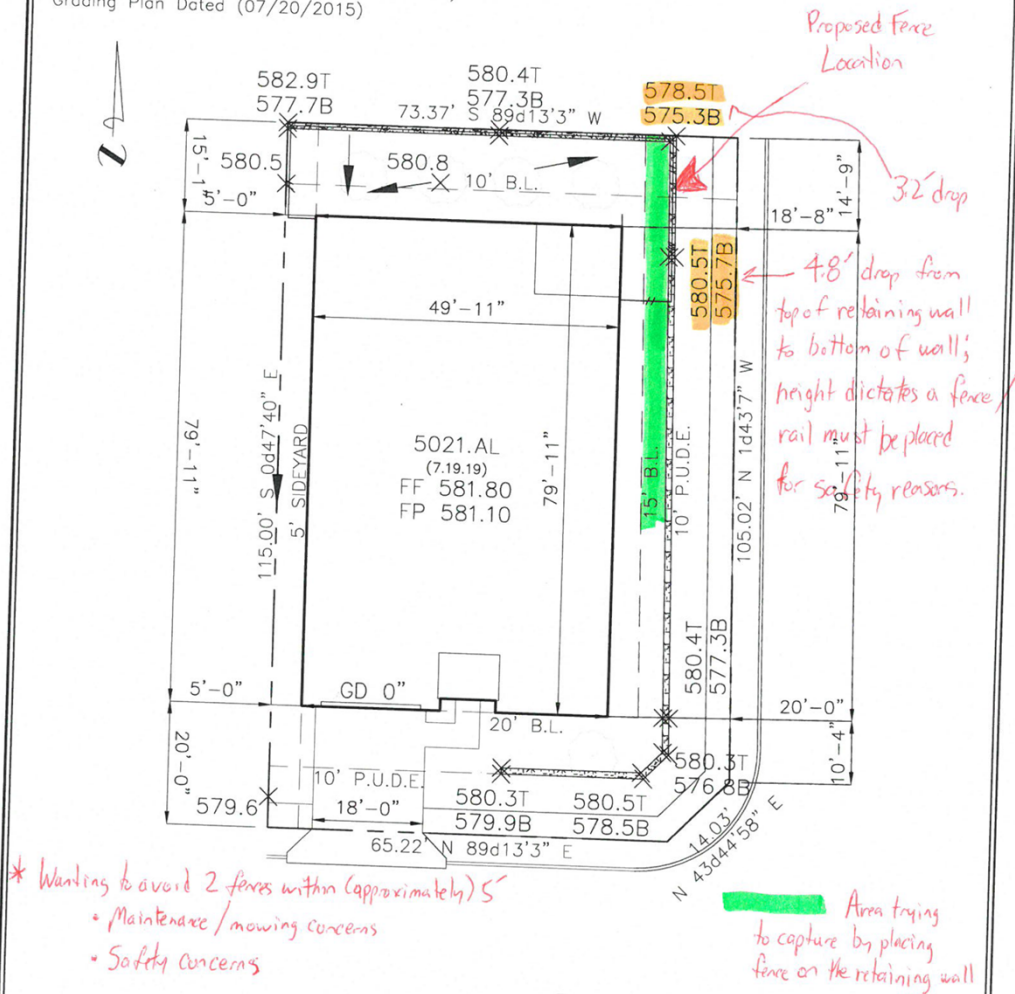
Whitt Wyatt
City Attorney

Exhibit "A" - Location and Zoning Map



Exhibit "B" – Site Plan

Lot created from following plans;
Second Amended Plat Dated (June 2, 2017)
Grading Plan Dated (07/20/2015)



PLOT PLAN LEGEND	
SYMBOL	DESCRIPTION
	Retaining Wall
TW	Top of Wall
BW	Bottom of Wall
TC	Top of Curb
BC	Back of Curb
FP	Finished Pad
FF	Finished Floor
EG	Existing Grade
	Storm Inlet
	Water Connection

Note: 4-3" cal. min.
Buffer Trees @ rear.
1-4" cal. min. @ front.

Sod & Flatwork Calculations

Total Sod	467	SQ. YDS.
Description	SQ. FT.	CU. YDS.
Drive/Lead Walk	411.17	5.08
Approach	131.32	2.43
City Walk	651.79	8.05
Total Flatwork	1194.28	15.55

**field verify dimensions & grading prior to starting construction

LOT SUMMARY		job. no. 101_026		GENERAL NOTES: DRIVEWAY & GARAGE: MIN. 18' WIDE DRIVEWAY @ STREET APPROACH: MIN. 18' WIDE PUBLIC SIDEWALK: MIN. 4' WIDE LEAD WALK TO HOME: MIN. 4' WIDE	
LOT AREA	8494	subdiv. Creekside at Colleyville PH. 3			
SLAB AREA	3971	lot 10	blk 8	Drawn By: JRD Description: Date:	
COVERAGE	46.75%	address 3608 Valmur Avenue		 TRADITION HOMES WWW.TRADITIONHOMES.COM	
FENCE	117'	city Colleyville, TX			
SCALE: 1" = 20'		date 4/28/20 master plan 5021			



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6d

Agenda Date 7/21/2020

Number Ordinance O-20-2125

Type Ordinance

Department Community Development

Title

Consideration of amendments to Chapter 1, Section 1.17 of the Land Development Code, specifically for the permitting of expiration of vested project rights

Strategic Plan

4.3 Adopt best-practice planning and development processes

Explanation

Second Reading & Public Hearing

There were no speakers regarding this item at the July 7, 2020 City Council meeting.

First Reading & Public Hearing

The City Attorney has directed staff to prepare an ordinance that applies the project expiration regulations to certain projects existing at the time of adoption; provided the project meets the definition of dormancy and the City's ordinance provides a reasonable grace period prior to enforcement to allow pending dormant project owners to comply.

The draft ordinance proposes that a development project shall become dormant and expire if for a period of two years subsequent to the original approval no progress is made toward completion of the project.

A development project shall become dormant and expire if for a period of five years subsequent to the first application for a permit being filed no progress has been made towards completion of the project.

Staff Recommendation: Staff recommends approval.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval of the LDC amendment at their June 8, 2020 meeting by a vote of 4-0.

Financial Impact

There is no fiscal impact to the City of Colleyville for this item.

Recommendation

Approve

Attachments

1. Glenn Heights Ordinance Example
2. Ordinance O-20-2125

ORDINANCE NO. O-__-15

AN ORDINANCE OF THE CITY OF GLENN HEIGHTS, TEXAS, AMENDING CHAPTER 10, ARTICLE 10.01 OF THE GLENN HEIGHTS CODE OF ORDINANCES TO ADD DIVISION 1 “DEVELOPMENT EXPIRATION DATES”, CONTAINING SECTIONS 10.01.001.-10.01.004; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City Council of the City of Glenn Heights, has determined that there exists within the City development projects where no action toward completion of the project has occurred for several years;

WHEREAS, The City Council periodically amends the City’s development regulations and permit requirements to ensure compliance with the current local, state, federal and international building and development codes;

WHEREAS, The City Council finds that adopting development permit and project expiration dates will minimize potential negative impacts to the safety, health and welfare of the citizens residing within dormant development projects as well as the surrounding neighborhoods by ensuring that future development will be conducted in accordance with the most recent building and development codes adopted by the City; and

WHEREAS, There is hereby created a two year expiration date on all building and development permits and a five year expiration date on all projects where no action toward completion has taken place.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS, THAT:

SECTION 1. The Chapter 10, Article 10.01 of the Glenn Heights Code of Ordinances be, and the same is, hereby amended by adding Division 1 “Development Expiration Dates”, Sections 10.01.001-10.01.004, providing for permit and project expiration which shall read as follows:

“ARTICLE 10.01 GENERAL PROVISIONS

{Reserved}

Division 1. Development Expiration Dates

Sec. 10.01.001 Definitions

The following words, terms and phrases, when used in this Division, shall have the meanings ascribed to them in this section, except where the content clearly indicates a different meaning:

Development. Means the subdivision of land and/or the construction, reconstruction, conversion, or the structural alteration, relocation or enlargement of any buildings or structures; and any use or extension of the use of land.

Dormant. With regard to an individual permit for a project, shall mean that no progress has been made towards completion of the project for a period of two years. With regard to a project in general, shall mean that no progress has been made towards completion of the project for a period of five years.

Permit and/or Series of Permits. Permit means a license, certificate, approval, registration, consent, permit, contract or other agreement for construction or other form of authorization required by law, rule, regulation, order, or ordinance that a person must obtain from the City to perform an action or initiate, continue, or complete a project for which the permit is sought. All permits required for a project are considered to be a single series of permits. Preliminary plans and related subdivision plats, site plans, and all other development permits for land covered by the preliminary plans or subdivision plats are considered collectively to be one series of permits for a project.

Person. An individual, corporation, business trust, estate, trust, partnership or association, two or more persons having a joint interest, or any other legal or community entity.

Progress. Towards completion of a project shall include any one of the following:

- (a) an application for a final plat or plan is submitted to the City;
- (b) a good-faith attempt is made to file with the City an application for a permit necessary to begin or continue towards completion of the project;
- (c) costs have been incurred for developing the project including, without limitation, costs associated with roadway, utility, and other infrastructure facilities designed to serve, in whole or in part, the project (but exclusive of land acquisition) in the aggregate amount of five percent of the most recent appraised market value of the real property on which the project is located;
- (d) fiscal security is posted with the City to ensure performance of an obligation required by the City; or
- (e) utility connection fees or impact fees for the project have been paid to a regulatory agency.

Project. Means an endeavor over which the City exerts its jurisdiction and for which one or more permits are required to initiate, continue, or complete the endeavor.

Sec. 10.01.002 Development Permit Expiration

An individual permit for a development project shall become dormant and expire if, for a period of two years subsequent to the original permit application being filed with the City, no progress is made towards completion of the project. Should any other provision of this Code or applicable law provide a shorter expiration period for a particular permit, the law providing for the shorter expiration period shall apply notwithstanding this Section 10.01.002.

Sec. 10.01.003 Development Project Expiration

A development project shall become dormant and expire if, for a period of five years subsequent to the first application for a permit being filed with the City, no progress has been made towards completion of the project.

Sec. 10.01.004 New Permit Application Required

Upon a permit expiring pursuant to this Article, any person seeking to initiate, continue, or complete a project for which an expired permit is required, shall be required to file a new permit application with the City and shall be subject to all policies, rules, ordinances and laws in effect at the time the new permit application is filed.”

SECTION 2. That all provisions of the Ordinances of the City of Glenn Heights, Texas, in conflict with the provisions of this Ordinance be, and the same are hereby amended, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. If any article, paragraph or subdivision, clause or provision of this shall be judged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof, other than the part so decided to be valid or unconstitutional.

SECTION 4. Any person, firm, corporation or corporation violating any of the provisions or terms of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Glenn Heights, Texas, shall be punished by a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense. Every day a violation occurs shall constitute a separate offence.

SECTION 5. This ordinance shall take effect immediately from and after the publication of its caption, as the law in such cases provides.

DULY PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS ON THIS THE 14th DAY OF JULY, 2015.

APPROVED:

Leon P. Tate, Mayor

ATTEST:

Othel Murphee, City Secretary

APPROVED AS TO FORM:

Whitt L. Wyatt, City Attorney
(ww: 7-15-15: TM 72291)

ORDINANCE O-20-2125

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING CHAPTER 1, SECTION 1.17 - RESERVED OF THE LAND DEVELOPMENT CODE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Colleyville approved Ordinance O-00-1214 on April 18, 2000, adopting the Land Development Code; and

WHEREAS, the City of Colleyville desires to amend Chapter 1, Section 1.17 - Reserved of the Land Development Code; 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.

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

- Sec. 1. THAT *Chapter 1, Section 1.17 - Reserved* of the Land Development Code is hereby amended to read as depicted in the attached Exhibit "A".
- Sec. 2. 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. 3. 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. 4. 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. 5. THAT this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 7th day of July 2020.

The second reading and public hearing being conducted on the 21st day of July 2020.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 21ST DAY OF JULY 2020.

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 L. Wyatt
City Attorney

Exhibit "A"

Section 1.17 ~~Reserved~~ Development Expiration Dates

The City is authorized under the Texas Local Government Code, Section 245.005 to adopt an ordinance providing for expiration of permits and development projects within the City.

1.17.A. Definitions

The following words, terms and phrases, when used in this Section 1.17, shall have the meanings ascribed to them in this section, except where the content clearly indicates a different meaning:

Development. Means the subdivision of land and/or the construction, reconstruction, conversion, or the structural alteration, relocation or enlargement of any buildings or structures that required site plan approval; and any use or extension of the use of land. The foregoing definition is intended to supplement the definition of the term development provided in Chapter 2 of this Land Development Code and should not be interpreted to limit or exclude any portion thereof.

Dormant. With regard to an individual permit for a project, shall mean that no progress has been started towards completion of the project for a period of two years. With regard to a project in general, shall mean that no progress has been made towards completion of the project for a period of five years.

Individual Permit and/or Series of Permits. For the purposes of this Section, permit means a license, certificate, approval, registration, consent, permit, contract or other agreement for construction or other form of authorization required by law, rule, regulation, order, or ordinance that a person must obtain from the City to perform an action or initiate, continue, or complete a project for which the permit is sought. All permits required for a project are considered to be a single series of permits. Preliminary plans and related subdivision plats, site plans, and all other development permits for land covered by the preliminary plans or subdivision plats are considered collectively to be one series of permits for a project.

Person. An individual, corporation, business trust, estate, trust, partnership or association, two or more persons having a joint interest, or any other legal or community entity.

Progress. Towards completion of a project shall include any one of the

following:

- (1) an application for a final plat or plan is submitted to the City;
- (2) a good-faith attempt is made to file with the City an application for a permit necessary to begin or continue towards completion of the project;
- (3) costs have been incurred for developing the project including, without limitation, costs associated with roadway, utility, and other infrastructure facilities designed to serve, in whole or in part, the project (but exclusive of land acquisition) in the aggregate amount of five percent of the most recent appraised market value of the real property on which the project is located;
- (4) fiscal security acceptable to the City is posted with the City to ensure performance of an obligation required by the City; or
- (5) the utility connection fees and impact fees for the project have been paid to the City and/or applicable regulatory agency.

Project. Means an endeavor over which the City exerts its jurisdiction and for which one or more permits are required to initiate, continue, or complete the endeavor.

1.17.B. Application and Administrative Review

An application for a plat or plan under this Section 1.17 is not considered filed and/or submitted until the date upon which the City has determined the application is administratively complete. An application for a project permit under this Section 1.17 is not considered filed until the date upon which all information and documentation required upon filing has been delivered to the City.

1.17.C. Permit Application Expiration

An application for a project permit under this Section 1.17 expires on the 45th calendar day following the date the application is filed if it is determined by the City's department responsible for issuing the permit that the applicant has failed to provide all information and/or documentation necessary to determine the application complete; provided that, the City has, not later than the 10th business day following the filing of the application, sent the applicant written notice identifying the information and/or documentation required to complete the permit application.

1.17.D. Development Permit Expiration

An individual permit for a development project shall become dormant and expire if, for a period of two years subsequent to the original permit application being filed with the City, no progress is made towards starting completion of the project. Should any other provision of this Land Development Code or applicable law provide a shorter expiration period for a particular permit, the law providing for the shorter expiration period shall apply notwithstanding this subsection.

1.17.E. Development Project Expiration

A development project shall become dormant and expire if, for a period of five years subsequent to the first application for a permit being filed with the City and construction started, no progress has been made towards completion of the project.

1.17.F. New Permit Application Required

Upon a permit expiring pursuant to this Section 1.17, any person seeking to initiate, continue, or complete a project for which an expired permit is required, shall be required to file a new permit application with the City and shall be subject to all policies, rules, ordinances and laws in effect at the time the new permit application is filed.



City of Colleyville City Council Agenda Briefing

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

Agenda Number 7a

Agenda Date 7/21/2020

Number Ordinance O-20-2126

Type Ordinance

Department Police

Title

Approval of the Fiscal Year 2021 Colleyville Crime Control and Prevention District budget

Strategic Plan

2.4 Demonstrate stewardship of public resources

2.1 Provide responsive, efficient city services

Explanation

First Reading and Public Hearing

In accordance with Chapter 363 of the Local Government Code, the Colleyville Crime Control and Prevention District (CCCPD) Board, which is comprised of the City Council, must hold a public hearing on the proposed annual budget at least 100 days before the start of the fiscal year and adopt a budget at least 80 days before the start of the fiscal year. The CCCPD Board held a public hearing on the proposed FY 2021 CCCPD budget on June 16, 2020 and advertised this public hearing in the *Fort Worth Star-Telegram*. On July 7, 2020, the Board approved the proposed FY 2021 CCCPD budget.

Upon Board approval, the CCCPD budget must be submitted to the City Council for approval or rejection within 10 days. Per Sec. 363.205(d) of the Local Government Code, the governing body may not amend the budget submitted by the Board. If the governing body rejects the budget submitted by the Board, the governing body and the Board shall meet and together amend and approve the budget before the beginning of the fiscal year. This agenda item allows for City Council consideration of the CCCPD budget. The July 21, 2020 City Council agenda item for first reading of the CCCPD budget ordinance will also serve as the required public hearing by the governing body and was advertised in the *Fort Worth Star-Telegram*.

During the discussion of the FY 2021 proposed CCCPD budget on June 16, 2020, staff presented a complete FY 2021 budget proposal and a five-year forecast based on current information. No changes to the FY 2021 proposed CCCPD budget were requested.

Financial Impact

The attached proposed budget provides estimated fund balances and revenues, as well as a detailed list of proposed expenditures.

Recommendation

Approve

Attachments

1. CCCPD Budget Presentation
2. Proposed FY2021 CCCPD Budget
3. CCCPD Line Item Budget
4. Ordinance O-20-2126

7a. FIRST READING AND PUBLIC HEARING ORDINANCE O-20-2126



7a. ORDINANCE O-20-2126

Approval of the Fiscal Year 2021 Colleyville Crime Control and Prevention District Budget

**7a. FIRST READING AND PUBLIC HEARING
ORDINANCE O-20-2126**



**Proposed FY 2021 Colleyville Crime Control
Prevention District (CCCPD) Budget**

**City Council Meeting
July 21, 2020**

CCCPD History

Creation & Authorization

- The CCCPD was first established in 1999 by local voters for an initial five year period.
- In 2003, voters renewed the District for an additional 20 year period.
- The District will be eligible for renewal again in 2023.

District Powers

- Local Government Code Chapter 363, Section 363.151:

“The district may finance all the costs of a crime control and crime prevention program, including the costs for personnel, administration, expansion, enhancement, and capital expenditures.”

Updates on FY20 Items

7a. FIRST READING AND PUBLIC HEARING ORDINANCE O-20-2126



New Sergeant Position Approved for FY20

- Implemented into the organization and filled!

New Part-Time Accreditation Coordinator Approved for FY20

- Implemented into the organization and filled!
- Managing our Texas Best Practices and CALEA Accreditation Processes.

Additional Targeted Training Funding Approved for FY20

- Purchased SurviVR Virtual Reality Training System which has de-escalation techniques imbedded in every scenario.
- Lt. Graves certified as ICAT (Integrating Communications, Assessment, and Tactics) Instructor and is in process of providing training to entire department by end of June.

7a. FIRST READING AND PUBLIC HEARING ORDINANCE O-20-2126



New Funding for Investigative Software Approved for FY20

- We are in the middle of implementing an Early Warning System and an Internal Affairs System which is required for CALEA accreditation.

New Funding for CAD/RMS System Replacement Approved for FY20

- Consortium of Colleyville, Southlake, Keller and Grapevine are currently in the vendor / software selection process and should begin the implementation in the Fall. Implementation will take approximately 18 months.

FY 21 Proposed Budget

Ongoing Initiatives:

- Funding of Salary and Benefits for 12 sworn officer positions.
 - We are currently authorized for 44 sworn City-wide.
- Funding for a part-time Accreditation Coordinator position.
- Funding for two part-time Public Service Officer positions.
- Records Management System software (CRIMES) and maintenance.
- Crime Reports Analytical Mapping Software.
- Various Software Maintenance Agreements.
- Participation in the Metroport Teen Court Program at one-quarter of the regional costs.

7a. FIRST READING AND PUBLIC HEARING ORDINANCE O-20-2126



Ongoing Initiatives (cont.):

- All Police Department vehicles funded through CCCPD budget.
 - Utilizing Enterprise for all fleet needs city-wide.
- Continuation of weapons replacement schedule.
- Funding for SWAT training and equipment. We fill up to three slots on the Northeast Tarrant SWAT Team. This line item sets aside funding for all the necessary equipment and training for our members of the team.
- Funding for safety equipment and on going replacement, these items include collapsible rubber base traffic cones for each patrol unit.
- Funding for software license for the two radar signs. This program allows for timely, effective, and accurate reporting of all data collected by our two radar signs.

7a. FIRST READING AND PUBLIC HEARING ORDINANCE O-20-2126



Ongoing Initiatives (cont.):

- Funding for Early Warning System / Internal Affairs System Annual Subscription.
- Funding for CALEA Accreditation.
- Funding for Crime Scene Response.
- Funding for annual training for de-escalation / crisis intervention and leadership development training.

Capital Expenses:

- Reminder previous capital expenses for facilities maintenance have been moved out of the CCCPD budget and into the City's Capital Improvement Fund.

CCCPD Fund 5-Year Projections

- 5-Year projection allows for longer term planning and forecasting.
- Current expenditures funded by the CCCPD are projected to continue.
- Certain equipment replacement, capital, and facility needs vary from year to year.
- As of FY20, the CCCPD remains debt-free.

Questions and Discussion

COLLEYVILLE CRIME CONTROL DISTRICT
FY 2020 THROUGH FY 2025 PROJECTION

FISCAL YEAR	ADOPTED FY 2020	PROJECTED FY 2020	PROJECTED FY 2021	PROJECTED FY 2022	PROJECTED FY 2023	PROJECTED FY 2024	PROJECTED FY 2025
BEGINNING FUND BALANCE	\$1,298,863	\$1,298,863	\$1,420,796	\$1,030,222	\$1,121,525	\$1,164,598	\$1,157,854
REVENUES:							
1/2 CENT SALES TAX REVENUE (+0-1.5% PROJECTED)	\$1,763,183	\$1,763,183	\$1,900,000	\$1,900,000	\$1,928,500	\$1,957,428	\$1,957,428
INTEREST INCOME	\$8,000	\$8,000	\$8,000	\$8,080	\$8,161	\$8,242	\$8,325
USE OF AVAILABLE CASH	\$375,000	\$0	\$550,000	\$0	\$0	\$0	\$0
TOTAL REVENUES	\$2,146,183	\$1,771,183	\$2,458,000	\$1,908,080	\$1,936,661	\$1,965,670	\$1,965,753
EXPENDITURES:							
ADMINISTRATIVE BOARD/AUDIT EXPENSES:	\$1,850	\$1,850	\$1,850	\$1,850	\$1,850	\$1,850	\$1,850
SOFTWARE - ANNUAL MAINTENANCE CONTRACT	\$49,500	\$49,500	\$49,500	\$49,500	\$49,500	\$49,500	\$49,500
SOFTWARE - EARLY WARNING/INTERNAL AFFAIRS	\$5,500	\$5,500	\$5,949	\$5,949	\$5,949	\$5,949	\$5,949
SOFTWARE - INVESTIGATIVE TOOL	\$9,750	\$9,750	\$9,750	\$9,750	\$9,750	\$9,750	\$9,750
SOFTWARE - CRIME REPORTS ANALYTICAL CRIME MAPPING	\$5,492	\$5,492	\$5,492	\$5,492	\$5,492	\$5,492	\$5,492
RECRUITING AND HIRING PROCESS	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500
TRAINING - LEADERSHIP DEVELOPMENT	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
TRAINING - DE-ESCALATION & CRISIS INTERVENTION	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
CRIME SCENE RESPONSE UNIT	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
NETMOTION WIRELESS MAINTENANCE AGREEMENT	\$3,219	\$3,219	\$3,219	\$3,219	\$3,219	\$3,219	\$3,219
IN-CAR VIDEO SYSTEM SERVER MAINTENANCE	\$0	\$0	\$0	\$0	\$0	\$25,000	\$25,000
OFF-DUTY WEBSITE ANNUAL FEES/MAINTENANCE	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000
TICKET WRITER REPLACEMENT	\$4,700	\$4,700	\$4,700	\$4,700	\$4,700	\$4,700	\$4,700
CALEA ACCREDITATION	\$16,825	\$16,825	\$16,825	\$11,450	\$11,450	\$16,825	\$16,825
PERSONNEL:							
12 POLICE OFFICERS	\$918,755	\$1,193,514	\$1,292,239	\$1,337,467	\$1,384,279	\$1,432,728	\$1,482,874
MOVE OFFICER FROM GENERAL FUND FY 2019	\$105,000			\$0	\$0	\$0	\$0
ADDITIONAL 2 PT PUBLIC SAFETY OFFICERS	\$48,754			\$0	\$0	\$0	\$0
MOVE OFFICER FROM GENERAL FUND FY 2020	\$105,000			\$0	\$0	\$0	\$0
ADDITIONAL SERGEANT IN FY 2020	\$100,000			\$0	\$0	\$0	\$0
PT ACCREDITATION COORDINATOR	\$27,000			\$0	\$0	\$0	\$0
TEEN COURT	\$33,750	\$33,750	\$33,750	\$33,750	\$33,750	\$33,750	\$33,750
EQUIPMENT:							
ANNUAL WEAPONS REPLACEMENT	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
SWAT EQUIPMENT AND TRAINING	\$6,150	\$6,150	\$6,150	\$6,150	\$6,150	\$6,150	\$6,150
SAFETY EQUIPMENT AND REPLACEMENT	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
TWO RADAR SIGNS- LICENSES	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000
VEHICLES:							
ANNUAL REPLACEMENT FUNDING	\$262,500	\$262,500	\$262,650	\$291,000	\$321,000	\$321,000	\$271,000
DEBT SERVICE:							
2006 SERIES REFUNDING DEBT	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TRANSFERS:							
CAPITAL EQUIPMENT REPLACEMENT FUND - IN-CAR MOBILE DIGITAL COMPUTER SYSTEM	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
CAPITAL -							
REPLACE CAD/RMS SYSTEM	\$375,000	\$0	\$550,000	\$0	\$0	\$0	\$0
TOTAL EXPENDITURES	\$2,135,244	\$1,649,250	\$2,298,574	\$1,816,777	\$1,893,589	\$1,972,413	\$1,972,559
EXCESS REVENUES OVER EXPENDITURES ^^	\$10,939	\$121,933	\$159,426	\$91,303	\$43,073	-\$6,744	-\$6,806
ENDING FUND BALANCE	\$934,802	\$1,420,796	\$1,030,222	\$1,121,525	\$1,164,598	\$1,157,854	\$1,151,048

BEGINNING FUND BALANCE	\$846,681
TOTAL REVENUES - INCLUDES USE OF AVAILABLE CASH OF \$279,846	\$1,282,386
TOTAL EXPENDITURES	<u>\$1,080,302</u>
EXCESS REVENUES OVER EXPENDITURES	\$202,084
ENDING FUND BALANCE	<u>\$768,919</u>

CCCPD FUND REVENUES **1**

DEPARTMENT SUMMARIES

POLICE – ADMINISTRATION 2

POLICE – PATROL 4

CAPITAL EQUIPMENT RESERVE 5

07/02/2020 10:25
 klester

CITY OF COLLEYVILLE
NEXT YEAR BUDGET DETAIL REPORT

P
bgnyrpts¹

PROJECTION: 20212 FY 2021 CCCPD Budget

ACCOUNTS FOR:
CRIME DISTRICT FUND

0000 UNDEFINED

0270000 027-0000-5301 SALES TAX

0270000 027-0000-5716 EARNED INTEREST

TOTAL UNDEFINED

VENDOR	QUANTITY	UNIT COST	2021	Proposed
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-1,900,000.00

8,000.00

-1,892,000.00

07/02/2020 10:25
 klester

CITY OF COLLEYVILLE
NEXT YEAR BUDGET DETAIL REPORT

P
bgnyrpts ²

PROJECTION: 20212 FY 2021 CCCPD Budget

ACCOUNTS FOR:
CRIME DISTRICT FUND
 2310 POLICE ADMINISTRATION

	VENDOR	QUANTITY	UNIT COST	2021	Proposed
0272310 027-2310-6221 AUDIT					1,850.00
0272310 027-2310-6225 COMPUTER SERVICES					71,691.00 *
Police Software Annual Maintenance Contract		1.00	49,500.00		49,500.00
Crime Reports Crime Mapping Software		1.00	5,492.00		5,492.00
Off-Duty Website Annual Fees/Maintenance		1.00	1,000.00		1,000.00
Early Warning/Internal Affairs; 2021 update: increase of \$449		1.00	5,949.00		5,949.00
Investigative Tool		1.00	9,750.00		9,750.00
0272310 027-2310-6226 MISC. CONTRACTUAL SERVICES					597,325.00 *
CALEA Accreditation		1.00	16,825.00		16,825.00
Crime Scene Response Unit		1.00	5,000.00		5,000.00
Recruiting and hiring process		1.00	2,500.00		2,500.00
Two radar signs- licenses		1.00	3,000.00		3,000.00
CAD/RMS System replacement		1.00	550,000.00		550,000.00
Leadership Development Training		1.00	10,000.00		10,000.00
De-escalation and crisis intervention training		1.00	10,000.00		10,000.00
0272310 027-2310-6227 MAINTENANCE AGREEMENT					3,219.00 *
Netmotion Wireless Maintenance Agreement		1.00	3,219.00		3,219.00

07/02/2020 10:25
 klester

CITY OF COLLEYVILLE
NEXT YEAR BUDGET DETAIL REPORT

P
bgnyrpts ³

PROJECTION: 20212 FY 2021 CCCPD Budget

ACCOUNTS FOR:
CRIME DISTRICT FUND

	VENDOR	QUANTITY	UNIT COST	2021	Proposed
0272310 027-2310-6290 TEEN COURT					33,750.00
0272310 027-2310-6321 FIRE ARMS SUPPLIES					10,000.00 *
Annual weapons replacement program		1.00	10,000.00		10,000.00
0272310 027-2310-6360 MINOR OPERATING OUTLAY					15,850.00 *
Safety equipment and replacement		1.00	5,000.00		5,000.00
SWAT Equipment and training		1.00	6,150.00		6,150.00
Ticket writer replacement		1.00	4,700.00		4,700.00
0272310 027-2310-6650 MOTOR VEHICLES					262,650.00 *
Replacement - Patrol Vehicles		1.00	180,000.00		180,000.00
Admin Vehicles		1.00	31,000.00		31,000.00
Vehicle for new sergeant		1.00	51,650.00		51,650.00
TOTAL POLICE ADMINISTRATION					996,335.00

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CITY OF COLLEYVILLE
NEXT YEAR BUDGET DETAIL REPORT

P
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PROJECTION: 20212 FY 2021 CCCPD Budget

ACCOUNTS FOR:
CRIME DISTRICT FUND
 2370 POLICE PATROL

	VENDOR	QUANTITY	UNIT COST	2021	Proposed
0272370	027-2370-6101	SALARIES			949,217.00
0272370	027-2370-6105-	SALARY SAVINGS			-1,533.00
0272370	027-2370-6141	FICA EXPENSE			71,570.00
0272370	027-2370-6142	GROUP HEALTH INSURANCE			151,609.00
0272370	027-2370-6143	WORKERS' COMPENSATION			13,814.00
0272370	027-2370-6145	UNEMPLOYMENT COMPENSATION			3,105.00
0272370	027-2370-6146	RETIREMENT			88,429.00
0272370	027-2370-6147	INCENTIVE PAY			9,300.00
0272370	027-2370-6148	LONGEVITY PAY			6,728.00
TOTAL POLICE PATROL					1,292,239.00

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CITY OF COLLEYVILLE
NEXT YEAR BUDGET DETAIL REPORT

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PROJECTION: 20212 FY 2021 CCCPD Budget

ACCOUNTS FOR:
CRIME DISTRICT FUND
 6310 CAPITAL EQUIPMENT RESERVE

	VENDOR	QUANTITY	UNIT COST	2021	Proposed
0276310 027-6310-6810- CAPITAL EQUIPMENT RESERVE					10,000.00 *
Transfer to Capital Equipment Replacement Fund for In-Car Mobile Digital Computer System		1.00	10,000.00		10,000.00

TOTAL CAPITAL EQUIPMENT RESERVE					10,000.00
TOTAL CRIME DISTRICT FUND					406,574.00

GRAND TOTAL					406,574.00
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** END OF REPORT - Generated by Kyle Lester **

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CITY OF COLLEYVILLE
NEXT YEAR BUDGET DETAIL REPORT

P 6
bgnyrpts

PROJECTION: 20212 FY 2021 CCCPD Budget

ACCOUNTS FOR:
CRIME DISTRICT

FUND	Field #	Total	Page Break
Sequence 1	1	Y	Y
Sequence 2	2	Y	Y
Sequence 3	0	N	N
Sequence 4	0	N	N

VENDOR QUANTITY UNIT COST 2021 Proposed

Report title:
07/02/2020 10:25
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CITY OF COLLEYVILLE
NEXT YEAR BUDGET DETAIL REPORT

P 6
bgnyrpts

PROJECTION: 20212 FY 2021 CCCPD Budget

FOR PERIOD 99

Report type: 3
Include employee with benefit detail: N
Budget level: 4
Percentage change calculation method: 1
Print detail lines: B
Print first or second year of budget requests: F
Print revenue as credit: N
Include cfwd in rev bud: N
Include cfwd in actuals: N
Print totals only: N
Include segment code: N
Include report grand totals by account type: N
Print full GL account: Y
Double space: N
Suppress zero bdgt accts: Y
Print as worksheet: N
Print percent change or comment: C
Print text: N
Amounts/totals exceed 999 million dollars: N
Print five budget levels: N
Report view: D

Find Criteria

Field Name Field Value

Org
Object
Project
Account type
Account status

ORDINANCE O-20-2126

ADOPTING AN ANNUAL BUDGET FOR FISCAL YEAR 2021 FOR THE COLLEYVILLE CRIME CONTROL AND PREVENTION DISTRICT, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021, A COPY OF SAME BEING ON FILE IN THE OFFICE OF THE CITY SECRETARY, TO BECOME EFFECTIVE UPON PASSAGE BY THE CITY COUNCIL

WHEREAS, the laws of the State of Texas require the Board of Directors of the Colleyville Crime Control and Prevention District to adopt a budget of projected revenues and proposed expenditures, cash on hand at the start of the year, the amount of money received during the prior year, the tax rate, and the projected ending fund balance; and

WHEREAS, on July 7, 2020, the Board of Directors of the Colleyville Crime Control and Prevention District approved the following budget; and

WHEREAS, the City Council determines that the passage of this Ordinance is in the best interests of the health, safety, and welfare of the public.

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

Sec. 1. THAT the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021 for the Colleyville Crime Control and Prevention District, a copy of which is on file in the office of the City Secretary, is hereby made a part of this Ordinance by reference and is hereby approved and adopted by the City Council of the City of Colleyville, Texas, as the official budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021 and that the City Manager is authorized to execute all contracts and agreements approved as a part of the budget.

Sec. 2. THAT the budget of the fiscal year beginning October 1, 2020, and ending September 30, 2021, for the Colleyville Crime Control and Prevention District with a sales and use tax rate of .5%, is hereby fixed as follows:

Projected Revenue Received in Fiscal Year 2020	\$1,771,183
Projected Cash on Hand as of October 1, 2020	\$1,420,796
Revenues	\$1,908,000
Expenditures	\$2,298,574
Projected Ending Fund Balance at September 30, 2021	\$1,030,222

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 21st day of July 2020.

The second reading and public hearing being conducted on the 4th day of August 2020.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS, ON THIS THE 4TH DAY OF AUGUST 2020.

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 L. Wyatt
City Attorney



City of Colleyville City Council Agenda Briefing

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

Agenda Number 8a

Agenda Date 7/21/2020

Number Ordinance O-20-2111

Type Ordinance

Department Community Development

Title

Consideration of a zoning change request from the AG Agricultural district to the CC-1 Village Retail district on Tract 2B & 2B02, Abstract 180, in the J L Byas Survey, located at 5713 Colleyville Boulevard, Case ZC20-001

Strategic Plan

4.1 Protect Colleyville's semi-rural residential character

Explanation

Second Reading & Public Hearing

Several concerns were raised during the public hearing regarding drainage, screening, and above ground improvements. The item was tabled at the March 3, 2020 meeting in order for additional meetings to be held to determine the appropriate measures to resolve these concerns.

First Reading & Public Hearing

Robert Reeves, on behalf of Bluebonnet Hills Funeral Home and Cemetery, submitted a request for a zoning change from AG Agricultural to CC-1 Village Retail zoning and a request for a Special Use Permit (SUP) for 'Cemeteries or Mausoleums' at 5713 Colleyville Boulevard. The applicant recently began making improvements for the expansion of the cemetery use to their eastern boundary.

Existing Zoning and Development Conditions. The eastern 25.69 acres of the overall property is zoned AG Agricultural. The applicant is expanding the cemetery use into the remaining undeveloped area. According to the Land Development Code, a cemetery use requires an SUP approval with a commercial zoning district.

Surrounding Properties. The property to the west is part of the Bluebonnet Hills cemetery use and is zoned CC-1 Village Retail with an SUP for the cemetery use. The adjacent property to the north is zoned CC-2 Shopping Center and is developed as the Bob Moore Sports Center. The adjacent property to the east is zoned PUD-R Planned Unit Development-Residential and is developed as a single-family residential subdivision, Broughton Addition.

Master Plan. The Future Land Use Map designates this property for Institutional use. The use of the property as a cemetery or mausoleum complies with the designation

with the approval of an SUP.

Analysis. The Bluebonnet Hills Cemetery has been in operation on the subject property since 1953. The recent expansion into the far eastern portion of the property has uncovered the zoning deficiency. The approval of the zoning change and associated SUP will allow for the expansion and operation of the cemetery use.

In 2018, Bluebonnet Hills Cemetery attempted to rezone the property and obtain an SUP. During this time the case was tabled by the Planning and Zoning Commission as there were several concerns they wanted addressed. The item was ultimately withdrawn to allow for the applicant to work with the adjacent neighborhoods and address their concerns. These concerns included the following:

- Improvements to the ditch along the eastern boundary – maybe needs to be cleaned out or improved;
- Better silt fencing or measures to control erosion;
- Drainage – to include information on the planned detention pond area;
- Working with the Broughton neighborhood to clean out the pond due to increased erosion from the cemetery site;
- Indicating a distance/buffer area from the grave sites to the eastern property line;
- Remedy to eliminate the spoils yard;
- Appropriate fencing and landscaping along Hall-Johnson Road.

As part of any SUP, conditions may be imposed to ensure compatibility and harmony with surrounding properties. This may include specific regulations pertaining to landscaping and fencing along street frontages and/or along property lines adjacent to residential development. A substantial tree line currently exists along the eastern boundary.

The applicant has been working with the Broughton Homeowners Association and the Stone Crest Estates Homeowners Association since 2018. They suggest numerous beneficial conditions as stated in their Statement of Planning Objectives, which is included as an exhibit with the ordinances, and are as follows:

1. Grave site spoils are to be stored in the cemetery's maintenance area.
2. No grave site or cemetery improvement shall be closer than 25 feet to the east property line with the exception of drainage improvements and landscaping.
3. A minimum of 25 Nellie R. Stevens Holly shrubs shall be planted within the 25 foot setback area.
4. A minimum of 55 #7 size Texas Privet shall be planted within the 25 foot setback area.
5. A minimum 3 foot ornamental iron/tubular fence shall be constructed along Hall-Johnson Road.
6. A minimum 3 foot shrub row shall be planted along Hall Johnson Road.
7. Drainage and swale/channel improvements shall be made along the eastern

property line and within the Broughton Addition.

Public Notification. Staff notified property owners within 500 feet of the subject property regarding this request and notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. Staff has received no correspondence regarding this request to date.

Staff Recommendation. Staff recommends approval. The applicant is requesting the zoning change and associated SUP so that the expansion and operation of the cemetery use can be in compliance with the Land Development Code.

Planning & Zoning Commission Recommendation: The Planning & Zoning Commission recommended approval with the added SUP condition that no private mausoleums/crypts shall be allowed within 100 feet of Hall-Johnson Road at their February 10, 2020 meeting by a vote of 5-0.

Financial Impact

There is no fiscal impact to the City of Colleyville.

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Zoning Exhibit
6. Site Plan
7. Landscape Plan
8. Topographic Survey
9. Drainage Plan
10. Proposed View of Site Frontage Exhibit
11. Community Agreements
12. Notification Map
13. Notification List
14. Property Owner Notification
15. Ordinance O-20-2111

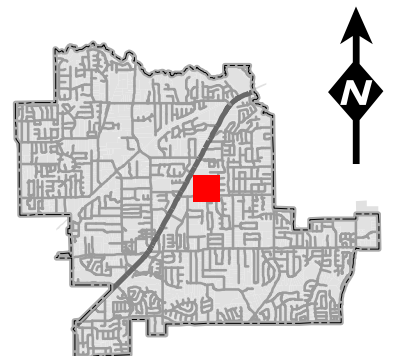
Aerial Map



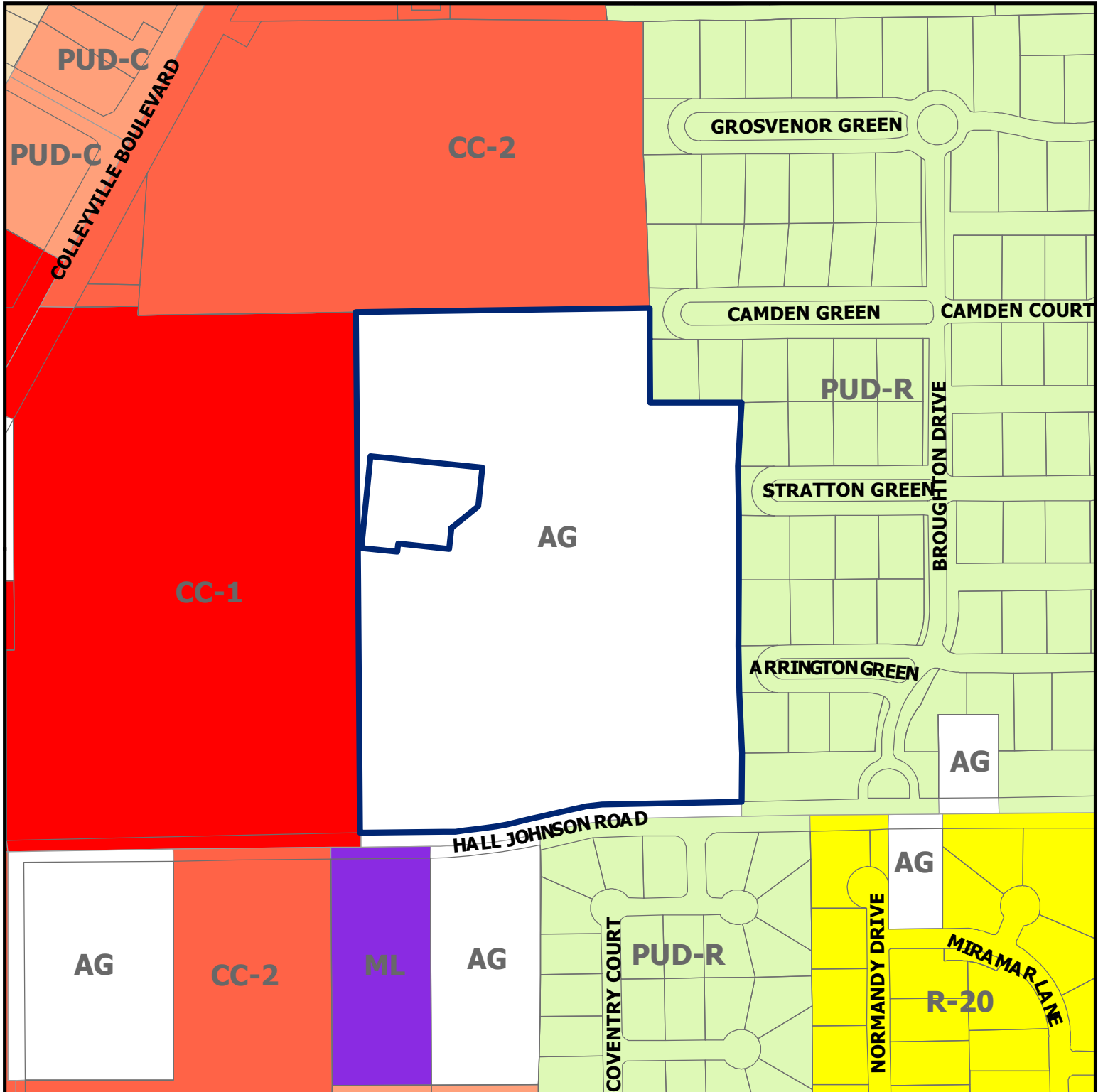
ZC20-001
5713 Colleyville Blvd

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



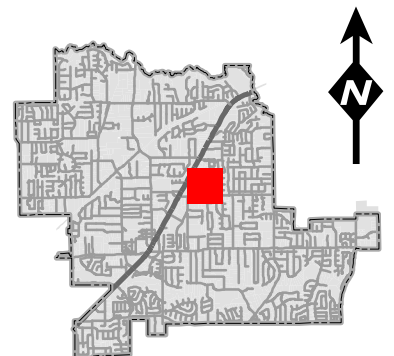
Zoning Map



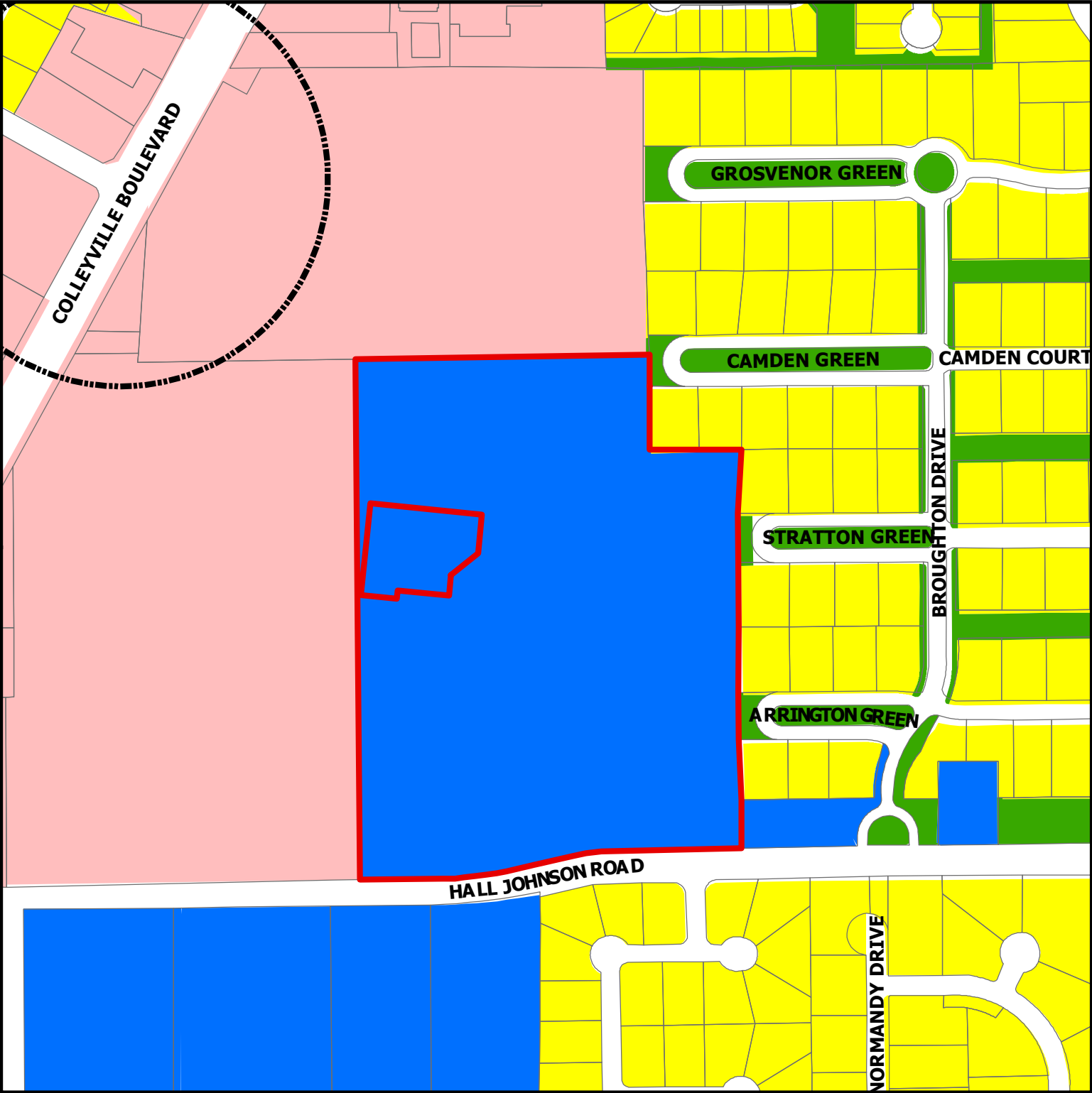
ZC20-001
5713 Colleyville Blvd

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 Subject Property



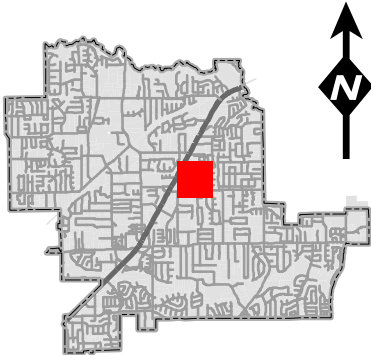
Future Land Use Map



DISCLAIMER:
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ZC20-001
5713 Colleyville Blvd

-  Subject Property
-  Sales Tax Preferred Intersection
-  Residential
-  Institutional
-  Colleyville Blvd Corridor
-  Open Space; Parks



Statement of Planning Objectives

Statement of Objectives
Bluebonnet Hills Funeral Home and Memorial Park
5725 Colleyville Blvd. Colleyville, Texas 76034
January 13, 2020

This is a request by Bluebonnet Hills Funeral Home and Memorial Park to rezone a 25.69 acre tract from an AG District to a CC-1 Village Retail District with a Specific Use Permit for cemeteries and mausoleums.

Background:

Bluebonnet Hills has been operating a funeral home and cemetery at this location since 1953. In the Spring of 2018, it began to expand gravesites into the far eastern portion of the cemetery when a zoning deficiency was discovered. This area is zoned AG and a zoning change was necessary to develop gravesites in this area. The approval of the zoning change and associated SUP would allow for the expansion and operation of the cemetery use. Therefore, Bluebonnet Hills filed an application for a zoning change, which was later denied on 6/11/18 based on the Planning and Zoning Commission concerns and opposition from adjacent residential property owners.

Response to neighbors:

Over the last eighteen months, Bluebonnet Hills has been working with the Broughton Homeowners Association, Stone Crest Estates Homeowners Association, and adjacent homeowners. Bluebonnet Hills has reached an agreement with the Broughton Homeowners Association, Exhibit C and anticipates reaching an agreement with the Stone Crest Estates Homeowners Association, Exhibit D. Based on these agreements and discussion with adjacent properties, this request for a Specific Use Permit is subject to the following conditions:

1) All undeveloped cemetery areas will be sodded with a ground cover and maintained in a healthy growing condition by providing adequate water, fertilizer, or other necessary maintenance, Exhibit A.

2) Excess grave site spoils will be temporarily stored in the cemetery's maintenance area and periodically moved off site.

3) Sediment and debris located in the existing swale along the east property will be removed within three months from the passage of the ordinance approving the zoning. Great care will be taken to protect trees along the east and north property lines during this maintenance effort. Bluebonnet Hills agrees to replace any trees damaged during this process and agrees to maintain the existing swale as necessary unless the City of Colleyville requires an alternate process.

4) Bluebonnet Hills will contribute \$32,000.00 plus taxes and an additional \$4,000.00 for cost coverage toward the dredging of the existing retention pond located in the common area of the

Statement of Planning Objectives

Broughton subdivision subject the provisions found in the agreement between Bluebonnet Hills and Broughton HOA, Exhibit C.

5) Bluebonnet Hills will construct a new concrete swale parallel to the existing swale extending from the northeast corner of the site to the inlet into Broughton's retention pond, Exhibits E & F.

6) Drainage from the cul-de-sac located near the northeast corner of the site will be redirected into the new concrete swale to minimize water discharges into the residential street.

7) Necessary regrading directing drainage from or parallel to the eastern property line toward the southeastern corner of the site will be initiated. Submittal of final engineering plans and required permits for drainage and swale design must be submitted to the City of Colleyville within three months from passage of the ordinance approving the zoning and construction must begin with begin with six months from City of approval for the plans and permits or a later date as determined by the City of Colleyville, Exhibits E & F.

8) All future site development must comply with City of Colleyville drainage and erosion control regulations in effect at the time of future site development.

9) A twenty-five-foot setback will be provided along the east property line, Exhibits B & G.

10) Landscaping shall be consistent with the Master Plan, Exhibit B, subject to the following provisions.

a) Plant a minimum of 25 Nellie R. Stevens Holly shrubs in the 25-foot setback area. Initially, shrubs will be 6 feet high and can mature up to 20 feet in height with a 15-foot spread.

b) Plant a minimum of 55 #7 size Texas Privet in the 25-foot setback as show on the Master Plant. The Texas Privet will mature to a height of 10 feet with an 8-foot spread.

c) Final plant location will be determined in the field in consultation with the Broughton HOA and planted within nine months of passage of the zoning ordinance or as directed by the City of Colleyville based on the optimum planting seasons.

d) Tree planting in the proposed cemetery use areas shall match tree patterns in the developed cemetery areas.

e) Bluebonnet Hills agrees to landscape the entire boarder backing up to Broughton property with a consistent landscaping plan as outlined above. Dead trees or shrubs will be replaced in accordance with the landscaping plan shown on the Master Plan, Exhibit B.

f) All planting will be irrigated.

Statement of Planning Objectives

11) Bluebonnet Hills will construct a minimum, 3-foot high ornamental iron/tubular fence along Hall Johnson Road as shown in the Master Plan, Exhibit B. The existing chain-link fence will be replaced with the new fence.

12) Bluebonnet Hills will plant a solid 3-foot high shrub row along Hall Johnson as shown on Exhibits B and H. The shrubs will be planted within three months from the passage of the rezoning ordinance or during optimum planting season, whichever is less time. The shrubs will be maintained at a height of 3 feet.

13) Bluebonnet Hills will plant evergreen trees as grave sites are developed consistent with the current tree coverage. All trees and plants will be irrigated and will be replaced on a timely basis if they should die.

Conclusion:

Bluebonnet Hills appreciates the time that neighbors spent working with it to reach an agreement and respectfully request the support of the Planning and Zoning Commission and City Council.

Zoning Exhibit



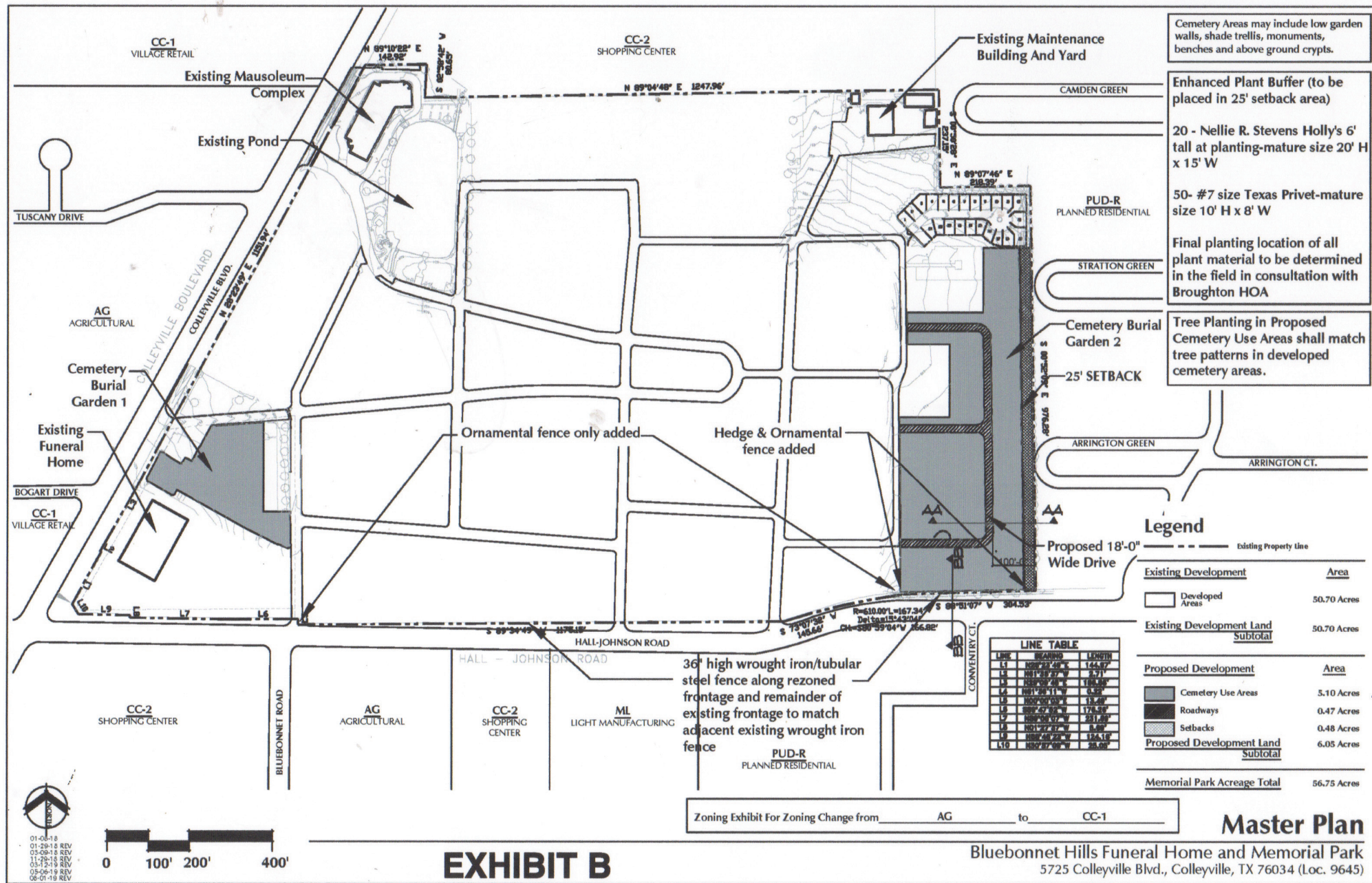
Zoning Exhibit



Zoning Exhibit



Site Plan



Landscape Plan

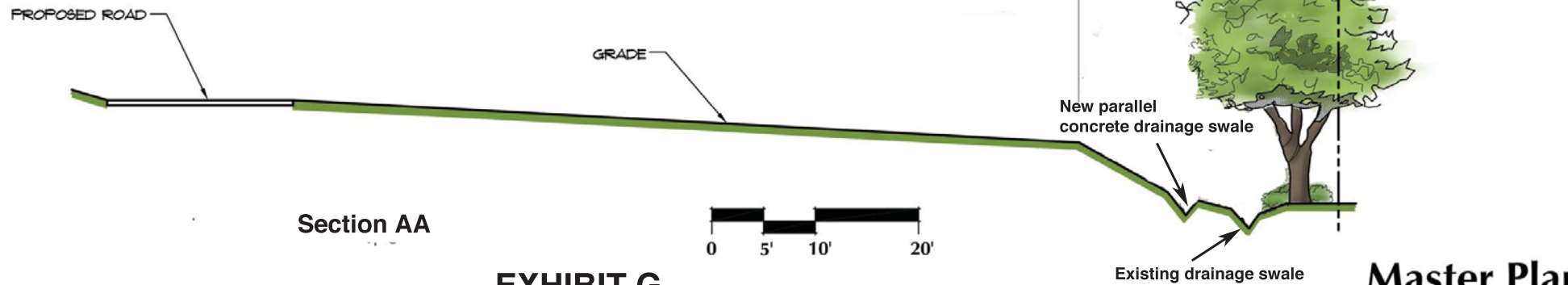
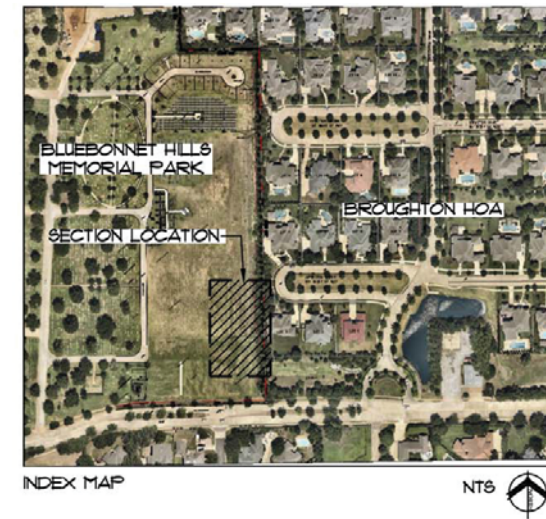
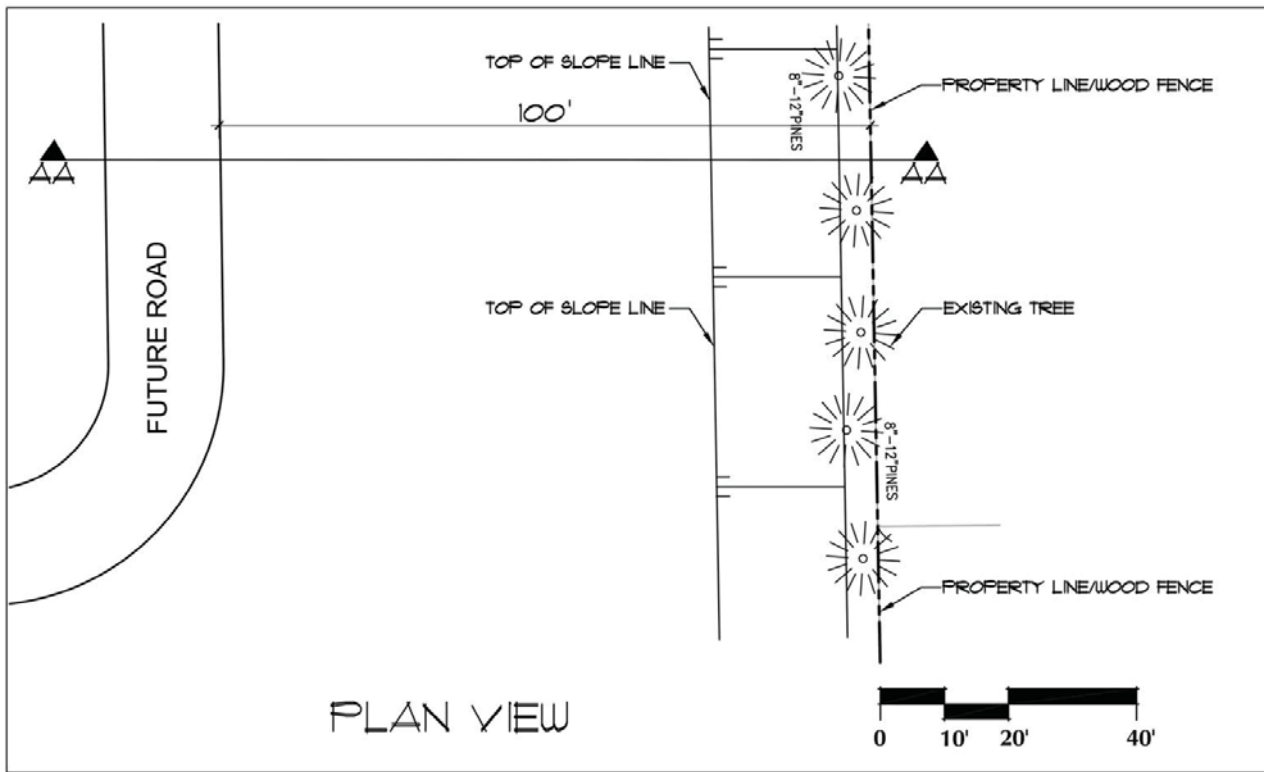


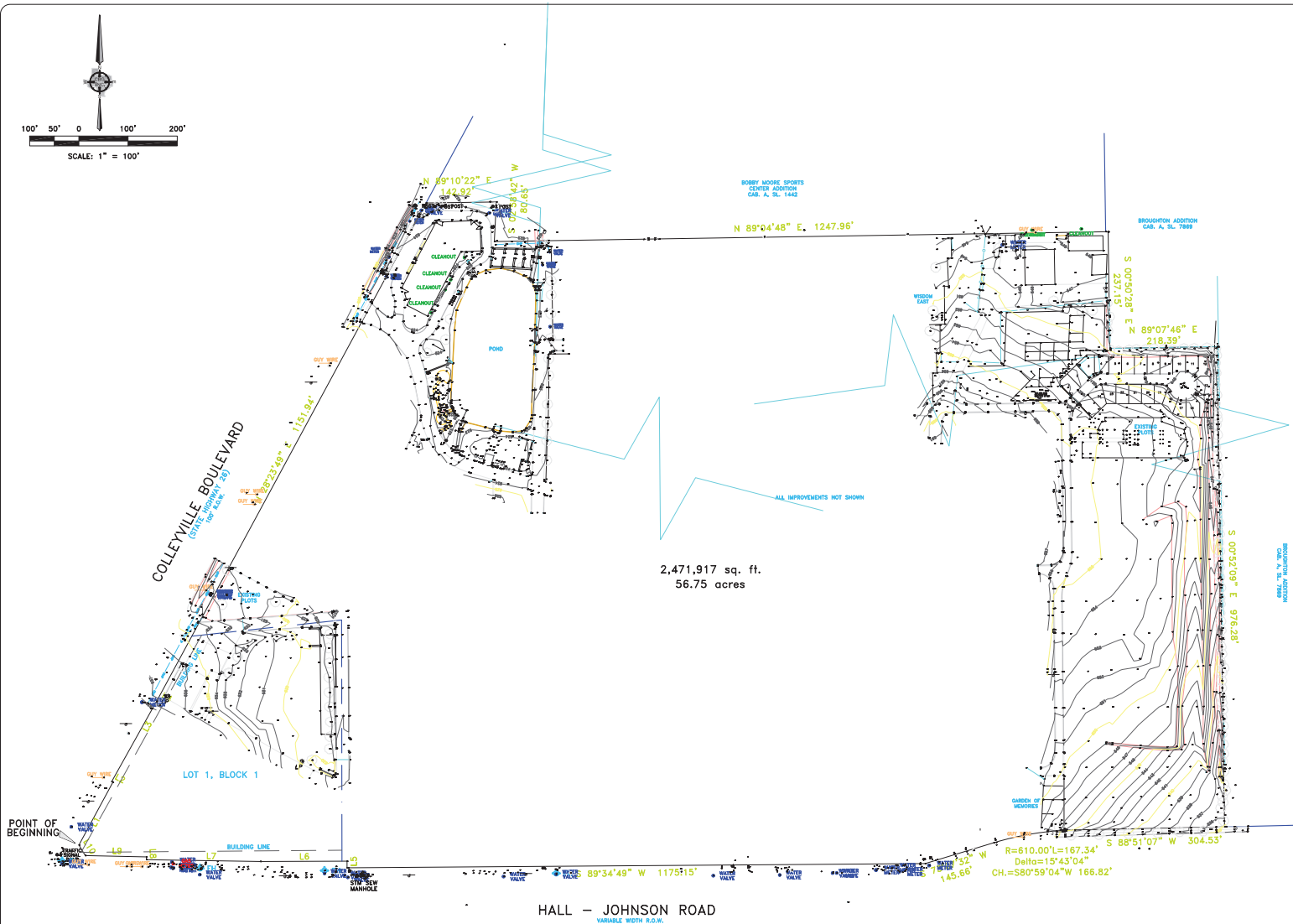
EXHIBIT G

Master Plan

Bluebonnet Hills Funeral Home and Memorial Park
5725 Colleyville Blvd., Colleyville, TX 76034 (Loc. 9645)

11/27/18

Topographic Survey



LINE	BEARING	LENGTH
L1	N28°23'49"E	144.97'
L2	N61°36'37"W	2.71'
L3	N29°09'45"E	188.86'
L4	N61°36'11"W	0.22'
L5	N00°00'03"E	13.49'
L6	S89°47'52"W	178.26'
L7	N89°06'07"W	231.69'
L8	N01°27'37"W	5.69'
L9	N88°45'23"W	124.16'
L10	N30°57'09"W	25.05'

NOTES:
1) BEARINGS, EASEMENTS AND BUILDING LINES ARE BY
RECORDED PLAT UNLESS OTHERWISE NOTED.

2) BENCHMARK LOCATION:
BM-84: 2" BRASS CAP IN NE CORNER OF A 6"x6" DROP
INLET LOCATED 284' SOUTH OF THE CL OF BOGART & IN
THE EAST ROW OF HALL JOHNSON. ELEV.=632.72'

G:\ALL LOGOS\811 logo.jpg

[illegible]

NOTE: According to the F.I.R.M. in Map No. 48439C0095 K, this property does lie in Zone X and DOES NOT lie within the 100 year flood zone.

ACCEPTED BY: _____

Bryan Connally
Registered Professional Land Surveyor No. 5513

The undersigned Registered Professional Land Surveyor (Bryan Connolly) herewith certifies to SGI Cemetery Services, (a) this survey and the property description set forth herein were prepared from an actual on-the-ground survey; (b) such survey was conducted by the Surveyor, or under his direction; (c) all monuments shown hereon actually existed on the date of the survey, and their situation, shape and type were correctly shown; Use of this survey by any other parties and for any other purposes shall be at User's own risk and any loss resulting from their use shall not be the responsibility of the undersigned. The plat hereon is a correct and accurate representation of the property lines and dimensions as so indicated; location and type of monuments shown; and EASEMENT AS SHOWN; all Improvements are located within the boundaries the distances indicated and there are no visible and apparent encroachments or protrusions on the ground.

Executed this 5th day of May, 2014

SURVEYOR'S CERTIFICATE

Surveying, Inc.
Hilch Rd, Suite 230
Dallas, Texas 75228
9485 / 214-349-2216
Fax: 9485 / 214-349-2216
www.csgsurvey.com

TOPOGRAPHIC SURVEY

J. BYAS SURVEY, ABSTRACT NO. 180 AND
N. LONEY SURVEY, ABSTRACT NO. 937

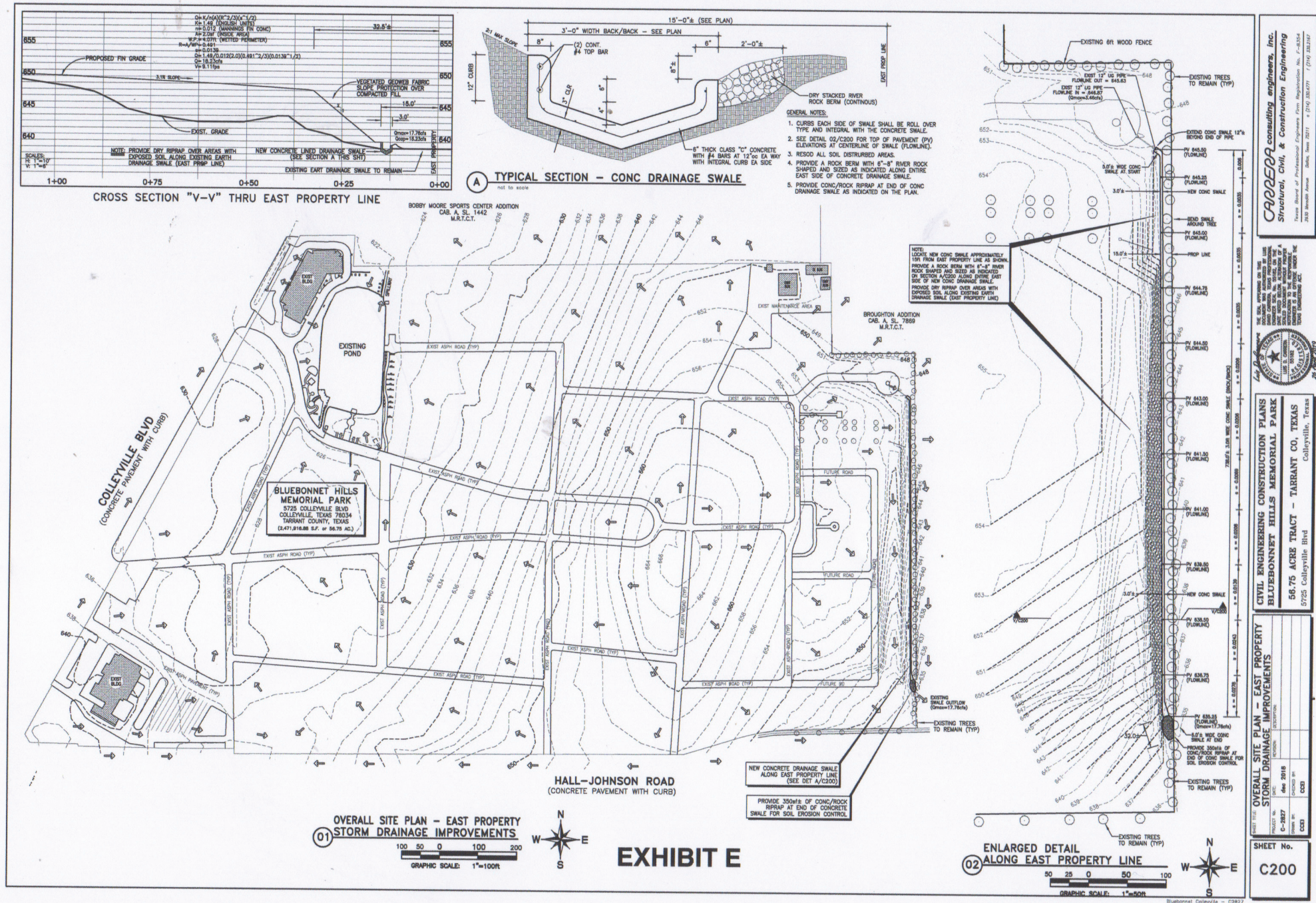
CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

JOB NO.	G.F. NO.	DRAWN
404085		B.G.

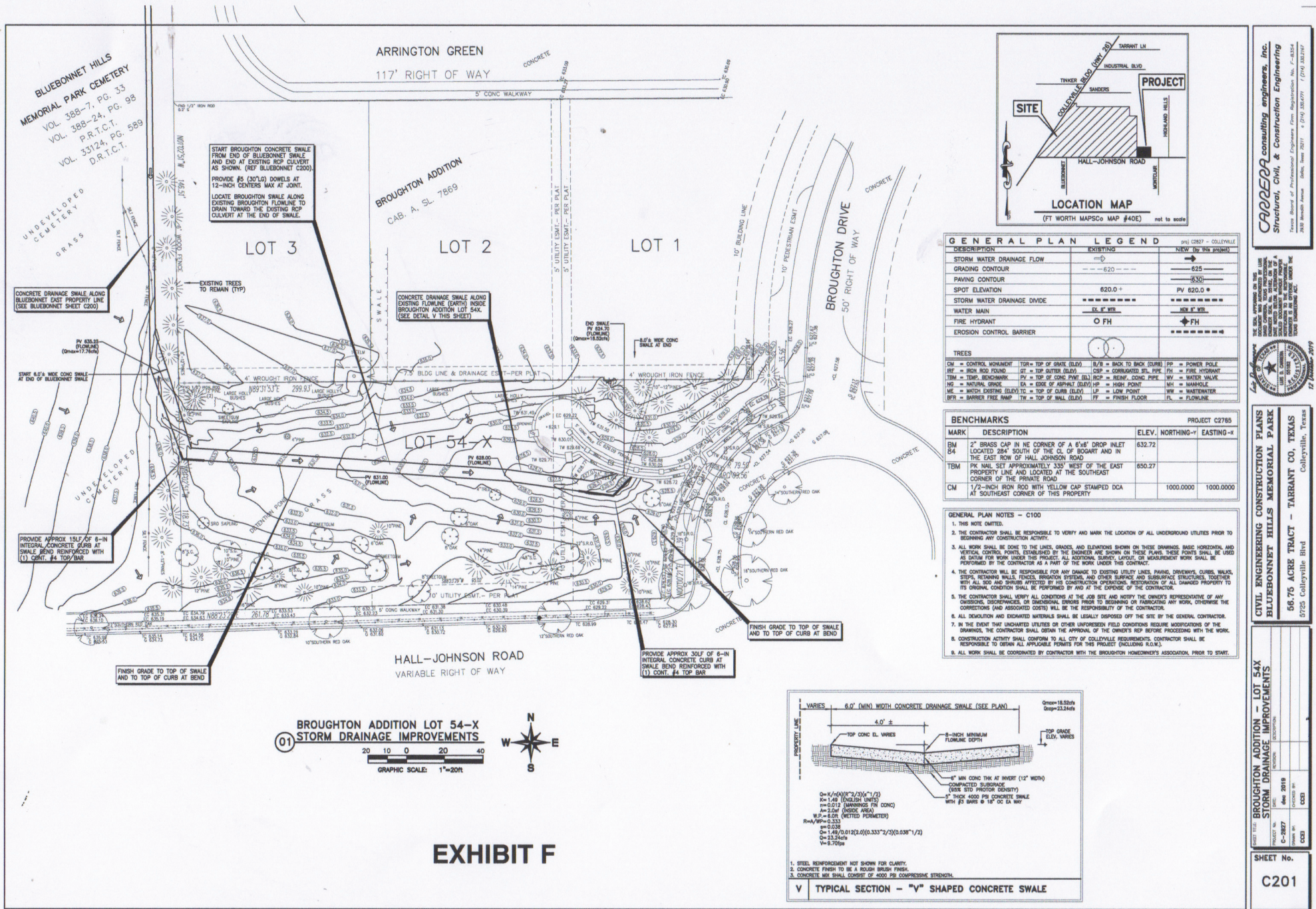
5725 COLLEYVILLE BOULEVARD

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Drainage Plan



Drainage Plan



CARRERA consulting engineers, Inc.
Structural, Civil, & Construction Engineering
Texas Board of Professional Engineers (See Registration No. F-6354)
200 South Avenue, Suite 200 • (714) 344-7777 • (714) 344-7777



CIVIL ENGINEERING CONSTRUCTION PLANS
BLUEBONNET HILLS MEMORIAL PARK
56.75 ACRE TRACT - TARRANT CO., TEXAS
5725 Colleyville Blvd
Colleyville, Texas

01 BROUGHTON ADDITION - LOT 54-X STORM DRAINAGE IMPROVEMENTS
SHEET No. **C201**

Proposed View of Site Frontage Exhibit



Existing view of Bluebonnet Hills site frontage at Hall Johnson Road



Proposed view of Bluebonnet Hills site frontage at Hall Johnson Road

EXHIBIT H



Community Agreements

EXHIBIT C

Broughton

Maintenance Association, Inc. (BMA)

Letter in Support of Bluebonnet Hill's Special Use Permit

August 21, 2019

Re. Bluebonnet Hills Special Use Permit & Broughton Maintenance Association's Support

To whom it may concern,

Since the beginning of 2018, the Broughton Maintenance Association, Inc. (Broughton's Homeowners Association, BMA) has been diligently working with Bluebonnet Hills to make sure that any zoning request from a AG District to a CC-1 District with a Specific Use Permit for cemeteries or mausoleums submitted to the City of Colleyville addresses our concerns as a community.

As a Board, we have personally met with many of our homeowners to make sure all of their issues were addressed.

Bluebonnet Hills has made our community a proposal that we feel addresses all of those issues and concerns. Therefore, we agreed to that proposal and we wanted to communicate to the City of Colleyville that we are in support of a CC-1 District and a Specific Use Permit for cemeteries and mausoleums for the following reasons:

In their proposal, Bluebonnet Hills addresses our two primary concerns brought forth by our Board and by our homeowners:

1. First, it addresses the issue of water runoff, erosion control, and drainage. The proposed plans aims to eliminate a major problem that has been affecting homeowners which is drainage and run-off from Bluebonnet Hills.
2. Second, it addresses the issue of appearance, land-scaping, and set-back. As a community, our homeowners were concerned about what impact any special use permit would have on the homes that are along the property line. We are obviously also concerned, in general, by the appearance of property that is in our community. We feel the proposed plans addresses those concerns. There is a plan to make sure there is a set-back from the property line, sufficient landscaping to build a natural-looking property buffer, as well as general improvements to the property that will make Bluebonnet Hills more aesthetically pleasing to look at.

In addition to those two concerns above, Bluebonnet Hills is also making a good faith commitment to our neighborhood to make sure that our pond gets dredged due to run-off from their property.

If you have any questions regarding this letter, please let us know. In addition, if you need a representative of our Board to speak at any meeting or to speak to one of the City members, please let us know. Thank you for your time

Community Agreements

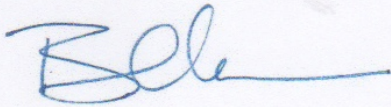
Broughton

Maintenance Association, Inc. (BMA)

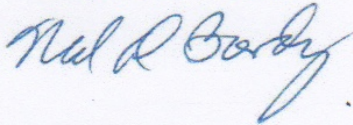
Signed,

The Broughton Maintenance Association, Inc. Board of Directors

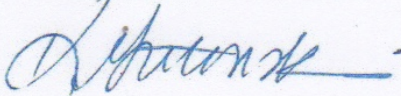
Bryan Hoeller, Board Member



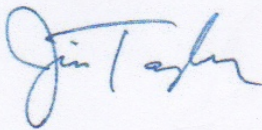
Neal Bondy, Board Member



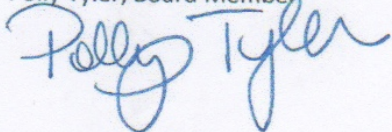
Kerri Gutowski, Board Member



Jim Taylor, Board Member



Polly Tyler, Board Member



Community Agreements

Proposed Agreement Between Bluebonnet Hills Funeral Home and Memorial Park and Broughton Homeowners Association

August 5, 2019

Background:

S.E. Texas Funeral Service, Inc. d/b/a Bluebonnet Hills Funeral Home and Memorial Park ("Bluebonnet Hills") desires to rezone 25.69 acres of its property located at 5713 Colleyville Road, Tract 2B and 2B02, Abstract 180 in the J. L. Byas Survey from AG Agricultural District to a CC-1 Village Retail District with a Special Use Permit (SUP) for Cemeteries or Mausoleums. It is the desire of Bluebonnet Hills Funeral Home and Cemetery and Broughton Homeowners Association to reach an agreement between both parties in order for the Broughton Homeowners Association to support the rezoning request.

I. Bluebonnet Hills Funeral Home and Memorial Park agrees to the following:

a) Removal of Sedimentation located in the Broughton Subdivision Retention Pond:

Bluebonnet Hills will contribute \$32,200.00* plus tax (if applicable) toward the dredging of the existing retention pond located in the common area of the Broughton subdivision near the subdivision entrance on Hall Johnson Road. Bluebonnet Hills will also agree to pay, if necessary, up to an additional \$4,000 for cost overages.

- The dredging will be done by a third-party contractor hired by the Broughton Homeowners Association.
- Upon BMA'S fulfillment of their obligations under Section II (a) and (b) below, the funds will be placed in a third-party escrow account within 30 days of fulfillment of those obligations by BMA, as a good faith assurance of Bluebonnet's commitment to Broughton Homeowners.
- The work will be completed within 60 days of the zoning board's decision on Bluebonnet's 2019 rezoning bid contingent solely on BMA fulfilling their obligations under Section II (a) and (b) below.
- The funds will be released on a draw schedule outlined in the invoice to the Broughton Homeowners Association to pay the third-party contractor upon presentation to the trustee of the third-party escrow account of the progress and final invoice for the dredging work.
- Copies of all invoices will be provided to Bluebonnet Hills.

b) Drainage:

Historically, the runoff from Bluebonnet Hills was designed by the Broughton developer to drain through the subdivision to the basins near the Broughton entryway. In order to minimize and better control runoff into the subdivision, the following measures will be implemented subject to City of Colleyville approval of the drainage plans:

- 1) Remove sediment and debris from the existing swale located along the east property line within three months form the passage of the ordinance approving the zoning, subject to the City's approval. Bluebonnet Hills may retain a third-party to remove sediment and debris from the existing swale along the east property line. Take great care to protect existing trees located on

Community Agreements

cemetery property along the eastern and northern property line during this maintenance effort. Bluebonnet Hills agrees to replace any trees damaged during this process. Continue to maintain this swale periodically and as necessary to minimize sediment buildup unless the City of Colleyville requires an alternate process.

2) A new concrete swale will be constructed by a third-party contractor hired by Bluebonnet Hills parallel to the existing swale to provide additional collection of runoff from Bluebonnet Hills subject to the attached exhibit entitled "Overall Site Plan-East Property Storm Drainage Improvements". In addition, this new concrete swale will be constructed to run all the way to the inlet pipe that feeds directly to the pond in Broughton to minimize future erosion and issues with run-off. This exhibit will be included in the rezoning application. Required permit(s) must be submitted to the City of Colleyville within three months from the passage of the ordinance approving the zoning. Construction must begin within three months from the City of Colleyville approval of required permits(s).

3) In order to reduce the water flow into both swales, part of the undeveloped portion of the cemetery site will be regraded by a third-party contractor hired by Bluebonnet Hills directing the waterway from or parallel to the property line toward the southeast corner of the site into the existing greenbelt consistent with the original Broughton subdivision drainage plans, which flows into the Broughton subdivision retention pond. A schematic drainage plan is included in the attached exhibit entitled "Overall Site Plan-East Property Storm Drainage Improvements" and will be included as an exhibit in the zoning request. A final drainage plan and required permit(s) must be submitted within three months from the passage of the ordinance approving the zoning. Regrading must begin within six months from City approval of the final drainage plan and required permit(s), or a later date as determined by the City of Colleyville.

4) Bluebonnet Hills will hire a third-party contractor to modify the drainage from the cul-de-sac, located near the northeast corner of the site, to redirect and minimize water discharges in the residential street. A schematic design will be included in the rezoning application. Final engineering plans, if required, must be submitted to the City of Colleyville within three months from the passage of the ordinance approving the zoning, and construction must begin within six months from staff approval of the engineering plans unless modified by the City of Colleyville at a later date.

5) Bluebonnet Hills will take great care to reduce any unnecessary runoff to existing homeowners during the construction and regrading process. In addition, the drainage plan must be designed with that same goal in mind – reduce unnecessary runoff to existing homeowners.

c) Erosion Control: (Also refer to the drainage improvement section above.)

1) All undeveloped cemetery areas will be sodded with a ground cover and maintained in a healthy growing condition by providing adequate water, fertilizer, or other necessary maintenance.

2) All future site development must comply with City of Colleyville drainage and erosion control regulations in effect at the time of future site development.

3) Excess grave site spoils will be temporarily stored in the cemetery's maintenance area and periodically moved off site.

d) Setback:

Community Agreements

Cemetery plots and interments are prohibited within a 25-foot setback from the east property line as shown on the Master Plan.

e) Landscaping:

1) Plant a minimum of 25 Nellie R. Stevens Holly shrubs in the 25-foot setback area as shown on the Master Plan. Initially, shrubs will be 6 feet high and can mature up to 20 feet high with a 15-foot spread. Planting will include irrigation.

2) Plant a minimum of 55 #7 size Texas Privet in the 25-foot setback as shown on the Master Plan. The Texas Privets can mature up to a height of 10 feet with an 8-foot spread. Planting will include irrigation.

3) Final plant location will be determined in the field in consultation with the Broughton HOA and planted within nine months of passage of the ordinance or as directed by the City of Colleyville based on the optimum planting seasons.

4) Tree planting in the proposed cemetery use areas shall match tree patterns in the developed cemetery areas.

5) Bluebonnet Hills agrees to landscape the entire boarder backing up to Boughton property with a consistent landscaping plan as outlined above, including areas not included in the re-zoning proposal. Any existing dead trees or shrubs will be replaced according to the plan.

f) Hall Johnson Road:

Bluebonnet Hills agrees to retain a third-party contractor to construct a minimum 3-foot high ornamental/tubular iron fence will be constructed along Hall Johnson Road from the existing cemetery entrance on Hall Johnson to the southeast corner of the site, as shown on the approved Master Plan. This will include replacement of the existing chain-link fence. The fence must be installed within six months from the passage of the ordinance.

(II) Broughton Homeowners Association agrees to the following:

a) Upon execution of this agreement, The Broughton Maintenance Association, Inc. (BMA) will provide a letter of support to the Colleyville Planning and Zoning Commission and City Council prior to the respective public hearings indicating that Bluebonnet's proposal as it pertains to BMA is satisfactory and that BMA is not opposed to and supports the Special Use Permit re-zoning request. This letter shall be signed by the board members of the BMA and reviewed and approved by Bluebonnet Hills before submittal to the Colleyville Planning and Zoning Commission and City Council.

b) A representative of the HOA Board will make a good faith effort to attend all public hearings to communicate BMA's support of Bluebonnet Hill's special use permit zoning case as it relates to BMA.

Community Agreements

S.E. Texas Funeral Services, LLC d/b/a Bluebonnet Hills Funeral Home and Memorial Park:

Signature

Date

8-27-19

Print name and title

Caey P. Grossi Market Director

Broughton Homeowners Association:

Signature

Date

8/21/19

Print name and title

Bryan Hollenbeck, Board President, 2019

Community Agreements

EXHIBIT D

ROBERT REEVES & Associates, Inc.

PLANNING AND ZONING CONSULTANTS

December 16, 2019

Stephanie Butler, Stone Crest Estates HOA
P.O. Box 332
Colleyville, Texas 76034

RE: Bluebonnet Hills Funeral Home and Cemetery Response

Dear Ms. Butler:

The following is our amended response for Item (d) and the last paragraph in response to your November 18 email.

a) Integrity of the retaining wall:

We have reaffirmed with the City to verify that our existing wall is in compliance with all code requirements. The City has stated that we are in compliance. We believe that the planting of ground cover in the undeveloped portion of the site and the removal of grave site spoils have stabilized the soil and addressed the erosion issue along Hall Johnson. A commitment to these provisions will be included in our new zoning application.

b) Surface water runoff calculations:

Attached is our current drainage area plan with runoff calculations. The staff has reviewed this plan and agrees with the calculations.

c) Fence:

We are currently accepting bids to construct a minimum 3-foot high wrought iron/tubular fence along Hall Johnson Road extending from the existing cemetery entrance closest to Coventry Court to the southeast corner of our property. The existing chain-link fence will be replaced with the new fence. We anticipate that the fence will be installed before the completion of the rezoning public hearing process.

d) Landscaping:

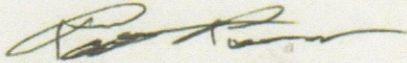
We agree to plant a solid three-foot high shrub row along Hall Johnson frontage adjacent to our rezoning request, see attached site plan and additional exhibits. The shrubs will be planted within three months from the passage of our rezoning request or during optimum planting season, whichever is less time. The shrubs will be maintained at a height of three feet. We also agree to

Community Agreements

plant evergreen trees as grave sites are developed, which will be consistent with the current tree coverage. All trees and plants will be irrigated and will be replaced on a timely basis if they should die.

We respectfully request that your board support our request by signing this letter and agree to provide a letter of support to the City. In addition, a member of your board agrees to make a best effort to attend all public hearings and speak in support of or request.

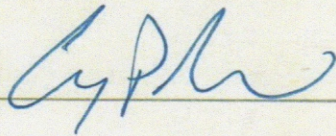
Respectfully:



Robert Reeves, President
Robert Reeves & Associates, Inc.

S.E. Texas Funeral Services, LLC
d/b/a Bluebonnet Hills Funeral Home and Memorial Park:

Signature



Date: 12-16-19

Print name and title

CARY P. GROSS MARKET DIRECTOR

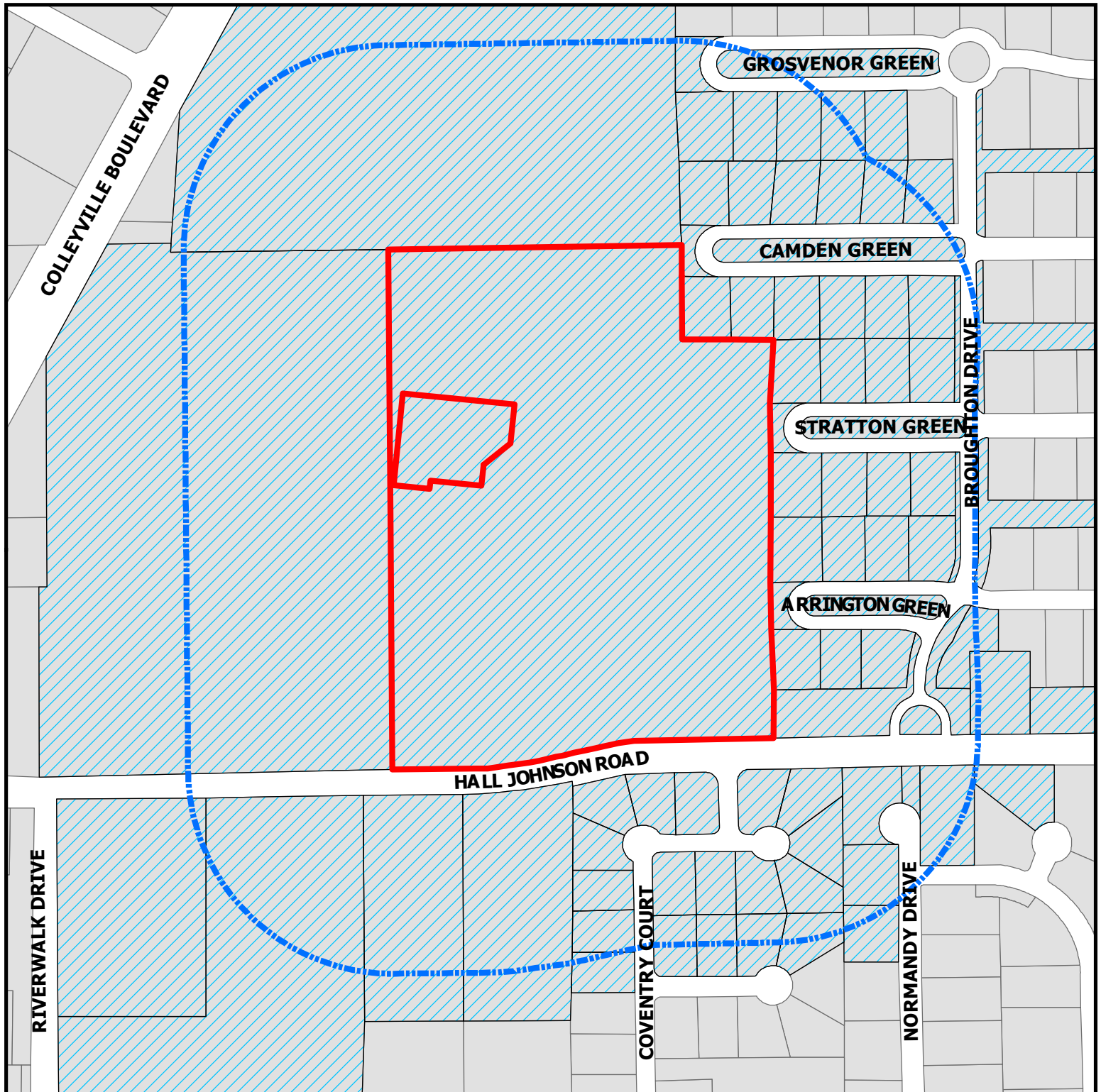
Stone Crest Estates Homeowners Association:

Signature

Date: _____

Print name and title

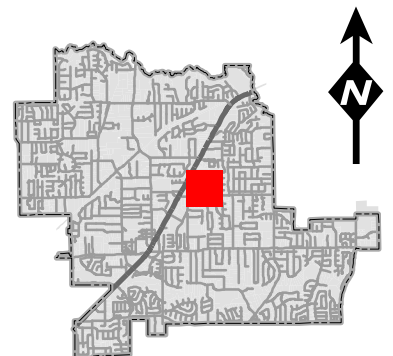
Notification Map



ZC20-001
5713 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
-  500ft Buffer
-  Properties within 500ft



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
WHITE, KEITH M	5608 COVENTRY CT	COLLEYVILLE, TX	76034	5608 COVENTRY CT
COLLIER, CHARLIE G	5616 COVENTRY CT	COLLEYVILLE, TX	76034	5616 COVENTRY CT
RAJWANI, ABDUL AZIZ	1805 GROSVENOR GRN	COLLEYVILLE, TX	76034	1805 GROSVENOR GREEN
DAMEK, PAUL	1812 CAMDEN GREEN	COLLEYVILLE, TX	76034	1812 CAMDEN GREEN
MITCHELL, MICHAEL	1804 ARRINGTON GREEN	COLLEYVILLE, TX	76034	1804 ARRINGTON GREEN
KRUZEL, THOMAS M	1816 CAMDEN GRN	COLLEYVILLE, TX	76034	1816 CAMDEN GREEN
ANNIS, BARNARD H	5604 COVENTRY CT	COLLEYVILLE, TX	76034	5604 COVENTRY CT
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1800 BROUGHTON DR
WADE, DANIEL	1804 STRATTON GRN	COLLEYVILLE, TX	76034	1804 STRATTON GREEN
WHITAKER, DAVID	1905 HALL JOHNSON RD	COLLEYVILLE, TX	76034	1905 HALL JOHNSON RD
SCHAECHER, GREGORY C	1821 CAMDEN GRN	COLLEYVILLE, TX	76034	1821 CAMDEN GREEN
SLAPA, APRIL	1808 STRATTON GREEN	COLLEYVILLE, TX	76034	1808 STRATTON GREEN
TEXADA, RICKY	1801 ARRINGTON GREEN	COLLEYVILLE, TX	76034	1801 ARRINGTON GREEN
HANSEN, SEAN	1813 STRATTON GREEN	COLLEYVILLE, TX	76034	1813 STRATTON GREEN
UNITED STATES POSTAL SERVICE	PO BOX 667160	DALLAS, TX	75266	1501 HALL JOHNSON RD
BLUEBONNET HILLS CEMETARY	PO BOX 367	COLLEYVILLE, TX	76034	5713 COLLEYVILLE BLVD
TERRY DAVID & PENELOPE D JOINT	1801 CAMDEN GREEN	COLLEYVILLE, TX	76034	1801 CAMDEN GREEN
SULZER, STEFAN R	1804 CAMDEN GRN	COLLEYVILLE, TX	76034	1804 CAMDEN GREEN
WILLIAMS, MARJORIE S	1817 CAMDEN GRN	COLLEYVILLE, TX	76034	1817 CAMDEN GREEN
CARMONA, ENRIQUE	1700 CRESTEDGE CT	COLLEYVILLE, TX	76034	1700 CRESTEDGE CT
USSERY, MICHAEL J	1800 ARRINGTON GRN	COLLEYVILLE, TX	76034	1800 ARRINGTON GREEN
GONZALEZ, ADOLFO	1813 GROSVENOR GRN	COLLEYVILLE, TX	76034	1813 GROSVENOR GREEN
SWAIM, SHELLY	1700 GATEHOUSE CT	COLLEYVILLE, TX	76034	1700 GATEHOUSE CT
CHELLGREN, PAUL	1820 CAMDEN GRN	COLLEYVILLE, TX	76034	1820 CAMDEN GREEN
KELLEY, BRENT A	1801 STRATTON GRN	COLLEYVILLE, TX	76034	1801 STRATTON GREEN
NELSON, MICHAEL JAY	5600 COVENTRY CT	COLLEYVILLE, TX	76034	5600 COVENTRY CT
WALL, WENDY	1704 GATEHOUSE CT	COLLEYVILLE, TX	76034	1704 GATEHOUSE CT
RUSSELL, REX	1805 CAMDEN GRN	COLLEYVILLE, TX	76034	1805 CAMDEN GREEN
AL-SHMAISANI, ISSAM	5608 NORMANDY DR	COLLEYVILLE, TX	76034	5608 NORMANDY DR
DEBEUCKELAER, JAN	5606 NORMANDY DR	COLLEYVILLE, TX	76034	5606 NORMANDY DR
FULTZ, JAMES E	1809 STRATTON GRN	COLLEYVILLE, TX	76034	1809 STRATTON GREEN
BENZICK, ARTHUR E	1808 CAMDEN GRN	COLLEYVILLE, TX	76034	1808 CAMDEN GREEN
CAREY, MATTHEW	1809 GROSVENOR GRN	COLLEYVILLE, TX	76034	1809 GROSVENOR GREEN
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1800 BROUGHTON DR
WILBUR FAMILY TRUST	1705 GATEHOUSE CT	COLLEYVILLE, TX	76034	1705 GATEHOUSE CT
HEIDEL, RUTH V	1712 GATEHOUSE CT	COLLEYVILLE, TX	76034	1712 GATEHOUSE CT
CLEMENS, K R	1712 CRESTEDGE CT	COLLEYVILLE, TX	76034	1712 CRESTEDGE CT
HOELLER, BRYAN	1817 GROSVENOR GREEN	COLLEYVILLE, TX	76034	1817 GROSVENOR GREEN
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	1601 HALL JOHNSON RD
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	1601 HALL JOHNSON RD
DIXON LIVING TRUST	1800 STRATTON GREEN	COLLEYVILLE, TX	76034	1800 STRATTON GREEN
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	1900 HALL JOHNSON RD
SINUNU, STEPHEN A	1813 CAMDEN GRN	COLLEYVILLE, TX	76034	1813 CAMDEN GREEN
GOFF HOMES INC	1108 W PIONEER PKWY	ARLINGTON, TX	76013	5701 NORMANDY DR
BLUEBONNET HILLS CEMETERY	PO BOX 11250	NEW ORLEANS, LA	70181	5713 COLLEYVILLE BLVD
MILLER, RYAN	1805 STRATTON GREEN	COLLEYVILLE, TX	76034	1805 STRATTON GREEN
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1800 BROUGHTON DR
BICE, CAROL	1701 GATEHOUSE CT	COLLEYVILLE, TX	76034	1701 GATEHOUSE CT
YOUSAF, MOHAMMAD	1809 ARRINGTON GRN	COLLEYVILLE, TX	76034	1809 ARRINGTON GREEN
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1800 BROUGHTON DR
CHEATHAM, STEPHANIE	1716 GATEHOUSE CT	COLLEYVILLE, TX	76034	1716 GATEHOUSE CT
NORTEN, REX L	1812 STRATTON GRN	COLLEYVILLE, TX	76034	1812 STRATTON GREEN
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1829 CAMDEN GREEN
BLUEBONNET HILLS CEMETERY	PO BOX 130548	HOUSTON, TX	77219	5713 COLLEYVILLE BLVD
GLASSCOCK, D L	1708 GATEHOUSE CT	COLLEYVILLE, TX	76034	1708 GATEHOUSE CT
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1803 GROSVENOR GREEN
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1829 ARRINGTON CT
HOBBS, THOMAS R	1801 GROSVENOR GRN	COLLEYVILLE, TX	76034	1801 GROSVENOR GREEN
BOYD, LARRY G	PO BOX 279	COLLEYVILLE, TX	76034	1805 ARRINGTON GREEN
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1829 STRATTON GREEN
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1829 GROSVENOR GREEN
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1829 ARRINGTON GREEN
MILLER, DENNIS	1800 CAMDEN GRN	COLLEYVILLE, TX	76034	1800 CAMDEN GREEN
CORAZE, MATHIEU	1709 GATEHOUSE CT	COLLEYVILLE, TX	76034	1709 GATEHOUSE CT
CRISCI, FRANK	1812 ARRINGTON GRN	COLLEYVILLE, TX	76034	1812 ARRINGTON GREEN
AL-SHMAISANI, ISSAM	5608 NORMANDY DR	COLLEYVILLE, TX	76034	5700 NORMANDY DR
WAYPOINT MONTESSORI	1513 HALL JOHNSON RD	COLLEYVILLE, TX	76034	1513 HALL JOHNSON RD
LUJAN, ALBERT C	1713 GATEHOUSE CT	COLLEYVILLE, TX	76034	1713 GATEHOUSE CT
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1824 BROUGHTON DR
THIBODEAUX, NELSON J	5612 COVENTRY CT	COLLEYVILLE, TX	76034	5612 COVENTRY CT
IDELL, GLEN E	1708 CRESTEDGE CT	COLLEYVILLE, TX	76034	1708 CRESTEDGE CT
				6113 COLLEYVILLE BLVD
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	5801 BURNHAM CIR
WIKE, JAMIE	1809 CAMDEN	COLLEYVILLE, TX	76034	1809 CAMDEN GREEN
BONDY, NEAL	1808 ARRINGTON GRN	COLLEYVILLE, TX	76034	1808 ARRINGTON GREEN
BROCK, MANDI	1704 CRESTEDGE CT	COLLEYVILLE, TX	76034	1704 CRESTEDGE CT
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1800 BROUGHTON DR
DUNHAM, KELLEN	5707 MORLAIX CT	COLLEYVILLE, TX	76034	5707 MORLAIX CT
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1800 BROUGHTON DR
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1800 BROUGHTON DR
BROUGHTON	2557 SW GRAPEVINE PKWY SUITE 100	GRAPEVINE, TX	76051	COURTESY NOTICE
KINGSWOOD ESTATES-COLLEYVILLE	P.O. BOX 978	COLLEYVILLE, TX	76034	COURTESY NOTICE
MONTCLAIR PARC ADDITION	1108 W. PIONEER PARKWAY	ARLINGTON, TX	76013	COURTESY NOTICE
STONE CREST ESTATES	P.O. BOX 332	COLLEYVILLE, TX	76034	COURTESY NOTICE
TUSCANY-COLLEYVILLE	1217 TUSCANY DRIVE	COLLEYVILLE, TX	76034	COURTESY NOTICE
VILLAS AT OAK POINTE, THE	2555 SW GRAPEVINE PARKWAY SUITE 300	GRAPEVINE, TX	76051	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
REEVES, ROBERT	900 JACKSON STREET, SUITE 160	DALLAS, TX	75202	APPLICANT

Public hearing notices were mailed on January 24, 2020



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, February 10, 2020 at 7:00 p.m.
City Council Meetings: Tuesday, March 3, 2020 & Tuesday, March 17, 2020 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

Request: Consideration of a zoning change request from AG Agricultural zoning district to the CC-1 Village Retail zoning district. The purpose is to rezone from AG to CC-1 in order to allow for the expansion and operation of the Bluebonnet Hill Cemetery.

Zoning Case: ZC20-001

Applicant: Robert Reeves

Owner: Cary Grossi

Location: 5713 Colleyville Blvd

Property Description: Tract 2B and Tract 2B02, Abstract 180, in the J L Byas Survey

Present Zoning: AG Agricultural District

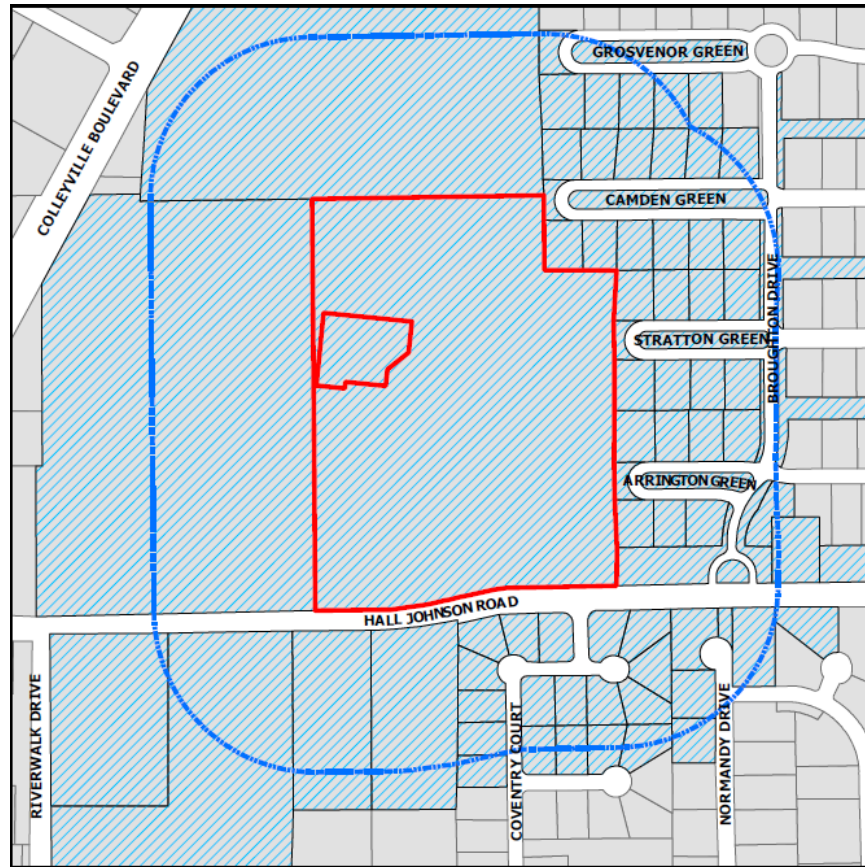
This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a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

NOTICE OF PUBLIC HEARING

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 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

ORDINANCE O-20-2111

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 25.69 ACRES ON TRACT 2B AND TRACT 2B02, ABSTRACT 180, IN THE J L BYAS SURVEY, LOCATED AT 5713 COLLEYVILLE BOULEVARD FROM THE AG AGRICULTURAL ZONING DISTRICT TO THE CC-1 VILLAGE RETAIL ZONING DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a rezoning under Case No. ZC20-001; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to amend the City's zoning ordinance; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the City's zoning 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 City Council is of the opinion that the change in zoning provided for herein should be made, in compliance with the City Charter, and state law with reference to changes to zoning classifications under the City's zoning ordinance and zoning map, having given the requisite notices required by law and having held public hearings affording all interested persons and property owners a full and fair opportunity to be heard.

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

Sec. 1. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 25.69 acres on Tract 2B and Tract 2B02, Abstract 180, in the J L Byas Survey, located at 5713 Colleyville Boulevard from the AG Agricultural zoning district to the CC-1 Village Retail zoning district, as depicted in the attached Exhibit "A" and Exhibit "C", and as described in Exhibit "B".

Sec. 2. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.

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, and subject to the following conditions:

1. As depicted in the attached Exhibit "A" and Exhibit "C".

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 this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of March 2020.

The second reading and public hearing being conducted on the 17th day of March 2020.

PASSED AND APPROVED BY A VOTE OF ___ AYES, ___ NAYS, AND ___ ABSTENTIONS ON THIS THE 17TH DAY OF MARCH 2020.

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

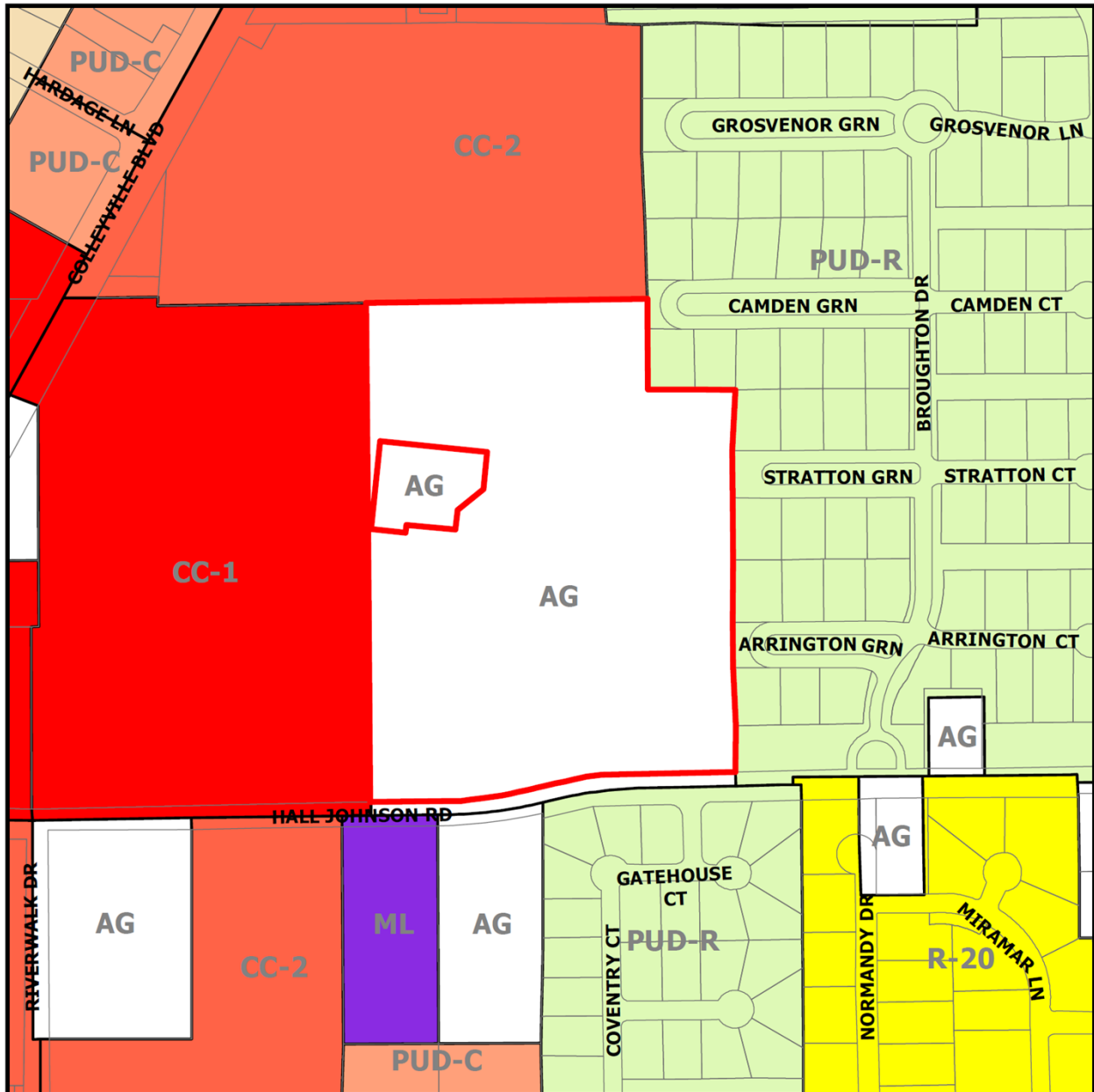
Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM:

Whitt L. Wyatt
City Attorney

Exhibit "A" – Location and Zoning Map



ZC18-001

5713 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

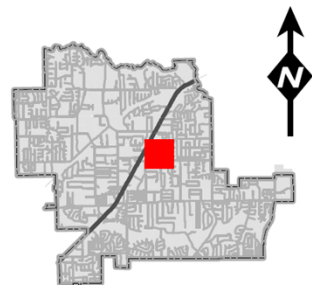


Exhibit "B" – Statement of Planning Objectives

Statement of Planning Objectives

Statement of Objectives
Bluebonnet Hills Funeral Home and Memorial Park
5725 Colleyville Blvd. Colleyville, Texas 76034
January 13, 2020

This is a request by Bluebonnet Hills Funeral Home and Memorial Park to rezone a 25.69 acre tract from an AG District to a CC-1 Village Retail District with a Specific Use Permit for cemeteries and mausoleums.

Background:

Bluebonnet Hills has been operating a funeral home and cemetery at this location since 1953. In the Spring of 2018, it began to expand gravesites into the far eastern portion of the cemetery when a zoning deficiency was discovered. This area is zoned AG and a zoning change was necessary to develop gravesites in this area. The approval of the zoning change and associated SUP would allow for the expansion and operation of the cemetery use. Therefore, Bluebonnet Hills filed an application for a zoning change, which was later denied on 6/11/18 based on the Planning and Zoning Commission concerns and opposition from adjacent residential property owners.

Response to neighbors:

Over the last eighteen months, Bluebonnet Hills has been working with the Broughton Homeowners Association, Stone Crest Estates Homeowners Association, and adjacent homeowners. Bluebonnet Hills has reached an agreement with the Broughton Homeowners Association, Exhibit C and anticipates reaching an agreement with the Stone Crest Estates Homeowners Association, Exhibit D. Based on these agreements and discussion with adjacent properties, this request for a Specific Use Permit is subject to the following conditions:

- 1) All undeveloped cemetery areas will be sodded with a ground cover and maintained in a healthy growing condition by providing adequate water, fertilizer, or other necessary maintenance, Exhibit A.
- 2) Excess grave site spoils will be temporarily stored in the cemetery's maintenance area and periodically moved off site.
- 3) Sediment and debris located in the existing swale along the east property will be removed within three months from the passage of the ordinance approving the zoning. Great care will be taken to protect trees along the east and north property lines during this maintenance effort. Bluebonnet Hills agrees to replace any trees damaged during this process and agrees to maintain the existing swale as necessary unless the City of Colleyville requires an alternate process.
- 4) Bluebonnet Hills will contribute \$32,000.00 plus taxes and an additional \$4,000.00 for cost coverage toward the dredging of the existing retention pond located in the common area of the

Statement of Planning Objectives

Broughton subdivision subject the provisions found in the agreement between Bluebonnet Hills and Broughton HOA, Exhibit C.

5) Bluebonnet Hills will construct a new concrete swale parallel to the existing swale extending from the northeast corner of the site to the inlet into Broughton's retention pond, Exhibits E & F.

6) Drainage from the cul-de-sac located near the northeast corner of the site will be redirected into the new concrete swale to minimize water discharges into the residential street.

7) Necessary regrading directing drainage from or parallel to the eastern property line toward the southeastern corner of the site will be initiated. Submittal of final engineering plans and required permits for drainage and swale design must be submitted to the City of Colleyville within three months from passage of the ordinance approving the zoning and construction must begin with begin with six months from City of approval for the plans and permits or a later date as determined by the City of Colleyville, Exhibits E & F.

8) All future site development must comply with City of Colleyville drainage and erosion control regulations in effect at the time of future site development.

9) A twenty-five-foot setback will be provided along the east property line, Exhibits B & G.

10) Landscaping shall be consistent with the Master Plan, Exhibit B, subject to the following provisions.

a) Plant a minimum of 25 Nellie R. Stevens Holly shrubs in the 25-foot setback area. Initially, shrubs will be 6 feet high and can mature up to 20 feet in height with a 15-foot spread.

b) Plant a minimum of 55 #7 size Texas Privet in the 25-foot setback as show on the Master Plant. The Texas Privet will mature to a height of 10 feet with an 8-foot spread.

c) Final plant location will be determined in the field in consultation with the Broughton HOA and planted within nine months of passage of the zoning ordinance or as directed by the City of Colleyville based on the optimum planting seasons.

d) Tree planting in the proposed cemetery use areas shall match tree patterns in the developed cemetery areas.

e) Bluebonnet Hills agrees to landscape the entire boarder backing up to Broughton property with a consistent landscaping plan as outlined above. Dead trees or shrubs will be replaced in accordance with the landscaping plan shown on the Master Plan, Exhibit B.

f) All planting will be irrigated.

Statement of Planning Objectives

11) Bluebonnet Hills will construct a minimum, 3-foot high ornamental iron/tubular fence along Hall Johnson Road as shown in the Master Plan, Exhibit B. The existing chain-link fence will be replaced with the new fence.

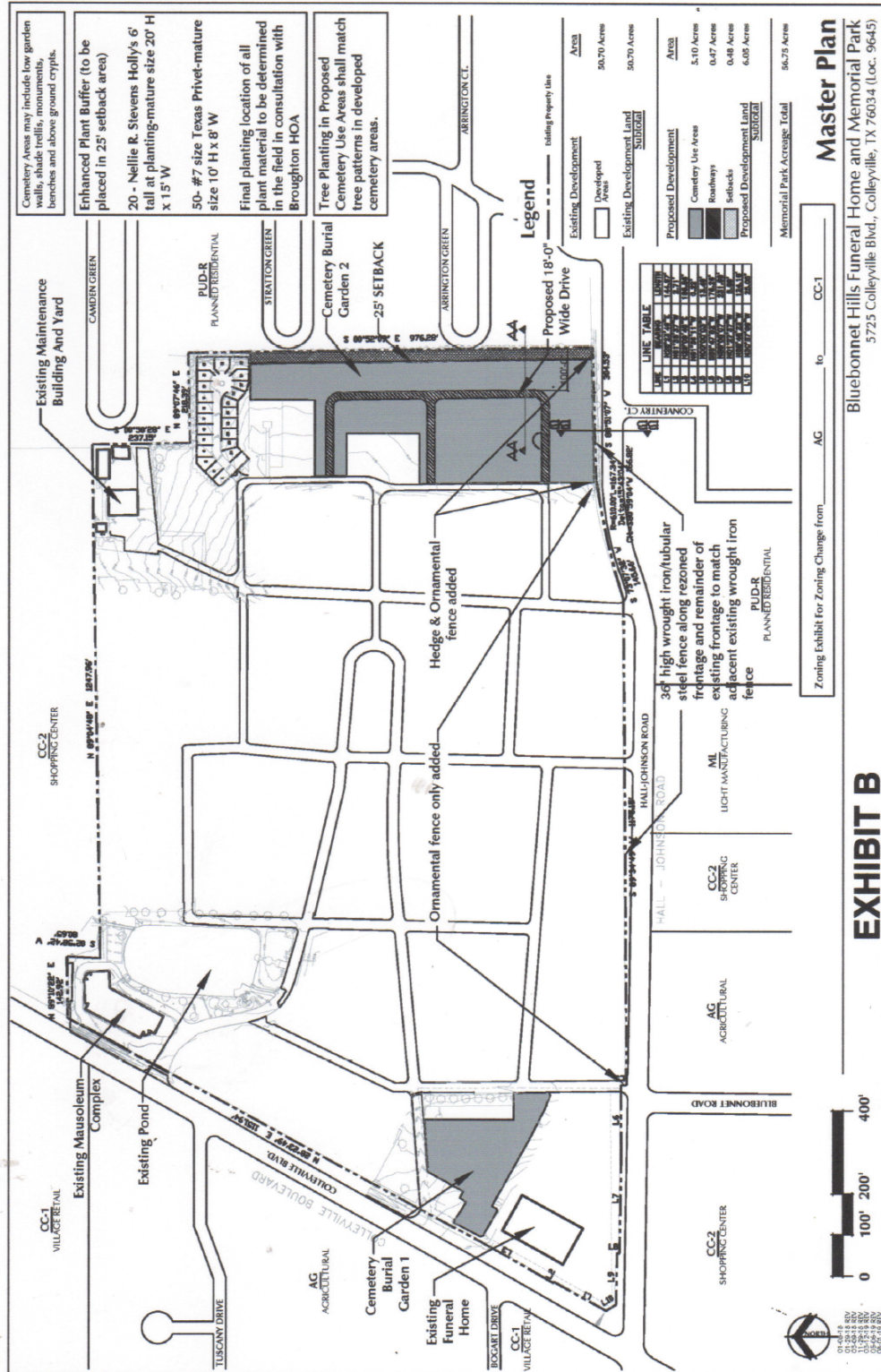
12) Bluebonnet Hills will plant a solid 3-foot high shrub row along Hall Johnson as shown on Exhibits B and H. The shrubs will be planted within three months from the passage of the rezoning ordinance or during optimum planting season, whichever is less time. The shrubs will be maintained at a height of 3 feet.

13) Bluebonnet Hills will plant evergreen trees as grave sites are developed consistent with the current tree coverage. All trees and plants will be irrigated and will be replaced on a timely basis if they should die.

Conclusion:

Bluebonnet Hills appreciates the time that neighbors spent working with it to reach an agreement and respectfully request the support of the Planning and Zoning Commission and City Council.

Exhibit "C" – Zoning Exhibits





City of Colleyville City Council Agenda Briefing

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

Agenda Number 8b

Agenda Date 7/21/2020

Number Ordinance O-20-2112

Type Ordinance

Department Community Development

Title

Consideration of a request for a Special Use Permit for Cemeteries or Mausoleums on Tract 2B & 2B02, Abstract 180, in the J L Byas Survey, located at 5713 Colleyville Boulevard, Case ZC20-002

Strategic Plan

4.1 Protect Colleyville's semi-rural residential character

Explanation

Second Reading & Public Hearing

Several concerns were raised during the public hearing regarding drainage, screening, and above ground improvements. The item was tabled at the March 3, 2020 meeting in order for additional meetings to be held to determine the appropriate measures to resolve these concerns.

First Reading & Public Hearing

Robert Reeves, on behalf of Bluebonnet Hills Funeral Home and Cemetery, submitted a request for a zoning change from AG Agricultural to CC-1 Village Retail zoning and a request for a Special Use Permit (SUP) for 'Cemeteries or Mausoleums' at 5713 Colleyville Boulevard. The applicant recently began making improvements for the expansion of the cemetery use to their eastern boundary.

Existing Zoning and Development Conditions. The eastern 25.69 acres of the overall property is zoned AG Agricultural. The applicant is expanding the cemetery use into the remaining undeveloped area. According to the Land Development Code, a cemetery use requires an SUP approval with a commercial zoning district.

Surrounding Properties. The property to the west is part of the Bluebonnet Hills cemetery use and is zoned CC-1 Village Retail with an SUP for the cemetery use. The adjacent property to the north is zoned CC-2 Shopping Center and is developed as the Bob Moore Sports Center. The adjacent property to the east is zoned PUD-R Planned Unit Development-Residential and is developed as a single-family residential subdivision, Broughton Addition.

Master Plan. The Future Land Use Map designates this property for Institutional use. The use of the property as a cemetery or mausoleum complies with the designation

with the approval of an SUP.

Analysis. The Bluebonnet Hills Cemetery has been in operation on the subject property since 1953. The recent expansion into the far eastern portion of the property has uncovered the zoning deficiency. The approval of the zoning change and associated SUP will allow for the expansion and operation of the cemetery use.

In 2018, Bluebonnet Hills Cemetery attempted to rezone the property and obtain an SUP. During this time the case was tabled by the Planning and Zoning Commission as there were several concerns that they wanted addressed. The item was ultimately withdrawn to allow for the applicant to work with the adjacent neighborhoods and address their concerns. These concerns included the following:

- Improvements to the ditch along the eastern boundary – maybe needs to be cleaned out or improved;
- Better silt fencing or measures to control erosion;
- Drainage – to include information on the planned detention pond area;
- Working with the Broughton neighborhood to clean out the pond due to increased erosion from the cemetery site;
- Indicating a distance/buffer area from the grave sites to the eastern property line;
- Remedy to eliminate the spoils yard;
- Appropriate fencing and landscaping along Hall Johnson Road.

As part of any SUP, conditions may be imposed to ensure compatibility and harmony with surrounding properties. This may include specific regulations pertaining to landscaping and fencing along street frontages and/or along property lines adjacent to residential development. A substantial tree line currently exists along the eastern boundary.

The applicant has been working with the Broughton Homeowners Association and the Stone Crest Estates Homeowners Association since 2018. They suggest numerous beneficial conditions as stated in their Statement of Planning Objectives, which is included as an exhibit with the ordinances, and are as follows:

1. Grave site spoils are to be stored in the cemetery's maintenance area.
2. No grave site or cemetery improvement shall be closer than 25 feet to the east property line with the exception of drainage improvements and landscaping.
3. A minimum of 25 Nellie R. Stevens Holly shrubs shall be planted within the 25 foot setback area.
4. A minimum of 55 #7 size Texas Privet shall be planted within the 25 foot setback area.
5. A minimum 3 foot ornamental iron/tubular fence shall be constructed along Hall Johnson Road.
6. A minimum 3 foot shrub row shall be planted along Hall Johnson Road.

7. Drainage and swale/channel improvements shall be made along the eastern property line and within the Broughton Addition.

Public Notification. Staff notified property owners within 500 feet of the subject property regarding this request and notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. Staff has received no correspondence regarding this request to date.

Staff Recommendation. Staff recommends approval. The applicant is requesting the zoning change and associated SUP so that the expansion and operation of the cemetery use can be in compliance with the Land Development Code.

Planning & Zoning Commission Recommendation: The Planning & Zoning Commission recommended approval with the added SUP condition that no private mausoleums/crypts shall be allowed within 100 feet of Hall Johnson Road at their February 10, 2020 meeting by a vote of 5-0.

Financial Impact

There is no fiscal impact to the City of Colleyville for this item.

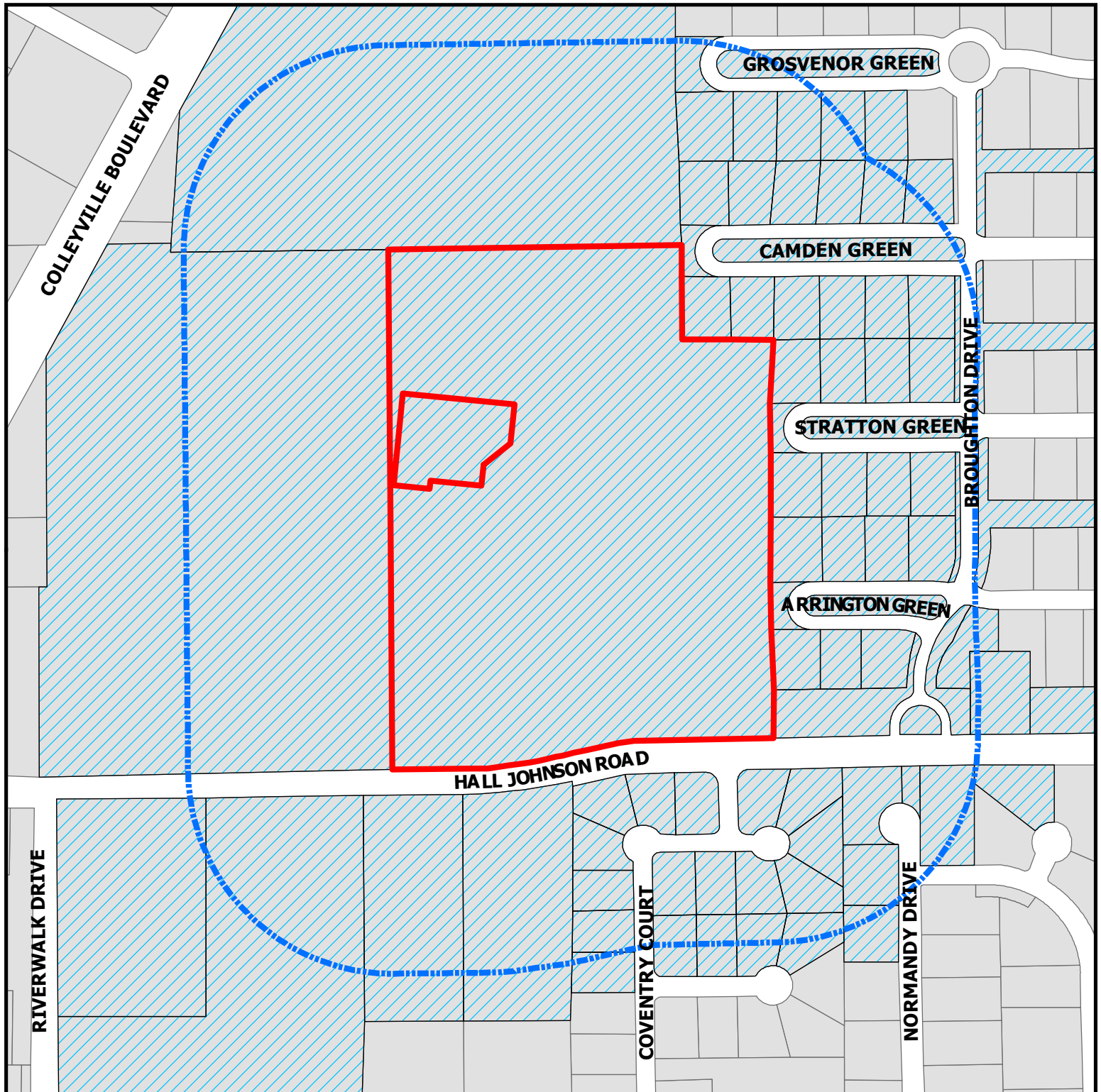
Recommendation

Approve

Attachments

1. Notification Map
2. Notification List
3. Property Owner Notification
4. Ordinance O-20-2112

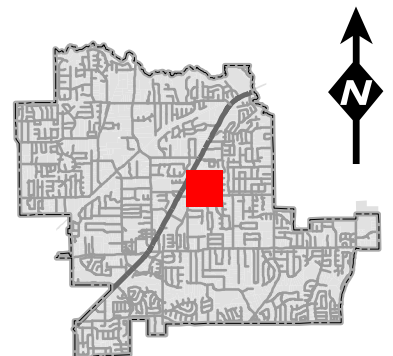
Notification Map



ZC20-002
5713 Colleyville Blvd

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



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
WHITE, KEITH M	5608 COVENTRY CT	COLLEYVILLE, TX	76034	5608 COVENTRY CT
COLLIER, CHARLIE G	5616 COVENTRY CT	COLLEYVILLE, TX	76034	5616 COVENTRY CT
RAJWANI, ABDUL AZIZ	1805 GROSVENOR GRN	COLLEYVILLE, TX	76034	1805 GROSVENOR GREEN
DAMEK, PAUL	1812 CAMDEN GREEN	COLLEYVILLE, TX	76034	1812 CAMDEN GREEN
MITCHELL, MICHAEL	1804 ARRINGTON GREEN	COLLEYVILLE, TX	76034	1804 ARRINGTON GREEN
KRUZEL, THOMAS M	1816 CAMDEN GRN	COLLEYVILLE, TX	76034	1816 CAMDEN GREEN
ANNIS, BARNARD H	5604 COVENTRY CT	COLLEYVILLE, TX	76034	5604 COVENTRY CT
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1800 BROUGHTON DR
WADE, DANIEL	1804 STRATTON GRN	COLLEYVILLE, TX	76034	1804 STRATTON GREEN
WHITAKER, DAVID	1905 HALL JOHNSON RD	COLLEYVILLE, TX	76034	1905 HALL JOHNSON RD
SCHAECHER, GREGORY C	1821 CAMDEN GRN	COLLEYVILLE, TX	76034	1821 CAMDEN GREEN
SLAPA, APRIL	1808 STRATTON GREEN	COLLEYVILLE, TX	76034	1808 STRATTON GREEN
TEXADA, RICKY	1801 ARRINGTON GREEN	COLLEYVILLE, TX	76034	1801 ARRINGTON GREEN
HANSEN, SEAN	1813 STRATTON GREEN	COLLEYVILLE, TX	76034	1813 STRATTON GREEN
UNITED STATES POSTAL SERVICE	PO BOX 667160	DALLAS, TX	75266	1501 HALL JOHNSON RD
BLUEBONNET HILLS CEMETARY	PO BOX 367	COLLEYVILLE, TX	76034	5713 COLLEYVILLE BLVD
TERRY DAVID & PENELOPE D JOINT	1801 CAMDEN GREEN	COLLEYVILLE, TX	76034	1801 CAMDEN GREEN
SULZER, STEFAN R	1804 CAMDEN GRN	COLLEYVILLE, TX	76034	1804 CAMDEN GREEN
WILLIAMS, MARJORIE S	1817 CAMDEN GRN	COLLEYVILLE, TX	76034	1817 CAMDEN GREEN
CARMONA, ENRIQUE	1700 CRESTEDGE CT	COLLEYVILLE, TX	76034	1700 CRESTEDGE CT
USSERY, MICHAEL J	1800 ARRINGTON GRN	COLLEYVILLE, TX	76034	1800 ARRINGTON GREEN
GONZALEZ, ADOLFO	1813 GROSVENOR GRN	COLLEYVILLE, TX	76034	1813 GROSVENOR GREEN
SWAIM, SHELLY	1700 GATEHOUSE CT	COLLEYVILLE, TX	76034	1700 GATEHOUSE CT
CHELLGREN, PAUL	1820 CAMDEN GRN	COLLEYVILLE, TX	76034	1820 CAMDEN GREEN
KELLEY, BRENT A	1801 STRATTON GRN	COLLEYVILLE, TX	76034	1801 STRATTON GREEN
NELSON, MICHAEL JAY	5600 COVENTRY CT	COLLEYVILLE, TX	76034	5600 COVENTRY CT
WALL, WENDY	1704 GATEHOUSE CT	COLLEYVILLE, TX	76034	1704 GATEHOUSE CT
RUSSELL, REX	1805 CAMDEN GRN	COLLEYVILLE, TX	76034	1805 CAMDEN GREEN
AL-SHMAISANI, ISSAM	5608 NORMANDY DR	COLLEYVILLE, TX	76034	5608 NORMANDY DR
DEBEUCKELAER, JAN	5606 NORMANDY DR	COLLEYVILLE, TX	76034	5606 NORMANDY DR
FULTZ, JAMES E	1809 STRATTON GRN	COLLEYVILLE, TX	76034	1809 STRATTON GREEN
BENZICK, ARTHUR E	1808 CAMDEN GRN	COLLEYVILLE, TX	76034	1808 CAMDEN GREEN
CAREY, MATTHEW	1809 GROSVENOR GRN	COLLEYVILLE, TX	76034	1809 GROSVENOR GREEN
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1800 BROUGHTON DR
WILBUR FAMILY TRUST	1705 GATEHOUSE CT	COLLEYVILLE, TX	76034	1705 GATEHOUSE CT
HEIDEL, RUTH V	1712 GATEHOUSE CT	COLLEYVILLE, TX	76034	1712 GATEHOUSE CT
CLEMENS, K R	1712 CRESTEDGE CT	COLLEYVILLE, TX	76034	1712 CRESTEDGE CT
HOELLER, BRYAN	1817 GROSVENOR GREEN	COLLEYVILLE, TX	76034	1817 GROSVENOR GREEN
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	1601 HALL JOHNSON RD
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	1601 HALL JOHNSON RD
DIXON LIVING TRUST	1800 STRATTON GREEN	COLLEYVILLE, TX	76034	1800 STRATTON GREEN
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	1900 HALL JOHNSON RD
SINUNU, STEPHEN A	1813 CAMDEN GRN	COLLEYVILLE, TX	76034	1813 CAMDEN GREEN
GOFF HOMES INC	1108 W PIONEER PKWY	ARLINGTON, TX	76013	5701 NORMANDY DR
BLUEBONNET HILLS CEMETERY	PO BOX 11250	NEW ORLEANS, LA	70181	5713 COLLEYVILLE BLVD
MILLER, RYAN	1805 STRATTON GREEN	COLLEYVILLE, TX	76034	1805 STRATTON GREEN
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1800 BROUGHTON DR
BICE, CAROL	1701 GATEHOUSE CT	COLLEYVILLE, TX	76034	1701 GATEHOUSE CT
YOUSAF, MOHAMMAD	1809 ARRINGTON GRN	COLLEYVILLE, TX	76034	1809 ARRINGTON GREEN
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1800 BROUGHTON DR
CHEATHAM, STEPHANIE	1716 GATEHOUSE CT	COLLEYVILLE, TX	76034	1716 GATEHOUSE CT
NORTEN, REX L	1812 STRATTON GRN	COLLEYVILLE, TX	76034	1812 STRATTON GREEN
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1829 CAMDEN GREEN
BLUEBONNET HILLS CEMETERY	PO BOX 130548	HOUSTON, TX	77219	5713 COLLEYVILLE BLVD
GLASSCOCK, D L	1708 GATEHOUSE CT	COLLEYVILLE, TX	76034	1708 GATEHOUSE CT
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1803 GROSVENOR GREEN
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1829 ARRINGTON CT
HOBBS, THOMAS R	1801 GROSVENOR GRN	COLLEYVILLE, TX	76034	1801 GROSVENOR GREEN
BOYD, LARRY G	PO BOX 279	COLLEYVILLE, TX	76034	1805 ARRINGTON GREEN
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1829 STRATTON GREEN
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1829 GROSVENOR GREEN
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1829 ARRINGTON GREEN
MILLER, DENNIS	1800 CAMDEN GRN	COLLEYVILLE, TX	76034	1800 CAMDEN GREEN
CORAZE, MATHIEU	1709 GATEHOUSE CT	COLLEYVILLE, TX	76034	1709 GATEHOUSE CT
CRISCI, FRANK	1812 ARRINGTON GRN	COLLEYVILLE, TX	76034	1812 ARRINGTON GREEN
AL-SHMAISANI, ISSAM	5608 NORMANDY DR	COLLEYVILLE, TX	76034	5700 NORMANDY DR
WAYPOINT MONTESSORI	1513 HALL JOHNSON RD	COLLEYVILLE, TX	76034	1513 HALL JOHNSON RD
LUJAN, ALBERT C	1713 GATEHOUSE CT	COLLEYVILLE, TX	76034	1713 GATEHOUSE CT
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1824 BROUGHTON DR
THIBODEAUX, NELSON J	5612 COVENTRY CT	COLLEYVILLE, TX	76034	5612 COVENTRY CT
IDELL, GLEN E	1708 CRESTEDGE CT	COLLEYVILLE, TX	76034	1708 CRESTEDGE CT
				6113 COLLEYVILLE BLVD
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	5801 BURNHAM CIR
WIKE, JAMIE	1809 CAMDEN	COLLEYVILLE, TX	76034	1809 CAMDEN GREEN
BONDY, NEAL	1808 ARRINGTON GRN	COLLEYVILLE, TX	76034	1808 ARRINGTON GREEN
BROCK, MANDI	1704 CRESTEDGE CT	COLLEYVILLE, TX	76034	1704 CRESTEDGE CT
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1800 BROUGHTON DR
DUNHAM, KELLEN	5707 MORLAIX CT	COLLEYVILLE, TX	76034	5707 MORLAIX CT
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1800 BROUGHTON DR
BOUGHTON MAINTENANCE ASSOCIATION INC	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	1800 BROUGHTON DR
BROUGHTON	2557 SW GRAPEVINE PKWY SUITE 100	GRAPEVINE, TX	76051	COURTESY NOTICE
KINGSWOOD ESTATES-COLLEYVILLE	P.O. BOX 978	COLLEYVILLE, TX	76034	COURTESY NOTICE
MONTCLAIR PARC ADDITION	1108 W. PIONEER PARKWAY	ARLINGTON, TX	76013	COURTESY NOTICE
STONE CREST ESTATES	P.O. BOX 332	COLLEYVILLE, TX	76034	COURTESY NOTICE
TUSCANY-COLLEYVILLE	1217 TUSCANY DRIVE	COLLEYVILLE, TX	76034	COURTESY NOTICE
VILLAS AT OAK POINTE, THE	2555 SW GRAPEVINE PARKWAY SUITE 300	GRAPEVINE, TX	76051	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
REEVES, ROBERT	900 JACKSON STREET, SUITE 160	DALLAS, TX	75202	APPLICANT

Public hearing notices were mailed on January 24, 2020



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, February 10, 2020 at 7:00 p.m.
City Council Meetings: Tuesday, March 3, 2020 & Tuesday, March 17, 2020 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

Request: Consideration of a zoning change request from AG Agricultural zoning district to the CC-1 Village Retail zoning district. The purpose is allow for an SUP for Cemeteries and Mausoleums in order to allow for the expansion and operation of the Bluebonnet Hill Cemetery.

Zoning Case: ZC20-002

Applicant: Robert Reeves

Owner: Cary Grossi

Location: 5713 Colleyville Blvd

Property Description: Tract 2B and Tract 2B02, Abstract 180, in the J L Byas Survey

Present Zoning: AG Agricultural District

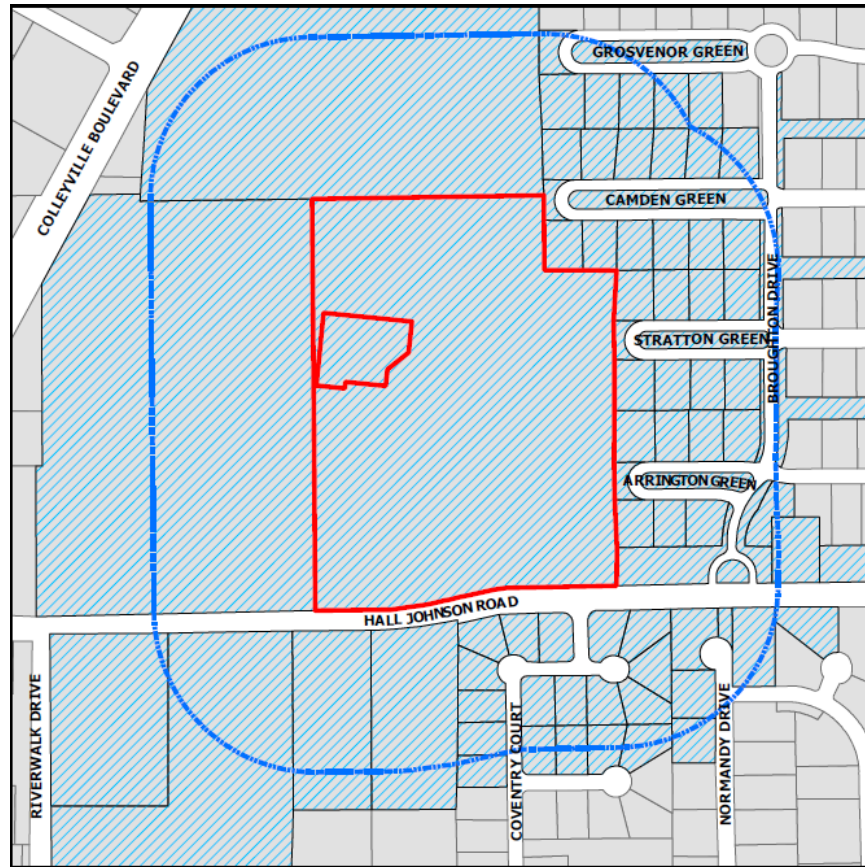
This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a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

NOTICE OF PUBLIC HEARING

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 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

ORDINANCE O-20-2112

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 25.69 ACRES ON TRACT 2B AND TRACT 2B02, ABSTRACT 180, IN THE J L BYAS SURVEY, LOCATED AT 5713 COLLEYVILLE BOULEVARD; AUTHORIZING A SPECIAL USE PERMIT FOR A CEMETERY OR MAUSOLEUM; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a rezoning under Case No. Case ZC20-002; 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 amend the City's zoning ordinance; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the City's zoning 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 City Council is of the opinion that the change in zoning provided for herein should be made, in compliance with the City Charter, and state law with reference to changes to zoning classifications under the City's zoning ordinance and zoning map, having given the requisite notices required by law and having held public hearings affording all interested persons and property owners a full and fair opportunity to be heard.

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

Sec. 1. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 25.69 acres on Tract 2B and Tract 2B02, Abstract 180, in the J L Byas Survey, located at 5713 Colleyville Boulevard for a Special Use Permit for a cemetery and mausoleum, as depicted in the attached Exhibit "A" and Exhibit "C", and as described in Exhibit "B".

Sec. 2. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.

Sec. 3. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. This Special Use Permit shall only apply to the uses in combination of a cemetery and mausoleum as described in Exhibit "B".
- b. Grave site spoils are to be stored in the cemetery's maintenance area.
- c. No grave site or cemetery improvement shall be closer than 25 feet to the east property line with the exception of drainage improvements and landscaping.
- d. A minimum of 25 Nellie R. Stevens Holly shrubs shall be planted within the 25 foot setback area.
- e. A minimum of 55 #7 size Texas Privet shall be planted within the 25 foot setback area.
- f. A minimum 3 foot ornamental iron/tubular fence shall be constructed along Hall Johnson Road.
- g. A minimum 3 foot shrub row shall be planted along Hall Johnson Road.
- h. Drainage and swale/channel improvements shall be made along the eastern property line and within the Broughton Addition.
- i. No private mausoleum/crypt over 6 feet in height shall be allowed within 100 feet of Hall Johnson Road.

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 this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of March 2020.

The second reading and public hearing being conducted on the 17th day of March 2020.

PASSED AND APPROVED BY A VOTE OF ___ AYES, ___ NAYS, AND ___ ABSTENTIONS ON THIS THE 17TH DAY OF MARCH 2020.

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 L. Wyatt
City Attorney

Exhibit "A" – Location and Zoning Map

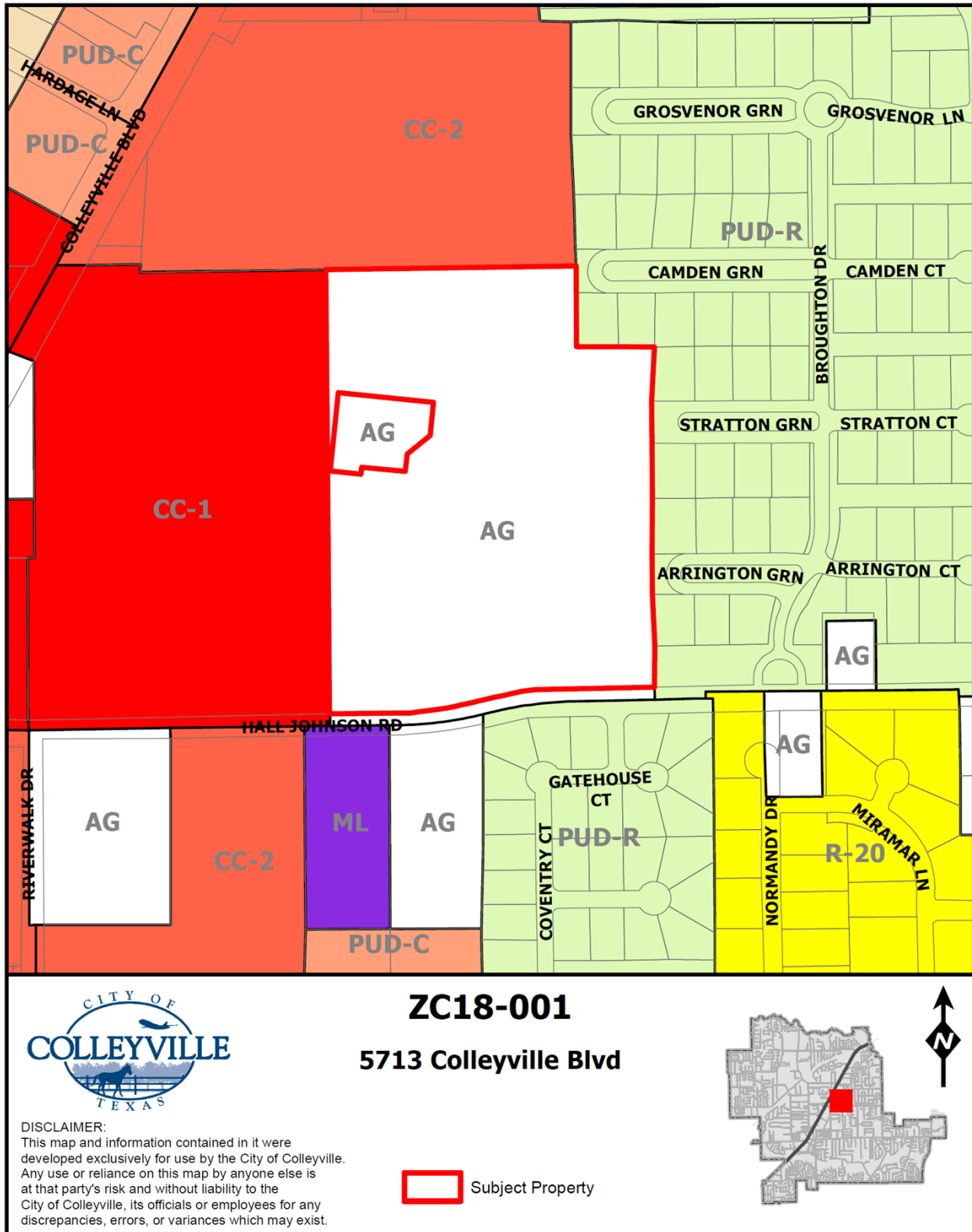


Exhibit "B" – Statement of Planning Objectives

Statement of Planning Objectives

Statement of Objectives
Bluebonnet Hills Funeral Home and Memorial Park
5725 Colleyville Blvd. Colleyville, Texas 76034
January 13, 2020

This a request by Bluebonnet Hills Funeral Home and Memorial Park to rezone a 25.69 acre tract from an AG District to a CC-1 Village Retail District with a Specific Use Permit for cemeteries and mausoleums.

Background:

Bluebonnet Hills has been operating a funeral home and cemetery at this location since 1953. In the Spring of 2018, it began to expand gravesites into the far eastern portion of the cemetery when a zoning deficiency was discovered. This area is zoned AG and a zoning change was necessary to develop gravesites in this area. The approval of the zoning change and associate SUP would allow for the expansion and operation of the cemetery use. Therefore, Bluebonnet Hills filed an application for a zoning change, which was later denied on 6/11/18 based on the Planning and Zoning Commission concerns and opposition from adjacent residential property owners.

Response to neighbors:

Over the last eighteen months, Bluebonnet Hills has been working with the Broughton Homeowners Association, Stone Crest Estates Homeowners Association, and adjacent homeowners. Bluebonnet Hills has reached an agreement with the Broughton Homeowners Association, Exhibit C and anticipates reaching an agreement with the Stone Crest Estates Homeowners Association, Exhibit D. Based on these agreements and discussion with adjacent properties, this request for a Specific Use Permit is subject to the following conditions:

1) All undeveloped cemetery areas will be sodded with a ground cover and maintained in a healthy growing conditions by providing adequate water, fertilizer, or other necessary maintenance, Exhibit A.

2) Excess grave site spoils will be temporarily stored in the cemetery's maintenance area and periodically moved off site.

3) Sediment and debris located in the existing swale along the east property will be removed within three months from the passage of the ordinance approving the zoning. Great care will be taken to protect trees along the east and north property lines during this maintenance effort. Bluebonnet Hills agrees to replace any trees damaged during this process and agrees to maintain the existing swale as necessary unless the City of Colleyville requires an alternate process.

4) Bluebonnet Hills will contribute \$32,000.00 plus taxes and an additional \$4,000.00 for cost overage toward the dredging of the existing retention pond located in the common area of the

Statement of Planning Objectives

Broughton subdivision subject the provisions found in the agreement between Bluebonnet Hills and Broughton HOA, Exhibit C.

5) Bluebonnet Hills will construct a new concrete swale parallel to the existing swale extending from the northeast corner of the site to the inlet into Broughton's retention pond, Exhibits E & F.

6) Drainage from the cul-de-sac located near the northeast corner of the site will be redirected into the new concrete swale to minimize water discharges into the residential street.

7) Necessary regrading directing drainage from or parallel to the eastern property line toward the southeastern corner of the site will be initiated. Submittal of final engineering plans and required permits for drainage and swale design must be submitted to the City of Colleyville within three months from passage of the ordinance approving the zoning and construction must begin with begin with six months from City of approval for the plans and permits or a later date as determined by the City of Colleyville, Exhibits E & F.

8) All future site development must comply with City of Colleyville drainage and erosion control regulations in effect at the time of future site development.

9) A twenty-five-foot setback will be provided along the east property line, Exhibits B & G.

10) Landscaping shall be consistent with the Master Plan, Exhibit B, subject to the following provisions.

a) Plant a minimum of 25 Nellie R. Stevens Holly shrubs in the 25-foot setback area. Initially, shrubs will be 6 feet high and can mature up to 20 feet in height with a 15-foot spread.

b) Plant a minimum of 55 #7 size Texas Privet in the 25-foot setback as show on the Master Plant. The Texas Privet will mature to a height of 10 feet with an 8-foot spread.

c) Final plant location will be determined in the field in consultation with the Broughton HOA and planted within nine months of passage of the zoning ordinance or as directed by the City of Colleyville based on the optimum planting seasons.

d) Tree planting in the proposed cemetery use areas shall match tree patterns in the developed cemetery areas.

e) Bluebonnet Hills agrees to landscape the entire boarder backing up to Broughton property with a consistent landscaping plan as outlined above. Dead trees or shrubs will be replaced in accordance with the landscaping plan shown on the Master Plan, Exhibit B.

f) All planting will be irrigated.

Statement of Planning Objectives

11) Bluebonnet Hills will construct a minimum, 3-foot high ornamental iron/tubular fence along Hall Johnson Road as shown in the Master Plan, Exhibit B. The existing chain-link fence will be replaced with the new fence.

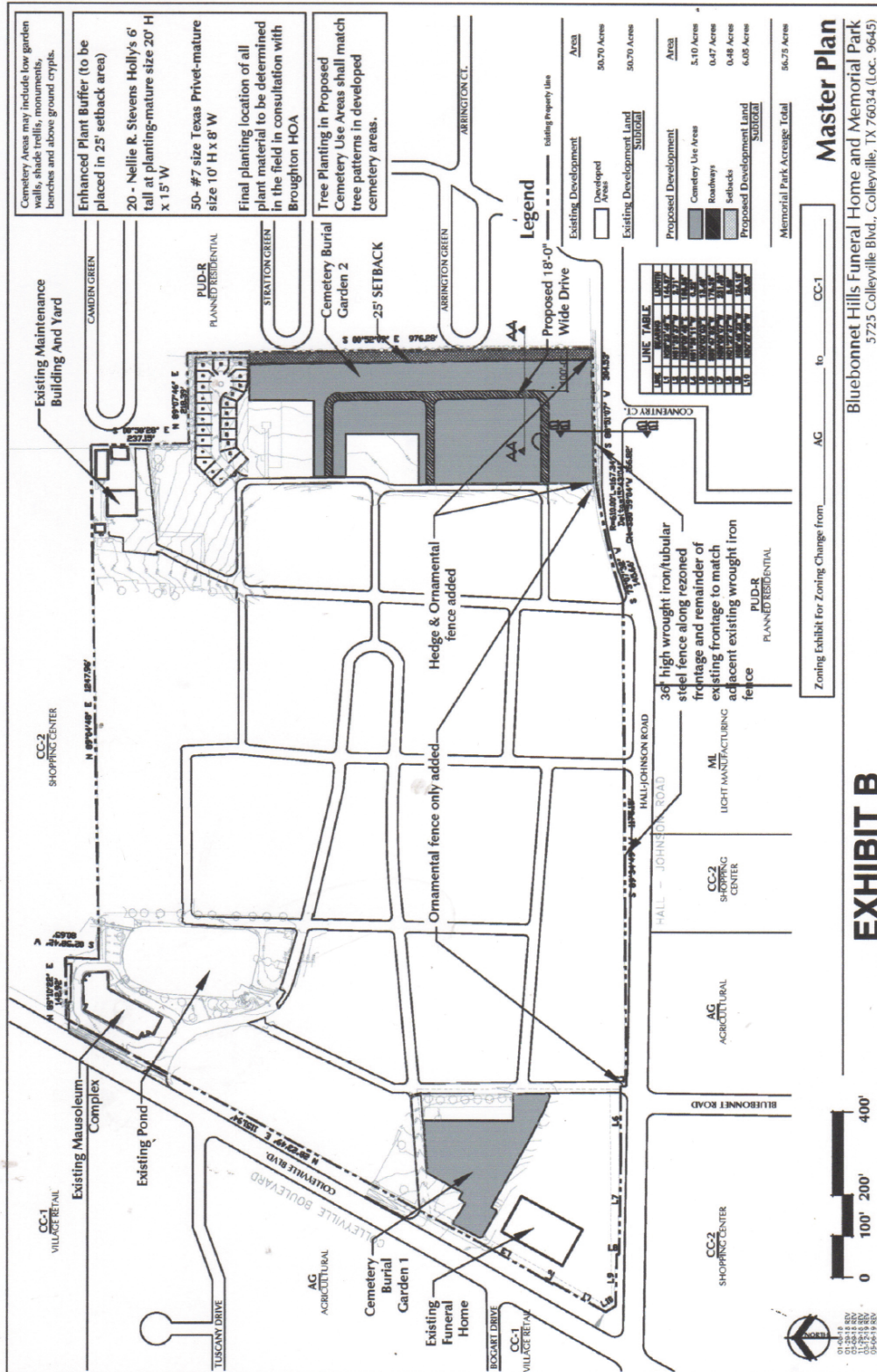
12) Bluebonnet Hills will plant a solid 3-foot high shrub row along Hall Johnson as shown on Exhibits B and H. The shrubs will be planted within three months from the passage of the rezoning ordinance or during optimum planting season, whichever is less time. The shrubs will be maintained at a height of 3 feet.

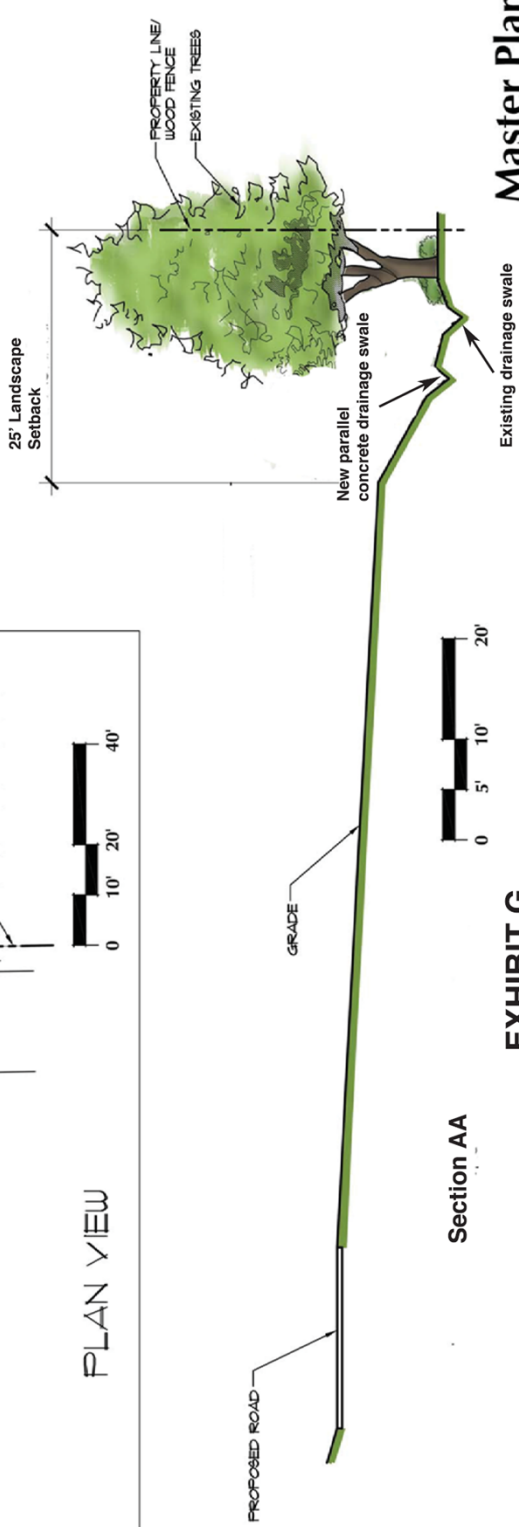
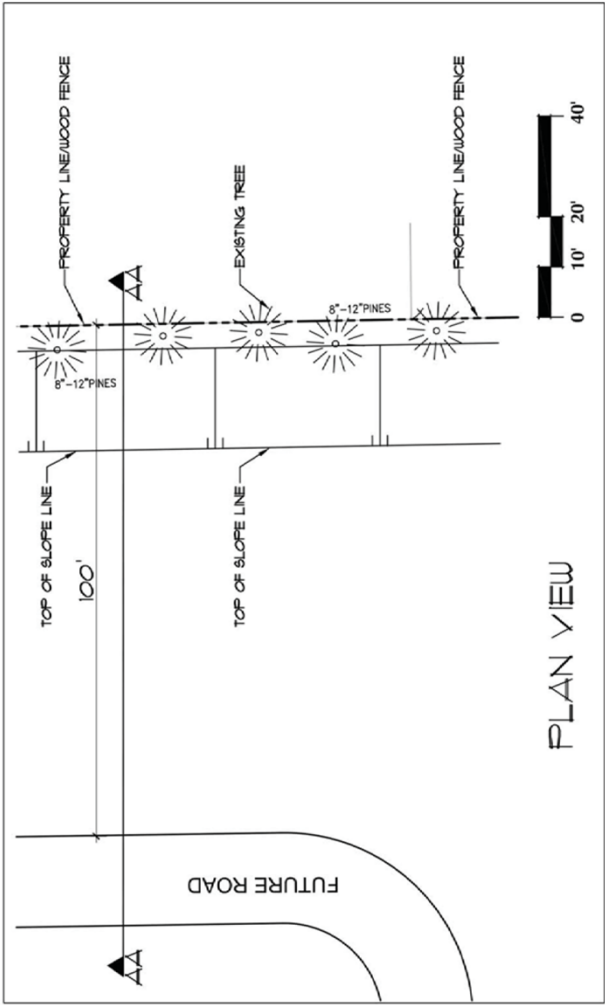
13) Bluebonnet Hills will plant evergreen trees as grave sites are developed consistent with the current tree coverage. All trees and plants will be irrigated and will be replaced on a timely basis if they should die.

Conclusion:

Bluebonnet Hills appreciates the time that neighbors spent working with it to reach an agreement and respectfully request the support of the Planning and Zoning Commission and City Council.

Exhibit "C" – Zoning Exhibit



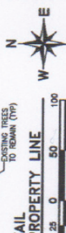


Section AA

EXHIBIT G

Master Plan

Bluebonnet Hills Funeral Home and Memorial Park
5725 Colleyville Blvd., Colleyville, TX 76034 (Loc. 9645)
11/27/18





Existing view of Bluebonnet Hills site frontage at Hall Johnson Road



Proposed view of Bluebonnet Hills site frontage at Hall Johnson Road

EXHIBIT H





City of Colleyville City Council Agenda Briefing

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

Agenda Number 9

Agenda Date 7/21/2020

Type Approval of Minutes

Department City Secretary

Title

December 9, 2019 Planning and Zoning Minutes

November 25, 2019 Planning and Zoning Worksession Minutes

May 26, 2020 Planning and Zoning Worksession Minutes

May 26, 2020 Planning and Zoning Worksession Minutes

June 8, 2020 Planning and Zoning Worksession Minutes

Attachments

1. December 9, 2019 P&Z Minutes
2. November 25, 2019 P&Z Worksession Minutes
3. May 26, 2020 P&Z Worksession Minutes
4. May 26, 2020 P&Z Minutes
5. June 8, 2020 P&Z Minutes



City of Colleyville Planning and Zoning Commission Minutes

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

Monday, December 9, 2019

City Council Chambers

CALL MEETING TO ORDER

The City of Colleyville Planning and Zoning Commission meeting was called to order by Chair Mathisen on December 9, 2019, at 7:01 p.m.

Roll Call

Present: Ryan Moore, Sayeda Syed, Kimberly Holt, Susan Mathisen, Matt Koch, and Claudia Bevill

Staff Present: Ben Bryner, Jacquelyn Reyff, Christine Loven, Keera Seiger, Rob McKeown, and Eddie Tangadunrat

1. SWEARING IN OF NEWLY APPOINTED OFFICIALS

City Secretary Christine Loven swore in George Bond to Place 7 on the Planning and Zoning Commission.

2. ELECTION OF OFFICERS

Commissioner Moore made a motion to nominate Susan Mathisen as Chair. Commissioner Syed seconded the motion.

The motion to approve was carried by the following vote:

Aye: 6 – Moore, Syed, Holt, Mathisen, Koch, Bond

Nay: 1 - Bevill

Chair Mathisen made a motion to nominate Commissioner Moore as Vice-Chair. Commissioner Bond seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 – Moore, Syed, Holt, Mathisen, Koch, Bevill, Bond

Nay: 0

3. CITIZEN COMMENTS

There were no citizens wishing to speak.

4. APPROVAL OF MINUTES

December 10, 2018 Minutes (Regular Meeting)
January 14, 2019 Minutes (Regular Meeting)
February 11, 2019 Minutes (Regular Meeting)
February 25, 2019 Minutes (Worksession)

Commissioner Bevill made a motion to approve the December 10, 2018 regular meeting minutes, the January 14, 2019 regular meeting minutes, the February 11, 2019 regular meeting minutes, and the February 25, 2019 worksession minutes. Commissioner Holt seconded the motion.

The motion to approve was carried by the following vote:

**Aye: 7 – Moore, Syed, Holt, Mathisen, Koch, Bevill, Bond
Nay: 0**

5. PUBLIC HEARING AGENDA ITEMS

5a Consideration of a zoning change from AG Agricultural to R40 Single Family Residential on Tracts 2F3 & 2F5, Abstract 1692, in the Joseph White Survey, located at 704 Shelton Drive, Case ZC19-020

Jacquelyn Reyff presented the item and briefed the Commission.

Applicant Matt Grantland, 201 Fremont Court, briefed the Commission.

The public hearing was opened at 7:11 p.m. With no one wishing to speak, the public hearing was closed at 7:11 p.m.

Commissioner Koch made a motion to approve Case ZC19-020. Commissioner Bevill seconded the motion.

The motion to approve was carried by the following vote:

**Aye: 7 – Moore, Syed, Holt, Mathisen, Koch, Bevill, Bond
Nay: 0**

- 5b** Consideration of an amendment to the PUDR Planned Unit Development Residential zoning district regarding driveways and private walkways for the Carmel Place Estates subdivision, being Lots 19 and Lots 10X, 11X, and 12X, Block 1, Carmel Place Estates, located at 4800 – 4920 Carmel Place, Case ZC19-021

Jacquelyn Reyff presented the item and briefed the Commission.

The public hearing was opened at 7:18 p.m. With no one wishing to speak, the public hearing was closed at 7:18 p.m.

There was general discussion regarding rock salt and the effect it has on concrete.

Commissioner Bevill made a motion to approve Case ZC19-021. Commissioner Holt seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 – Moore, Syed, Holt, Mathisen, Koch, Bevill, Bond
Nay: 0

6. ADJOURNMENT

The meeting was adjourned at 7:20 p.m.

The minutes were written and prepared by:



Keera Seiger

Assistant to the City Secretary

The meeting minutes were approved on July 13, 2020 by a vote of 6-0.



City of Colleyville Planning and Zoning Commission Worksession Minutes

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

Monday, November 25, 2019

City Council Chambers

CALL MEETING TO ORDER

The City of Colleyville Planning and Zoning Commission Worksession was called to order by Chair Mathisen on November 25, 2019, at 6:15 p.m.

Roll Call

Present: Sayeda Syed, Kimberly Holt, Susan Mathisen, Claudia Bevill, and George Bond

Absent: Ryan Moore and Matt Koch

Staff Present: Ben Bryner, Jacquelyn Reyff, Robert McKeown, Araceli Botello

1. REGULAR AGENDA ITEMS

- 1a** Presentation and discussion of an amendment to the PUD on Lots 1, 2, & 3, Block A, of the Heritage Farms Addition, located at 913 Cheek Sparger Road, 3808 Wayne Drive, and 3900 Bedford Court, Case ZC19-009

Jacquelyn Reyff presented the case and briefed the Commission.

There was general discussion regarding building materials, the history of the project, a detention pond, tree preservation, the results of a traffic study, the proposed fence, sidewalks, and the number of road lanes.

- 1b** Presentation and discussion of a zoning change from AG Agricultural to R40 Single Family Residential on Tracts 2F3 and 2F5, Abstract 1692, in the Joseph White Survey, located at 704 Shelton Drive, Case ZC19-020

Jacquelyn Reyff presented the case and briefed the Commission.

There was general discussion regarding the state of the property.

- 1c** Presentation and discussion of an amendment to the PUD on Lots 19 and Lots 10X, 11X, and 12X, Block 1, of the Carmel Place Estates, located at 4800 – 4920 Carmel Place, Case ZC19-021

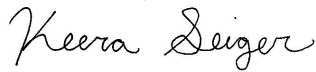
Jacquelyn Reyff presented the case and briefed the Commission.

There was general discussion regarding salt finish concrete driveways.

2. ADJOURNMENT

The meeting adjourned at 6:51 p.m.

The minutes were written and prepared by:



Keera Seiger

Assistant to the City Secretary

The meeting minutes were approved on July 13, 2020 by a vote of 6-0.



City of Colleyville Planning and Zoning Commission Worksession Minutes

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

Tuesday, May 26, 2020

City Council Chambers

CALL MEETING TO ORDER

The City of Colleyville Planning and Zoning Commission Worksession was called to order by Chair Mathisen on May 26, 2020, at 6:16 p.m.

Roll Call

Present: Kimberly Holt, Ryan Moore, Susan Mathisen, Matt Koch, and George Bond

Absent: Claudia Bevill and Sayeda Syed

Staff Present: Ben Bryner, Jacquelyn Reyff, Robert McKeown, Araceli Botello, Eddie Tangadunrat

1. WORKSESSION ITEMS

WS-1 Presentation and discussion of a Special Use Permit for a Fence to extend into the required street side yard on Lot 1, Block 1, of the Stowe Addition, located at 816 Shelton Drive, Case ZC20-009

Jacquelyn Reyff presented the case and briefed the Commission.

There was general discussion regarding fence regulations for street side yard fences, material, height, privacy, setbacks, and Special Use Permits.

WS-2 Presentation and discussion of a Special Use Permit for a Fence to extend into the required street side yard on Lot 1, Block 8, Creekside at Colleyville, Phase 3, located at 3501 LeJoie Lane, Case ZC20-010

Jacquelyn Reyff presented the case and briefed the Commission.

There was general discussion regarding material and public hearing date.

WS-3 Presentation and discussion of a Special Use Permit for a Fence to extend into the required street side yard on Lots 9 & 10, Block 8, Creekside at Colleyville, Phase 3, located at 3609 LeJoie Lane and

3608 Valmur Avenue, Case ZC20-011

Jacquelyn Reyff presented the case and briefed the Commission.

There was general discussion regarding material, height, and safety.

WS-4 Presentation and discussion of an amendment to the PUD-C Planned Unit Development-Commercial district for the Winding Creek development, specifically for hours of operation on Lot 9R and 10R, Block 1, of the Winding Creek Addition, located at 6412 and 6416 Colleyville Boulevard, Case ZC20-012

Jacquelyn Reyff presented the case and briefed the Commission.

There was general discussion regarding location of the daycare, hours of operation for indoor/outdoor activities.

WS-5 Presentation and discussion of amendments to Chapter 1, Section 1.17 of the Land Development Code, specifically for the permitting of expiration of vested project rights

Jacquelyn Reyff presented the case and briefed the Commission.

There was general discussion regarding 2-5 year time frames for expiration of approved projects with no activity and retroactive approach for compliance of older project that have been approved prior to this regulation.

2. **ADJOURNMENT**

The meeting adjourned at 6:45 p.m.

The minutes were written and prepared by:



Araceli Botello

Planning Technician

The meeting minutes were approved on July 13, 2020 by a vote of 6-0.



City of Colleyville Planning and Zoning Commission Minutes

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

Tuesday, May 26, 2020

City Council Chambers

CALL MEETING TO ORDER

The City of Colleyville Planning and Zoning Commission Meeting was called to order by Chair Mathisen on May 26, 2020, at 6:51 p.m.

Roll Call

Present: Kimberly Holt, Ryan Moore, Susan Mathisen, Matt Koch, and George Bond

Absent: Claudia Bevill and Sayeda Syed

Staff Present: Ben Bryner, Jacquelyn Reyff, Robert McKeown, Araceli Botello, Eddie Tangadunrat

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

There were no citizen wishing to speak.

3. PUBLIC HEARING AGENDA ITMES

- 3a** Consideration of a request for a Special Use Permit for a 'Day Care Center' on Lots 9R and 10R, Block 1, of the Winding Creek Addition, located at 6412 and 6416 Colleyville Blvd, Case ZC20-008, TABLED FROM THE MAY 11, 2020 PLANNING AND ZONING COMMISSION MEETING

Commissioner Moore made a motion to remove Case ZC20-008 from the table. Commissioner Holt seconded the motion.

The motion to remove the item from the table was carried by the following vote:

Aye: 5 – Moore, Holt, Mathisen, Koch, and Bond

Nay: 0

Ben Bryner presented the item and briefed the Commission.

The public hearing was opened at 7:08 p.m.

Bradley Hildreth, 6409 Kingston Drive, came forward and spoke in opposition to the case. Mr. Hildreth addressed concerns regarding noise and property value,

Susan Reynolds, 6417 Kingston Drive, came forward and spoke in opposition to the case. Mrs. Reynolds addressed concerns regarding the daycare abutting residential, distance of the daycare to neighboring properties, traffic, lighting, and noise.

Robert Fish, 6401 Kingston Drive, came forward and spoke in opposition to the case. Mr. Fish addressed concerns regarding the location of the playground and the wild life in the property.

The developer, Fray Webster, 112 Quail Run, came forward and spoke in support of the case. Mr. Webster addressed that the property meet all criteria, commercial development, and safety features.

With no one wishing to speak, the public hearing was closed at 7:23 p.m.

The applicant, Kevin Patel, 1784 W McDermott Drive, Allen, TX, came forward and briefing the Commission. Mr. Patel answered questions of the Commission regarding location of the play grounds, fencing, safety concerns/feature, entrance/exit location, hours of operation, and noise.

The owner, Steven Brown, 6612 Josephine Street, Plano, TX came forward and briefed the Commission. Mr. Brown answered questions of the Commission regarding traffic, safety measure, noise, wild life, fencing, and location of the child care center.

There was general discussion amongst the Commissioners regarding the location of the playground in relation to neighboring properties, lighting, fencing, and noise.

Commissioner Koch made a motion to deny Case ZC20-008. Commissioner Moore seconded the motion.

The motion was carried by the following vote:

**Aye: 5 – Moore, Holt, Mathisen, Koch, and Bond
Nay: 0**

- 3b** Consideration of amendments to Chapter 2 – Definitions and Chapter 3, Section 3.24.B – Schedule of Permitted Principal Uses and Section 3.24.C – Special Land Use Standards of the Land Development Code specific to Cannabidiol (CBD) stores, TABLED FROM THE MAY 11, 2020 PLANNING AND ZONING COMMISSION MEETING

Commissioner Holt made a motion to remove Case Item 3b from the table. Commissioner Moore seconded the motion.

The motion to remove the item from the table was carried by the following vote:

**Aye: 5 – Moore, Holt, Mathisen, Koch, and Bond
Nay: 0**

Ben Bryner presented the item and briefed the Commission. Mr. Bryner answered questions of the Commission regarding the difference between commercial zonings, regulations for the use of vaping stores, definition of a CBD store, percentage of sale threshold for Special Use Permit requirement,

The public hearing was opened at 8:22 p.m. With no one wishing to speak, the public hearing was closed at 8:22 p.m.

Commissioner Moore made a motion to approve Item 3b with the condition that it only applies to business that generates 15 percent or more in sales of CBD products. Commissioner Bond seconded the motion.

The motion was carried by the following vote:

**Aye: 5 – Moore, Holt, Mathisen, Koch, and Bond
Nay: 0**

- 3c** Consideration of amendments to Chapter 9, Section 9.21 – Sidewalks of the Land Development Code, TABLED FROM THE MAY 11, 2020 PLANNING AND ZONING COMMISSION MEETING

Commissioner Holt made a motion to remove Item 3c from the table. Commissioner Bond seconded the motion.

The motion to remove the item from the table was carried by the following vote:

Aye: 5 – Moore, Holt, Mathisen, Koch, and Bond
Nay: 0

Ben Bryner presented the item and briefed the Commission. Mr. Bryner answered questions of the Commission regarding

The public hearing was opened at 8:31 p.m. With no one wishing to speak, the public hearing was closed at 8:31 p.m.

Commissioner Moore made a motion to approve Item 3c.
Commissioner Bond seconded the motion.

The motion was carried by the following vote:

Aye: 5 – Moore, Holt, Mathisen, Koch, and Bond
Nay: 0

4. AJOURMENT

The meeting adjourned at 8:32 p.m.

The minutes were written and prepared by:



Araceli Botello

Planning Technician

The meeting minutes were approved on July 13, 2020 by a vote of 6-0.



City of Colleyville Planning and Zoning Commission Minutes

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

Monday, June 8, 2020

City Council Chambers

CALL MEETING TO ORDER

The City of Colleyville Planning and Zoning Commission Meeting was called to order by Vice Chair Moore on June 8, 2020, at 7:00 p.m.

Roll Call

Present: Sayeda Syed, Ryan Moore, Matt Koch, and Claudia Bevill

Absent: Kimberly Holt, Susan Mathisen, and George Bond

Staff Present: Ben Bryner, Jacquelyn Reyff, Robert McKeown, Araceli Botello, Eddie Tangadunrat

1 CITIZEN COMMENTS/ PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA

There were no citizen wishing to speak.

2. APPROVAL OF MINUTES

January 13, 2020 Planning and Zoning Commission

January 27, 2020 Planning and Zoning Commission Worksession

February 10, 2020 Planning and Zoning Commission

February 24, 2020 Planning and Zoning Commission Worksession

February 24, 2020 Planning and Zoning Commission

Commissioner Koch made a motion to approve the January 13, 2020 regular meeting minutes, the January 27, 2020 worksession minutes, the February 10, 2020 regular meeting minutes, and February 24, 2020 regular and worksession meeting minutes. Commissioner Syed seconded the motion.

The motion to approve carried with the following vote:

Aye: 5 – Moore, Syed, Bevill, and Koch
Nay: 0

3. PUBLIC HEARING AGENDA ITEMS

3a Consideration of a Special Use Permit for a Fence to extend into the required street side yard on Lot 1, Block 1, of the Stowe Addition, located at 816 Shelton Drive, Case ZC20-009

Jacquelyn Reyff presented the item and briefed the Commission.

The applicant, Mark Cooper, 2804 Lake Brook Court, Highland Village, TX, came forward and briefed the Commission.

The public hearing was opened at 7:12 p.m.

Lisa Grossman, 6014 Pleasant Run Road, came forward and spoke in opposition to the case. Mrs. Grossman addressed concerns regarding view of the fencing, the request not meeting requirements, and no hardship or safety concerns to merit the request by the applicant.

The applicant, Mark Cooper, 2804 Lake Brook Court, Highland Village, TX, came to address the concerns brought forth by the citizens. Mr. Cooper addressed the position of the home to face Shelton Drive, changes in the fence ordinance, safety concerns, and privacy.

With no one wishing to speak, the public hearing was closed at 7:21 p.m.

There was general discussion amongst the Commissioners and Staff regarding the timeline, permits, and adopted changes to the fence ordinance. Commissioners discussed the location subject property's backyard in relation to the surrounding properties, privacy, traffic, material of the fence, location of the property, the ordinance requirements for fencing and the option to table the case.

Commissioner Koch made a motion to table Case ZC20-008 to June 22, 2020 Planning and Zoning Commission Meeting. Commissioner Syed seconded the motion.

The motion was carried by the following vote:

Aye: 4 – Moore, Syed, Koch, and Bevill
Nay: 0

- 3b** Consideration of a Special Use Permit for a Fence to extend into the required street side yard on Lot 1, Block 8, Creekside at Colleyville, Phase 3, located at 3501 LeJoie Lane, Case ZC20-010

Jacquelyn Reyff presented the item and briefed the Commission.

The applicant, Cheryl Turner, 5835 Shoreside Bend, Irving, TX, came forward and briefed the Commission.

The public hearing was opened at 7:37 p.m. With no one wishing to speak, the public hearing was closed at 7:37 p.m.

The following did not wish to speak, but would like to have their support recorded:

Amish Patel, 3509 Valmur Avenue

There was general discussion amongst the Commissioners regarding maintain the consistency of the neighborhood, uniqueness of the request, and mimicking the fencing to the surrounding properties.

Commissioner Koch made a motion to approve Case ZC20-010. Commissioner Syed seconded the motion.

The motion was carried by the following vote:

Aye: 3 – Moore, Syed, and Koch

Nay: 1 - Bevill

Due to a lack of four affirmative votes, the motion fails and the case is therefore denied.

- 3c** Consideration of a Special Use Permit for a Fence to extend into the required street side yard on Lots 9 & 10, Block 8, Creekside at Colleyville, Phase 3, located at 3609 LeJoie Lane and 3609 Valmur Avenue, Case ZC20-011

Jacquelyn Reyff presented the item and briefed the Commission.

The public hearing was opened at 7:44 p.m. With no one wishing to speak, the public hearing was closed at 7:44 p.m.

The following did not wish to speak, but would like to have their support recorded:

Amish Patel, 3509 Valmur Avenue

There was general discussion amongst the Commissioners regarding the height of the fence and the retaining wall and setting a precedence for future request.

Commissioner Bevill made a motion to deny Case ZC20-011. Commissioner Syed seconded the motion.

The motion was carried by the following vote:

Aye: 1 – Bevill

Nay: 3 - Moore, Syed, and Koch

Due to a lack of four affirmative votes, the motion fails and a second motion is requested to clarify the stance of the Commission.

Commissioner Koch made a motion to approve Case ZC20-011. Commissioner Syed seconded the motion.

The motion was carried by the following vote:

Aye: 3 – Moore, Syed, and Koch

Nay: 1 - Bevill

Due to a lack of four affirmative votes, the motion fails and the case is therefore denied.

3d WITHDRAWN BY APPLICANT - Consideration of an amendment to the PUD-C Planned Unit Development-Commercial district for Winding Creek development, specifically for hours of operation on Lot 9R and 10R, Block 1, of the Winding Creek Addition, located at 6412 and 6416 Colleyville Boulevard, Case ZC20-012.

No action required by the Commission

3e Consideration of amendments to Chapter 1, Section 1.17 of the Land Development Code, specifically for the permitting of expiration of vested project rights.

Jacquelyn Reyff and Ben Bryner presented the item and briefed the Commission. Staff answered questions of the Commission regarding the definition of progress for development of a project, the time limits, and the expiration of un-development projects after two years since the approval date.

The public hearing was opened at 7:58 p.m. With no one wishing to speak, the

public hearing was closed at 7:58 p.m.

There was general discussion among the Commissioners regarding the time limit for expiration of an un-developed project from the approval date and the definition of development/improvement of a project in a given time.

Commissioner Bevill made a motion to approve Case Item 3e with the condition that if the Texas Local Government Code allows, reduce the 5 years expiration down to 3 years. Commissioner Koch seconded the motion.

The motion was carried by the following vote:

**Aye: 4 – Moore, Syed, Bevill, and Koch
Nay: 0**

4. AJOURMENT

The meeting adjourned at 8:02 p.m.

The minutes were written and prepared by:



Araceli Botello

Planning Technician

The meeting minutes were approved on July 13, 2020 by a vote of 6-0.

RESOLUTION R-20-4519

**A RESOLUTION APPROVING CITY COUNCIL ACTION
UNDER BUSINESS AT THE REGULAR CITY COUNCIL MEETING OF
JULY 21, 2020**

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

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

Sec. 1. THAT

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _ AYES, _ NAYS AND _ ABSTENTIONS ON THIS THE 21ST DAY OF JULY 2020.

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