

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The City Council of the City of Grapevine, Texas met in Workshop on this the 18th day of September, 2012 at 6:45 p.m. in the City Council Conference Room, Second Floor, 200 South Main Street, with the following members present to-wit:

William D. Tate	Mayor
C. Shane Wilbanks	Mayor Pro Tem
Sharron Spencer	Council Member
Roy Stewart	Council Member
Darlene Freed	Council Member
Mike Lease	Council Member
Chris Coy	Council Member

constituting a quorum, with the following members of the City Staff:

Bruno Rumbelow	City Manager
Jennifer Hibbs	Assistant City Manager
John F. Boyle, Jr.	City Attorney
Jodi C. Brown	City Secretary

CALL TO ORDER

Mayor Tate called the workshop to order at 6:47 p.m.

ITEM 1. REVIEW IRA E. WOODS AVENUE MEDIAN LANDSCAPE PLANS

Assistant Director of Parks Kevin Mitchell reviewed the proposed landscape plans for the medians on Ira E. Woods Avenue noting that "green" plant materials would be used to reduce maintenance and irrigation costs while still maintaining the medians' appeal through the use of colored blooms and a variety of plants and trees of varying heights.

There was no formal action taken by the City Council.

ITEM 2. MONTHLY FINANCIAL UPDATE

Administrative Services Director John McGrane presented the monthly financial update, noting that sales tax figures were up due to an audit adjustment and that the preliminary review by the auditors had already begun and anticipated completion in January 2013. He noted the start of insurance open enrollment and highlighted the new doctor referral/billing and audit services being provided this year to improve services and reduce costs.

There was no formal action taken by the City Council.

ADJOURNMENT

Council Member Coy, seconded by Council Member Stewart, offered a motion to adjourn the workshop at 7:05 p.m. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy
Nays: None

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 16th day of October, 2012.

APPROVED:



William D. Tate
Mayor

ATTEST:



Jodi C. Brown
City Secretary

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The City Council of the City of Grapevine, Texas met in Executive Session on this the 18th day of September, 2012 at 7:00 p.m. in the City Council Conference Room, Second Floor, 200 South Main Street, with the following members present to-wit:

William D. Tate	Mayor
C. Shane Wilbanks	Mayor Pro Tem
Sharron Spencer	Council Member
Roy Stewart	Council Member
Darlene Freed	Council Member
Mike Lease	Council Member
Chris Coy	Council Member

constituting a quorum, with the following members of the City Staff:

Bruno Rumbelow	City Manager
Jennifer Hibbs	Assistant City Manager
John F. Boyle, Jr.	City Attorney
Jodi C. Brown	City Secretary

CALL TO ORDER

Mayor Tate called the meeting to order at 7:05 p.m.

ITEM 1. EXECUTIVE SESSION

Mayor Tate announced the City Council would conduct a closed session regarding:

(A) conference with City Manager and Staff to discuss and deliberate commercial and financial information received from business prospects the City seeks to have locate or expand in the City; with which businesses the City is conducting economic development negotiations under Section 551.087, Texas Government Code.

Upon reconvening in open session in the Council Chambers, Mayor Tate asked if there was any action necessary relative to the closed session. City Manager Bruno Rumbelow stated there was no action necessary relative to conference with City Manager and Staff under Section 551.087, Texas Government Code.

NOTE: City Council continued with the Regular City Council meeting in open session in the City Council Chambers.

ADJOURNMENT

09/18/12

Mayor Pro Tem Wilbanks, seconded by Council Member Coy, offered a motion to adjourn the meeting at 10:12 p.m. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy
Nays: None

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 16th day of October, 2012.

APPROVED:



William D. Tate
Mayor

ATTEST:



Jodi C. Brown
City Secretary

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The City Council and the Planning & Zoning Commission of the City of Grapevine, Texas met in Regular Joint Session on this the 18th day of September, 2012 at 7:30 p.m. in the City Council Chambers, Second Floor, 200 South Main Street, with the following members of the City Council present to-wit:

William D. Tate	Mayor
C. Shane Wilbanks	Mayor Pro Tem
Sharron Spencer	Council Member
Roy Stewart	Council Member
Darlene Freed	Council Member
Mike Lease	Council Member
Chris Coy	Council Member

constituting a quorum, with the following members of the Planning & Zoning Commission:

Larry Oliver	Chairman
Herbert Fry	Vice Chairman
Betty "BJ" Wilson	Member
Monica Hotelling	Member
Jim Fechter	Member
Beth Tiggelaar	Member
Elaine Martin	Alternate

constituting a quorum, with Commissioner Gary Martin absent and with Wayne Szot having resigned prior to the meeting, with the following members of the City Staff:

Bruno Rumbelow	City Manager
Jennifer Hibbs	Assistant City Manager
John F. Boyle, Jr.	City Attorney
Jodi C. Brown	City Secretary

CALL TO ORDER

Mayor Tate called the meeting to order at 7:36 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Beth Tiggelaar delivered the Invocation and led the Pledge of Allegiance.

ITEM 1A. PRESENTATION, GALLACHER CUP, COLLEYVILLE HERITAGE HIGH SCHOOL GOLF TEAM

Mayor Tate presented the 2012 Gallacher Cup to Colleyville Heritage High School Golf Team and congratulated the players on their win over West Lothian Scotland, Grapevine's

sister city, during a recent tournament held in conjunction with GrapeFest. Mayor Tate recognized Golf Coach Terie Campbell, Principal Dr. Joe Harrington, team captains Maggie Neece and Adam Dooley, along with Rachel White, Patrick O'Neil, Chase Lansford, Will Pappas, Chandler Autrey, Sue Son, Emily White, Preston Godfrey, Drew O'Daniel and Erik Vandeverdonk.

ITEM 1. PROCLAMATION PRESENTATION, OHLOOK PERFORMING ARTS CENTER

Mayor Tate presented Jill Lord, Founder of Ohlook Performing Arts Center, with a proclamation recognizing the Arts Center's 10th Anniversary in Grapevine.

ITEM 2. PRESENTATION, WEST NILE VIRUS

Parks & Recreation Director Doug Evans gave an update on the City's plan of action on the West Nile Virus. Mr. Evans reported that last week 30 cities submitted mosquito samples for testing and no positive mosquito test results were shown. He stated that in the last three weeks, the samples submitted by Grapevine have not shown any positive results. The trend is still going downward for West Nile mosquitoes testing positive, along with the number of human cases reported in Tarrant County. City Staff continues to trap mosquitoes for testing, treat stagnant water and participate in weekly Tarrant County Health Department conference call updates.

ITEM 3. PUBLIC HEARING, ZONING APPLICATION Z12-09 VINEYARD CREEK ESTATES

Mayor Tate declared the public hearing open.

Planning and Development Manager Ron Stombaugh stated that Contrast Development had requested the public hearing be tabled to the October 16, 2012 meeting for Zoning Application Z12-09 requesting rezoning of 18.864 acres from "PCD" Planned Commerce Development District to "R-5.0" Zero Lot Line District Regulations for the development of 53 single family lots. The subject property is located at 2011 Hall-Johnson Road.

Commissioner Wilson, seconded by Commissioner Hotelling, offered a motion to table the public hearing until October 16, 2012. The motion prevailed by the following vote:

Ayes: Oliver, Fry, Wilson, Hotelling, Fechter, Tiggelaar & E. Martin

Nays: None

Absent: G. Martin

Council Member Lease, seconded by Council Member Stewart, offered a motion to table the public hearing until October 16, 2012. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

Mayor Tate stated that this would be the only notification to adjacent property owners of the continued public hearing.

ITEM 4. PUBLIC HEARING, CONDITIONAL USE APPLICATION CU12-32 SALT LICK BAR-B-QUE

Mayor Tate declared the public hearing open.

Planning and Development Manager Stombaugh stated that Conditional Use Application CU12-32 had been filed by Brazos FLV, LLC (Salt Lick Bar-B-Que) requesting a conditional use permit for the possession, storage, retail sale and on-premise consumption of alcoholic beverages (beer, wine and mixed beverages) in conjunction with a restaurant. The subject property is located at 1000 International Parkway, Terminal A, Columns 41-43 and is zoned "GU" Governmental Use District.

There were no questions from the City Council or the Planning & Zoning Commission.

Mayor Tate invited guests present to comment regarding the application. No one wished to speak and there was no correspondence to report.

Commissioner Hotelling, seconded by Commissioner E. Martin, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Fry, Wilson, Hotelling, Fechter, Tiggelaar & E. Martin
Nays: None
Absent: G. Martin

Council Member Coy, seconded by Council Member Spencer, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy
Nays: None

ITEM 5. PUBLIC HEARING, CONDITIONAL USE APPLICATION CU12-34 LING AND LOUIE'S ASIAN BAR AND GRILL

Mayor Tate declared the public hearing open.

Planning and Development Manager Stombaugh stated that Conditional Use Application CU12-34 had been filed by Luis Ibarguengoytia (Ling and Louie's Asian Bar and Grill) requesting a conditional use permit for the possession, storage, retail sale and on-premise consumption of alcoholic beverages (beer, wine and mixed beverages) in conjunction with a restaurant. The subject property is located at 1000 International Parkway, Terminal A, Columns 31-34 and is zoned "GU" Governmental Use District.

There were no questions from the City Council or the Planning & Zoning Commission.

Mayor Tate invited guests present to comment regarding the application. No one wished to speak and there was no correspondence to report.

Commissioner Fry, seconded by Commissioner Fechter, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Fry, Wilson, Hotelling, Fechter, Tiggelaar & E. Martin
Nays: None
Absent: G. Martin

Mayor Pro Tem Wilbanks, seconded by Council Member Freed, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy
Nays: None

ITEM 6. PUBLIC HEARING, CONDITIONAL USE APPLICATION CU12-35 CLASSIC HUMMER

Mayor Tate declared the public hearing open.

Planning and Development Manager Stombaugh stated that Conditional Use Application CU12-35 had been filed by Speed Fab-Crete Corporation (Classic Hummer) requesting a conditional use permit to amend the site plan approved by Ordinance No. 2011-22, as amended, for a 13,856 square foot addition to the parts distribution warehouse. The subject property is located at 2501 William D. Tate Avenue and is zoned "CC" Community Commercial District Regulations.

Mr. Ron Hamm requested favorable consideration of the application.

There were no questions from the Planning & Zoning Commission and Council requested clarification on the three trees being removed. Mr. Hamm stated they would transplant the trees to the open area south of the building.

Mayor Tate invited guests present to comment regarding the application. No one wished to speak and there was no correspondence to report.

Commissioner Wilson, seconded by Commissioner Fechter, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Fry, Wilson, Hotelling, Fechter, Tiggelaar & E. Martin
Nays: None
Absent: G. Martin

Council Member Lease, seconded by Mayor Pro Tem Wilbanks, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy
Nays: None

ITEM 7. PUBLIC HEARING, PLANNED DEVELOPMENT OVERLAY PD12-07 LAKE
POINTE ADDITION

Mayor Tate declared the public hearing open.

Planning and Development Manager Stombaugh stated that Planned Development Overlay PD12-07 had been filed by Joe Wright (Lake Pointe Addition) requesting a planned development overlay to include but not be limited to deviation from front and rear yard setbacks, building coverage and right-of-way standards. The subject property is located at 1100 Dove Loop Road and is zoned "R-7.5" Single Family District Regulations.

Mr. Stombaugh advised the applicant intends to development 64 single family residential lots on the subject property with the smallest lot being 7,800 square feet in size and the largest being 26,981 square feet; average lot size for the entire subdivision is 10,183 square feet. Density for this proposed subdivision is 2.48 dwelling units per acre; a maximum of four dwelling units per acre are allowed by ordinance. The planned development overlay is required for the applicant to develop the site as intended relative to front yard setback (20 feet); rear yard setback, excludes lots adjacent to established subdivisions, (20 feet); maximum building coverage (50 percent of the total lot area); and street right-of-way width (45 feet).

Mr. Joe Wright stated the reduced setbacks and increased building coverage is in order to build a larger single-story home equivalent in price point and size to a two-story home. He stated that no dwelling unit will be less than 2,500 square feet in size, and the reduced right-of-way width is proposed to allow for a larger lot to accommodate a larger single-story home and to preserve existing trees within the front yard area of the homes. Mr. Wright stated the six acres of open space will be maintained by the Lake Pointe Homeowners Association. Seven acres of open space on the north side of Dove Loop Road, adjacent to the Dove Loop Trail, will be dedicated to the City and that a six foot wide trail will be constructed under the bridge to connect the development to the City's trail system. Lastly the applicant proposes that 100 percent of the principal structures will be composed of masonry and the garage door exteriors will be clad in natural cedar.

Mr. Wright answered questions relative to restricting windows on the two story homes on Lavon Drive, proposed builders and screening of the lots adjacent to Meadowbrook Drive. Mr. Wright stated, if allowed by the Fire Code, he was not opposed to restricting the placement of windows on the two story homes on Lavon Drive, that one or two builders would develop the subdivision, and that the lots adjacent to Meadowbrook Drive would be screened with the same fencing materials as proposed for the fire lane fencing.

Mayor Tate invited guests present to comment regarding the application. Ms. Elizabeth Kaufman, 1210 Killarney Street spoke in opposition to the application. One letter of support, one letter of concern and seven letters of opposition were copied to the Council and Commission.

Commissioner Fetcher, seconded by Commissioner Hotelling, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Fry, Wilson, Hotelling, Fechter, Tiggelaar & E. Martin
Nays: None
Absent: G. Martin

Council Member Stewart, seconded by Council Member Lease, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy
Nays: None

ITEM 8. PUBLIC HEARING, SPECIAL USE PERMIT SU12-02 CALVARY CHAPEL GRAPEVINE

Mayor Tate declared the public hearing open.

Planning and Development Manager Stombaugh stated that Special Use Permit SU12-02 had been filed by Richard Miller (Calvary Chapel Grapevine) requesting a special use permit to allow a church within the "CC" Community Commercial District. The subject property is located at 3500 William D. Tate Avenue #200. Mr. Stombaugh stated the applicant intends to locate within an existing office building and sublease 4,335 square feet of an existing 10,439 square foot office. The remaining 6,104 square feet will continue to be occupied by the current tenant, BGS Pharmacy. Total seating proposed for the church is 147 which would require 49 parking spaces. Office uses and the proposed church require 170 spaces; 188 spaces are provided. The church proposes to utilize the space on Sundays from 10:00 a.m. to 1:00 p.m. and on Wednesdays from 7:00-9:00 p.m. The pastor's office and/or counseling hours will occur at 5:00 p.m. or later during the week. Small group Bible study may take place on Saturday.

Mr. Richard Miller requested favorable consideration of the application and answered the question that the building had been vacant for sometime.

Mayor Tate invited guests present to comment regarding the application. No one wished to speak and one letter of opposition was copied to the Council and Commission.

Commissioner Fry, seconded by Commissioner E. Martin, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Fry, Wilson, Hotelling, Fechter, Tiggelaar & E. Martin
Nays: None
Absent: G. Martin

Mayor Pro Tem Wilbanks, seconded by Council Member Spencer, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy
Nays: None

RECESS AND RECONVENE

Mayor Tate announced the Planning & Zoning Commission would recess to the Planning & Zoning Conference Room to consider published business.

The City Council remained in session in the Council Chambers to consider published business.

ITEM 9A. CITIZENS COMMENTS, MR. WAYNE TURNER

Mr. Wayne Turner, owner of Into the Glass located at 322 South Main Street, stated his opposition to Conditional Use Application CU12-21 filed by 7-Eleven.

ITEM 9B. CITIZENS COMMENTS, MR. JOHN RATH

Mr. John Rath, 1537 Country Forest Court, thanked the Council for their efforts in the recycling program and for keeping the associated costs under \$1.00 per month.

ITEM 9. ORDINANCES, FRANCHISE EXTENSION AMENDMENT AND AMENDING CHAPTER 25 UTILITIES AND SERVICES, SOLID WASTE AND RECYCLING RATES

Public Works Director Stan Laster recommended approval of the proposed ordinance amending the City's current franchise agreement adopted by Ordinance No. 95-35, as amended, with Allied Waste Services of Fort Worth, LLC to provide cart recycling service and to extend the term of the franchise, and approval of an ordinance amending Chapter 25, Utilities and Services, Article III Solid Waste Disposal to reflect adjustments to the residential solid waste and recycling collection rates and exempting recycling from any Consumer Price index increases during the contract's first five-year term.

The current contract with Allied has three years remaining on a five-year renewal that was approved in 2010, with one additional five-year renewal period. In order to support the capital costs associated with the carts and truck modifications, Allied has requested a five-year contract with an automatic five-year renewal. The proposed contract provides the City the opportunity to cancel the contract at the end of five years, if the City finds that Allied has not performed in a satisfactory manner in accordance with the needs of the citizens of Grapevine. The other terms of service will remain the same, including twice weekly garbage pickup, unlimited weekly brush and bulk pickup and weekly recycling.

In November 2011, the City Council authorized Allied to conduct a pilot program in two areas of the City to determine citizen reaction to converting residential recycling from bins to a roll-cart program. The pilot program resulted in doubling the recycling volume in pilot neighborhoods, and received a very positive response from program participants. Based on the results of the pilot program, Allied has proposed to convert recycling for Grapevine residents from recycle bins to recycle roll-carts for an additional \$0.96 per month.

Council Member Freed offered a motion to approve the ordinances as recommended. Discussion ensued relative to non-serviceable areas and Allied Waste Services Representative Craig Mikolajchak stated two areas in the City would be affected after the conversion to roll-carts. Council Member Freed amended her motion to approve the recommended ordinances with the stipulation that Staff and Allied work together with neighborhoods to make the roll-cart program work or come up with an alternative. Council Member Lease seconded the motion, which prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

ORDINANCE NO. 2012-44

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AMENDING ORDINANCE NO. 95-35, AS AMENDED, THE SOLID WASTE FRANCHISE; UPDATING THE TERM OF THE FRANCHISE TO FIVE (5) YEARS WITH A FIVE (5) YEAR RENEWAL; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ORDINANCE NO. 2012-45

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AMENDING THE GRAPEVINE CODE OF ORDINANCES, CHAPTER 25 UTILITIES AND SERVICES, ARTICLE III SOLID WASTE DISPOSAL; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 10. APPROVE CITY INVESTMENT POLICY

Administrative Services Director John McGrane recommended approval of the City Investment Policy pursuant to the provisions of the Public Funds Investment Act, Chapter 2256, Texas Government Code. Stating the minor change was in updating the title from director of fiscal affairs to controller. Annual review of the policy is required by the City Council to be in compliance with Chapter 2256, Texas Government Code.

Motion by Council Member Coy, seconded by Council Member Stewart, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

CONSENT AGENDA

The next order of business for the City Council was to consider the consent agenda items, which were deemed to need little or no discussion and were acted upon as one business

item. Mayor Tate asked if there was any member of the audience or the City Council who wished to remove an item from the consent agenda for full discussion. There were none.

Item 11. Resolution, Authorize Oak Grove Ballfield Complex Shelter Purchase

Parks & Recreation Director recommended approval of a resolution authorizing the purchase of a shelter for the Oak Grove Ballfield Complex from InSite Amenities in an amount not to exceed \$23,474.25 through an Interlocal Participation Agreement with the Local Government Purchasing Cooperative (Buyboard).

Motion by Council Member Stewart, seconded by Council Member Coy, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

RESOLUTION NO. 2012-73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO PURCHASE A SHELTER FOR OAK GROVE BALLFIELD COMPLEX THROUGH AN ESTABLISHED INTERLOCAL AGREEMENT AND PROVIDING AN EFFECTIVE DATE

Item 12. Appointment, Parks & Recreation Advisory Board Liaison

Parks & Recreation Director recommended approval of the appointment of Ms. Becky St. John as the Grapevine-Colleyville School Board representative to the Parks & Recreation Advisory Board.

Motion by Council Member Stewart, seconded by Council Member Coy, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

Item 13. Authorize Purchase of Radio Link Equipment and Services

Public Works Director recommended approval of purchasing equipment and services for a radio link with the Texas Department of Transportation (TxDOT) from Commercial Wireless Solutions for the Public Works Department in an amount not to exceed \$19,826.52.

Motion by Council Member Stewart, seconded by Council Member Coy, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

Item 14. Ordinance, Abandon Portion of Drainage Easement on Lot 1, Block 1, The Lakes of Williamsburg Addition

Public Works Director recommended approval of an ordinance abandoning an 85 foot wide drainage easement adjacent to Mustang Drive at The Lakes of Williamsburg Apartments, 2950 Mustang Drive (Lot 1, Block 1, The Lakes of Williamsburg Addition).

Motion by Council Member Stewart, seconded by Council Member Coy, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

ORDINANCE NO. 2012-46

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, ABANDONING AND VACATING AN 85 FOOT WIDE DRAINAGE EASEMENT LOCATED ON LOT 1, BLOCK 1, THE LAKES OF WILLIAMSBURG ADDITION IN THE CITY OF GRAPEVINE, TEXAS AS HEREINAFTER DESCRIBED; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

Item 15. Approve Interlocal Agreement, City of Fort Worth, Environmental Collection Center and Household Waste Program

Public Works Director recommended approval of an Interlocal Agreement with the City of Fort Worth for continued participation in their Environmental Collection Center and Household Hazardous Waste Program, and authorization for the City Manager to execute the agreement.

Motion by Council Member Stewart, seconded by Council Member Coy, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

Item 16. Consideration of Minutes

City Secretary recommended approval of the minutes of the September 4, 2012 City Council meetings as published.

Motion by Council Member Stewart, seconded by Council Member Coy, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

RECESS AND RECONVENE

Mayor Tate announced that the City Council would take a brief recess. Upon reconvening in the Council Chambers, all members of the City Council were present.

ITEM 17. PLANNING & ZONING COMMISSION RECOMMENDATION
CONDITIONAL USE APPLICATION CU12-21 7-ELEVEN

Chairman Oliver reported the Planning & Zoning Commission voted 7-0 for denial of Conditional Use Application CU12-21 filed by 7-Eleven requesting a conditional use permit to amend the site plan approved by Ordinance No. 2012-10, as amended, for the possession, storage, retail sale and off-premise consumption of alcoholic beverages (beer and wine only) in conjunction with a convenience store located at 520 South Main Street #202 and zoned "CBD" Central Business District. This item was tabled at the August 21, 2012 meeting.

After lengthy Council discussion relative to hours of operation, floor plan and product selection available, Mayor Pro Tem Wilbanks, seconded by Council Member Lease, offered a motion to accept the Commission's recommendation and deny the application. The motion failed by the following vote:

Ayes: Wilbanks & Lease

Nays: Tate, Spencer, Stewart, Freed & Coy

Council Member Freed, seconded by Council Member Coy, offered a motion to defer the conditional use case to the Planning & Zoning Commission for reconsideration and advertisement of a new public hearing. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

ITEM 18. PLANNING & ZONING COMMISSION RECOMMENDATION
CONDITIONAL USE APPLICATION CU12-31 LAZY BONES

Chairman Oliver reported the Planning & Zoning Commission voted 7-0 for approval of Conditional Use Application CU12-31 filed by Lazy Bones with the condition that seating be reduced to 140. The application requests a conditional use permit to amend the site plan approved by Ordinance No. 88-31, as amended, for the possession, storage, retail sale and on-premise consumption of alcoholic beverages (beer, wine and mixed beverages) in conjunction with a restaurant located at 120 East Worth Street and is zoned "CBD" Central Business District. This item was tabled at the August 21, 2012 meeting.

After Council discussion on parking issues and the amount of seating being requested, the applicant requested the item be tabled. Council Member Spencer offered a motion to table the application until October 16, 2012, and then withdrew the motion.

Council Member Lease, seconded by Mayor Pro Tem Wilbanks, offered a motion to approve the ordinance granting the conditional use permit with the stipulation that the occupancy be limited to 110 persons. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Lease & Coy
 Nays: None
 Abstain: Freed

ORDINANCE NO. 2012-47

AN ORDINANCE ISSUING A CONDITIONAL USE PERMIT IN ACCORDANCE WITH SECTION 48 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY GRANTING CONDITIONAL USE PERMIT CU12-31 TO AMEND THE SITE PLAN APPROVED BY ORDINANCE NO. 88-31 FOR THE POSSESSION, STORAGE, RETAIL SALE AND ON-PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER, WINE AND MIXED BEVERAGES) IN CONJUNCTION WITH A RESTAURANT IN A DISTRICT ZONED "CBD" CENTRAL BUSINESS DISTRICT ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 19. PLANNING & ZONING COMMISSION RECOMMENDATION
HISTORIC LANDMARK SUBDISTRICT HL12-05 LAZY BONES/CAMERON
LUMBER BUILDING

Chairman Oliver reported the Planning & Zoning Commission voted 7-0 for approval of Historic Landmark Subdistrict HL12-05 filed by Lazy Bones granting the designation as a historic landmark subdistrict (Cameron Lumber Building) for property located at 120 East Worth Street and zoned "CBD" Central Business District. This item was tabled at the August 21, 2012 meeting.

Council Member Spencer, seconded by Mayor Pro Tem Wilbanks, offered a motion to accept the Commission's recommendation and approve the ordinance granting the historic landmark subdistrict. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Lease & Coy
 Nays: None
 Abstain: Freed

ORDINANCE NO. 2012-48

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS DESIGNATING A HISTORIC LANDMARK SUBDISTRICT HL12-05 IN ACCORDANCE WITH SECTION 39 OF ORDINANCE NO. 82-73 (APPENDIX "D" OF THE CODE OF ORDINANCES), DESIGNATING THE AREA PLATTED AS LOTS 1A1 AND 1B, BLOCK 32, CITY OF GRAPEVINE ADDITION AND MORE SPECIFICALLY DESCRIBED HEREIN, IN A DISTRICT ZONED "CBD" CENTRAL BUSINESS DISTRICT; PROVIDING FOR THE ADOPTION OF THE CAMERON LUMBER BUILDING HISTORIC DISTRICT PRESERVATION CRITERIA; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND A ZONING CHANGE AND AMENDMENT THEREIN MADE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE, AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH AN OFFENSE OCCURS OR CONTINUES; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 20. PLANNING & ZONING COMMISSION RECOMMENDATION
CONDITIONAL USE APPLICATION CU12-32 SALT LICK BAR-B-QUE

Chairman Oliver reported the Planning & Zoning Commission voted 7-0 for approval of Conditional Use Application CU12-32 filed by Brazos FLV, LLC (Salt Lick Bar-B-Que) granting a conditional use permit for the possession, storage, retail sale and on-premise consumption of alcoholic beverages (beer, wine and mixed beverages) in conjunction with a restaurant. The subject property is located at 1000 International Parkway, Terminal A, Columns 41-43 and is zoned "GU" Governmental Use District.

Council Member Coy, seconded by Council Member Lease, offered a motion to accept the Commission's recommendation and approve the ordinance granting the conditional use permit. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy
 Nays: None

ORDINANCE NO. 2012-49

AN ORDINANCE ISSUING A CONDITIONAL USE PERMIT IN ACCORDANCE WITH SECTION 48 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY GRANTING CONDITIONAL USE PERMIT CU12-32 FOR THE POSSESSION, STORAGE, RETAIL SALE AND ON-PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER, WINE AND MIXED BEVERAGES) IN CONJUNCTION WITH A RESTAURANT IN A DISTRICT ZONED "GU" GOVERNMENTAL USE DISTRICT ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 21. PLANNING & ZONING COMMISSION RECOMMENDATION
CONDITIONAL USE APPLICATION CU12-34 LING AND LOUIE'S ASIAN
BAR AND GRILL

Chairman Oliver reported the Planning & Zoning Commission voted 7-0 for approval of Conditional Use Application CU12-34 filed by Luis Ibarguengoytia (Ling and Louie's Asian Bar and Grill) granting a conditional use permit for the possession, storage, retail sale and on-premise consumption of alcoholic beverages (beer, wine and mixed beverages) in conjunction with a restaurant. The subject property is located at 1000 International Parkway, Terminal A, Columns 31-34 and is zoned "GU" Governmental Use District.

Council Member Coy, seconded by Mayor Pro Tem Wilbanks, offered a motion to accept the Commission's recommendation and approve the ordinance granting the conditional use permit. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

ORDINANCE NO. 2012-50

AN ORDINANCE ISSUING A CONDITIONAL USE PERMIT IN ACCORDANCE WITH SECTION 48 OF ORDINANCE

NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY GRANTING CONDITIONAL USE PERMIT CU12-34 FOR THE POSSESSION, STORAGE, RETAIL SALE AND ON-PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER, WINE AND MIXED BEVERAGES) IN CONJUNCTION WITH A RESTAURANT IN A DISTRICT ZONED "GU" GOVERNMENTAL USE DISTRICT ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 22. PLANNING & ZONING COMMISSION RECOMMENDATION
CONDITIONAL USE APPLICATION CU12-35 CLASSIC HUMMER

Chairman Oliver reported the Planning & Zoning Commission voted 7-0 for approval of Conditional Use Application CU12-35 filed by Speed Fab-Crete Corporation (Classic Hummer) granting a conditional use permit to amend the site plan approved by Ordinance No. 2011-22, as amended, for a 13,856 square foot addition to the parts distribution warehouse. The subject property is located at 2501 William D. Tate Avenue and is zoned "CC" Community Commercial District Regulations.

Council Member Freed, seconded by Council Member Stewart, offered a motion to accept the Commission's recommendation and approve the ordinance granting the conditional use permit. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy
Nays: None

ORDINANCE NO. 2012-51

AN ORDINANCE ISSUING A CONDITIONAL USE PERMIT IN ACCORDANCE WITH SECTION 48 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY

GRANTING CONDITIONAL USE PERMIT CU12-35 TO AMEND THE SITE PLAN APPROVED BY ORDINANCE NO. 2011-22 TO EXPAND THE PARTS DISTRIBUTION WAREHOUSE BUILDING IN A DISTRICT ZONED "CC" COMMUNITY COMMERCIAL DISTRICT REGULATIONS ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 23. PLANNING & ZONING COMMISSION RECOMMENDATION
PLANNED DEVELOPMENT OVERLAY PD12-07 LAKE POINTE ADDITION

Chairman Oliver reported the Planning & Zoning Commission voted 7-0 for approval of Planned Development Overlay PD12-07 filed by Joe Wright (Lake Pointe Addition) granting a planned development overlay to include but not be limited to deviation from front and rear yard setbacks, building coverage and right-of-way standards. The subject property is located at 1100 Dove Loop Road and is zoned "R-7.5" Single Family District Regulations.

Council Member Lease, seconded by Council Member Coy, offered a motion to accept the Commission's recommendation and approve the ordinance granting the planned development overlay. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

ORDINANCE NO. 2012-52

AN ORDINANCE ISSUING A PLANNED DEVELOPMENT OVERLAY IN ACCORDANCE WITH SECTION 41 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY GRANTING PLANNED DEVELOPMENT OVERLAY PD12-07 TO INCLUDE BUT NOT BE LIMITED TO DEVIATION FROM FRONT AND REAR SETBACK REQUIREMENTS AND BUILDING COVERAGE REQUIREMENTS IN THE "R-7.5" SINGLE FAMILY DISTRICT AND TO RIGHT-OF-WAY STANDARDS, ALL IN

ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS PLANNED DEVELOPMENT OVERLAY PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 24. PLANNING & ZONING COMMISSION RECOMMENDATION
PRELIMINARY PLAT, LOTS 1-33, BLOCK 1, LOTS 1-11, BLOCK 2, LOTS 1-20, BLOCK 3 AND TRACTS A, B, C, D AND E, LAKE POINTE

Chairman Oliver reported the Planning & Zoning Commission voted 7-0 for approval of the Statement of Findings and the preliminary plat of Lots 1-33, Block 1, Lots 1-11, Block 2, Lots 1-20, Block 3 and Tracts A, B, C, D and E, Lake Pointe located at 1100 Dove Loop Road and is being platted for a residential development.

Mayor Pro Tem Wilbanks, seconded by Council Member Coy, offered a motion to accept the Commission's recommendation and approve the Statement of Findings and the preliminary plat of Lots 1-33, Block 1, Lots 1-11, Block 2, Lots 1-20, Block 3 and Tracts A, B, C, D and E, Lake Pointe. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy
 Nays: None

ITEM 25. PLANNING & ZONING COMMISSION RECOMMENDATION
FINAL PLAT, LOTS 1-33, BLOCK 1, LOTS 1-11, BLOCK 2, LOTS 1-20, BLOCK 3 AND TRACTS A, B, C, D AND E, LAKE POINTE

Chairman Oliver reported the Planning & Zoning Commission voted 7-0 for approval of the Statement of Findings and the final plat of Lots 1-33, Block 1, Lots 1-11, Block 2, Lots 1-20, Block 3 and Tracts A, B, C, D and E, Lake Pointe located at 1100 Dove Loop Road. The 32.751 acre property is being platted for the development of 64 single family homes.

Council Member Stewart, seconded by Council Member Lease, offered a motion to accept the Commission's recommendation and approve the Statement of Findings and the final plat of Lots 1-33, Block 1, Lots 1-11, Block 2, Lots 1-20, Block 3 and Tracts A, B, C, D and E, Lake Pointe. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy
Nays: None

ITEM 26. PLANNING & ZONING COMMISSION RECOMMENDATION
SPECIAL USE PERMIT SU12-02 CALVARY CHAPEL GRAPEVINE

Chairman Oliver reported the Planning & Zoning Commission voted 7-0 for approval of Special Use Permit SU12-02 filed by Richard Miller (Calvary Chapel Grapevine) granting a special use permit to allow a church within the "CC" Community Commercial District. The subject property is located at 3500 William D. Tate Avenue #200.

Council Member Freed, seconded by Council Member Coy, offered a motion to accept the Commission's recommendation and approve the ordinance granting the special use permit. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy
Nays: None

ORDINANCE NO. 2012-53

AN ORDINANCE ISSUING A SPECIAL USE PERMIT IN ACCORDANCE WITH SECTION 49 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE BY GRANTING SPECIAL USE PERMIT SU12-02 FOR A CHURCH IN A DISTRICT ZONED "CC" COMMUNITY COMMERCIAL DISTRICT REGULATIONS UNDER CITY OF GRAPEVINE ORDINANCE NO. 82-73 ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS SPECIAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ADJOURNMENT

Mayor Pro Tem Wilbanks, seconded by Council Member Coy, offered a motion to adjourn the meeting at 10:12 p.m. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy
Nays: None

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE,
TEXAS on this the 16th day of October, 2012.

APPROVED:



William D. Tate
Mayor

ATTEST:



Jodi C. Brown
City Secretary