

AGENDA  
CITY OF GRAPEVINE, TEXAS  
REGULAR JOINT CITY COUNCIL  
&  
PLANNING & ZONING COMMISSION MEETING\*  
TUESDAY, MAY 20, 2014  
GRAPEVINE CITY HALL, SECOND FLOOR  
200 SOUTH MAIN STREET  
GRAPEVINE, TEXAS 76051

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6:15 p.m. Dinner - City Council Conference Room  
6:30 p.m. Call to Order - City Council Chambers  
6:30 p.m. Executive Session - City Council Conference Room  
7:00 p.m. Workshop - City Council Chambers  
7:30 p.m. Joint Public Hearings – City Council Chambers\*  
7:30 p.m. Regular Meeting - City Council Chambers

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**CALL TO ORDER: 6:30 p.m.** - City Council Chambers

**CANVASS ELECTION**

1. Canvass the results of the May 10, 2014 City Officer Election for Council Place 5 and Council Place 6; consider a **resolution** declaring the results and calling a run-off election for Council Place 6 to be held June 21, 2014 and take any necessary action. City Secretary to conduct the Council Place 6 ballot order drawing.

**OATH OF OFFICE**

2. City Secretary to administer the Oath of Office to re-elected Place 5, Council Member Chris Coy.

**EXECUTIVE SESSION**

3. City Council to recess to the City Council Conference Room to conduct a closed session relative to:
  - A. Consultation with the City Attorney regarding Conditional Use Permit process at DFW Airport pursuant to Section 551.071, Texas Government Code.
  - B. Deliberation on the value, exchange, lease or sale of real property relative to surplus real property (water well site(s)) pursuant to Section 551.072, Texas Government Code.

- C. Conference with City Manager and Staff to discuss and deliberate commercial and financial information received from business prospects the City seeks to have locate, stay, or expand in the City; deliberate the offer of a financial or other incentive; with which businesses the City is conducting economic development negotiations pursuant to Section 551.087, Texas Government Code.
- D. Presentation regarding meeting security protocol and measures pursuant to Section 551.076, Texas Government Code.

City Council to reconvene in open session in the City Council Chambers and take any necessary action relative to items discussed in Executive Session.

**WORKSHOP: 7:00 p.m.** - City Council Chambers

4. Briefing on 2012 edition of the International Fire Code updates to the City Code.

**REGULAR MEETING: 7:30 p.m.** - City Council Chambers

**INVOCATION AND PLEDGE OF ALLEGIANCE:** Commissioner Herbert Fry

**JOINT PUBLIC HEARINGS**

5. City Council and Planning & Zoning Commission to conduct a public hearing relative to Conditional Use Application **CU14-13** filed by Ryder Truck Rental requesting a conditional use permit to allow truck and trailer rental, lease sales, vehicle maintenance and fueling. The subject property is located at 1150 Texan Trail and is zoned "LI" Light Industrial District.
6. City Council and Planning & Zoning Commission to conduct a public hearing relative to Conditional Use Application **CU14-14** filed by Kathleen Diamond (Cups Coffee House) requesting a conditional use permit to allow a coffee shop with outside dining within the "CBD" Central Business District. The subject property is located at 326 South Main Street #100 and is zoned "CBD" Central Business District. **The applicant has requested to withdrawal the application.**
7. City Council and Planning & Zoning Commission to conduct a public hearing relative to Conditional Use Application **CU14-15** filed by MultiRestaurants Concepts (Pizza Pub) 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, Dallas/Fort Worth International Airport Terminal E, Columns 18-25 and is zoned "GU" Governmental Use District.

8. City Council and Planning & Zoning Commission to conduct a public hearing relative to Conditional Use Application **CU14-18** filed by Great Wolf Lodge requesting a conditional use permit to amend the site plan approved by Ordinance No. 2013-32 for a planned commercial center in conjunction with a hotel and water park specifically to allow the addition of an outdoor ropes course attraction. The subject property is located at 100 Great Wolf Drive and is zoned "CC" Community Commercial District Regulations.
9. City Council and Planning & Zoning Commission to conduct a public hearing relative to Conditional Use Application **CU14-20** filed by Phillip Bressinck (Angels' Attic) requesting a conditional use permit to amend the site plan approved by Ordinance No. 2009-52 to allow retail sales of secondhand goods in an enclosed building in excess of 3,000 square feet in floor area. The subject property is located at 1639 West Northwest Highway and is zoned "SP" Site Plan District.

#### END OF JOINT PUBLIC HEARINGS

Planning & Zoning Commission to recess to Planning & Zoning Commission Conference Room, Second Floor to consider published agenda items.

City Council to remain in session in the Council Chambers to consider published business.

#### CITIZENS COMMENTS

10. Any person who is not scheduled on the agenda may address the City Council under Citizens Comments by completing a Citizen Appearance Request form with the City Secretary. In accordance with the Texas Open Meetings Act, the City Council is restricted in discussing or taking action during Citizen Comments.

#### PRESENTATIONS

11. Mayor Tate to present the Grapevine Historical Society a proclamation declaring May 24, 2014 as Grapevine Historical Society Day.
12. Mayor Tate to present the American Legion Auxiliary a proclamation declaring May 24, 2014 as Poppy Day.
13. Mayor Tate to present "Sustain the Vine" Business Initiative Awards.
14. Texas Association of Campground Owner/Operators to present the 2014 Park of the Year Award for medium sized parks, Website of the Year Award, Accommodations of the Year Award and Event of the Year Award for The Vineyards Campground & Cabins.

NEW BUSINESS

15. Consider a contract renewal with Fred Hill for legislative consulting services and take any necessary action.

CONSENT AGENDA

Consent items are deemed to need little Council deliberation and will be acted upon as one business item. Any member of the City Council or member of the audience may request that an item be withdrawn from the consent agenda and placed before the City Council for full discussion. Approval of the consent agenda authorizes the City Manager, or his designee, to implement each item in accordance with Staff recommendations.

16. Consider a **resolution** supporting the denial of the Atmos Energy Mid-Tex Division request for a rate increase. Staff recommends approval.
17. Consider a 90-day extension of Bid 318-2009 Water Treatment Chemicals with Brenntag Southwest, Inc., Fort Bend Services, Inc., Harcos Chemicals, DPC Industries, Inc. and Univar USA. Public Works Director recommends approval.
18. Consider award of RFP 414-2014 Bank Depository Services to Legacy Texas Bank. Administrative Services Director recommends approval.
19. Consider renewal of the Audit Services Annual Contract with Pattillo, Brown & Hill, LLP for one year. Administrative Services Director recommends approval.
20. Consider renewal of the Third-party Administrative Services Annual Contract with UMR for the City's self-funded health plan. Administrative Services Director recommends approval.
21. Consider a **resolution** authorizing the purchase of Microsoft OfficeProPlus enterprise software from SHI Government Solutions, Inc. through a contract established by the State of Texas Department of Information Resources (DIR) Cooperative Contracts Program. City Manager recommends approval.
22. Consider a **resolution** authorizing the purchase of a Lay-Mor 3 Wheel Sweeper from Anderson Machinery through an Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council (H-GAC). Public Works Director recommends approval.
23. Consider a **resolution** declaring items as surplus property and authorizing the sale through public auction. Administrative Services Director recommends approval.

24. Consider a **resolution** authorizing a sole source purchase of custom Christmas decorations for the City's Christmas Capital of Texas display from Gaylord Texan Resort & Convention Center. Parks & Recreation Director recommends approval.
25. Consider an **ordinance** abandoning two 10-foot wide utility easements located on Lot 1, Block 1, Silver Lake Crossings Addition (2200 Bass Pro Court). Public Works Director recommends approval.
26. Consider an **ordinance** abandoning a drainage and access easement, a 10-foot sanitary sewer easement and a temporary construction and drainage easement located within the Vineyard Creek Estates. Public Works Director recommends approval.
27. Consider the minutes of the April 15, 2014 City Council meetings as published. City Secretary recommends approval.

Pursuant to the Texas Open Meetings Act, Texas Government Code, Chapter 551.001 et seq, one or more of the above items may be considered in Executive Session closed to the public. Any decision held on such matter will be taken or conducted in open session following conclusion of the executive session.

#### PLANNING & ZONING COMMISSION RECOMMENDATIONS

28. Consider the recommendation of the Planning & Zoning Commission relative to Conditional Use Application **CU14-13** (Ryder Truck Rental) and a subsequent **ordinance on first reading**, if applicable.
29. Consider the recommendation of the Planning & Zoning Commission relative to Conditional Use Application **CU14-15** (Pizza Pub) and a subsequent **ordinance**, if applicable.
30. Consider the recommendation of the Planning & Zoning Commission relative to Conditional Use Application **CU14-18** (Great Wolf Lodge) and a subsequent **ordinance**, if applicable.
31. Consider the recommendation of the Planning & Zoning Commission relative to Conditional Use Application **CU14-20** (Angels' Attic) and a subsequent **ordinance**, if applicable.
32. Consider the recommendation of the Planning & Zoning Commission relative to the **final plat** of Lot 6, Block 1, B & G Properties and take any necessary action.

ADJOURNMENT

If you plan to attend this public meeting and you have a disability that requires special arrangements at the meeting, please contact the City Secretary's Office at 817.410.3182 at least 24 hours in advance of the meeting. Reasonable accommodations will be made to assist your needs.

In accordance with the Open Meetings Law, Texas Government Code, Chapter 551, I hereby certify that the above agenda was posted on the official bulletin boards at Grapevine City Hall, 200 South Main Street and on the City's website on May 16, 2014 by 5:00 p.m.

  
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Jodi C. Brown, City Secretary



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REGULAR PLANNING & ZONING COMMISSION MEETING  
TUESDAY, MAY 20, 2014  
GRAPEVINE CITY HALL, SECOND FLOOR  
200 SOUTH MAIN STREET  
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6:45 p.m. City Council Executive Session - City Council Conference Room  
7:00 p.m. Briefing Session - Planning & Zoning Commission Conference Room  
7:30 p.m. Joint Public Hearings - City Council Chambers  
7:30 p.m. Regular Session - Planning & Zoning Commission Conference Room

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**EXECUTIVE SESSION:** 6:45 p.m. - City Council Conference Room

Planning & Zoning Commission to attend the City Council Executive Session Item 1.D. Presentation regarding meeting security protocol and measures pursuant to Section 551.076, Texas Government Code. A quorum of the Commission may be present, no action will be taken.

**CALL TO ORDER:** 7:00 p.m. - Planning & Zoning Commission Conference Room

**BRIEFING SESSION**

1. Planning & Zoning Commission to conduct a briefing session to discuss all items scheduled on tonight's agenda; No action will be taken. Each item will be considered during the Regular Session which immediately follows the Joint Public Hearings.

**WORKSHOP:** 7:00 p.m. - Planning & Zoning Commission Conference Room

2. Discuss possible amendments to Grapevine Code of Ordinances, Appendix D, all appropriate zoning districts, relative to accessory structures and buffer area regulations; and discuss possible amendments to Grapevine Code of Ordinances, Appendix D, Section 23A "GV" Grapevine Vintage District Regulations relative to restaurant uses and restaurants within wineries.

**JOINT PUBLIC HEARINGS:** 7:30 p.m. - City Council Chambers

**INVOCATION AND PLEDGE OF ALLEGIANCE:** Commissioner Herbert Fry

3. City Council and Planning & Zoning Commission to conduct a public hearing relative to Conditional Use Application **CU14-13** filed by Ryder Truck Rental requesting a conditional use permit to allow truck and trailer rental, lease sales, vehicle maintenance and fueling. The subject property is located at 1150 Texan Trail and is zoned "LI" Light Industrial District.
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END OF JOINT PUBLIC HEARINGS

Planning & Zoning Commission to recess to Planning & Zoning Commission Conference Room, Second Floor to consider published agenda items.

**REGULAR SESSION: 7:30 p.m.** (Immediately following Joint Public Hearings) -  
Planning & Zoning Commission Conference Room

NEW BUSINESS

8. Consider Conditional Use Application **CU14-13** (Ryder Truck Rental) and make a recommendation to the City Council.
9. Consider Conditional Use Application **CU14-15** (Pizza Pub) and make a recommendation to the City Council.
10. Consider Conditional Use Application **CU14-18** (Great Wolf Lodge) and make a recommendation to the City Council.
11. Consider Conditional Use Application **CU14-20** (Angels' Attic) and make a recommendation to the City Council.
12. Consider the **final plat** of Lot 6, Block 1, B & G Properties and make a recommendation to the City Council.
13. Consider the minutes of the April 8 and April 15, 2014 Planning & Zoning Commission meetings and take any necessary action.

NOTE: Following the adjournment of the Planning & Zoning Commission meeting, a representative will present the recommendations of the Planning & Zoning Commission to the City Council for consideration in the City Council Chambers.

ADJOURNMENT

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In accordance with the Open Meetings Law, Texas Government Code, Chapter 551, I hereby certify that the above agenda was posted on the official bulletin boards at Grapevine City Hall, 200 South Main Street and on the City's website on May 16, 2014 by 5:00 p.m.

  
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Jodi C. Brown, City Secretary



MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
 FROM: BRUNO RUMBELOW, CITY MANAGER BR  
 MEETING DATE: MAY 20, 2014  
 SUBJECT: RESULTS OF 2014 CITY OFFICER ELECTION

RECOMMENDATION:

Canvass the May 10, 2014 City Officer Election for City Council Places 5 and 6; consider a resolution declaring the results and calling the run-off for June 14, 2014 to be held at the Grapevine Convention Center.

BACKGROUND:

As of May 1, 2014, the City had 28,783 registered voters. The election was held on Saturday, May 10, with citizens casting an unofficial total of 2,524 votes\* for the following candidates:

Council, Place 5	Chris Coy	1,877
	Under Votes	647
Council, Place 6	Duff O'Dell	1,025
	Deverick P. Jordan	495
	Marc Blum	303
	LuAnn Chapman Gatts	645
	Under Votes	58

**\*There are ten provisional ballots that are not included in the above totals.** Council will receive the official election results and proposed resolution prior to the City Council meeting. Following the canvass of the official results, Council Place 5 candidate Chris Coy will be sworn in at this meeting.

In City Council Place 6 race, no candidate received a majority of the total votes cast. A run-off election between the two candidates receiving the most votes (Duff O'Dell and LuAnn Chapman Gatts) will be held on June 21, 2014 at the Grapevine Convention Center, 1209 South Main Street. Tarrant County Elections Administrator will conduct the election under the previously approved Election Services Contract. Early voting will begin on Monday, June 9, 2014 and run through Tuesday, June 17, 2014.

JCB

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
FROM: BRUNO RUMBELOW, CITY MANAGER *BR*  
MEETING DATE: MAY 20, 2014  
SUBJECT: WORKSHOP - UPDATE FIRE CODE WITH AMENDMENTS

RECOMMENDATION:

Consider an ordinance to update the 2006 International Fire Code with local amendments to the 2012 edition of the International Fire Code with local amendments.

BACKGROUND:

In the past, the City has adopted model codes for fire protection and prevention issues through Chapter 11 of the Code of Ordinances. The International Code Council has promulgated the updated model codes and recommends same for adoption by municipalities. This code update would be in keeping with the recommendations of the Insurance Service Organization to have current Codes and Standards.

The proposed updated code advances the level of fire and life safety with a focus to our fire losses and future development. It also incorporates recognition of technological and hazard protection advances since our last code adoption. The code is proposed to be adopted as written with a few notable additions.

A threshold for fire sprinkling is called out in the model code but the North Central Texas Council of Governments (NCTCOG) recommends amendments to the codes. In the past, we have set the sprinkler threshold as an amendment to the Code. Staff's recommendation is to reduce the current threshold of 6,000 square feet (when fire sprinklers are required in commercial buildings) to 4,000 square feet. A threshold of 4,000 square feet is in line with some area cities.

The Fire Chief recommends updating of the fire code including appropriate amendments.

RFF

ORDINANCE NO. \_\_\_\_\_

**DRAFT**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AMENDING CHAPTER 11 OF THE GRAPEVINE CODE OF ORDINANCES, FIRE PROTECTION AND PREVENTION RELATING TO THE ADOPTION OF THE 2012 INTERNATIONAL FIRE CODE AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; PROVIDING AMENDMENTS TO SAME; REPEALING CONFLICTING ORDINANCES; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH SEPARATE OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Grapevine has previously adopted model codes for fire protection and prevention issues through Chapter 11 of the Code of Ordinances, and

WHEREAS, the International Code Council has promulgated updated model codes, and recommends same for adoption by municipalities; and

WHEREAS, the City wishes to update its model codes, including appropriate amendments thereto; and

WHEREAS, the City Council has determined that the passage of this ordinance is in the best interest of the health, safety and welfare of the public.

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

Section 1. That all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

Section 2. That Chapter 11 Fire Protection and Prevention, Article III, Fire Code, Section 11-40, 11-44, 11-45, 11-46, Code Adopted; Amendments, of the City of Grapevine Code of Ordinances, is hereby repealed in its entirety and a new section shall be added to read as follows:

**“Section 11-40. Code Adopted; Amendments:**

- (a) The City of Grapevine hereby adopts the 2012 Edition of the International Fire Code, including Appendix D, E, F, and G, published by the International Code Council, Inc., save and except such portions as are deleted or amended by this

ordinance, and the same are hereby adopted and incorporated as fully as if set out at length herein. One (1) copy of the 2012 Edition of the International Fire Code shall be on file with the City Secretary. From the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Grapevine and its extraterritorial jurisdiction.

(b) Fire Code - Amendments

*Amend **Section 101.1 Title**; to read as follows:*

**101.1 Title.** These regulations shall be known as the Grapevine Fire Code, hereinafter referred to as “this code.”

*Amend **Section 102.1** to read as follows:*

3. Existing structures, facilities and conditions when required in Chapter 11 or in specific sections of this code.

*Amend **Section 102.3 Change of use or occupancy**, to read as follows:*

**102.3 Change of use or occupancy.** The provisions of the Building Code and this code adopted by the City shall apply to all buildings undergoing a change of occupancy.

*Amend **Section 102.4 Application of building code**, to read as follows:*

**102.4 Application of building code.** The design and construction of new structures shall comply with this code, and other codes and ordinances adopted by the City. Repairs, alterations and additions to existing structures shall comply with the codes and ordinances adopted by the City of Grapevine.

*Amend **Section 102.5 Historic buildings**, to read as follows:*

**102.6 Historic buildings.** The construction, alteration, repair, enlargement, restoration, relocation or movement of existing buildings or structures that are designated as historic buildings when such buildings or structures do not constitute a distinct hazard to life or property shall be in accordance with the provisions of the Building Code and this code as adopted by the City.

*Amend **Section 102.7 Referenced codes and standards**, to read as follows:*

**102.7 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 80, and such codes when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.

102.7.1 Conflicts. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply.

102.7.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code and any adopted amendments, the provisions of this code and any adopted amendments, as applicable, shall take precedence over the provisions in the referenced code or standard.

*Amend Section 103.1, to read as follows:*

**103.1. General.** The fire prevention division is established within the jurisdiction under the direction of the fire code official. The function of the division shall be the implementation, administration and enforcement of the provisions of this code.

*Amend Section 104.1 General, by adding a sentence to the end of paragraph to read as follows:*

**104.1 General.** The fire code official is hereby authorized to enforce the provisions of this code and shall have the authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this code and shall not have the effect of waiving requirements specifically provided for in this code. The fire code official, with approval of the administrator, is authorized to make and enforce such rules and regulations for the prevention and control of fires and fire hazards as may be necessary from time to time.

*Amend Section 105.6.9, Covered mall buildings. to read as follows*

1. The placement of retail fixtures and displays in any egress path, concession equipment that may or may not be using heating devices, display of highly combustible goods and similar items in the common areas of the mall.

*Amend Section 105.6.30, to read as follows:*

**105.6.30 Open Burning.** An operational permit is required for the kindling or maintaining of an open fire, recreational fire, or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to.

**Exceptions:**

1. Recreational fires in approved overnight campgrounds or parks that are kindled in approved fire rings.
2. Cooking fires in approved cooking appliances, such as but not limited to, bar-b-que grills, propane fired portable cook tops, hibachis, etc. Such cooking fires shall be located in an approved location.
3. Recreational fires in approved portable or permanent outdoor fireplaces or fire pits.

*Amend by adding **Section 105.7.9.1 Hazardous material storage tanks**: to read as follows:*

**Section 105.7.9.1 Hazardous material storage tanks.** A construction permit is required to install or remove an underground or aboveground hazardous material storage tank or to change the contents of said tank.

*Amend **Section 105.18 Required special permits**, by adding to read as follows:*

**Section 105.18.1 Tents and membrane structures inside a building.** An operational permit is required to erect, construct, inflate or assemble a tent that is greater than 400 square feet in size inside a building.

**Section 105.18.2 Cooking inside an assembly occupancy, exhibit hall, ballroom, or foyer/pre-function area.** An operational permit is required to fry, deep fry, bake, grill, or otherwise cause to be cooked any food substance by an exhibitor inside an exhibit hall, ballroom, or foyer/pre-function area of an assembly occupancy.

**Section 105.7.18.3 Security Gates.** A construction permit is required to install or modify a Security gate or gates across any fire apparatus access road and shall comply with Section 503.6 of this code.

**Section 105.7.18.4. Speed Bumps.** No person, firm or corporation shall place, construct, erect or maintain any speed bump(s) for traffic calming in a marked fire lane, fire zone or emergency access easement, without first obtaining a permit.

*Amend **Section 108.1 Board of Appeals Established**, to read as follows:*

**Section 108.1 Board of Appeals established.** In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the City Council and shall hold office at its pleasure. The fire code official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official. This board shall

consist of members and follow the procedures as prescribed in this section. This board shall be known as the Building Board of Appeals as referenced in 7.3 and 7.4 of the Grapevine Code of Ordinances.

*Amend **Section 108.2 Limitations on Authority**, to read as follows:*

**Section 108.2 Limitations on authority.** An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The board shall have no authority to waive requirements of this code, nor make interpretations on the administrative provisions of this code.

*Amend **Section 109.4 Violation Penalties**, to read as follows:*

**109.4 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, and, upon conviction in the Municipal Court, shall be subject to a fine not to exceed two thousand (\$2,000.00) dollars for each offense, and each day that a violation continues after due notice has been served shall be deemed a separate offense.

*Amend **Section 111.4 Failure to Comply**, to read as follows:*

**111.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not more than two thousand (\$2,000.00) dollars.

*Amend **Section 113 FEES**, to read by adding the following:*

**113.1 Fees.** ... Inspections, Standby/Fire Watch activities shall be assessed fees as identified in the Schedule of Fees in Table 113.1A and in keeping with Section 113.

**Section 113.6 Reinspection fee.** A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This subsection is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the fire code official. To obtain a reinspection, the applicant shall file a reinspection request in writing and pay the reinspection fee in accordance with Table 1-A or as set forth in the fee schedule adopted by the jurisdiction. In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

Schedule of Fees  
(Table 113 1A)

1.	Inspections outside of normal business hours .....	\$45.00 per hour* (minimum charge—two hours)
2.	Reinspection fees assessed under provisions of Section 113.6	\$45.00 per hour* (minimum charge – two hours)
3.	For use of outside consultants for plan checking and inspections, or both.	actual costs**
4.	FD Fire Watch/Standby – Person only, No Equipment	\$45.00 per hour* (minimum charge – two hours)
5.	FD Fire Watch/Standby – Personnel with Equipment	Contract Agreement must be in place or as approved by the Fire Chief

\* Or the total hourly cost of the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

\*\*Actual costs include administrative and overhead costs.

Amend **Section 202 General Definitions** by adding as follows.

**(B) AMBULATORY CARE FACILITY.** Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing, or similar care on a less than 24 hour basis to persons who are rendered incapable of self-preservation by the services provided. This group may include but not be limited to the following:

Dialysis Centers

Sedation dentistry  
Surgery centers  
Colonic centers  
Psychiatric centers  
Birthing centers

ATRIUM. An opening connecting three or more stories...*remaining text is unchanged.*

FIRE AREA. The aggregate floor area of a building, regardless of firewalls, fire barriers, fire partitions, or demising walls. For the purpose of calculating fire sprinkler requirements the total building will be considered one fire area.

FIREWATCH. A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals or Fire Department standby personnel when required by the fire code official, for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.

FIRE ZONE. Any area designated by the fire code official for the purpose of gaining access to fire protection equipment or connections.

HIGH-PILED COMBUSTIBLE STORAGE. ... *add second paragraph to read as follows.* Any building classified as a group S Occupancy or Speculative Building exceeding 4000 square feet that has a clear height in excess of 14 feet, making it possible to be used for storage in excess of 12 feet, shall be considered to be high-piled storage. When a specific product cannot be identified, a fire protection system and life safety features shall be installed as for Class IV commodities, to the maximum pile height.

HIGH RISE. A building having floors used for human occupancy and/or storage located more than 55 feet above the lowest level of the fire department vehicle access, or four or more stories in height whichever is more restrictive and all hotel and motel occupancies regardless of height.

LIGHT DUTY METAL CHAIN shall mean a chain with the maximum diameter of metal in the chain links being one-quarter (1/4) inch, and does not mean high-test proof, coil chain and other than tempered chain, regardless of size.

MAIN GATE means a security gate located on private property where more than one (1) security gate exists. The owner shall designate in writing to the fire department the main gate.

OUTDOOR FIRE PIT. A place, structure or appliance that is designed and approved for the burning of combustible material that does not have a flue, chimney or duct and the combustion gases are emitted directly into the atmosphere.

**PERMANENT OUTDOOR FIREPLACE.** A fireplace designed and installed fixed to the ground and to operate off of fuel gas or solid-fuel that may be constructed of steel, concrete, clay or other noncombustible material. An outdoor fireplace may be open in design, or may be equipped with a small hearth opening and a short chimney or chimney opening in the top.

**REPAIR GARAGE.** A building, structure or portion thereof used for servicing or repairing motor vehicles. This occupancy shall also include garages involved in minor repair, modification and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement and other such minor repairs.

**SECURITY GATE.** As used herein, a security gate shall be any device located on private property which prohibits access of motor vehicles. It includes, but is not limited to, a metal or wood swing railing extended across a street, private drive or fire lane, which only be opened by a human operator situated on the premises or by remote control or both.

**SELF SERVICE STORAGE FACILITY.** Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

**STANDBY PERSONNEL.** Qualified fire service personnel, approved by the Fire Code Official. When utilized, the number required shall be as directed by the Fire Code Official. Charges for utilization may be assessed as identified in the Fee Table 1-A .

*Amend **Section 304.3.2 Capacity exceeding 5.33 cubic feet.** By adding exception to read as follows.*

**304.3.2 Capacity exceeding 5.33 cubic feet.**

- Exception:**
1. Containers used outside of structures as trash receptacles.
  2. Wastebaskets complying with Section 808.

*Amend **Section 305.1 clearance from ignition sources.** to read as follows*

**305.1 Clearance from ignition sources.** A minimum of eighteen (18) inches of clearance shall be maintained between ignition sources, such as luminaries, heaters, flame-producing devices and combustible materials or as required by the manufacturer.

*Amend **Section 305.2 Hot ashes and spontaneous ignition sources,** to read as follows:*

**305.2 Hot ashes and spontaneous ignition sources.** Hot ashes, cinders, smoldering coals or greasy or oily materials subject to spontaneous ignition shall not be deposited in a combustible receptacle or trash dumpster, within 10 feet (3048 mm) of other combustible....{rest of section to remain the same}.

*Amend Section 307.2 Permit Required, to read as follows:*

**307.2 Permit required.** A permit shall be obtained from the fire code official in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural, range or wildlife management practices, prevention or control of disease or pests, or open burning. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

Examples of state or local law, or regulations referenced elsewhere in this section may include but not be limited to the following:

1. Texas Commission on Environmental Quality guidelines and/or restrictions.
2. State, County or local temporary or permanent bans on open burning.
3. Local written policies as established by the Code Official.

*Amend Section 307.3 Extinguishment Authority, to read as follows:*

**307.3 Extinguishment authority.** The fire code official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.

*Amend Section 307.4 Location, to read as follows:*

**307.4 Location.** The location for open burning, shall not be less than 300 feet (91 440 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 300 feet (91 440 mm) of any structure.

Exceptions:

1. Fires in approved containers that are not less than 15 feet (4572 mm) from a structure.
2. {Exception 2 remains the same.}

*Amend Section 307.4.1 Bonfires, to read as follows:*

**307.4.1 Bonfires.** Bonfires are prohibited in the City of Grapevine.

*Amend Section 307.4.2 Recreational Fires, to read as follows:*

**307.4.2 Recreational fires.** Recreational fires are prohibited unless conducted in an approved outdoor fireplace, fire pit or other approved device or appliance designed for such purpose and located at least 25 feet from a structure or combustible material. Conditions which could spread a fire to within 25 feet (7620 mm) shall be eliminated prior to ignition.

Exception:

Permanent outdoor fire pits using fuel gas for recreational fires shall not be installed within 10 feet of structures or combustible material.

*Amend Section 307.4 Location by adding Section 307.4.4 Trench Burns, to read as follows:*

**307.4.4 Trench Burns.** Trench Burns shall be conducted in air curtain trenches and in accordance with Section 307.2.

*Amend Section 307.5 Attendance, to read as follows:*

**307.5 Attendance.** Open burning, trench burns, or recreational fires shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

*Amend Section 308.1.1 Where Prohibited, by adding a paragraph to read as follows:*

Unmanned free-floating devices containing an open flame or other heat source, such as but not limited to sky lanterns shall be prohibited.

*Amend Section 308.1.4 Open-Flame Cooking Devices, to read as follows:*

**308.1.4 Open-flame cooking devices.** Open flame cooking devices, charcoal grills and other similar devices used for cooking shall not be operated on combustible balconies, decks or within 10 feet of combustible construction.

**Exceptions:**

1. One and two family dwelling, except that LP gas container are limited to a water capacity not greater than 50 pounds, 22.68 kg) nominal 20 pound (9.08 kg) LP gas capacity, with an aggregate LP gas capacity not to exceed 100 lbs (5 containers).
2. Where buildings, balconies and decks are protected by an approved automatic sprinkler system, except that LP gas container are limited to a water capacity not greater than 50 pounds, 22.68 kg) Nominal 20 pound LP gas capacity, with an aggregate LP gas capacity not to exceed 40 lbs.(2 containers)

3. *no change*

*Amend Section 308.1.6.2, Exception #3 to read as follows:*

**Exceptions:**

3. Torches or flame producing devices in accordance with Section 308.1.3.

*Amend Section 311.5 Placards, to read as follows:*

**311.5 Placards.** The fire code official is authorized to require marking of any vacant or abandoned buildings or structures determined to be unsafe pursuant to Section 110 of this code relating to structural or interior hazards, as required by Section 311.5.1 through 311.5.5.

*Add Section 401.9 False Alarms and Nuisance Alarms as follows:*

**401.9 False Alarms and Nuisance Alarms.** False alarms and nuisance alarms shall not be given, signaled, transmitted, caused or permitted to be given, signaled or transmitted in any manner.

*Amend Section 501.4 Timing of Installation, to read as follows:*

**501.4 Timing of installation.** When fire apparatus access roads or a water supply for fire protection is required to be installed for any structure or development, they shall be installed, tested, and approved prior to the time of which construction has progressed beyond completion of the foundation of any structure.

Exception: When approved alternative methods of protection are provided.

*Amend Section 503.1.1 Buildings and facilities, by adding the following to the first paragraph:*

Except for single- and two-family residences, the path of measurement shall be along a minimum of a ten feet (10') wide unobstructed pathway around the external walls of the structure.

*Amend Section 503.2.1 Dimensions, to read as follows:*

**503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 24 feet, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). Fire lanes located next to buildings with floors higher than 48 feet shall be

required to have an unobstructed fire lane width of no less than 35 feet and shall be no farther than 35 feet from the base of the building.

*Amend Section 503.2.3 Surface to read as follows:*

**503.2.3 Surface.** Facilities, buildings or portions of buildings hereafter constructed as required in Section 503.1.1 shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved surface capable of supporting the imposed load of fire apparatus weighing at least 95,000 pounds (34 050 kg) so as to provide all weather driving capabilities.

*Amend Section 503.2.7 Grade, to read as follows:*

**503.2.7 Grade.** Fire Apparatus access roads shall not exceed 7 percent in grade.

**Exception:** Grades steeper than 7 percent as approved by the fire chief.

*Amend Section 503.3 Marking, to read as follows:*

**503.3 Marking.** Fire lanes are required to be identified by approved striping or signs and shall remain legible at all times to identify such roads and prohibit the obstruction thereof. If striping of the fire lane is not feasible, approved signs may be used in accordance with this section. Where a curb is available, the striping shall be on the vertical face of the curb.

1. Striping – Fire apparatus access roads (fire lanes) shall be marked by painted lines of red paint, six inches in width to show the boundaries of the lane. The words “Fire Lane, No Parking, Tow Away Zone” shall appear in four inch white letters with a one inch stroke centered on the red stripe at no more than 25 foot intervals.
2. Signs – If signs are used, the signs shall read “FIRE LANE NO PARKING TOW AWAY ZONE” and shall be 12 inches wide by 18 inches high. Signs shall be painted on a white sign with red letters and a red border, using not less than 2 inch lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet six inches above finish grade. Signs shall be spaced no more than 50 feet apart. Signs may be installed on permanent buildings or walls or as approved by the fire code official.

*Amend Section 503.4 Obstruction of Fire Apparatus Access Roads, to read as follows:*

**503.4 Obstruction of fire apparatus access roads.** Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 and any area marked as a fire lane as

described in Section 503.3 shall be maintained at all times. Unattended vehicles parked in a fire lane are subject to being towed at the owner's expense.

Exception: The temporary loading or unloading of passengers or contents, the vehicle operator shall not leave the vehicle unattended at any time. The vehicle must be capable of being moved at any time.

*Amend Section 503.4.1 Traffic Calming Devices, to read as follows:*

**503.4.1. Traffic Calming Devices.** Traffic calming devices shall be prohibited unless approved by the fire code official. Where approved and the traffic calming device is a speed hump, it shall be constructed as not to exceed the height of five (5) inches and a rise at the ratio of two to one and shall be located not less than 100 feet apart.

*Amend Section 502 Definitions. To read as follows:*

**502.1 Definitions.** The following terms are defined in Chapter 2.

SECURITY GATE.  
OWNER,  
LIGHT DUTY METAL CHAIN  
MAIN GATE

*Amend 503.6 Security gates, to read as follows:*

**503.6 Security gates.** Where security gates are installed, they shall be installed to comply with this section. The security gates and the emergency operation shall be maintained operational at all times. Electric gates operators where provided shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

**503.6.1 Minimum requirements.** Security gates and gates securing fire apparatus access roads shall meet the following criteria:

1. The minimum gate width shall not be less than 24 feet.
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replace or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access by the means of a KNOX brand key switch. Emergency opening devices shall be approved by the fire code official.

6. Electric gates may also be required to be equipped with a specialized automatic opening system as specified by the fire code official.
7. A manual means of releasing an electric gate shall be made available. A separate manual release box shall be installed on all electrical gates and secured with a KNOX padlock on the exterior side of the gate.
8. Manual opening gates that are to be locked shall be equipped with a KNOX padlock to allow emergency access by the fire department.
9. Locking device specifications shall be submitted for approval by the fire code official.

**503.6.2 Main gates**

1. Main gates shall be located at least thirty (30) feet back from the inside edge of the sidewalk, or forty (40) feet from the edge of the public way.
2. All main gates shall be electrically operated, with a manual disconnect in case of power failure. The manual disconnect is to be placed in a weather tight box, with a piano type hinge on one side and a KNOX BOX padlock and hasp on the other side.
3. All main gates shall open with the fire department KNOX key-operated switch. The KNOX key-operated switch shall be provided and install by the owner. The key-operated switch is to be located ten (10) feet from the gate, on the left side of the approach, placed on a pedestal with the key switch facing the fire lane. The key switch shall be no closer than four (4) feet six (6) inches or no farther than five (5) feet six (6) inches from the ground.
4. When a security gate is installed with a median, the entry side of the gate shall have a minimum opening and driving surface of twenty (20) feet.

*Amend **Section 506.1 Where required**, to read as follows:*

**506.1 Where required.** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be manufactured by the KNOX Company and shall contain keys to gain necessary access as required by the fire code official. The fire code official is also authorized to require specialized automatic opening systems as needed. The specialized systems shall be compatible with the fire department.

*Amend **Section 507.4 Water Supply Test**, to read as follows by adding this sentence:*

**507. 4 Water supply test . . .** The water supply test used for hydraulic calculation of fire protection systems shall have been conducted within one year of the fire protection system plan submittal.

Amend **Section 507.5.1 Where required**, to read as follows:

**507.5.1 Where required.** The fire hydrants shall be installed at the location directed by the city engineer or as directed by the fire code official. Unless approved by the city engineer and the fire code official, fire hydrants shall have a maximum spacing of 500 feet in residential areas and 300 feet in commercial or mercantile areas. They shall be set truly vertical and securely braced with concrete blocks until self-standing, and shall be surrounded with a minimum of seven cubic feet of washed gravel or stone. Installation details are to be shown on the plans.

Fire hydrants shall be installed according to the Grapevine Code of Ordinances.

Amend **Section 507.5 Obstruction**, to read as follows:

**507.5 Obstruction.** Unobstructed access to fire hydrants shall be maintained at all times. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

Amend **Section 509.1 Identification**, by adding **Section 509.1.2 Sign Requirements** to read as follows:

**509.1.2 Sign Requirements:** Unless more stringent requirements apply, lettering for signs required by this section shall have a minimum height of two (2 inches) when located inside a building and four (4) inches when located outside, or as approved by the fire code official. The letters shall be of a color that contrasts with the background.

Amend **Section 603.3.2.1 Exception**, to read as follows:

**603.3.2.1 Exception:** The aggregate capacity limit shall be permitted to be increased to 3,000 gallons (11,356L) in accordance with all requirements of Chapter 57. (*Delete remainder of Exception*)

Amend **Section 603.3.2.2 Restricted Use and Connection**, to read as follows:

**603.3.2.2 Restricted use and connection.** Tanks installed in accordance with Section 603.3.2 shall be used only to supply fuel oil to fuel-burning equipment installed in accordance with Section 603.3.2.4. Connection between tanks and equipment supplied by such tanks shall be made using closed piping systems.

*Amend Section 704.1 Enclosure, to read as follows:*

**704.1 Enclosure.** Interior vertical shafts, including but not limited to stairways, elevator hoistways, service and utility shafts, that connect two or more stories of a building shall be enclosed or protected in accordance with the codes in effect at the time of construction but, regardless of when constructed, not less than as required in Chapter 11. New floor openings in existing buildings shall comply with the International Building Code.

*Amend Section 807.4.3.2 Artwork and 803.4.2 Artwork, by adding an exception to read as follows:*

Exception: Walls decorations of children's art work and teaching materials shall be limited to single dimension wall hangings not to exceed 50 percent of the wall area if the corridor is protected by an automatic sprinkler system installed according to Section 903.3.1.1.

*Amend Section 901.2 Construction Documents, by adding sentence to read as follows:*

**901.2 Construction documents.** ... Approved plans shall be on site at all times during construction, inspections and testing.

*Amend Section 901.4.3 Fire Areas, to read as follows:*

**Section 901.4.3 Fire Areas.** The aggregate floor area of a building regardless of fire walls, fire barriers, fire partitions, or demising walls. For purposes of calculating fire protection system requirements the total building will be considered one structure.

*Amend Section 901.7 Systems Out of Service, to read as follows:*

**901.7 Systems out of service.** Where a required fire protection system is out of service or in the event of an excessive number of activations, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service. *remaining text is unchanged.*

*Amend Section 901.9 Termination of Monitoring Service, to read as follows:*

**901.9 Discontinuation or change of monitoring service.** Notice shall be made to the fire code official whenever contracted alarm services for monitoring of any fire alarm system are terminated for any reason or a change in alarm monitoring provider occurs. Notice shall be made in writing to the fire code official by the building owner or the alarm service provider prior to the service being terminated.

Amend **Section 903.1.1 Alternative Protection**, to read as follows:

**903.1.1 Alternative protection.** Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in addition to automatic sprinkler protection where recognized by the applicable standard or as approved by the fire code official.

Amend **Section 903.2 Where Required**, to read as follows:

**Section 903.2 Where required.** Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section.

*Exception remains as is.*

Approved automatic sprinkler systems shall be installed in all stories of buildings three or more stories in height including Group R, Division 3, Private Dwelling Units.

**Section 903.2.1.1 Group A-1.** An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exist:

1. The floor area, regardless of fire rated separations, exceeds 4000 square feet;
2. The floor area has an occupant load of 100 or more;
3. The floor area is located on a floor other than the level of exit discharge or
4. The floor area contains a multi-theater complex.

**Section 903.2.1.2 Group A-2.** An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exist:

1. The floor area exceeds 4000 square feet;
2. The floor area is located on a floor other than the level of exit discharge.

**Section 903.2.1.3 Group A-3.** an automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exist:

1. The gross floor area, including mezzanines, regardless of fire rated separations, exceeds 4000 square feet;
2. The floor area has an occupant load of 100 or more; or
3. The floor area is located on a floor other than the level of exit discharge.

**Exception:** Areas used exclusively as participant sports areas where the main floor area is located at the same level as the level of exit discharge of the main entrance and exit.

**Section 903.2.1.4 Group A-4.** An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following exists:

1. The floor area, including mezzanines, regardless of fire rated separations, exceeds 4000 square feet;
2. The floor area has an occupant load of 100 or more; or
3. The floor area is located on a floor other than the level of exit discharge.

**Exception:** Areas used exclusively as participant sports areas where the main floor area is located at the same level as the level of exit discharge of the main entrance and exit.

**Section 903 Automatic sprinkler systems** is hereby amended as follows:

**Section 903.2.1.6 Group B.** An automatic sprinkler system shall be provided throughout all buildings containing a Group B occupancy where one of the following exists:

1. Where a Group B gross floor area, including mezzanines, regardless of fire separation, exceeds 4000 square feet; or
2. Where a Group B floor area is located three or more stories above grade.

**Section 903.2.3 Group E.** An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E occupancies with a gross floor area, including mezzanines, regardless of fire rated separations greater than 4000 square feet in area.
2. Throughout every portion of educational buildings below the level of exit discharge.

**Section 903.2.3.4 Group F.** An automatic sprinkler system shall be provided throughout all buildings containing a Group F occupancy where one of the following conditions exists:

1. Where a gross floor area, including mezzanines, regardless of fire rated separations, exceeds 4000 square feet; or
2. Where a Group F fire floor area is located three or more stories above grade plane.

**Section 903.2.4.1 Woodworking operations.** An automatic sprinkler system shall be provided throughout all Group F occupancy gross floor areas that contain woodworking operations in excess of 2,500 square feet in area (232 m<sup>2</sup>) which generate finely divided combustible waste or which use finely divided combustible materials.

**Section 903.2.6 Group I.** An automatic sprinkler system shall be provided throughout buildings with a Group I floor area.

**Exception:**

1. An automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be allowed in Group I-1 facilities.
2. An *automatic sprinkler system* installed in accordance with Section 903.3.1.3 shall be allowed in Group I-1 facilities when in compliance with all of the following:
  - 2.1. A hydraulic design information sign is located on the system riser.
  - 2.2. Exception 1 of Section 903.4 is not applied; and
  - 2.3. Systems shall be maintained in accordance with the requirements of Section 903.3.1.2.

**Section 903.2.7. Group M,** An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. Where a Group M gross floor area, including mezzanines, regardless of fire rated separations exceeds 4000 square feet;
2. Where a Group M floor area is located three or more stories above grade plane.

**Section 903.2.8. Group R,** An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exception: Group R3 occupancies that do not exceed 6,000 square feet.

*(Remainder is unchanged)*

**Section 903.2.9 Group S,** An automatic sprinkler system shall be provided throughout all buildings containing a Group S occupancy where one of the following conditions exists:

1. A Group S gross floor area, including mezzanines, regardless of fire rated separations exceeds 4000 square feet;
2. A Group S floor area is located three or more stories above grade plane; or
3. The Group S occupancy is used as an open or enclosed parking garage.

**903.2.9.1 Repair garages.** An automatic sprinkler system shall be provided throughout all buildings that contain a repair garage or any building used as repair garages when the fire area of the building exceeds 4000 square feet regardless of fire rated separations. All buildings with a repair garage servicing vehicles in a basement shall be provided with a fire sprinkler system.

**Add Section 903.2.9.3 Self-service storage facility, to read as follows**

**Section 903.2.9.3 Self-service storage facility.** An automatic sprinkler system shall be installed throughout all self-storage facilities:

**Exception:** One-story self-service storage facilities that have no interior corridors, with a one-hour fire barrier separation wall installed between every storage compartment.

**903.2.9.10 Group S-2** is hereby deleted in its entirety

**Amend Section 903.2.11.3 to read as follows**

**Section 903.2.11.3 High Rise Buildings.** An automatic sprinkler system shall be installed throughout buildings with a floor level that meet the definition of a high rise as defined in this code.

**Add sections 903.2.11.7 and 903.2.11.8, to read as follows**

**903.2.11.7 High-piled combustible storage.** For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 32 to determine if those provisions apply.

**903.2.11.8 Spray booths and rooms** New and existing spray booths and spraying rooms shall be protected by an approved fire-extinguishing system.

Amend by adding **Section 903.2.14** as follows

**903.2.14. Required in all occupancies in the 300 and 400 blocks of South Main Street**

1. Approved automatic sprinkler system shall be provided in all buildings and structures, both new and existing, in the 300 and 400 blocks of South Main Street, in the City of Grapevine, Texas.
2. Buildings and structures in the 300 and 400 blocks of South Main Street in the City of Grapevine, Texas that are already existing on the date of passage of this ordinance must comply with this requirement within six(6) months after the passage of this ordinance.
3. Owners of buildings and structures in the 300 and 400 blocks of South Main Street in the City of Grapevine, Texas that are already existing on the date of passage of this ordinance shall be eligible to participate in a Cost Sharing Program with all requirements of that program and agree to Participate no later than December 21, 2007. Such cost share agreement may allow for a revised Fire Sprinkler connection fee different from the fee required by the Grapevine Code of Ordinances, Chapter 25, Utilities and Services, Section 25-28 (4)b.
4. Regardless of whether owners of the above described buildings participate in the cost sharing program, the requirement to provide sprinkler systems shall apply.

**Add paragraph to Section 903.3 Installation requirements, to read as follows:**

Buildings required to be sprinklered per Section 903 shall have a hydraulically designed sprinkler system that meets all the requirements of the Fire Code and Building Code. Standpipes may be combined with the sprinkler system.

**Section 903.3.1.1.1 Exempt Locations; amend to read as follows:**

**903.3.1.1.1 Exempt locations.** When approved by the code official, automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the code official.
3. Generator and transformer rooms separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
4. Elevator machine rooms, machinery spaces, and hoistways other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.

**Amend Section 903.3.1.3 to read as follows**

903.3.1.3 NFPA 13D sprinkler systems. Where allowed, automatic sprinkler systems installed in one and two family dwellings Group R-3 and R-4 congregate living facilities and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law.

**Amend Section 903.3.5; add a second paragraph to read as follows:**

Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every fire protection system shall be designed with not less than a 10 p.s.i. safety factor.

**Amend Section 903.4; by adding a second paragraph after the exceptions to read as follows:**

Sprinkler and standpipe system water-flow detectors shall be provided for each floor. Each floor shall be equipped with a floor isolation valve that includes this water

flow detector. Activation of the sprinkler system shall cause an alarm upon detection of water flow for more than 45 seconds indicating the appropriate floor on the fire alarm control panel. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

*Amend Section 905.2 to read as follows*

**905.2 Installation standards.** Standpipe systems shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low alarm.

*Amend Section 905.3.2 to read as follows*

**905.3.2 Group A.** Class I wet standpipes shall be provided in Group A buildings having an occupant load exceeding 1,000 persons.

*Section 905.3.2; delete exceptions #1 and #2.*

*Section 905.4, item #5; change to read as follows:*

5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way hose connection located either . . . {remainder of paragraph unchanged} .

*Section 905.9; add a second paragraph after the exceptions to read as follows:*

Sprinkler and standpipe system water-flow detectors shall be provided for each floor. Each floor shall be equipped with a floor isolation valve that includes this water flow detector. Activation of the sprinkler system shall cause an alarm upon detection of water flow for more than 45 seconds indicating the appropriate floor on the fire alarm control panel. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

*Add Section 907.1.4 to read as follows:*

**907.1.4 Design Standards.** All alarm systems, new or replacement shall be addressable fire detection systems. Alarm systems serving more than 20 smoke detectors shall be analog addressable fire detection systems.

**Exception:** Existing systems need not comply unless the total building remodel or expansion initiated after the effective date of this code, as adopted, exceeds 30% of the building. When cumulative building remodel or expansion exceeds

50% of the building, the fire alarm system shall be brought into compliance with this code within 18 months of permit application.

**Add the following sentence to Section 907.2 Where required – new buildings and structures,** to read as follows:

A weather proof external strobe device is to be installed above the fire department connection on all buildings that have an automatic fire sprinkler system installed or as close as practical.

**Section 907.2.1; change to read as follows:**

907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies where the occupant load is 300 or more persons or more than 100 persons above or below the level of exit discharge.

Exception: *Unchanged*

Activation of fire alarm notification appliances shall:

1. Cause illumination of the means of egress with light of not less than 1 foot candle(11lux) at the walking surface level, and
2. Stop any conflicting or confusing sounds and visual distractions.

**907.2.3 Group E.** A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communications system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E educational occupancies. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100' open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.

**Section 907.2.3; change exception #1 and add exception #1.1 to read as follows:**

1. A manual fire alarm system is not required in Group E educational and day care occupancies with an occupant load of less than 30 when provided with an approved automatic sprinkler system.
  - 1.1. Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 1/2 or less years of age, see Section 907.2.6.)

Amend **Section 907.2.13** to read as follows

**907.2.13 High-rise buildings.** High rise buildings shall be provided with an automatic fire alarm system in accordance with Section 904.2.13.1, a fire department communication system in accordance with Section 907.2.13.2 and an emergency voice/alarm communications system in accordance with Section 907.5.2.2.

**Section 907.2.13**, exception #3; change to read as follows:

Buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the *International Building Code*, when used for open air seating; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants and similarly enclosed areas.

Amend **Section 907.6.1** to read by adding the following sentence

**907.6.1 Wiring.** All fire alarm systems shall be installed in such a manner that the failure of any single alarm-actuating or alarm-indicating device will not interfere with the normal operation of any other such devices.

Amend **Section 910.3** to read by adding Sections 910.3.1 through 910.3.3 and add second paragraph to Section 910.3.2.2 as follows:

**910.3.1 Design.** Smoke and heat vents shall be *listed and labeled* to indicate compliance with UL 793.

**910.3.2 Vent operation.** Smoke and heat vents shall be capable of being operated by approved automatic and manual means. Automatic operation of smoke and heat vents shall conform to the provisions of Sections 910.3.2.1 through 910.3.2.3.

**910.3.2.1 Gravity-operated drop out vents.** Automatic smoke and heat vents containing heat-sensitive glazing designed to shrink and drop out of the vent opening when exposed to fire shall fully open within 5 minutes after the vent cavity is exposed to a simulated fire represented by a time-temperature gradient that reaches an air temperature of 500°F (260°C) within 5 minutes.

**910.3.2.2 Sprinklered buildings.** Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically.

The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees F (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

**910.3.2.3 Nonsprinklered buildings.** Where installed in buildings not equipped with an approved automatic sprinkler system, smoke and heat vents shall

operate automatically by actuation of a heat-responsive device rated at between 100°F (56°C) and 220°F (122°C) above ambient.

**Exception:** Gravity-operated drop out vents complying with Section 910.3.2.1.

**910.3.3 Vent dimensions.** The effective venting area shall not be less than 16 square feet (1.5 m<sup>2</sup>) with no dimension less than 4 feet (1219 mm), excluding ribs or gutters having a total width not exceeding 6 inches (152 mm).

**Section 912.2 amend by adding Section 912.2.3 to read as follows:**

**912.2.3 Hydrant distance.** An approved fire hydrant shall be located within 100 feet of the fire department connection as the fire hose lays along an unobstructed path.

**Section 913.1; amend by adding second paragraph and exception to read as follows:**

When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by Section 506.1.

**Exception:** When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the *fire code official*. Access keys shall be provided in the key box as required by Section 506.1.

**Section 913.1 General; changed to read as follows:**

**913.1 General.** Where provided, fire pumps shall be installed in accordance with this section and NFPA 20. All structures required to have a fire pump shall not share piping or fire pumps with other structures.

**Amend Section 913.4 Valve supervision by adding second paragraph to read as follows:**

**913.4 Valve supervision.** Where provided, the fire pump suction, discharge and bypass valves, and the isolation valves on the backflow prevention device or assembly shall be supervised open by one of the following methods.

1. Central-station, proprietary, or remote-station signaling service.

2. Local signaling service that will cause the sounding of an audible signal at a constantly attended location.
3. Locking valves open.
4. Sealing of valves and approved weekly recorded inspection where valves are located within fenced enclosures under the control of the owner.

The fire-pump system shall also be supervised for “loss of power”, “phase reversal” and “pump running” conditions by supervisory signal on distinct circuits.

*Amend Section 1008.1.3.4; to read as follows:*

**1008.1.3.4 Access-controlled egress doors.** In fully sprinklered buildings the entrance doors in a means of egress in buildings with an occupancy...*{remainder of section unchanged}*.

*Amend Section 1020.1.7 to read as follows*

**1020.1.7 Smokeproof enclosures.** In buildings required to comply with Section 403 or 405 of the International Building Code, each of the exits of a building that serves stories where any floor surface is located more than 55 feet above the lowest level of fire department access . . . *{remainder of section unchanged}*.

*Amend Section 1028.3 Obstructions. To read as follows:*

**1028.3 Obstructions.** A means of egress shall be free from obstructions that would prevent its use, including the accumulation of snow and ice and any other equipment, vehicle, device or appliance where its presence would obstruct or render the exit hazardous, such as but not limited to; motorcycles, gasoline and propane gas fueled equipment, bar-b-que grills, combustible and noncombustible storage, etc..

*Amend Section 1103.5 Sprinkler systems. To read by adding as follows:*

**1103.5 Sprinkler Systems.** An automatic sprinkler system shall be provided in existing buildings in accordance with Sections 1103.5.1 through 1103.5.6. For purposes of this provision fire walls, fire barriers or fire partitions shall not define separate buildings.

**Add:**

**1103.5.3 Change in Occupancy Use.** An existing building that experiences a change in occupancy use shall require a sprinkler system as required by Section 903.2.

**1103.5.4 Additions.** An automatic sprinkler system shall be installed throughout existing occupancies of A, B, E, F, H, I, M, R-1, R-2, R-4, S1 or

S2 when an addition increases the occupancy to 4,000 sq. ft. or more, the occupancy shall be provided with an automatic sprinkler system.

**1103.5.5 Alterations.** Alterations in occupancies A, B, E, F1,F2, H, I, R-1, R-2, R-4, S-1 and S-2 over 4,000 sq. ft and that involves a work area of 50% or more of the occupant floor area shall be provided an automatic sprinkler system throughout the occupancy. Alterations involving less than 50% of the occupant floor area shall be cumulative and sprinklers shall be required once the cumulative work area attains 50%.

**Exception:**

1. R3 occupancies.

**1103.5.6 Spray booths and rooms.** Existing spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system in accordance with Section 2404.

Amend **Section 2401.2 Non-applicability.** By deleting this section.

*Amend Section 3103.8.3 Location of structures in excess of 15,000 square feet in area. to read as follows*

**3103.8.3 Location of structures in excess of 15,000 square feet in area.** Membrane structures having an area of 15,000 square feet (1394 m<sup>2</sup>) or more shall be located not less than 20 feet from any other tent or structure as measured from the sidewall of the tent or membrane structure unless joined together by a corridor.

*Amend Section 3301.1.3 to read as follows:*

**3301.1.3 Fireworks.** The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

**Exceptions:**

1. When approved by the code official for fireworks displays, the storage and handling of necessary fireworks as provided for in Sections 5604 and 5608.
2. The use of fireworks for approved display as permitted in Section 5608.

*Amend Section 3604.2 to add an exception:*

**3604.2 Standpipes.**

**Exception:**

Existing marinas with approved fire protection provided by at least two mobile fire pumps with firefighting equipment kept in approved locations. New marinas shall be equipped with Standpipes per Section 3604.2.

*Amend Section 5706.2.8 by adding:*

**5706.2.8.2 Mobile Tank Vehicles.** It shall be unlawful for any person, to sell or dispense fuel from a mobile tank vehicle for purposes of retail sales such as a service station.

## **APPENDIX D FIRE APPARATUS ACCESS ROADS**

*Amend Section D102.1 Access and Loading to read as follows:*

**D102.1 Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved all weather driving surface capable of supporting the imposed load of fire apparatus weighing at least 95,000 pounds.

*Amend Section D103.2 Grade to read as follows:*

**D103.2 Grade.** Fire apparatus access roads shall not exceed 7 percent in grade.

Exception: Grades steeper than 7 percent as approved by the fire chief.

*Amend Table D103.4 Requirements for Dead End Fire Apparatus Access Roads; to read as follows*

Access road length of 0-150 feet, change width column from 20 to 24.  
Access road length of 150 – 500 feet, change width column from 20 to 35.  
Access road length of 501-750 feet, change the width column from 26 to 35.

The rest of the table remains unchanged.

*Amend Section D103.5 Fire apparatus access road gates item # 1 to read as follows*

1. The minimum gate width shall be 20 feet (6096 mm) where there are two or more lanes with or without a divider or median. The width shall be no less than 24 feet where there is only one lane of travel.

Section 3. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed 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.

Section 4. All ordinances or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect.

Section 5. If any section, subsection, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. The fact that the present ordinances and regulations of the City of Grapevine, Texas are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the City of Grapevine, Texas, creates undesirable conditions for the preservation of the public business, property, health, safety and general welfare of the public which requires that this ordinance shall become effective from and after the date of its passage, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, on this the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

APPROVED:

\_\_\_\_\_

ATTEST:

\_\_\_\_\_

APPROVED AS TO FORM:

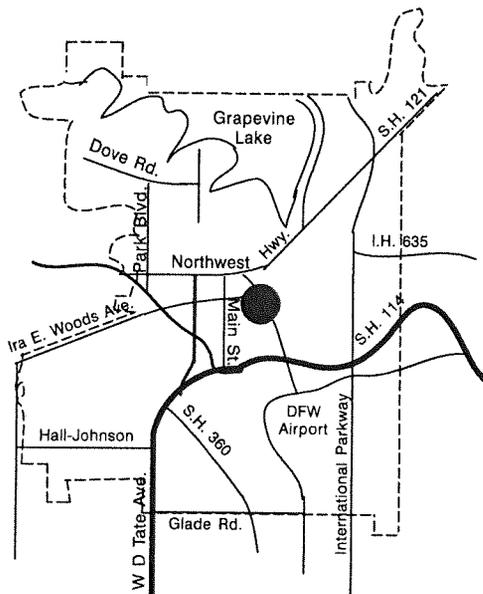
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TO: HONORABLE MAYOR, CITY COUNCIL MEMBERS AND THE  
PLANNING AND ZONING COMMISSION

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*  
SCOTT WILLIAMS, DEVELOPMENT SERVICES DIRECTOR *SW*

MEETING DATE: MAY 20, 2014

SUBJECT: DEVELOPMENT SERVICES TECHNICAL REPORT OF  
CONDITIONAL USE APPLICATION CU14-13 RYDER TRUCK  
RENTAL



APPLICANT: Brandon Middleton – Kimley-Horn

PROPERTY LOCATION AND SIZE:

The subject property is located at 1150 Texan Trail and is proposed to be platted as Lot 1, Block 1, Ryder Addition. The site contains approximately 3.77 acres. The property has 228 feet of frontage along East Dallas Road and 476 feet of frontage along Texan Trail.

REQUESTED CONDITIONAL USE AND COMMENTS:

The applicant is requesting a conditional use permit to allow for truck and trailer rental, lease sales, vehicle maintenance and fueling.

The current use of this site has been in operation since 2009. With this request the applicant proposes to expand the existing use by incorporating 1.02 additional acres to the north into the current site. The two parcels will be reconfigured into one lot which will enable the applicant to expand the operation by allowing vehicle parking onto the portion of the reconfigured lot which is currently undeveloped. An existing 5,360 square foot building used for vehicle maintenance and office uses is proposed to be expanded by 5,537 square feet, for a total of 10,897 square feet to allow for an expanded shop and office area. As an accessory use to the current operation, a vehicle fueling station exists to the rear of the existing structure and will remain as part of the proposed expansion. The total number of

required parking spaces is 83—94 are provided.

If approved this will be the first reading of an ordinance given the subject site requires approval of a special exception relative to the minimum front yard open space requirement for the existing use before the Board of Zoning Adjustment at their June 2, 2014 meeting. If approved by the Board the second reading will occur at the Council's June 17, 2014 meeting.

#### PRESENT ZONING AND USE:

The property is currently zoned "LI" Light Industrial District and is comprised of two parcels. The northern portion is undeveloped and the southern portion is developed with Ryder Truck Rental, a truck rental and leasing business.

#### HISTORY OF TRACT AND SURROUNDING AREA:

The subject property was rezoned from "C-2" Community Business District and "I-1" Light Industrial District to "LI" Light Industrial District in the 1984 Citywide Rezoning. The property to the north and west were rezoned in the 1984 City Rezoning from "C-2" Community Business District to "LI" Light Industrial District. The property to the south was rezoned from "C-2" Community Business District and "I-1" Light Industrial District to "LI" Light Industrial District in the 1984 Citywide Rezoning. The property to the east is DFW Airport property.

North of the subject site Conditional Use Application CU94-01 (Ord. 94-15) was approved by City Council at the February 15, 1994 meeting to allow for a phased development of Mac's Corner. City Council approved Conditional Use Application CU95-26 (Ord. 95-93) at the December 19, 1995 meeting to allow for fuel pump relocation and a canopy addition.

#### SURROUNDING ZONING AND EXISTING LAND USE:

NORTH: "LI" Light Industrial District – Mac's Corner  
SOUTH: "LI" Light Industrial District – various office/warehouse uses  
EAST: DFW Airport property  
WEST: "LI" Light Industrial District – various office/warehouse uses

#### AIRPORT IMPACT:

The subject tract is located within "Zone B" Middle Zone of Effect as defined on the "Aircraft Sound Exposure: Dallas/Fort Worth Regional Airport Environs" map. In Zone B, the following uses may be considered only if sound treatment is included in building design:

multi-family apartments, motels, office buildings, movie theaters, restaurants, personal and business services. Single family residential and sound sensitive uses such as schools and churches should avoid this zone. The applicant's proposal is an appropriate use in this noise zone.

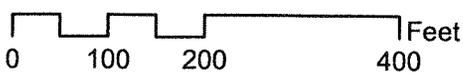
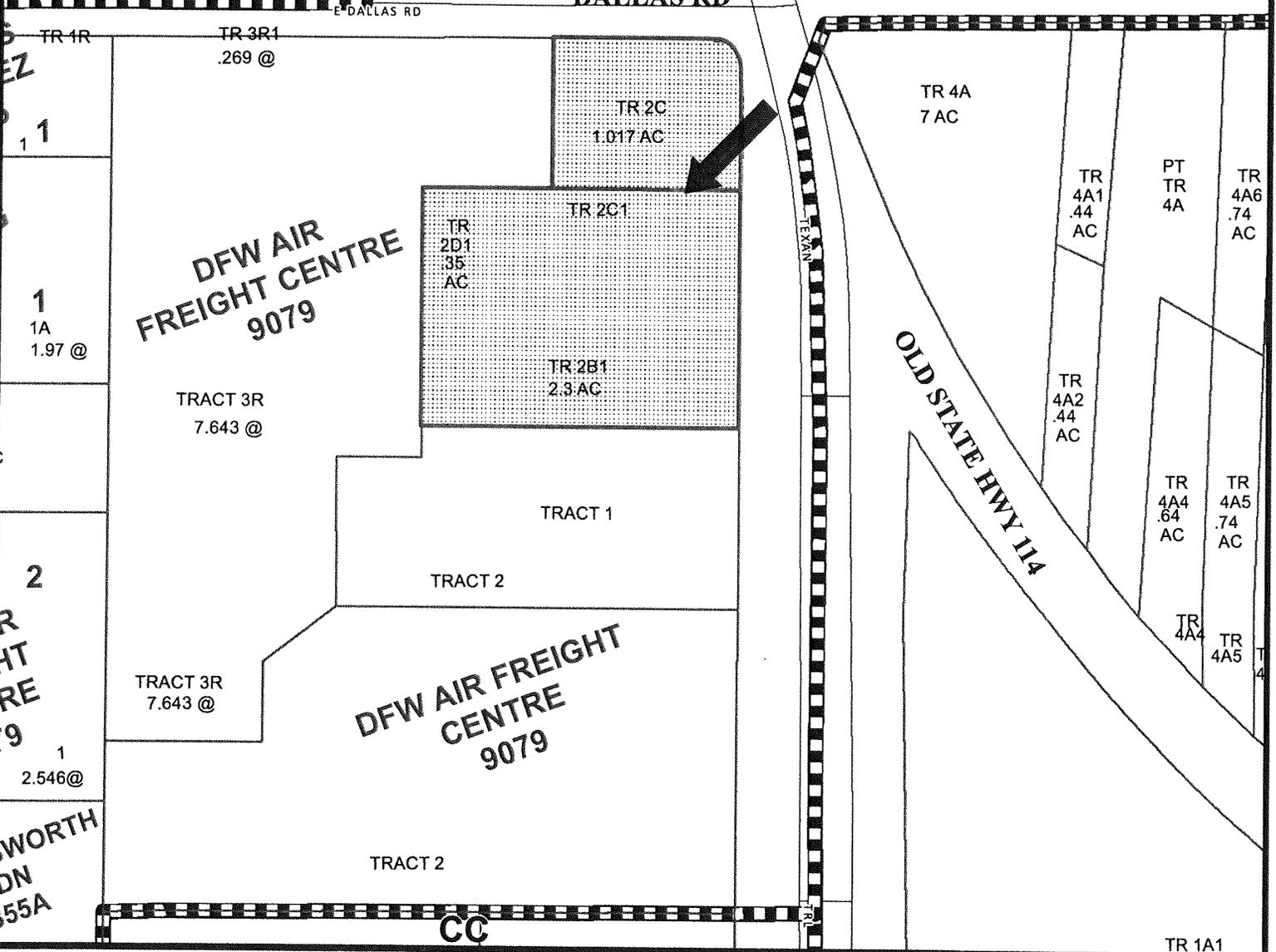
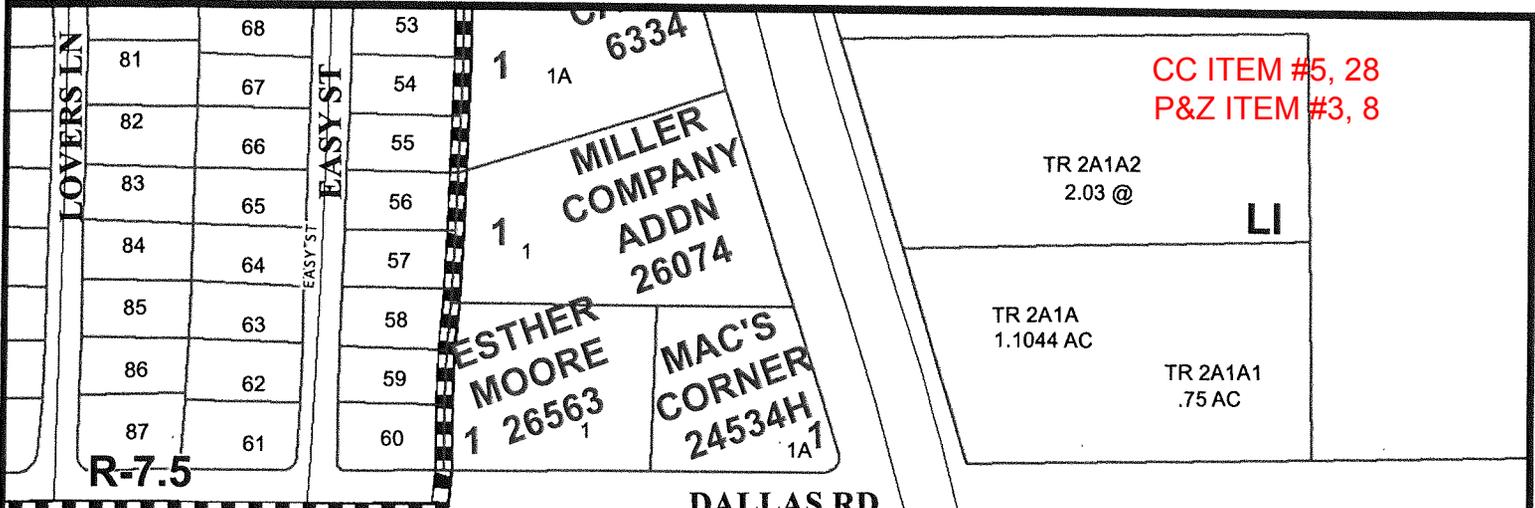
**MASTER PLAN APPLICATION:**

The Master Plan designates the subject property as an Industrial land use. The applicant's proposal is in compliance with the Master Plan.

**THOROUGHFARE PLAN APPLICATION:**

The Thoroughfare Plan designates Texan Trail as a Type A Major Arterial, with a minimum 100 foot right-of-way developed as six lanes with a median. East Dallas Road is designated as Type C Minor Arterial with a minimum 80 foot right-of-way developed as four lanes with a turn lane.

/at



**CU14-13**  
**Ryder Truck Rental**

**CC**

TR 1A1



CC ITEM #5, 28  
P&Z ITEM #3, 8

CUI4-13

# CITY OF GRAPEVINE

## CONDITIONAL USE APPLICATION

### Form "A"

#### PART 1. APPLICANT INFORMATION

Applicant Name: Brandon Middleton

Applicant Address: 801 Cherry Street, Suite 950

City/State/Zip: Fort Worth, TX 76102

Phone No. 817.339.2275 Fax No.

Email Address Brandon.Middleton@kimley-horn.com Mobile Phone 817.773.0653

Applicant's interest in subject property Consultant to Ryder Truck Rental

#### PART 2. PROPERTY INFORMATION

Street Address of subject property 1100 Texan Trail, Grapevine, TX 76051

Legal Description: Lot 1 Block 1 Addition Ryder Addition

Legal description of subject property (metes & bounds must be described on 8 1/2" x 11" sheet)

Size of subject property: acres 3.77 square footage

Present zoning classification LI Light Industrial District Circle yes or no, if applies to this application:  
Outdoor speakers Yes  No

Proposed use of property Vehicle Maintenance, Fueling, Washing, Rental, and Leased Sales

Zoning ordinance provision requiring a conditional use

#### PART 3. PROPERTY OWNER INFORMATION

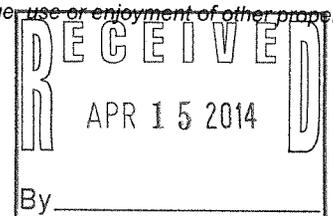
Property Owner Ryder Truck Rental, Inc.

Prop Owner Address 1 Jefferson Boulevard

City/State/Zip Warwick, RI 02888

Phone No. 401.781.5500 X226 Fax No.

- Submit a letter describing the proposed conditional use and note the request on the site plan document
- In the same letter, describe or show on the site plan, and conditional requirements or conditions imposed upon the particular conditional use by applicable district regulations (example: buffer yards, distance between users)
- In the same letter, describe whether the proposed conditional use will, or will not cause substantial harm to the value, use, or enjoyment of other property in the neighborhood. Also, describe how the proposed conditional use will add to the value, use or enjoyment of other property in the neighborhood.
- Application of site plan approval (Section 47, see attached Form "B").
- The site plan submission shall meet the requirements of Section 47, Site Plan Requirements.



CC ITEM #5, 28  
P&Z ITEM #3, 8

- All conditional use and conditional use applications are assumed to be complete when filed and will be placed on the agenda for public hearing at the discretion of the staff. Based on the size of the agenda, your application may be scheduled to a later date.
- All public hearings will be opened and testimony given by applicants and interested citizenry. Public hearings may be continued to the next public hearing. Public hearings will not be tabled.
- Any changes to a site plan (no matter how minor or major) approved with a conditional use or conditional use permit can only be approved by city council through the public hearing process.
- I have read and understand all the requirements as set forth by the application for conditional use or conditional use permit and acknowledge that all requirements of this application have been met at the time of submittal.

**PART 4. SIGNATURE TO AUTHORIZE CONDITIONAL USE REQUEST AND PLACE A CONDITIONAL USE REQUEST SIGN ON THE SUBJECT PROPERTY**

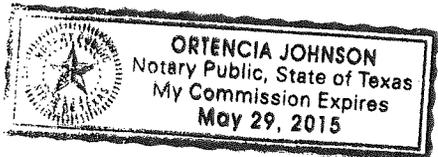
Brandon Middleton  
Print Applicant's Name

*Brandon Middleton*  
Applicant's Signature

The State of Texas  
County of Tarrant

Before me (notary) *Ortencia Johnson* on this day personally appeared (applicant) *Brandon Middleton* known to me (or proved to me on the oath of card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

(Seal) Given under my hand and seal of office this *3rd* day of *April*, A.D. *2014*



*Ortencia Johnson*  
Notary In and For State of Texas

Ryder Truck Rental, Inc.  
Print Property Owner's Name

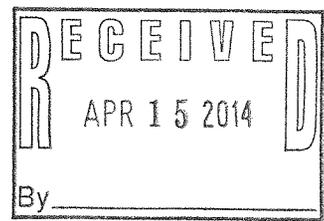
*Brian J. DaCosta, Construction Manager*  
*B. DaCosta*  
Property Owner's Signature  
Ryder Truck Rental, Inc

The State of Rhode Island  
County of Kent

Before me (notary) *Hannah Courage* on this day personally appeared (applicant) *Brian Da Costa* known to me (or proved to me on the oath of card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

(Seal) Given under my hand and seal of office this *3rd* day of *April*, A.D. *2014*

*Hannah Courage*  
Notary In and For State of



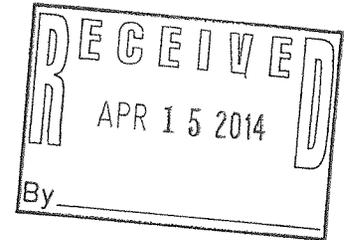




Civil-13  
CC ITEM #5, 28  
P&Z ITEM #3, 8

April 3<sup>rd</sup>, 2014

Mr. John D. Robertson  
Development, Engineering and  
Construction Manager  
City of Grapevine  
200 South Main Street  
Grapevine, TX 76051



**Re: Ryder Truck Rental Facility  
1100 Texan Trail & 1150 Texan Trail**

Dear Mr. Robertson:

Ryder Truck Rental, Inc. has an existing facility located at 1150 Texan Trail near the southwest corner of Texan Trail and East Dallas Road. This location is a full service leasing, fueling, and maintenance facility for single unit and semitrailer trucks.

Ryder Truck Rental has a strong desire to purchase the 1.02 acre parcel to the north of our existing facility to add additional space for outside storage of both single unit and semitrailer trucks and help alleviate overcrowding on our existing lot. The proposed conditional use shall not cause substantial material harm or impede the use of existing properties in the surrounding industrial area. The proposed conditional use shall not result in nuisances such as excessive noise, dust or odor; overburden on water and sewer services; excessive blockage of views and the excessive restriction of light and air; interference with the development of nearby properties; devaluation of nearby properties; or other deleterious impacts.

The proposed conditional use shall be in harmony with its neighboring areas upon completion. Necessary design measures have been taken to insure that the proposed conditional use provides an increase in functionality and aesthetics. Landscaping improvements shall be provided per code to harmonize the site with the nearby properties and general public. Improved air quality will also be a benefit of the proposed conditional use by allowing the introduction of green alternative fuel vehicles to the site. Benefits of their use include quieter engines and the reduction of CO<sub>2</sub>, CO, hydrocarbons, NO and SO emissions into the air at the immediate and surrounding areas of Grapevine.

As discussed in our pre-development meeting with the City, it is important to Ryder that current site zoning and landscape requirements within the City are met. For instance, Ryder has decreased our existing pervious parking area on-site to achieve the landscape open space requirements of at least 15 percent. However given that this site has an existing building in operation, we would like to respectfully request the following special exceptions:

- 1) *30' Front Yard Setback at Existing Employee Parking Area ONLY* - The existing building to remain is located approximately 53 feet west of Texan Trail right-of-way with the employee parking lot located in front of building. With the type of use of this facility, it is Ryder's desire to not mix employee and customer parking with truck traffic entering and leaving the facility.
- 2) *70% Masonry Requirement* - The existing industrial building on-site is comprised of mainly white ribbed metal siding. With our proposed improvements, we are able to achieve approximately 26 percent masonry with the additional office addition in the front of the facility. The remaining portion of the façade is planned to remain in place.

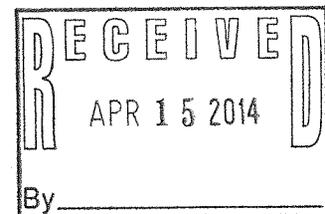
Thanks again for your continuous support and if there is anything further needed from Ryder Truck Rental to help facilitate our conditional use permit and special exception request, please let us know.

Sincerely,

**RYDER TRUCK RENTAL, INC.**



Brian J. DaCosta  
Construction Manager



ORDINANCE NO. \_\_\_\_\_

CU14-13  
RYDER TRUCK  
RENTAL

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 CU14-13 FOR TRUCK AND TRAILER RENTAL, LEASING, MAINTENANCE AND FUELING IN A DISTRICT ZONED "LI" LIGHT INDUSTRIAL 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 AND PROVIDING AN EFFECTIVE DATE

WHEREAS, an application was made requesting issuance of a conditional use permit by making applications for same with the Planning & Zoning Commission of the City of Grapevine, Texas, as required by State statutes and the zoning ordinance of the City of Grapevine, Texas, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of the City of Grapevine, Texas, after all legal notices requirements, conditions and prerequisites having been complied with; and

WHEREAS, the City Council of the City of Grapevine, Texas, at a public hearing called by the City Council did consider the following factors in making a determination as to whether this requested conditional use permit should be granted or denied: safety of the motoring public and the pedestrians using the facilities in the area immediately surrounding the site; safety from fire hazards and measures for fire control; protection of adjacent property from flood or water damages, noise producing elements, and glare of the vehicular and stationary lights and effect of such lights on established character of the neighborhood; location, lighting, and types of signs and relation of signs to traffic control and adjacent property; street size and adequacy of width for traffic reasonably expected to be generated by the proposed use around the site and in the immediate neighborhood; adequacy of parking as determined by requirements of this ordinance for off-street parking

facilities; location of ingress and egress points for parking and off-street locating spaces, and protection of public health by surfacing on all parking areas to control dust; effect on the promotion of health and the general welfare; effect on light and air; the effect on the overcrowding of the land; the effect on the concentration of population; the effect on the transportation, water, sewerage, schools, parks and other facilities; and

WHEREAS, the City Council of the City of Grapevine, Texas, at a public hearing called by the City Council of the City of Grapevine, Texas, did consider the following factors in making a determination as to whether this requested conditional use permit should be granted or denied; effect on the congestion of the streets, the fire hazards, panics and other dangers possibly present in the securing of safety from same, the effect on the promotion of health and the general welfare, effect on adequate light and air, the effect on the overcrowding of the land, the effect on the concentration of population, the effect on the transportation, water, sewerage, schools, parks and other public facilities; and

WHEREAS, all of the requirements of Section 48 of Ordinance No. 82-73 have been satisfied by the submission of evidence at a public hearing; and

WHEREAS, the City Council further considered among other things the character of the existing zoning district and its peculiar suitability for particular uses and with the view to conserve the value of buildings and encourage the most appropriate use of land throughout this City; and

WHEREAS, the City Council of the City of Grapevine, Texas, does find that there is a public necessity for the granting of this conditional use permit, that the public demands it, that the public interest clearly requires the amendment, that the zoning changes do not unreasonably invade the rights of those who bought or improved property with reference to the classification which existed at the time their original investment was made; and

WHEREAS, the City Council of the City of Grapevine, Texas, does find that the conditional use permit lessens the congestion in the streets, helps secure safety from fire, panic and other dangers, prevents the overcrowding of land, avoids undue concentration of population, facilitates the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements; and

WHEREAS, the City Council of the City of Grapevine, Texas, has determined that there is a necessity and need for this conditional use permit and has also found and determined that there has been a change in the conditions of the property surrounding and in close proximity to the property requested for a change since this property was originally classified and, therefore, feels that the issuance of this conditional use permit for the particular piece of property is needed, is called for, and is in the best interest of the public at large, the citizens of the City of Grapevine, Texas, and helps promote the general health, safety and welfare of this community.

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

Section 1. That the City does hereby issue 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 CU14-13 to allow for truck and trailer rental, lease sales, vehicle maintenance and fueling (Ryder Truck Rental), in a district zoned "LI" Light Industrial District within the following described property: proposed to be platted as Lot 1, Block 1, Ryder Addition (1150 Texan Trail) all in accordance with a site plan approved pursuant to Section 47 of Ordinance No. 82-73, attached hereto and made a part hereof as Exhibit "A", and all other conditions, restrictions, and safeguards imposed herein, including but not limited to the following: None.

Section 2. That the City Manager is hereby directed to amend the official zoning map of the City of Grapevine, Texas, to reflect the herein conditional use permit.

Section 3. That in all other respects the use of the tract or tracts of land herein above described shall be subject to all the applicable regulations contained in said City of Grapevine zoning ordinance and all other applicable and pertinent ordinances of the City of Grapevine, Texas.

Section 4. That the zoning regulations and districts as herein established have been made in accordance with the comprehensive plan for the purpose of promoting health, safety, morals and the general welfare of the community. They have been designed with respect to both present conditions and the conditions reasonably anticipated to exist in the foreseeable future; to lessen congestion in the streets; to secure safety from fire, panic, flood and other dangers; provide adequate light and air; to prevent overcrowding of land, to avoid undue concentration of population; facilitate the adequate provisions of transportation, water, sewerage, drainage and surface water, parks and other public requirements, and to make adequate provisions for the normal business, commercial needs and development of the community. They have been made with reasonable consideration, among other things, of the character of the district, and its peculiar suitability for the particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community.

Section 5. That this ordinance shall be cumulative of all other ordinances of the City of Grapevine, Texas, affecting zoning and shall not repeal any of the provisions of said ordinances except in those instances where provisions of those ordinances which are in direct conflict with the provisions of this ordinance.

Section 6. That the terms and provisions of this ordinance shall be deemed to be severable and that if the validity of the zoning affecting any portion of the tract or tracts of land described herein shall be declared to be invalid, the same shall not affect the validity of the zoning of the balance of the tract or tracts of land described herein.

Section 7. That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum

not to exceed Two Thousand Dollars (\$2,000.00) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Section 8. That this ordinance shall become effective from and after the date of its final passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on first reading on this the 20th day of May, 2014.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on second and final reading on this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

APPROVED:

---

ATTEST:

---

APPROVED AS TO FORM:

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CC ITEM #5, 28  
P&Z ITEM #3, 8

CASE NAME: RYDER TRUCK RENTAL  
CASE NUMBER: CU14-13  
LOCATION: 1100 TEXAN TRAIL AND  
1150 E NORTHWEST HIGHWAY

MAYOR \_\_\_\_\_ SECRETARY \_\_\_\_\_  
DATE: \_\_\_\_\_

PLANNING AND ZONING COMMISSION

CHAIRMAN \_\_\_\_\_

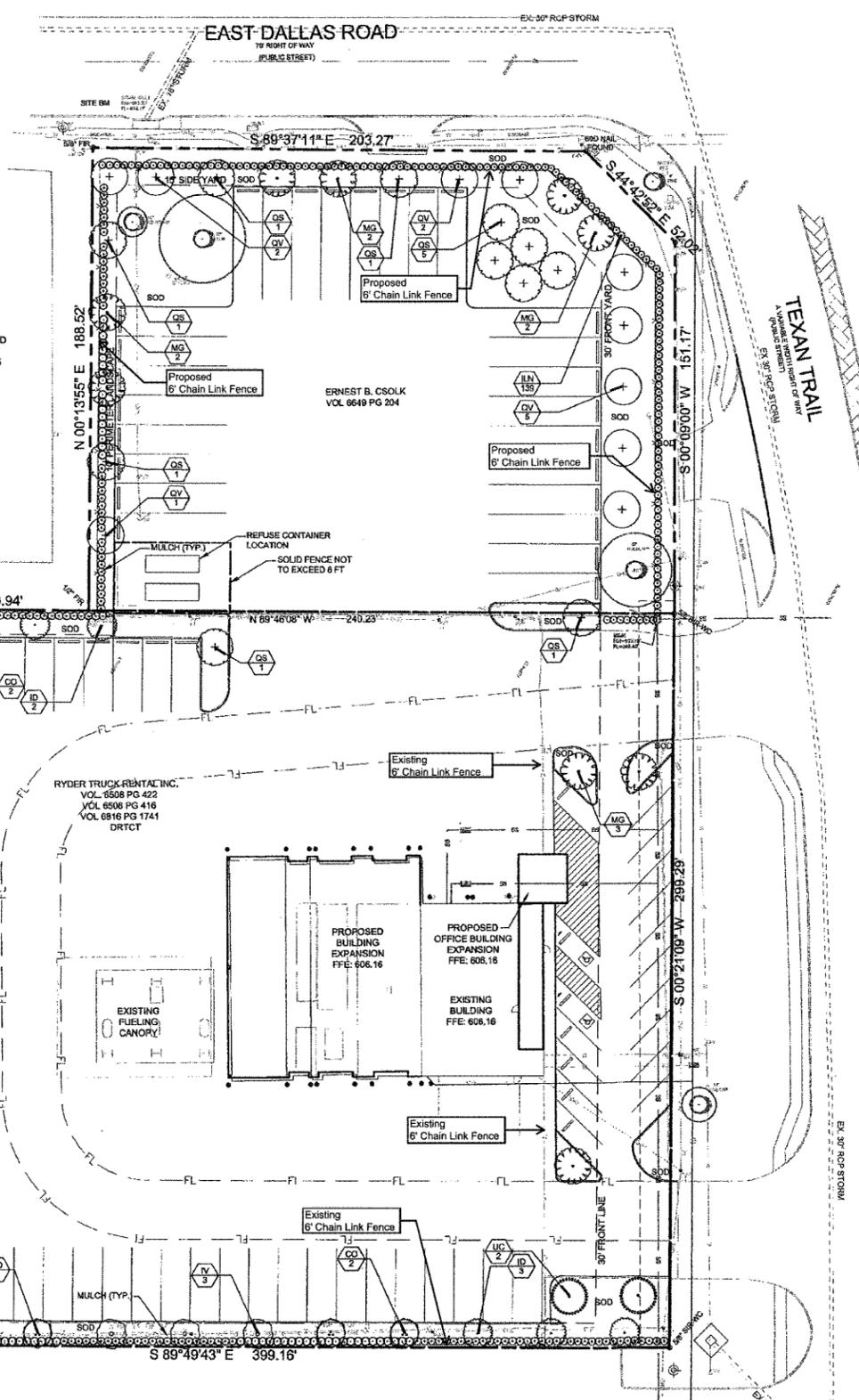
DATE: \_\_\_\_\_

SHEET: 5 OF 11

APPROVAL DOES NOT AUTHORIZE ANY  
WORK IN CONFLICT WITH ANY CODES OR  
ORDINANCES.

DEPARTMENT OF DEVELOPMENT SERVICES

AERO DFW FEE, LP.  
A DELAWARE LIMITED  
PARTNERSHIP  
DOC. NO. D206254785



**CITY OF GRAPEVINE LANDSCAPE REQUIREMENTS**

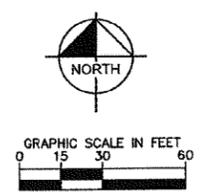
	REQUIRED	PROVIDED
<b>OFF-STREET PARKING REQUIREMENTS</b>		
INTERIOR LANDSCAPING - MIN. 10% OF VEHICULAR USE AREAS SHALL BE LANDSCAPED 123,127 SF X .1 = 12,313 SF	12,313 SF	12,313 SF
TREES - 1 TREE / 400 SF OF REQUIRED INTERIOR LANDSCAPING 12,313 SF / 400 = 31 TREES *INCLUDES 6 EXISTING TREES	31 TREES	33 TREES
<b>PERIMETER LANDSCAPING - 15' BUFFER ALONG PUBLIC R.O.W., 10' BUFFER ALONG ADJACENT PROPERTIES. 1 TREE PER 50 LF OF PERIMETER AREAS 1,048 LF / 50 = 21 TREES</b>	21 TREES	24 TREES
<b>OPEN SPACE REQUIREMENTS</b>		
NONRESIDENTIAL ZONING DISTRICTS SHALL HAVE A MIN. OF 15% OF TOTAL SITE DEVOTED TO LANDSCAPING 194,221 SF X .15 = 29,133 SF	24,633 SF	30,687 SF (19%)
<b>NON VEHICULAR OPEN SPACE REQUIREMENTS</b>		
PERCENTAGE OF SITE IN NONVEHICULAR OPEN SPACE LESS THAN 30% = 1 TREE / 2,500 30,987 SF / 2,500 = 13 TREES	13 TREES	13 TREES
<b>MITIGATION</b>		
PROTECTED TREES SHALL BE MITIGATED 1:1	14 INCHES	15 INCHES
PROTECTED TREES REMOVED - 1 - 14" CEDAR		(5 TREES @ 3" CAL)
<b>TOTAL TREES:</b>	<b>66 TREES</b>	<b>72 TREES</b>

\* ALL TREES UNDER OVER-HEAD ELECTRICAL LINES ARE UNDERSTORY TREES

**PLANT SCHEDULE**

TREES	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPECIFICATIONS	REMARKS
+	MG	9	Magnolia grandiflora / Southern Magnolia	3" cal, 12' ht x 4" spr	Full, Single Leader, Straight
+	QS	11	Quercus shumardii / Shumard Red Oak	3" cal, 12' ht x 4" spr	Full, Single Leader, Straight
+	QV	10	Quercus virginiana / Southern Live Oak	3" cal, 12' ht x 4" spr	Full, Single Leader, Straight
+	UC	8	Ulmus crassifolia / Cedar Elm	3" cal, 10'-12' ht x 4" spr	Full, Single Leader, Straight
+	CO	8	Cercis canadensis 'Oklahoma' / Oklahoma Redbud	2" cal, 6'-8' ht, 3'-4" spr	Full, Standard, Straight
+	ID	12	Ilex decidua / Possumhaw Holly	2" cal, 6'-8' ht, 3'-4" spr	Full, Straight
+	IV	9	Ilex vomitoria / Yaupon Holly	2" cal, 6'-8' ht, 3'-4" spr	Full, Straight
+	ILN	139	Ilex 'Nellie R Stevens' / Nellie Stevens Holly	30" ht, 24" spr, 36" oc	Full, 5 gallon min.
+	LEU	212	Leucophyllum frutescens / Texas Sage	30" ht, 24" spr, 36" oc	Full, 5 gallon min.
+	RR	124	Rosa x 'Knockout' TM / Rose	30" ht, 24" spr, 36" oc	Full, 5 gallon min.
+	SOD	TBD	Cynodon dactylon/ Bermuda	Roller Tilt with sand filled joints, 100% free of insects, diseases, weeds, etc.	
+	MULCH	TBD	Shredded Hardwood Mulch	4" depth, brown, All trees to receive a 4" diameter mulch ring if located in soil areas	

- PLANTING NOTES:**
- ALL PLANT MATERIAL SHALL BE INSTALLED ACCORDING TO SOUND NURSERY PRACTICES AND SHALL MEET ALL STANDARDS AS STATED IN THE LATEST EDITION OF "AMERICAN STANDARD FOR NURSERY STOCK" BY THE AMERICAN ASSOCIATION OF NURSERYMEN.
  - NO SUBSTITUTIONS IN PLANT MATERIALS SHALL BE MADE WITHOUT WRITTEN AUTHORIZATION FROM OWNER OR LANDSCAPE ARCHITECT. IN THE EVENT OF DISCREPANCIES BETWEEN THE DRAWING AND THE PLANT LIST, THE DRAWING SHALL PREVAIL.
  - LOCATE ALL UTILITIES PRIOR TO ANY DIGGING OPERATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGES TO EXISTING UTILITIES INCURRED BY HIS WORK.
  - REFERENCE IRRIGATION PLAN FOR BED IRRIGATION INFORMATION.
  - STAKING AND GUYING ALTERNATIVES: METHODS INDICATED IN DRAWING DETAILS ARE PREFERRED. CONTRACTOR MAY SUGGEST ALTERNATE METHODS, ASSUMING FULL RESPONSIBILITY FOR THEIR IMPLEMENTATION. CONTRACTOR SHALL REPLACE PLANT, OR UPRIGHT ANY TREES BLOWN OVER OR DAMAGED DUE TO INADEQUATE STAKING AT NO ADDITIONAL COST TO THE OWNER.
  - PLANTS MASSED IN BEDS SHALL BE ARRANGED USING TRIANGULAR SPACING.
  - PROVIDE A STEEL EDGE OR CONCRETE MOW STRIP BETWEEN ALL PLANTING BEDS AND LAWN AREAS. REFERENCE SITE PLAN.
  - ALL PLANTING BEDS TO BE TOP DRESSED WITH A MINIMUM OF 3" SHREDDED HARDWOOD MULCH.
  - PROVIDE GRASS SEEDING OR LAY BERMUDA SOD FOR PROPOSED LAWN AREAS TO ALL EDGES OF PAVEMENT AND/OR LIMITS OF DISTURBANCE OUTSIDE R.O.W. OR PROPOSED LANDSCAPE EASEMENT.
  - THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPING UNTIL FINAL ACCEPTANCE. ALL REQUIRED LANDSCAPING SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. THE WORK SHALL INCLUDE, BUT NOT TO BE LIMITED TO, MOWING, EDGING, PRUNING, FERTILIZING, WATERING, WEEDING, AND OTHER SUCH ACTIVITIES COMMON TO THE MAINTENANCE OF LANDSCAPING. ALL PLANT MATERIALS SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR. PLANT MATERIAL THAT DIES SHALL BE REPLACED WITH THE PLANT MATERIAL OF SIMILAR SIZE AND VARIETY.
  - CONTRACTOR SHALL WARRANTY PLANT MATERIAL TO REMAIN ALIVE AND HEALTHY FOR A PERIOD OF ONE YEAR AFTER FINAL ACCEPTANCE. WARRANTY SHALL NOT INCLUDE DAMAGE FOR LOSS OF PLANT MATERIAL DUE TO NATURAL CAUSES, ACTS OF VANDALISM OR NEGLIGENCE ON THE PART OF THE OWNER.
  - ALL DISTURBED AREAS WITHIN LIMITS OF CONSTRUCTION NOT CALLED TO BE SODDED, SHALL BE REESTABLISHED WITH BERMUDA SOD.
  - ALL LANDSCAPE BED AREAS TO BE PREPARED USING "READY TO PLANT BEDDING MIX" BY SOIL BUILDING SOLUTIONS (OR APPROVED EQUAL). INSTALL TO DEPTHS, PER PLANTING DETAILS (2" DEPTH MIN.). FINISHED GRADES OF PLANTING BEDS TO BE 2" BELOW FINISHED GRADE OF ADJACENT PAVING OR GRASS SHOWN ON GRADING PLAN.
  - ALL SOD AREAS TO RECEIVE 4" DEPTH (MIN) TOPSOIL PRIOR TO INSTALLATION. TOPSOIL SHALL BE NATURAL, FRIABLE, FERTILE, pH RANGE OF 6.0-6.5, AND FREE OF TRASH, DEBRIS, STONES, WEEDS, AND TWIGS/BRANCHES.



**CAUTION**  
EXISTING UNDERGROUND UTILITIES. CONTRACTOR TO VERIFY EXACT LOCATION PRIOR TO ANY TRENCHING OR EXCAVATION

**STOP!**  
**CALL BEFORE YOU DIG**  
DIG TESS  
1-800-DIG-TESS  
(@ least 72 hours prior to digging)

**BENCH MARK LIST**

BM# 1 5/8" Benchmark cross cut on southwest corner of inlet on the south side of East Dallas Road and 225 feet east of Texan Trail  
Elev. = 612.26

**Kimley-Horn and Associates, Inc.**  
801 CHERRY STREET, UNIT 11, SUITE 800  
PHOENIX, AZ 85004  
PHONE: 602-355-5671 FAX: 602-355-5707  
REGISTERED PROFESSIONAL ENGINEERING FIRM F-928



PROJECT No. 091282700  
DATE: FEBRUARY 2014  
SCALE: AS SHOWN  
DESIGNED BY: KHA  
DRAWN BY: KHA  
CHECKED BY: BDM

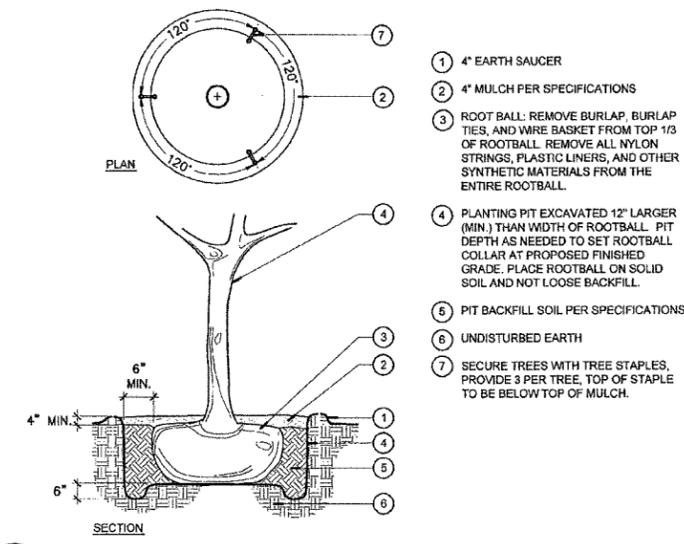
RYDER GRAPEVINE  
EAST DALLAS RD. / TEXAN TRAIL  
CITY OF GRAPEVINE, TEXAS

LANDSCAPE PLAN

SHEET NUMBER  
L-01

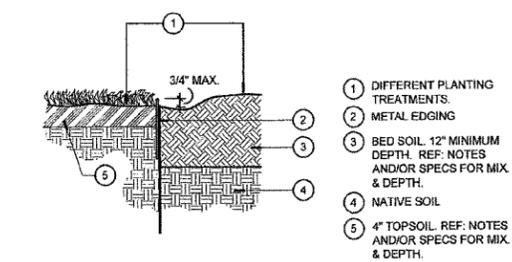
KIMLEY-HORN AND ASSOCIATES, INC.  
 801 CHERRY STREET, UNIT 11, SUITE 800  
 PHOENIX, AZ 85004  
 PHONE: 602-355-5671 FAX: 602-355-5707  
 REGISTERED PROFESSIONAL ENGINEERING FIRM F-928

© 2014 KIMLEY-HORN AND ASSOCIATES, INC.



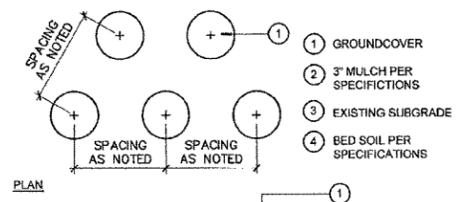
**A TREE PLANTING**  
N.T.S.

- 1 4" EARTH SAUCER
- 2 4" MULCH PER SPECIFICATIONS
- 3 ROOT BALL: REMOVE BURLAP, BURLAP TIES, AND WIRE BASKET FROM TOP 1/3 OF ROOTBALL. REMOVE ALL NYLON STRINGS, PLASTIC LINERS, AND OTHER SYNTHETIC MATERIALS FROM THE ENTIRE ROOTBALL.
- 4 PLANTING PIT EXCAVATED 12" LARGER (MIN.) THAN WIDTH OF ROOTBALL. PIT DEPTH AS NEEDED TO SET ROOTBALL COLLAR AT PROPOSED FINISHED GRADE. PLACE ROOTBALL ON SOLID SOIL AND NOT LOOSE BACKFILL.
- 5 PIT BACKFILL SOIL PER SPECIFICATIONS
- 6 UNDISTURBED EARTH
- 7 SECURE TREES WITH TREE STAPLES. PROVIDE 3 PER TREE. TOP OF STAPLE TO BE BELOW TOP OF MULCH.



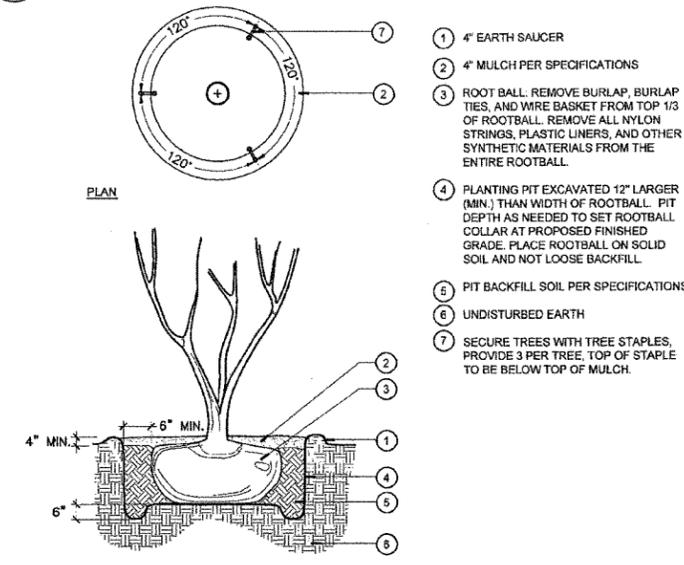
**D STEEL EDGING**  
N.T.S.

- 1 DIFFERENT PLANTING TREATMENTS.
- 2 METAL EDGING
- 3 BED SOIL 12" MINIMUM DEPTH. REF. NOTES AND/OR SPECS FOR MIX & DEPTH.
- 4 NATIVE SOIL
- 5 4" TOPSOIL. REF. NOTES AND/OR SPECS FOR MIX & DEPTH.



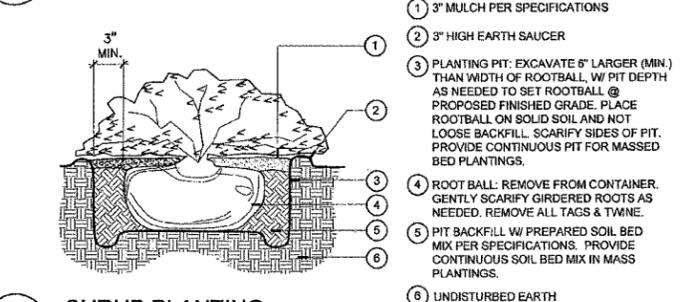
**E GROUNDCOVER PLANTING**  
N.T.S.

- 1 GROUNDCOVER
- 2 3" MULCH PER SPECIFICATIONS
- 3 EXISTING SUBGRADE
- 4 BED SOIL PER SPECIFICATIONS



**B MULTI-TRUNK TREE PLANTING**  
N.T.S.

- 1 4" EARTH SAUCER
- 2 4" MULCH PER SPECIFICATIONS
- 3 ROOT BALL: REMOVE BURLAP, BURLAP TIES, AND WIRE BASKET FROM TOP 1/3 OF ROOTBALL. REMOVE ALL NYLON STRINGS, PLASTIC LINERS, AND OTHER SYNTHETIC MATERIALS FROM THE ENTIRE ROOTBALL.
- 4 PLANTING PIT EXCAVATED 12" LARGER (MIN.) THAN WIDTH OF ROOTBALL. PIT DEPTH AS NEEDED TO SET ROOTBALL COLLAR AT PROPOSED FINISHED GRADE. PLACE ROOTBALL ON SOLID SOIL AND NOT LOOSE BACKFILL.
- 5 PIT BACKFILL SOIL PER SPECIFICATIONS
- 6 UNDISTURBED EARTH
- 7 SECURE TREES WITH TREE STAPLES. PROVIDE 3 PER TREE. TOP OF STAPLE TO BE BELOW TOP OF MULCH.



**C SHRUB PLANTING**  
N.T.S.

- 1 3" MULCH PER SPECIFICATIONS
- 2 3" HIGH EARTH SAUCER
- 3 PLANTING PIT: EXCAVATE 6" LARGER (MIN.) THAN WIDTH OF ROOTBALL. W/ PIT DEPTH AS NEEDED TO SET ROOTBALL @ PROPOSED FINISHED GRADE. PLACE ROOTBALL ON SOLID SOIL AND NOT LOOSE BACKFILL. SCARIFY SIDES OF PIT. PROVIDE CONTINUOUS PIT FOR MASSES BED PLANTINGS.
- 4 ROOT BALL: REMOVE FROM CONTAINER. GENTLY SCARIFY GIRDERED ROOTS AS NEEDED. REMOVE ALL TAGS & TWINE.
- 5 PIT BACKFILL W/ PREPARED SOIL BED MIX PER SPECIFICATIONS. PROVIDE CONTINUOUS SOIL BED MIX IN MASS PLANTINGS.
- 6 UNDISTURBED EARTH

CASE NAME: RYDER TRUCK RENTAL  
CASE NUMBER: CU14-13  
LOCATION: 1100 TEXAN TRAIL AND 1150 E NORTHWEST HIGHWAY

MAYOR \_\_\_\_\_ SECRETARY \_\_\_\_\_

DATE: \_\_\_\_\_

PLANNING AND ZONING COMMISSION

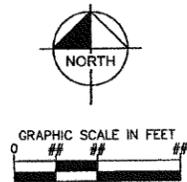
CHAIRMAN \_\_\_\_\_

DATE: \_\_\_\_\_

SHEET: 6 OF 11

APPROVAL DOES NOT AUTHORIZE ANY WORK IN CONFLICT WITH ANY CODES OR ORDINANCES.

DEPARTMENT OF DEVELOPMENT SERVICES



**CAUTION**  
EXISTING UNDERGROUND UTILITIES. CONTRACTOR TO VERIFY EXACT LOCATION PRIOR TO ANY TRENCHING OR EXCAVATION.

**STOP!**  
**CALL BEFORE YOU DIG**  
DIG TESS  
1-800-DIG-TESS  
(@ least 72 hours prior to digging)

**BENCHMARK LIST**  
BM# 1 Site Benchmark cross out on southwest corner of inlet on the south side of East Dallas Road and 225 feet east of Texan Trail  
Elev. = 612.28

**Kimley-Horn and Associates, Inc.**  
801 CHERRY STREET, UNIT 11, SUITE 600  
FORT WORTH, TEXAS 76102  
PHONE 817-335-8888  
ENGINEERING FIRM E-228

PROJECT NO: 061282700  
DATE: FEBRUARY 2014  
SCALE: AS SHOWN  
DESIGNED BY: RHA  
DRAWN BY: RHA  
CHECKED BY: BDM

RYDER GRAPEVINE  
EAST DALLAS RD. / TEXAN TRAIL  
CITY OF GRAPEVINE, TEXAS

LANDSCAPE DETAILS

SHEET NUMBER  
**L-02**

XREF: 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REVISIONS

REV #	DATE	BY:

Note:

1. Illumination signage was included in the determination of the illumination levels.

CASE NAME: RYDER TRUCK RENTAL  
CASE NUMBER: CU14-13  
LOCATION: 1100 TEXAN TRAIL AND  
1150 E NORTHWEST HIGHWAY

MAYOR \_\_\_\_\_ SECRETARY \_\_\_\_\_  
DATE: \_\_\_\_\_  
PLANNING AND ZONING COMMISSION

CHAIRMAN \_\_\_\_\_  
DATE: \_\_\_\_\_  
SHEET: 7 OF 11

APPROVAL DOES NOT AUTHORIZE ANY  
WORK IN CONFLICT WITH ANY CODES OR  
ORDINANCES.

DEPARTMENT OF DEVELOPMENT SERVICES

Calculation Summary

Label	Avg	Max	Min	Avg/Min	Max/Min	PLSpct	Footcandle
EXISTING LOT	1.03	19.1	0.0	N.A.	N.A.	15	15
NEW LOT	0.89	3.8	0.1	8.90	38.00	15	15

Luminaire Schedule

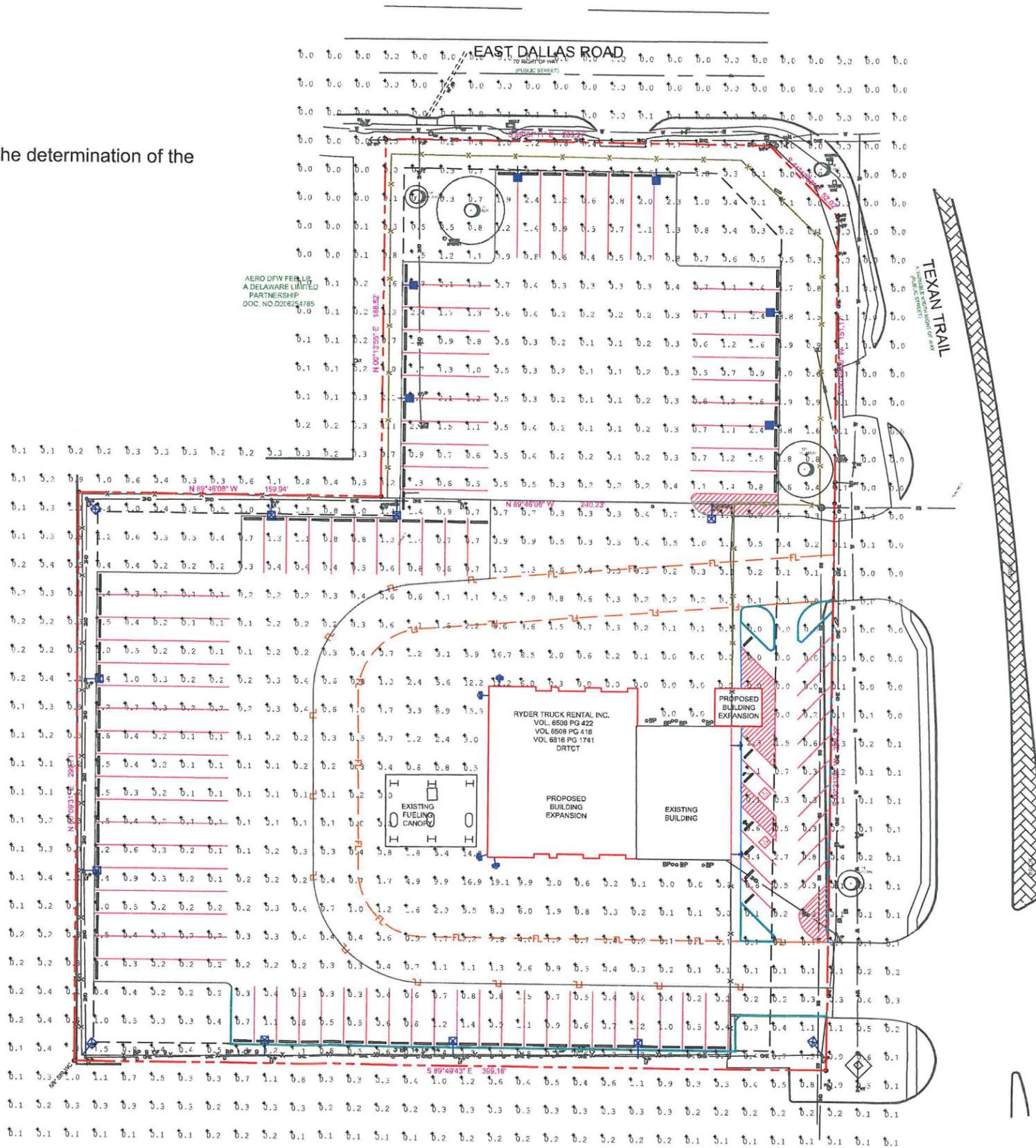
Symbol	Cty	Label	Lumens	LF	Description
	X1	X1	12500	0.500	EXISTING FLOOD-150-MH 20' MOUNTING HEIGHT
	X2	X2	110000	0.500	EXISTING FLOOD-1000-MH 26' MOUNTING HEIGHT
	X3	X3	12500	0.500	EXISTING FLOOD-150-MH 20' MOUNTING HEIGHT
	A	A	12500	0.300	WLS-H-S-F-150-CHK-FG 23' MOUNTING HEIGHT



1-800-633-8711 - WWW.WLSLIGHTING.COM

BASED ON THE INFORMATION PROVIDED, ALL DIMENSIONS AND LUMINAIRE LOCATIONS SHOWN REPRESENT RECOMMENDED POSITIONS. THE ENGINEER AND/OR ARCHITECT MUST DETERMINE APPLICABILITY OF THE LAYOUT TO EXISTING OR FUTURE FIELD CONDITIONS.

THIS LIGHTING PATTERN REPRESENTS ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA TAKEN UNDER CONTROLLED CONDITIONS UTILIZING CURRENT INDUSTRY STANDARD LAMP RATINGS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY APPROVED METHODS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRE MAY VARY DUE TO VARIATION IN ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS AND OTHER VARIABLE FIELD CONDITIONS.



CC ITEM #5, 28  
P&Z ITEM #3, 8

1919 WINDSOR PLACE  
FORT WORTH, TX 76110  
WWW.WLSLIGHTING.COM

**WLS LIGHTING SYSTEMS**  
Consider the Impact!

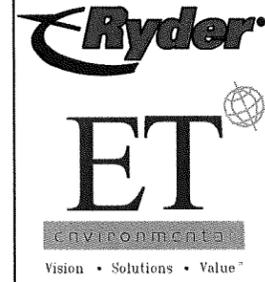
**RYDER GRAPEVINE  
GRAPEVINE, TX**

WLS-9649 DATE - 3/13/14 SCALE: 1"=30'  
PM: DREW BY: TO SHEET 1 OF









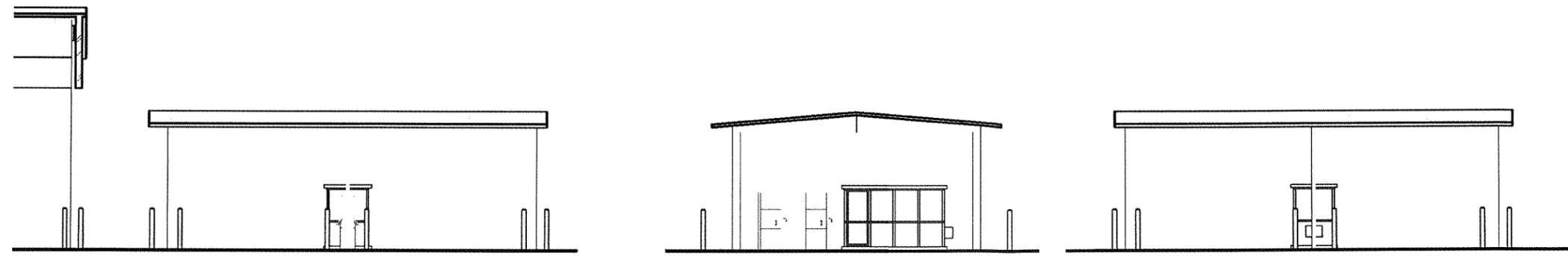
CASE NAME: RYDER TRUCK RENTAL  
 CASE NUMBER: CU14-13  
 LOCATION: 1100 TEXAN TRAIL AND  
 1150 E NORTHWEST HIGHWAY

MAYOR \_\_\_\_\_ SECRETARY \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 PLANNING AND ZONING COMMISSION

CHAIRMAN \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 SHEET: 11 OF 11

APPROVAL DOES NOT AUTHORIZE ANY  
 WORK IN CONFLICT WITH ANY CODES OR  
 ORDINANCES.

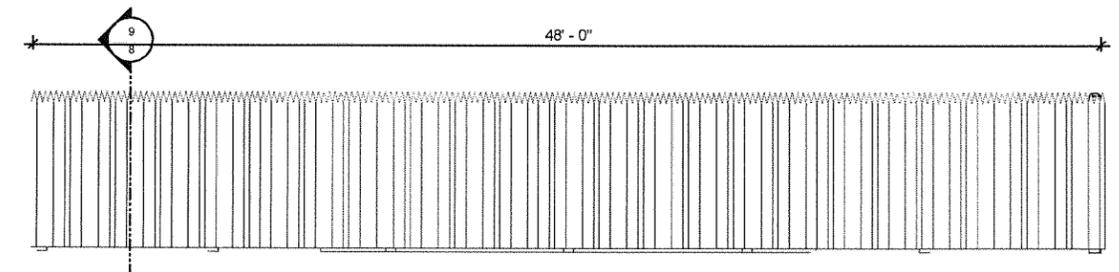
DEPARTMENT OF DEVELOPMENT SERVICES



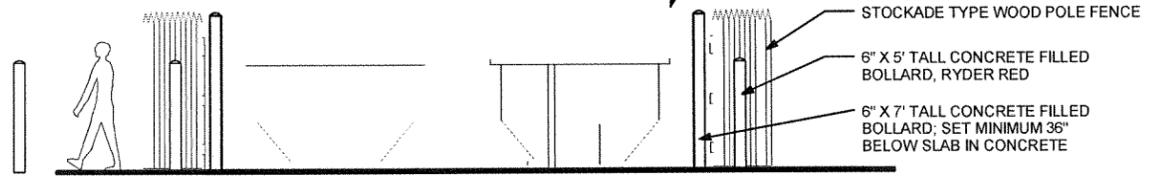
**1 Fuel Canopy North**  
1/8" = 1'-0"

**2 Fuel Canopy West**  
1/8" = 1'-0"

**3 Fuel Canopy South**  
1/8" = 1'-0"



**4 Dumpster Enclosure South Elevation**  
1/4" = 1'-0"



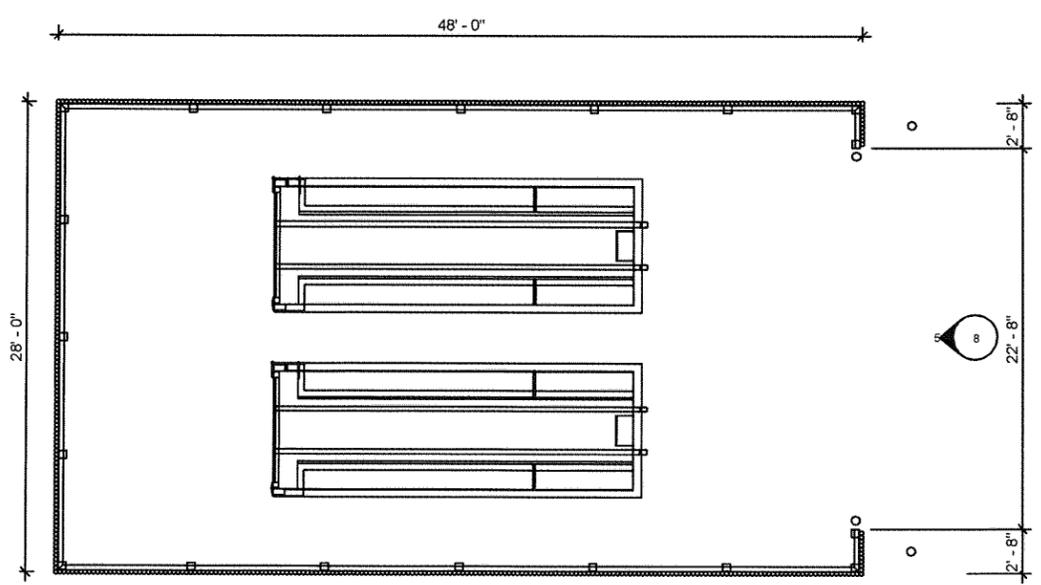
**5 Dumpster Enclosure East Elevation**  
1/4" = 1'-0"

NO GATES; TALL BOLLARDS  
 ALLOW FUTURE GATES

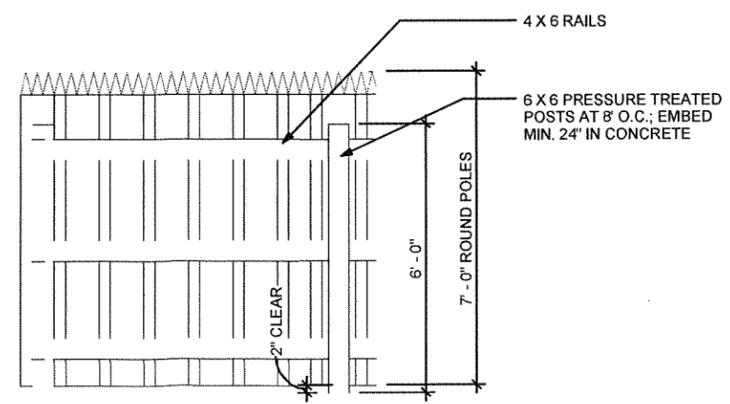
STOCKADE TYPE WOOD POLE FENCE

6" X 5' TALL CONCRETE FILLED  
 BOLLARD, RYDER RED

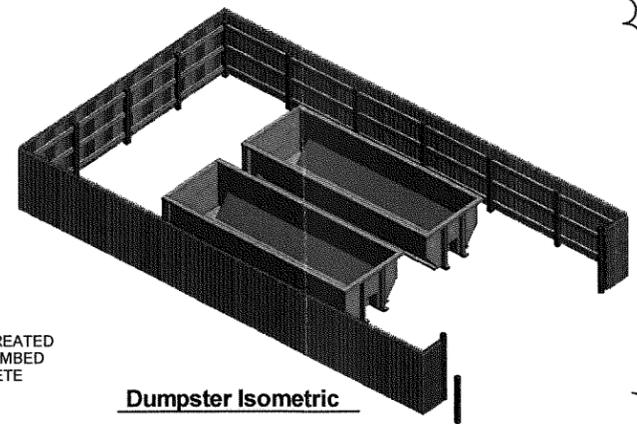
6" X 7' TALL CONCRETE FILLED  
 BOLLARD; SET MINIMUM 36"  
 BELOW SLAB IN CONCRETE



**7 Dumpster Enclosure Plan**  
3/16" = 1'-0"



**9 Stockade Fence Interior**  
1/2" = 1'-0"

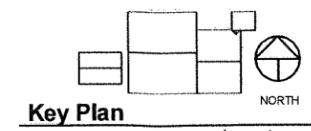


**Dumpster Isometric**

DUMPSTER ENCLOSURE; SEE CIVIL  
 DRAWINGS FOR EXACT LOCATION

VIEW 5  
 SHEET 8

VIEW 4  
 SHEET 8



**Key Plan**

Revisions		
Rev. #	Description	Date
4	Rev J Dumpster Encl	5/5/2014

PROJECT NUMBER 15-ET1276

Working Draft - Rev J  
 5/5/2014  
 Fuel Canopy and  
 Dumpster

I:\Projects\14-1100-13\14-1100-13-01-01\14-1100-13-01-01-01.dwg  
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 User: jay...  
 Plot: 14-1100-13-01-01-01.dwg  
 Plot Date: 5/5/2014 4:05:55 PM  
 Plot Scale: 1/8" = 1'-0"  
 Plot Size: 22" x 34"

MEMO TO: HONORABLE MAYOR, CITY COUNCIL MEMBERS AND  
MEMBERS OF THE PLANNING AND ZONING COMMISSION

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*  
SCOTT WILLIAMS, DEVELOPMENT SERVICES DIRECTOR *msf 05/14*

MEETING DATE: MAY 20, 2014

SUBJECT: CONDITIONAL USE APPLICATION CU14-14 CUPS COFFEE  
HOUSE

RECOMMENDATION:

Staff recommends the City Council and Planning and Zoning Commission accept the applicant's request to withdraw Conditional Use Application CU14-14 and take any other necessary action.

BACKGROUND INFORMATION:

The applicant, Mrs. Kathy Diamond has submitted a conditional use application to establish a coffee shop with outside dining within the Central Business District. The applicant is asking to withdraw this request. Please see the attached letter.

/at

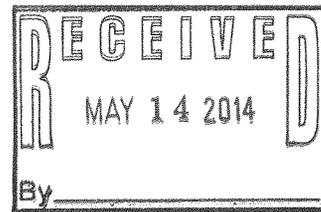
To Whom It May Concern:

I have decided to withdraw the application for a Conditional Use Application for Cups Coffee Bar. Because of unforeseen expenses, required for various additions to meet city code, I have decided to expand what I currently retail at Willow Cottage instead.

Sincerely,

Kathy Diamond

Willow Cottage

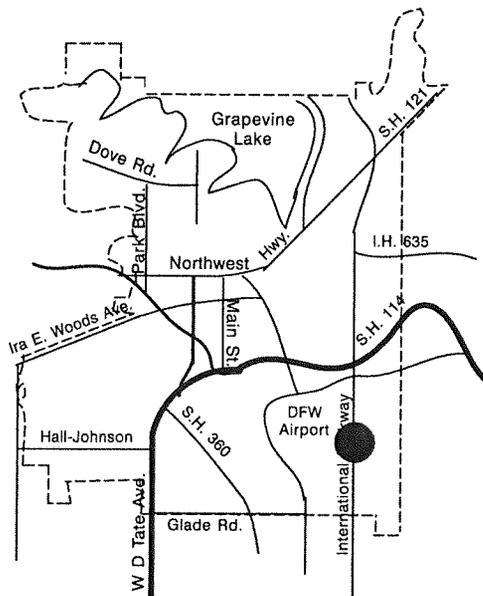


TO: HONORABLE MAYOR, CITY COUNCIL MEMBERS AND THE  
PLANNING AND ZONING COMMISSION

FROM: BRUNO RUMBELOW, CITY MANAGER <sup>BR</sup>  
SCOTT WILLIAMS, DEVELOPMENT SERVICES DIRECTOR 

MEETING DATE: MAY 20, 2014

SUBJECT: DEVELOPMENT SERVICES TECHNICAL REPORT OF  
CONDITIONAL USE APPLICATION CU14-15 PIZZA PUB/DFW  
INTERNATIONAL AIRPORT



APPLICANT: Gabriel Aranza/Star Concessions

PROPERTY LOCATION AND SIZE:

The subject property is located at 1000 International Parkway, Terminal "E" between Columns 18 - 25.

REQUESTED CONDITIONAL USE AND COMMENTS:

The applicant is requesting a conditional use permit to allow the possession, storage, retail sale, and on-premise consumption of alcoholic beverages (beer, wine, and mixed beverages) in conjunction with a restaurant.

The applicant is requesting on-premise alcohol beverage sales and consumption for the Pizza Pub restaurant located within a newly created lease space between columns 18-25 in Terminal "E".

PRESENT USE:

The property is currently developed as the Dallas/Fort Worth International Airport.

**AIRPORT IMPACT:**

The subject tract is partially located within "Zone C", zone of greatest effect, as defined on the "Aircraft Sound Exposure: Dallas /Fort Worth Regional Airport Environs" map. Industrial and commercial uses that can tolerate high levels of sound exposure are appropriate in "Zone C". The applicant's proposal is an appropriate use in this noise zone.

**MASTER PLAN APPLICATION:**

The Master Plan designates the subject property as governmental land use. The applicant's proposal is in compliance with the Master Plan.

/at



CU14-13

CC ITEM #7, 29  
P&Z ITEM #5, 9



# CITY OF GRAPEVINE

## CONDITIONAL USE APPLICATION

### Form "A"

#### PART 1. APPLICANT INFORMATION

Applicant Name: MultiRestaurants Concepts, Ltd.

Applicant Address: 7929 Brookriver Drive, Suite 200

City/State/Zip: Dallas, Texas 75247

Phone No. 214-353-3959 Fax No. 214-353-3963

Email Address garanza@starcons.com Mobile Phone 972-922-6262

Applicant's interest in subject property We plan to open a restaurant called "Pizza Pub" and want to serve alcoholic beverages.

#### PART 2. PROPERTY INFORMATION

Street Address of subject property 1000 International Parkway, DFW Airport Terminal E 5, Columns 18-25

Legal Description: Lot [ ] Block [ ] Addition [ ]

Legal description of subject property (metes & bounds must be described on 8 1/2" x 11" sheet)

Size of subject property: acres [ ] square footage [ ]

Present zoning classification governmental use Circle yes or no, if applies to this application: Outdoor speakers Yes  No

Proposed use of property restaurant serving alcoholic beverages

Zoning ordinance provision requiring a conditional use restaurant serving alcoholic beverages

#### PART 3. PROPERTY OWNER INFORMATION

Property Owner Dallas/Fort Worth International Airport

Prop Owner Address 3200 East Airfield Drive

City/State/Zip DFW Airport, Texas 75261

Phone No. 972-973-5752 Fax No. 972-973-5751

- Submit a letter describing the proposed conditional use and note the request on the site plan document
- In the same letter, describe or show on the site plan, and conditional requirements or conditions imposed upon the particular conditional use by applicable district regulations (example: buffer yards, distance between users)
- In the same letter, describe whether the proposed conditional use will, or will not cause substantial harm to the value, use, or enjoyment of other property in the neighborhood. Also, describe how the proposed conditional use will add to the value, use, or enjoyment of other property in the neighborhood.
- Application of site plan approval (Section 47, see attached Form "B").
- The site plan submission shall meet the requirements of Section 47, Site Plan Requirements.

RECEIVED  
APR 7 2014  
By \_\_\_\_\_

CUI4-15

CC ITEM #7, 29  
P&Z ITEM #5, 9

- All conditional use and conditional use applications are assumed to be complete when filed and will be placed on the agenda for public hearing at the discretion of the staff. Based on the size of the agenda, your application may be scheduled to a later date.
- All public hearings will be opened and testimony given by applicants and interested citizenry. Public hearings may be continued to the next public hearing. Public hearings will not be tabled.
- Any changes to a site plan (no matter how minor or major) approved with a conditional use or conditional use permit can only be approved by city council through the public hearing process.
- I have read and understand all the requirements as set forth by the application for conditional use or conditional use permit and acknowledge that all requirements of this application have been met at the time of submittal.

**PART 4. SIGNATURE TO AUTHORIZE CONDITIONAL USE REQUEST AND PLACE A CONDITIONAL USE REQUEST SIGN ON THE SUBJECT PROPERTY**

MULTIRESTAURANTS CONCEPTS, LTD. by Gilbert Aranza, President  
 Print Applicant's Name of the General Partner

*[Signature]*  
 Applicant's Signature

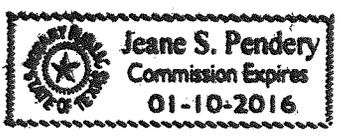
The State of Texas

County of Dallas

Before me (notary) Jeane Pendery on this day personally appeared (applicant) Gilbert Aranza

known to me (or proved to me on the oath of card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

(Seal) Given under my hand and seal of office this 23<sup>rd</sup> day of March, A.D. 2014



*Jeane S. Pendery*

Notary In and For State of Texas

Dallas/Fort Worth International Airport  
 Print Property Owner's Name

*[Signature]*  
Property Owner's Signature

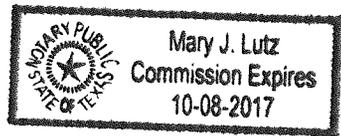
The State of Texas

County of Tarrant

Before me (notary) MARY J Lutz on this day personally appeared (applicant) Mike Morford

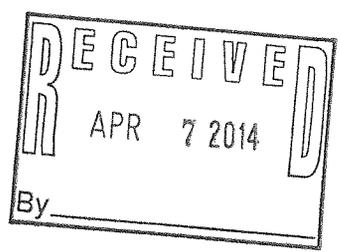
known to me (or proved to me on the oath of card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

(Seal) Given under my hand and seal of office this 26<sup>th</sup> day of March, A.D. 2014



*[Signature]*

Notary In and For State of Texas



**ACKNOWLEDGEMENT**

CU14-15  
CC ITEM #7, 29  
P&Z ITEM #5, 9

**All Conditional Use and Special Use Applications are assumed to be complete when filed and will be placed on the agenda for public hearing at the discretion of the staff. Based on the size of the agenda, your application may be scheduled to a later date.**

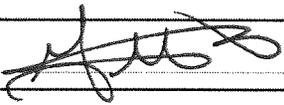
**All public hearings will be opened and testimony given by applicants and interested citizenry. Public hearings may be continued to the next public hearing. Public hearings will not be tabled.**

**Any changes to a site plan (no matter how minor or major) approved with a conditional use or a special use permit can only be approved by city council through the public hearing process.**

**Any application for a change in zoning or for an amendment to the zoning ordinance shall have, from the date of submittal, a period of four months to request and be scheduled on an agenda before the Planning and Zoning Commission and City Council. If after said period of four months an application has not been scheduled before the Commission and Council said application shall be considered withdrawn, with forfeiture of all filing fees. The application, along with the required filing fee may be resubmitted any time thereafter for reconsideration. Delays in scheduling applications before the Planning and Zoning Commission and City Council created by city staff shall not be considered a part of the four month period.**

**I have read and understand all of the requirements as set forth by the application for conditional use or special use permit and acknowledge that all requirements of this application have been met at the time of submittal.**

Signature of Applicant



Date

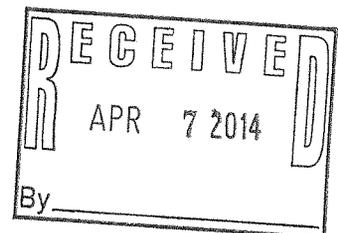
March 23, 2014

Signature of Property Owner



Date

3/26/2014



CUI 4-15  
CC ITEM #7, 29  
P&Z ITEM #5, 9

# *MultiRestaurants Concept, Ltd.*

7929 Brookriver Drive, Suite 200  
Dallas, Texas 75247  
(214) 353-3959 Telephone  
(214) 353-3963 Fax

---

City of Grapevine  
Development Services  
Planning Division  
200 South Main Street  
Grapevine, Texas 76051

RE: City of Grapevine Conditional Use/Site Application  
Dallas/Fort Worth International Airport  
Terminal E5, Columns 18-25 (Pizza Pub)

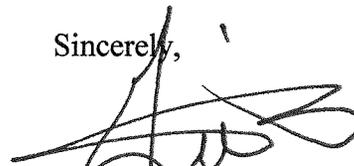
Dear Sir:

We propose to operate the above-referenced location as a restaurant called "Pizza Pub" and plan to serve alcoholic beverages at the restaurant. The exact location is shown on the attached site plan.

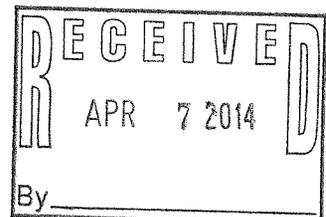
The proposed use as a restaurant serving alcoholic beverages will not cause harm to the value, use or enjoyment of other properties at Dallas/Fort Worth Airport. The planned restaurant serving alcoholic beverages will add to the enjoyment of travelers by expanding the place to relax and obtain alcoholic beverages.

Thank you for your assistance.

Sincerely,



Gilbert Aranza  
President of the General Partner



ORDINANCE NO. \_\_\_\_\_

CU14-15  
PIZZA PUB

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 CU14-15 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

WHEREAS, an application was made requesting issuance of a conditional use permit by making applications for same with the Planning & Zoning Commission of the City of Grapevine, Texas, as required by State statutes and the zoning ordinance of the City of Grapevine, Texas, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of the City of Grapevine, Texas, after all legal notices requirements, conditions and prerequisites having been complied with; and

WHEREAS, the City Council of the City of Grapevine, Texas, at a public hearing called by the City Council did consider the following factors in making a determination as to whether this requested conditional use permit should be granted or denied: safety of the motoring public and the pedestrians using the facilities in the area immediately surrounding the site; safety from fire hazards and measures for fire control; protection of adjacent property from flood or water damages, noise producing elements, and glare of the vehicular and stationary lights and effect of such lights on established character of the neighborhood; location, lighting, and types of signs and relation of signs to traffic control

and adjacent property; street size and adequacy of width for traffic reasonably expected to be generated by the proposed use around the site and in the immediate neighborhood; adequacy of parking as determined by requirements of this ordinance for off-street parking facilities; location of ingress and egress points for parking and off-street locating spaces, and protection of public health by surfacing on all parking areas to control dust; effect on the promotion of health and the general welfare; effect on light and air; the effect on the overcrowding of the land; the effect on the concentration of population; the effect on the transportation, water, sewerage, schools, parks and other facilities; and

WHEREAS, the City Council of the City of Grapevine, Texas, at a public hearing called by the City Council of the City of Grapevine, Texas, did consider the following factors in making a determination as to whether this requested conditional use permit should be granted or denied; effect on the congestion of the streets, the fire hazards, panics and other dangers possibly present in the securing of safety from same, the effect on the promotion of health and the general welfare, effect on adequate light and air, the effect on the overcrowding of the land, the effect on the concentration of population, the effect on the transportation, water, sewerage, schools, parks and other public facilities; and

WHEREAS, all of the requirements of Section 48 of Ordinance No. 82-73 have been satisfied by the submission of evidence at a public hearing; and

WHEREAS, the City Council further considered among other things the character of the existing zoning district and its peculiar suitability for particular uses and with the view to conserve the value of buildings and encourage the most appropriate use of land throughout this City; and

WHEREAS, the City Council of the City of Grapevine, Texas, does find that there is a public necessity for the granting of this conditional use permit, that the public demands it, that the public interest clearly requires the amendment, that the zoning changes do not unreasonably invade the rights of those who bought or improved property with reference to the classification which existed at the time their original investment was made; and

WHEREAS, the City Council of the City of Grapevine, Texas, does find that the conditional use permit lessens the congestion in the streets, helps secure safety from fire, panic and other dangers, prevents the overcrowding of land, avoids undue concentration of population, facilitates the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements; and

WHEREAS, the City Council of the City of Grapevine, Texas, has determined that there is a necessity and need for this conditional use permit and has also found and determined that there has been a change in the conditions of the property surrounding and in close proximity to the property requested for a change since this property was originally classified and, therefore, feels that the issuance of this conditional use permit for the particular piece of property is needed, is called for, and is in the best interest of the public at large, the citizens of the City of Grapevine, Texas, and helps promote the general health, safety and welfare of this community.

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

Section 1. That the City does hereby issue 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 CU14-15 to allow for the possession, storage, retail sale and on-premise consumption of alcoholic beverages (beer, wine and mixed beverages) in conjunction with a restaurant (Pizza Pub), in a district zoned "GU" Governmental Use District within the following described property: Terminal E, Columns 18-25 (1000 International Parkway, Dallas/Fort Worth International Airport) all in accordance with a site plan approved pursuant to Section 47 of Ordinance No. 82-73, attached hereto and made a part hereof as Exhibit "A", and all other conditions, restrictions, and safeguards imposed herein, including but not limited to the following: None.

Section 2. That the City Manager is hereby directed to amend the official zoning map of the City of Grapevine, Texas, to reflect the herein conditional use permit.

Section 3. That in all other respects the use of the tract or tracts of land herein above described shall be subject to all the applicable regulations contained in said City of Grapevine zoning ordinance and all other applicable and pertinent ordinances of the City of Grapevine, Texas.

Section 4. That the zoning regulations and districts as herein established have been made in accordance with the comprehensive plan for the purpose of promoting health, safety, morals and the general welfare of the community. They have been designed with respect to both present conditions and the conditions reasonably anticipated to exist in the foreseeable future; to lessen congestion in the streets; to secure safely from fire, panic, flood and other dangers; provide adequate light and air; to prevent overcrowding of land, to avoid undue concentration of population; facilitate the adequate provisions of transportation, water, sewerage, drainage and surface water, parks and other public requirements, and to make adequate provisions for the normal business, commercial needs and development of the community. They have been made with reasonable consideration, among other things, of the character of the district, and its peculiar suitability for the particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community.

Section 5. That this ordinance shall be cumulative of all other ordinances of the City of Grapevine, Texas, affecting zoning and shall not repeal any of the provisions of said ordinances except in those instances where provisions of those ordinances which are in direct conflict with the provisions of this ordinance.

Section 6. That the terms and provisions of this ordinance shall be deemed to be severable and that if the validity of the zoning affecting any portion of the tract or tracts of

land described herein shall be declared to be invalid, the same shall not affect the validity of the zoning of the balance of the tract or tracts of land described herein.

Section 7. That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Section 8. That the fact that the present ordinances and regulations of the City of Grapevine, Texas, are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the City of Grapevine, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this ordinance shall become effective from and after the date of its final passage, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 20th day of May, 2014.

APPROVED:

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ATTEST:

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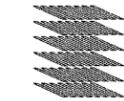
APPROVED AS TO FORM:

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JOHN E WHEELER  
ARCHITECTS INC.  
7075 TWIL HILLS AVE., 3RD FLOOR, DALLAS TEXAS 75230  
(214)387-0180



FRED MERRILL  
& ASSOCIATES, INC.  
DESIGN CONSULTANT  
214-353-0386 PHONE  
214-353-0913 FAX



PIZZA PUB  
DFW AIRPORT TERMINAL E



JOB NO. 1411

REVISIONS

NO.	DATE	DESCRIPTION
4	4-30-14	

RECEIVED  
MAY 5 2014  
By \_\_\_\_\_

CASE NAME: MULTIRESTAURANTS CONCEPTS, LTD.  
dba PIZZA PUB  
CASE NUMBER: CU14-15  
LOCATION: 1000 INTERNATIONAL PARKWAY  
DFW INTERNATIONAL AIRPORT,  
TERMINAL E5, COLUMNS 18-25

MAYOR \_\_\_\_\_ SECRETARY \_\_\_\_\_  
DATE: \_\_\_\_\_  
PLANNING AND ZONING COMMISSION  
CHAIRMAN \_\_\_\_\_  
DATE: \_\_\_\_\_  
SHEET: 1 OF 1

APPROVAL DOES NOT AUTHORIZE ANY  
WORK IN CONFLICT WITH SNY CODES  
OR ORDINANCES.

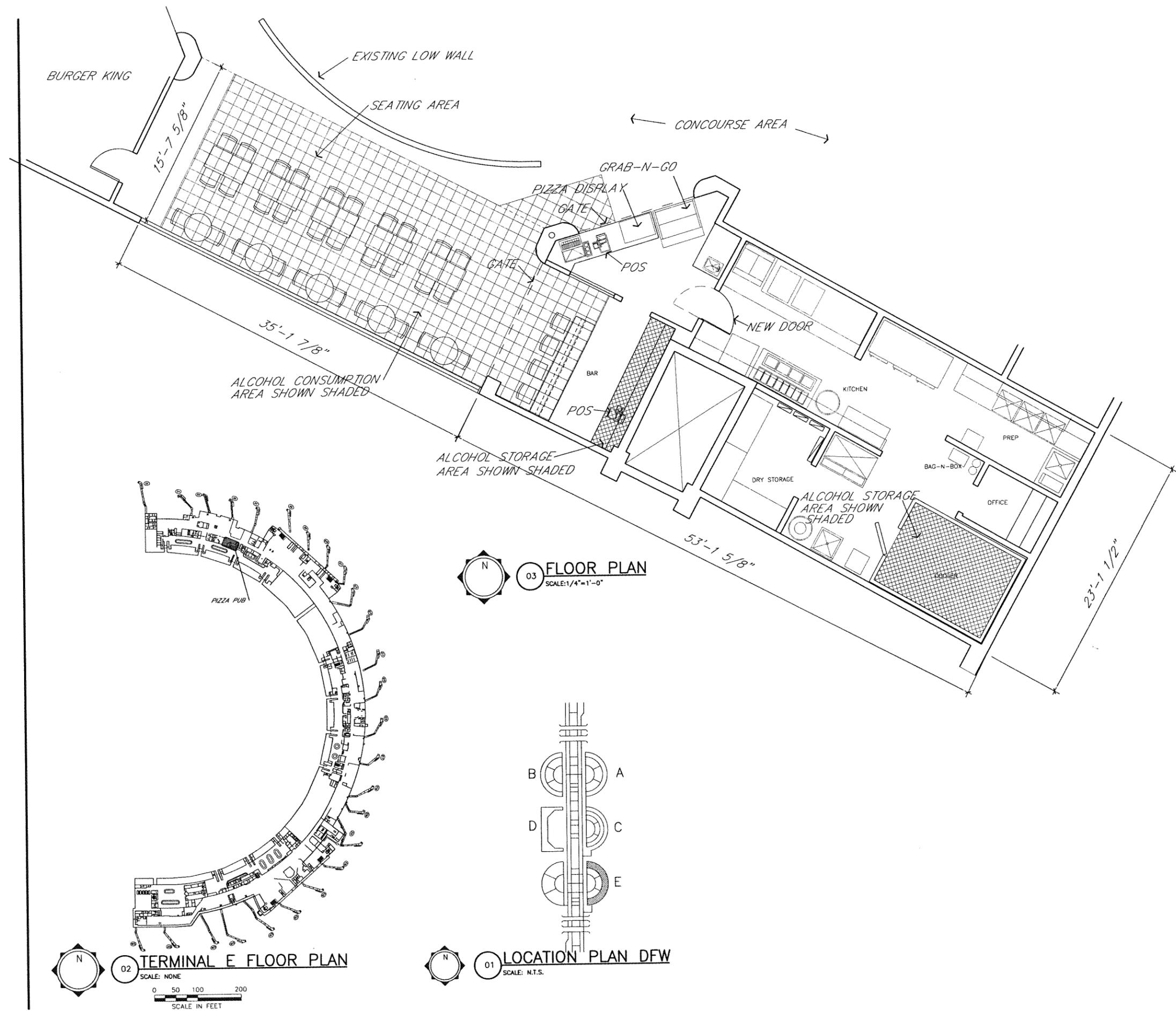
NOTES

- CONDITIONAL USE REQUEST CU14-15 IS A REQUEST TO ALLOW THE POSSESSION, STORAGE, RETAIL SALE AND ON-PREMISE CONSUMPTION OF ALCOHOL BEVERAGES (BEER, WINE, AND MIXED BEVERAGES) IN CONJUNCTION WITH A RESTAURANT AT DFW INTERNATIONAL AIRPORT.
- THE ENTIRE SITE IS THE PREMISES. ALCOHOLIC BEVERAGES CAN BE SOLD, SERVED AND CONSUMED IN THE ENTIRE PREMISES KNOWN AS "PIZZA PUB".
- ALCOHOL IS STORED IN THE LOCATIONS INDICATED ON THE FLOOR PLAN.
- POINT-OF-SALE, CONSUMPTION AREA INDICATED ON THE FLOOR PLAN.
- PUBLIC RESTROOMS ARE LOCATED WITHIN THE AIRPORT TERMINAL.

SEATING TABULATIONS

BAR	4
DINING	30
TOTAL	34

APPLICANT  
MULTIRESTAURANTS CONCEPTS, LTD.  
dba PIZZA PUB  
1000 INTERNATIONAL PARKWAY  
DALLAS/FORT WORTH INTERNATIONAL AIRPORT,  
TERMINAL E5, COLUMNS 18-25  
214-353-3959

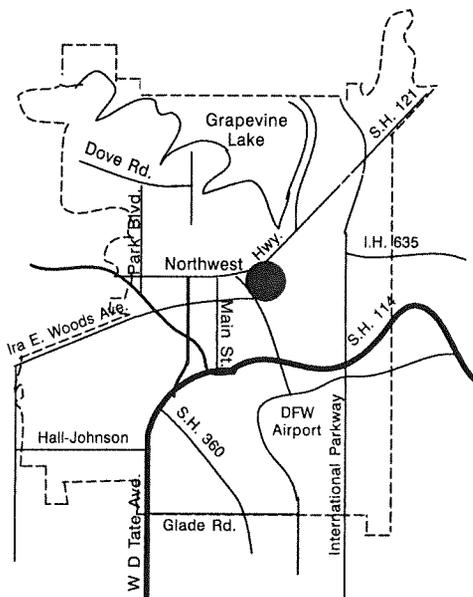


TO: HONORABLE MAYOR, CITY COUNCIL MEMBERS AND THE  
PLANNING AND ZONING COMMISSION

FROM: BRUNO RUMBELOW, CITY MANAGER <sup>BR</sup>  
SCOTT WILLIAMS, DEVELOPMENT SERVICES DIRECTOR 

MEETING DATE: MAY 20, 2014

SUBJECT: DEVELOPMENT SERVICES TECHNICAL REPORT OF  
CONDITIONAL USE APPLICATION CU14-18 GREAT WOLF  
LODGE



APPLICANT: Kenneth Broom

PROPERTY LOCATION AND SIZE:

The subject property is located at 100 Great Wolf Drive, and is platted as Lot 1R, Block 1R, Great Wolf Addition of Grapevine. The addition contains a total of 51.275 acres and has approximately 1,633 feet of frontage along State Highway 121, 528 feet of frontage along Texan Trail, and 1,811 feet of frontage along Coppel Road.

REQUESTED CONDITIONAL USE AND COMMENTS:

The applicant is requesting a conditional use permit to amend the previously approved site plan of CU13-14 (Ord. 2013-32) for a planned commercial center in conjunction with a hotel and water park, specifically to allow the addition of an outdoor ropes course attraction.

With this request the applicant intends to develop a new outdoor feature near the southeast corner of the hotel complex. This attraction, approximately 50 feet in height, will allow participants to climb through an adventure-based course of cables, ropes and boards while securely attached to an overhead lanyard system. A hotel staff member will be located at each level of the course to ensure the complete safety of all participants. See the attached letter.

## PRESENT ZONING AND USE:

The property is currently zoned "CC" Community Commercial District and is developed as the Great Wolf Resorts.

## HISTORY OF TRACT AND SURROUNDING AREA:

The subject property was rezoned from "I-1" Light Industrial to "LI" Light Industrial District in the 1984 City-wide rezoning. It was developed as Harris Graphics prior to the rezoning. Trenchor took over this property in 1984. A variance request BZA94-08 approved the expansion of the existing building and allowed a variance to the City's masonry requirements. Conditional Use Request CU95-11 (Ordinance No. 95-34) allowed the development of a 120 foot by 200 foot concrete storage pad to the east of the existing building. Conditional Use Request CU97-66 was approved by Council at their January 20, 1998 meeting and allowed for a monument sign with changeable copy as well as a concrete storage area and testing pit. The property to the north was rezoned from "C-2" Community Business and "R-1" Single Family to "PCD" Planned Commerce Development District and "GU" Governmental Use District, respectively, in the 1984 City-wide rezoning. The property to the west was rezoned from "C-2" Community Business District to "HC" Highway Commercial District in the 1984 Citywide rezoning. At the January 18, 2005 meeting the property to the south was rezoned from "PID" Planned Industrial Development District to "CC" Community Commercial District for future development. The property to the west was rezoned from "SP" Site Plan District and "HC" Highway Commercial District to "CC" Community Commercial District at the May 17, 2005 meeting. At the February 21, 2006 meeting a zone change (Z06-01), conditional use permit (CU06-01) and a special use permit (SU06-01) was approved on the subject site for the Great Wolf Lodge. Approximately 51.6 acres was rezoned from "LI" Light Industrial District to "CC" Community Commercial District to accommodate the initial phase (400 rooms) of a 600 room hotel and water park project with a minimum of 20,000 square feet of conference center space. Consideration was also given to establish a restaurant with on-premise alcoholic beverage sales, video games and to exceed the height maximum within the district. At the June 19, 2007 meeting Council considered and approved CU07-14 (Ord. 07-34) for an amendment to the site plan for the Great Wolf Lodge which included the addition of 200 rooms, a 20,000 square foot meeting space expansion, a 35,000 square foot future expansion to the water parking and the future addition of a miniature golf course. Conditional use request CU07-43 (Ord. 2008-04) was approved at Council's January 15, 2008 meeting and allowed for the addition of a miniature golf course and a revision to the entry porte-cochere. Conditional use request CU08-20 (Ord. 2008-50) was approved at Council's September 16, 2008 meeting and allowed for the addition of a 289 space parking lot and allow exterior elevation changes to accommodate and elevator expansion. Conditional Use Permit CU10-21 was approved by the Site Plan Review Committee at the September 08, 2010 meeting which allowed for the addition of a 1,650 square foot accessory storage building to the subject site. Conditional Use Permit CU10-29 (Ord. 2010-66) approved at the November 16, 2010 meeting allowed for the addition of an outdoor pavilion. At the July 16, 2013 meeting a conditional use permit was approved (CU13-14) at the Great Wolf Resorts

that allowed the conversion of a restaurant (Pizza Hut) inside the hotel to another restaurant concept and convert an outdoor covered patio into a 179 seat dining area with eight televisions exclusively for hotel patrons.

**SURROUNDING ZONING AND EXISTING LAND USE:**

- NORTH: "GU" Governmental Use District and "PCD" Planned Commerce Development District—Corps of Engineers and undeveloped property
- SOUTH: "CC" Community Commercial District—undeveloped property
- EAST: D/FW International Airport
- WEST: "CC" Community Commercial District—Grapevine Station

**AIRPORT IMPACT:**

The subject tract is located within "Zone B" Middle Zone of Effect as defined on the "Aircraft Sound Exposure: Dallas/Fort Worth Regional Airport Environs" map. The following types of uses may generally be considered without any special sound treatment: agricultural uses, mining, fishing, wholesale commercial and some retail; industrial, manufacturing, transportation, communication and utilities; and cemeteries. The applicant's proposal is an appropriate uses in this noise zone.

**MASTER PLAN APPLICATION:**

The Master Plan designates the subject property as a Commercial land use. The applicant's proposal is in compliance with the Master Plan.

/rs

CC ITEM #8, 30  
P&Z ITEM #6, 10

R-MF-1

E DOVE LOOP RD

PCD

GAYLORD TRL

GU

TR 1C  
27.19 AC

TR 1  
24.84 @

TR 1A1  
38.66 AC

R-MF-2

PCD

3R

4R

GREAT WOLF DR

1R

GREAT WOLF ADDN  
OF GRAPEVINE  
16157

3  
2.075 @

TR 1E  
.01 @

TR 1D  
328 @

2R

GREAT WOLF ADDN  
OF GRAPEVINE  
16157

1R

TR 1A1  
38.66 AC

ONE CORNER  
6061D

1

4.66 @

2R

1R

COPPELL RD

COPPELL

R-MF

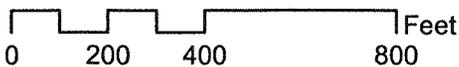
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16075A

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# CU14-18 Great Wolf Resort

CUI4-18

CC ITEM #8, 30  
P&Z ITEM #6, 10



# CITY OF GRAPEVINE

## CONDITIONAL USE APPLICATION

### Form "A"

#### PART 1. APPLICANT INFORMATION

Applicant Name: Great Wolf Resorts

Applicant Address: 525 Junction Road

City/State/Zip: Madison, WI 53717

Phone No. 817-488-6510 Fax No. 817-488-6492

Email Address kbroom@greatwolf.com Mobile Phone 817-722-3878

Applicant's interest in subject property Owner

#### PART 2. PROPERTY INFORMATION

Street Address of subject property 100 Great Wolf Drive

Legal Description: Lot 1 Block 1 Addition Great Wolf Addition of Grapevine

Legal description of subject property (metes & bounds must be described on 8 1/2" x 11" sheet)

Size of subject property: acres 36 square footage 1,589,900

Present zoning classification CC Community Commercial Distric

Circle yes or no, if applies to this application:  
Outdoor speakers Yes  No

Proposed use of property Hotel

Zoning ordinance provision requiring a conditional use

#### PART 3. PROPERTY OWNER INFORMATION

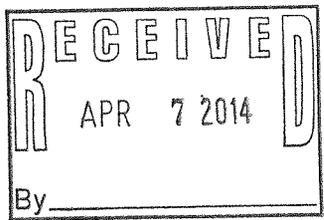
Property Owner Great Wolf Resort

Prop Owner Address 525 Junction Road

City/State/Zip Madison, WI 53717

Phone No. 817-488-6510 Fax No. 817-488-6492

- Submit a letter describing the proposed conditional use and note the request on the site plan document
- In the same letter, describe or show on the site plan, and conditional requirements or conditions imposed upon the particular conditional use by applicable district regulations (example: buffer yards, distance between users)
- In the same letter, describe whether the proposed conditional use will, or will not cause substantial harm to the value, use, or enjoyment of other property in the neighborhood. Also, describe how the proposed conditional use will add to the value, use or enjoyment of other property in the neighborhood.
- Application of site plan approval (Section 47, see attached Form "B").
- The site plan submission shall meet the requirements of Section 47, Site Plan Requirements.



- All conditional use and conditional use applications are assumed to be complete when filed and will be placed on the agenda for public hearing at the discretion of the staff. Based on the size of the agenda, your application may be scheduled to a later date.
- All public hearings will be opened and testimony given by applicants and interested citizenry. Public hearings may be continued to the next public hearing. Public hearings will not be tabled.
- Any changes to a site plan (no matter how minor or major) approved with a conditional use or conditional use permit can only be approved by city council through the public hearing process.
- I have read and understand all the requirements as set forth by the application for conditional use or conditional use permit and acknowledge that all requirements of this application have been met at the time of submittal.

**PART 4. SIGNATURE TO AUTHORIZE CONDITIONAL USE REQUEST AND PLACE A CONDITIONAL USE REQUEST SIGN ON THE SUBJECT PROPERTY**

Kenneth Broom  
Print Applicant's Name

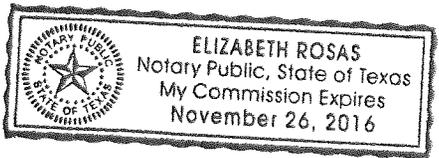
[Signature]  
Applicant's Signature

The State of Texas

County of Tarrant

Before me (notary) Elizabeth Rosas on this day personally appeared (applicant) Kenneth Broom known to me (or proved to me on the oath of card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

(Seal) Given under my hand and seal of office this 4th day of April, A.D. 2014



Elizabeth Rosas  
Notary In and For State of Texas

Kenneth Broom  
Print Property Owner's Name

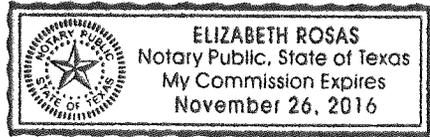
[Signature]  
Property Owner's Signature

The State of Texas

County of Tarrant

Before me (notary) Elizabeth Rosas on this day personally appeared (applicant) Kenneth Broom known to me (or proved to me on the oath of card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

(Seal) Given under my hand and seal of office this 4th day of April, A.D. 2014



Elizabeth Rosas  
Notary In and For State of Texas



**ACKNOWLEDGEMENT**

CU14-18  
CC ITEM #8, 30  
P&Z ITEM #6, 10

**All Conditional Use and Special Use Applications are assumed to be complete when filed and will be placed on the agenda for public hearing at the discretion of the staff. Based on the size of the agenda, your application may be scheduled to a later date.**

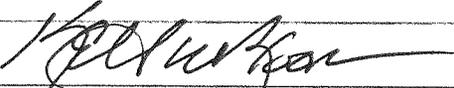
**All public hearings will be opened and testimony given by applicants and interested citizenry. Public hearings may be continued to the next public hearing. Public hearings will not be tabled.**

**Any changes to a site plan (no matter how minor or major) approved with a conditional use or a special use permit can only be approved by city council through the public hearing process.**

**Any application for a change in zoning or for an amendment to the zoning ordinance shall have, from the date of submittal, a period of four months to request and be scheduled on an agenda before the Planning and Zoning Commission and City Council. If after said period of four months an application has not been scheduled before the Commission and Council said application shall be considered withdrawn, with forfeiture of all filing fees. The application, along with the required filing fee may be resubmitted any time thereafter for reconsideration. Delays in scheduling applications before the Planning and Zoning Commission and City Council created by city staff shall not be considered a part of the four month period.**

**I have read and understand all of the requirements as set forth by the application for conditional use or special use permit and acknowledge that all requirements of this application have been met at the time of submittal.**

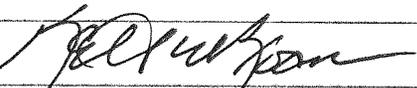
Signature of Applicant



Date

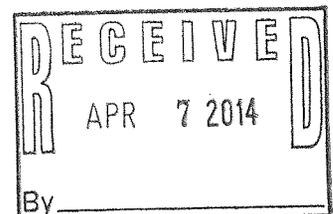
4-4-14

Signature of Property Owner



Date

4-4-14



April 7, 2014

Mr. Rom Stombaugh  
City of Grapevine  
200 S. Main St.  
Grapevine, TX 76051

VIA EMAIL & MAIL  
rons@ci.grapevine.tx.us

**Reference: Great Wolf Lodge – Ropes Course  
Grapevine, TX**

Dear Mr. Stombaugh,

This conditional use request is for the addition of an outdoor ropes course attraction at the Great Wolf Lodge. The ropes course attraction will consist of a steel frame structure, 50'-3 1/2" in height. The structure outlined in the drawings is an adventure course attraction in which participants are attached to an overhead tracking system while going through a high ropes adventure course which consists of horizontally strung cables, ropes, boards and other materials secured between steel supports to create elements or activities. The participant is fitted with a harness which is attached to a lanyard and the lanyard is attached to the overhead tracking system. The course is designed so the participant is attached to the overhead tracking system at ground level and is allowed to travel to any point on the course without unhooking from the safety tracking system until they get back to the ground. In the case of an emergency, the staff for the course is trained in emergency take down procedures which allow them to lower participants off of the course very quickly. There shall be a staff person located at each level of the course and the course contains emergency take down kits at each level also. It is our goal to achieve a high level of safety for all participants through proper training techniques for staff and well defined operational procedures. ADA accessibility to the ropes course is limited to the sidewalks from the building to the course. Site drainage will be provided by a limited number of culverts crossing the sidewalk and overland flow in a swale to an existing on-site inlet. The site will be fenced and accessible only by guests of the Great Wolf Lodge.

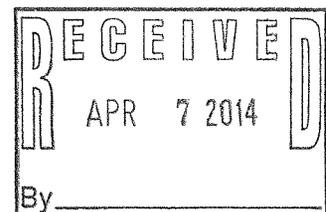
This attraction requires a condition use permit because it is an outdoor commercial amusement, is an addition to the existing Great Wolf Lodge hotel, and exceeds 50' in height. This addition is not expected to require additional outdoor lighting or speakers. Since its intended use is for guests of the hotel, no additional parking is expected.

The proposed structure will augment the experience already provided by the Great Wolf Lodge for its guests and be similar in appearance to the hotels existing attractions. The proposed structure will be screened from the majority of the adjacent properties by the existing building and Water Park and should not cause substantial harm to the value, use or enjoyment of those properties.

If you have any questions please give me a call at 817.335.3000.

Sincerely,  
Huitt-Zollars

  
Kimberly R. Cole, P.E.



ORDINANCE NO. \_\_\_\_\_

CU14-18  
GREAT WOLF

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 CU14-18 TO AMEND THE SITE PLAN APPROVED BY ORDINANCE NO. 2013-32 FOR A PLANNED COMMERCIAL CENTER IN CONJUNCTION WITH A HOTEL AND WATER PARK SPECIFICALLY TO ALLOW THE ADDITION OF AN OUTDOOR ROPES COURSE ATTRACTION 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

WHEREAS, an application was made requesting issuance of a conditional use permit by making applications for same with the Planning & Zoning Commission of the City of Grapevine, Texas, as required by State statutes and the zoning ordinance of the City of Grapevine, Texas, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of the City of Grapevine, Texas, after all legal notices requirements, conditions and prerequisites having been complied with; and

WHEREAS, the City Council of the City of Grapevine, Texas, at a public hearing called by the City Council did consider the following factors in making a determination as to whether this requested conditional use permit should be granted or denied: safety of the motoring public and the pedestrians using the facilities in the area immediately surrounding the site; safety from fire hazards and measures for fire control; protection of adjacent property from flood or water damages, noise producing elements, and glare of the vehicular and stationary lights and effect of such lights on established character of the

neighborhood; location, lighting, and types of signs and relation of signs to traffic control and adjacent property; street size and adequacy of width for traffic reasonably expected to be generated by the proposed use around the site and in the immediate neighborhood; adequacy of parking as determined by requirements of this ordinance for off-street parking facilities; location of ingress and egress points for parking and off-street locating spaces, and protection of public health by surfacing on all parking areas to control dust; effect on the promotion of health and the general welfare; effect on light and air; the effect on the overcrowding of the land; the effect on the concentration of population; the effect on the transportation, water, sewerage, schools, parks and other facilities; and

WHEREAS, the City Council of the City of Grapevine, Texas, at a public hearing called by the City Council of the City of Grapevine, Texas, did consider the following factors in making a determination as to whether this requested conditional use permit should be granted or denied; effect on the congestion of the streets, the fire hazards, panics and other dangers possibly present in the securing of safety from same, the effect on the promotion of health and the general welfare, effect on adequate light and air, the effect on the overcrowding of the land, the effect on the concentration of population, the effect on the transportation, water, sewerage, schools, parks and other public facilities; and

WHEREAS, all of the requirements of Section 48 of Ordinance No. 82-73 have been satisfied by the submission of evidence at a public hearing; and

WHEREAS, the City Council further considered among other things the character of the existing zoning district and its peculiar suitability for particular uses and with the view to conserve the value of buildings and encourage the most appropriate use of land throughout this City; and

WHEREAS, the City Council of the City of Grapevine, Texas, does find that there is a public necessity for the granting of this conditional use permit, that the public demands it, that the public interest clearly requires the amendment, that the zoning changes do not unreasonably invade the rights of those who bought or improved property with reference to the classification which existed at the time their original investment was made; and

WHEREAS, the City Council of the City of Grapevine, Texas, does find that the conditional use permit lessens the congestion in the streets, helps secure safety from fire, panic and other dangers, prevents the overcrowding of land, avoids undue concentration of population, facilitates the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements; and

WHEREAS, the City Council of the City of Grapevine, Texas, has determined that there is a necessity and need for this conditional use permit and has also found and determined that there has been a change in the conditions of the property surrounding and in close proximity to the property requested for a change since this property was originally classified and, therefore, feels that the issuance of this conditional use permit for the particular piece of property is needed, is called for, and is in the best interest of the public

at large, the citizens of the City of Grapevine, Texas, and helps promote the general health, safety and welfare of this community.

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

Section 1. That the City does hereby issue 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 CU14-18 to amend the site plan previously approved by Ordinance No. 2013-32 for a planned commercial center in conjunction with a hotel and water park specifically to allow the addition of an outdoor ropes course attraction in a district zoned "CC" Community Commercial District Regulations within the following described property: Lot 1R, Block 1R, Great Wolf Addition of Grapevine (100 Great Wolf Drive) all in accordance with a site plan approved pursuant to Section 47 of Ordinance No. 82-73, attached hereto and made a part hereof as Exhibit "A", and all other conditions, restrictions, and safeguards imposed herein, including but not limited to the following: None.

Section 2. That the City Manager is hereby directed to amend the official zoning map of the City of Grapevine, Texas, to reflect the herein conditional use permit.

Section 3. That in all other respects the use of the tract or tracts of land herein above described shall be subject to all the applicable regulations contained in said City of Grapevine zoning ordinance and all other applicable and pertinent ordinances of the City of Grapevine, Texas.

Section 4. That the zoning regulations and districts as herein established have been made in accordance with the comprehensive plan for the purpose of promoting health, safety, morals and the general welfare of the community. They have been designed with respect to both present conditions and the conditions reasonably anticipated to exist in the foreseeable future; to lessen congestion in the streets; to secure safety from fire, panic, flood and other dangers; provide adequate light and air; to prevent overcrowding of land, to avoid undue concentration of population; facilitate the adequate provisions of transportation, water, sewerage, drainage and surface water, parks and other public requirements, and to make adequate provisions for the normal business, commercial needs and development of the community. They have been made with reasonable consideration, among other things, of the character of the district, and its peculiar suitability for the particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community.

Section 5. That this ordinance shall be cumulative of all other ordinances of the City of Grapevine, Texas, affecting zoning and shall not repeal any of the provisions of said ordinances except in those instances where provisions of those ordinances which are in direct conflict with the provisions of this ordinance.

Section 6. That the terms and provisions of this ordinance shall be deemed to be severable and that if the validity of the zoning affecting any portion of the tract or tracts of land described herein shall be declared to be invalid, the same shall not affect the validity of the zoning of the balance of the tract or tracts of land described herein.

Section 7. That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Section 8. That the fact that the present ordinances and regulations of the City of Grapevine, Texas, are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the City of Grapevine, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this ordinance shall become effective from and after the date of its final passage, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 20th day of May, 2014.

APPROVED:

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ATTEST:

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APPROVED AS TO FORM:

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# GREAT WOLF LODGE ROPES COURSE ADDITION

AMENDED CUP SITE PLAN  
GRAPEVINE, TX  
MAY 9, 2014



OWNER



Great Wolf Resorts.

GREAT WOLF LODGE  
122 W WASHINGTON AVE,  
SIXTH FLOOR  
MADISON, WI 53703

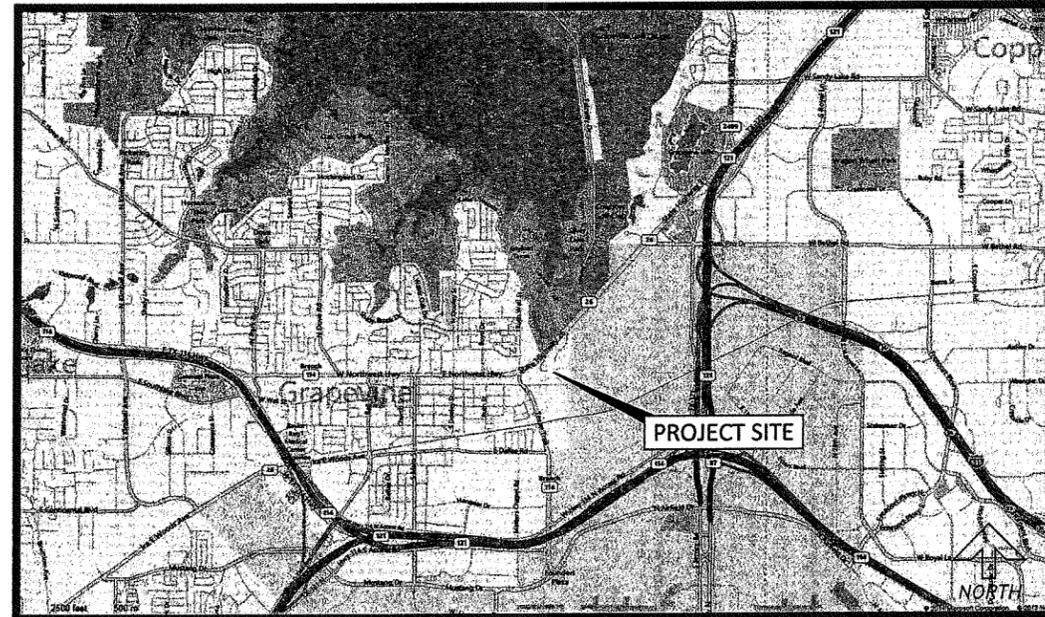
PHONE: (817) 722-3878  
FAX: (817) 488-6492  
CONTACT: KEN BROOM  
EMAIL: KBROOM@GREATWOLF.COM

STRUCTURAL ENGINEER



1300 LINCOLN RD  
ALLEGAN, MI 49010  
CONTACT: JIM LIGGETT

TEL: 269-673-0016  
FAX: 269-673-0017



VICINITY MAP  
NTS

CIVIL ENGINEER / SURVEYOR:

**HUITT-ZOLIARS**

Huitt-Zollars, Inc. Engineering / Architecture  
500 W. 7th St. Ste. 300 Fort Worth, Texas 76102  
Phone (817)335-3000 Fax (817)335-1025  
CONTACT: KIMBERLY R. COLE, P.E.

SHEET INDEX	
SHEET NO.	DESCRIPTION
1	COVER SHEET/VICINITY MAP
2	CIVIL OVERALL SITE
3	STRUCTURAL ELEVATIONS

CASE NAME: GREAT WOLF LODGE  
CASE NUMBER: CU14-18  
LOCATION: 100 GREAT WOLF DRIVE  
LOT 1 BLOCK 1, GREAT WOLF OF GRAPEVINE

\_\_\_\_\_  
MAYOR                      SECRETARY

DATE: \_\_\_\_\_

PLANNING AND ZONING COMMISSION

\_\_\_\_\_  
CHAIRMAN

DATE: \_\_\_\_\_

SHEET: 1 OF 3

APPROVAL DOES NOT AUTHORIZE ANY WORK  
IN CONFLICT WITH ANY CODES OR  
ORDINANCES.

DEPARTMENT OF DEVELOPMENT SERVICES





OWNER: CC ITEM #8, 30  
 P&Z ITEM #6, 10  
 Great Wolf Resorts.  
 122 W WASHINGTON AVE, SIXTH FLOOR  
 MADISON, WI 53703  
 TEL: 608-388-7210  
 FAX: 608-461-4701  
 CONTACT: KEN BROOK

CIVIL ENGINEER:  
**HUITT-ZOLIARS**  
 Huitt-Zoliars, Inc. Engineering / Architecture  
 500 W. 7th St. Ste. 300 Fort Worth, Texas 76102  
 Phone (817)335-3000 Fax (817)335-1025  
 CONTACT: KIMBERLY COLE

HUITT-ZOLIARS, INC.

STRUCTURAL ENGINEER:  
**ROPE COURSES**  
 1300 LINCOLN RD  
 ALLEGAN, MI 49010  
 TEL: 269-473-0016  
 FAX: 269-473-0017  
 CONTACT: JIM LUGGETT

LANDSCAPE ARCHITECT:

ELECTRICAL ENGINEER:

**GREAT WOLF LODGE**  
**ROPES COURSE ADDITION**  
**AMENDED CUP**  
**100 GREAT WOLF DRIVE**  
**GRAPEVINE, TEXAS**

NOT FOR CONSTRUCTION

TITLE:  
**STRUCTURAL ELEVATIONS**

DATE	SHEET
05/12/2014	3 OF 3

CASE NAME: GREAT WOLF LODGE  
 CASE NUMBER: CU14-18  
 LOCATION: 100 GREAT WOLF DRIVE  
 LOT 1 BLOCK 1, GREAT WOLF OF GRAPEVINE

MAYOR \_\_\_\_\_ SECRETARY \_\_\_\_\_

DATE: \_\_\_\_\_

PLANNING AND ZONING COMMISSION

CHAIRMAN \_\_\_\_\_

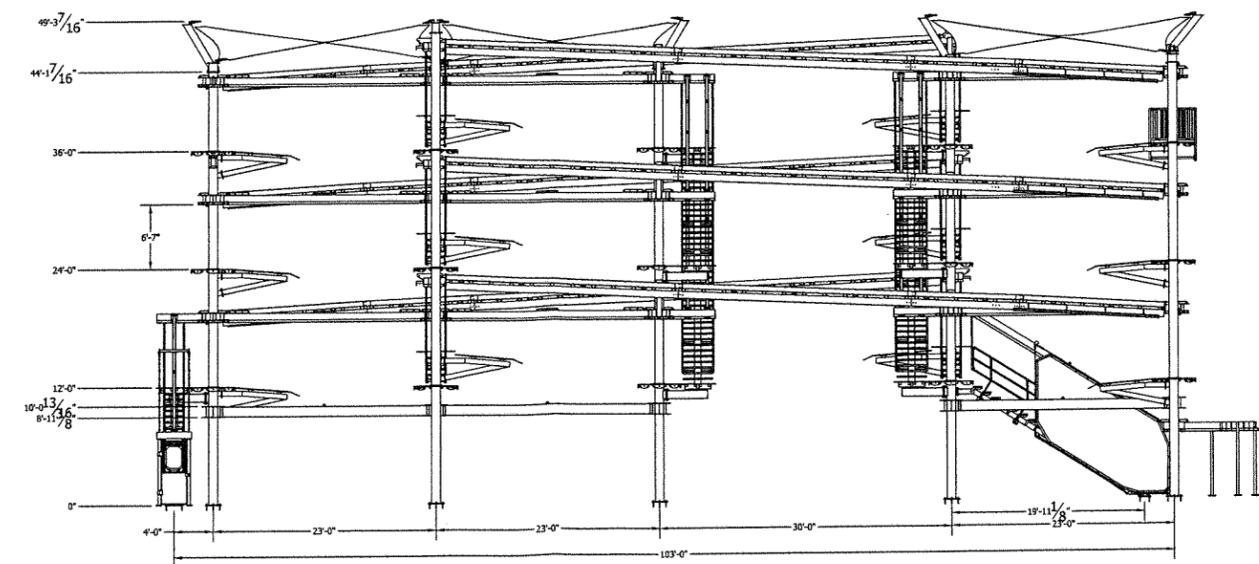
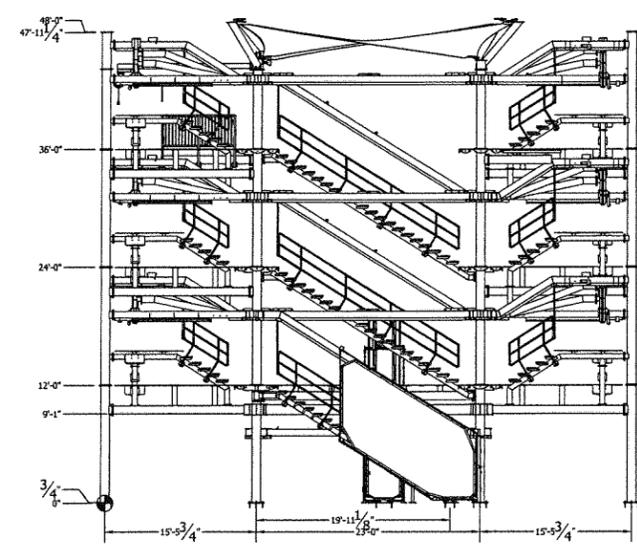
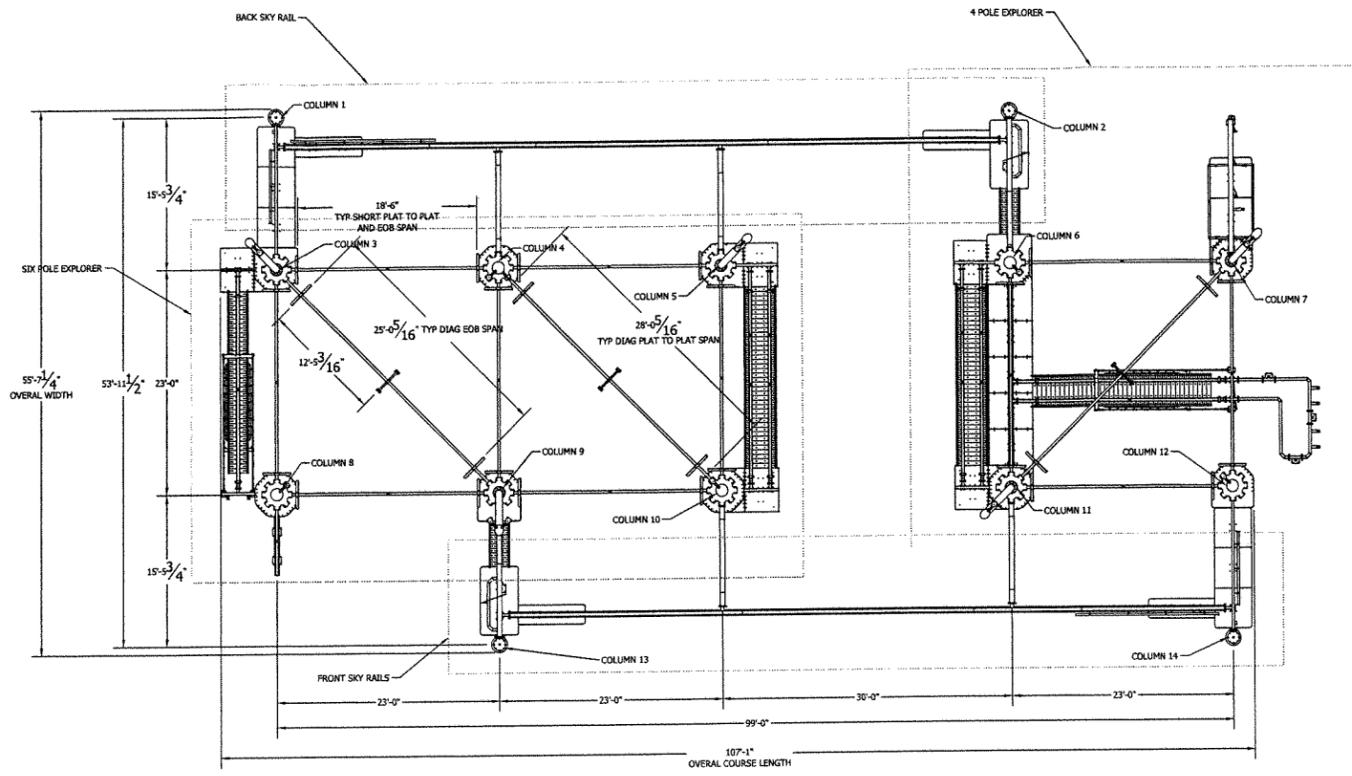
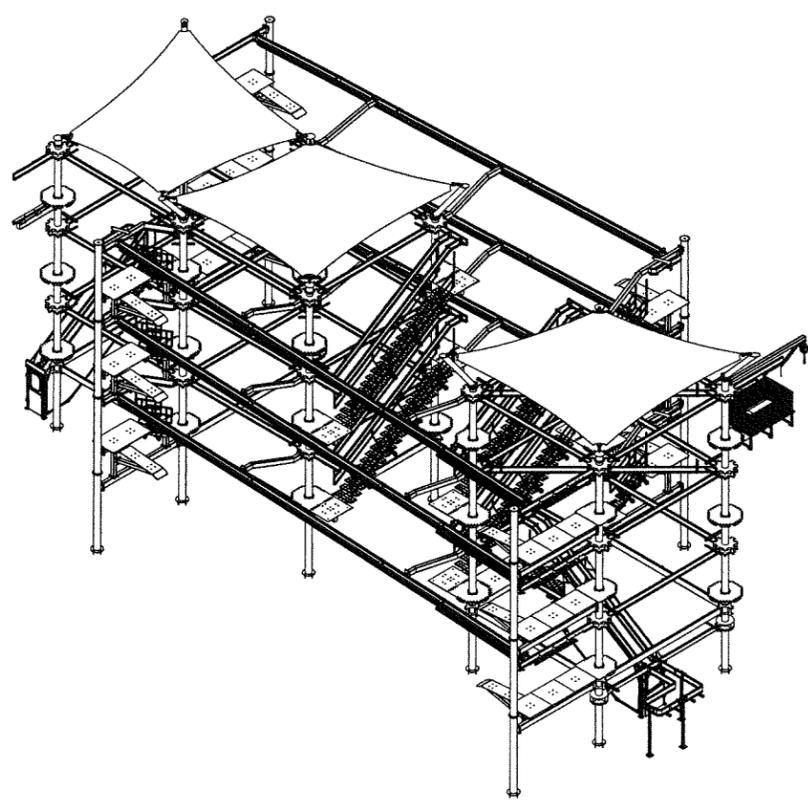
DATE: \_\_\_\_\_

SHEET: 3 OF 3

APPROVAL DOES NOT AUTHORIZE ANY WORK  
 IN CONFLICT WITH ANY CODES OR  
 ORDINANCES.

DEPARTMENT OF DEVELOPMENT SERVICES

R03-1008.28 GREAT WOLF LODGE ROPES COURSE ADDITION AMENDED CUP



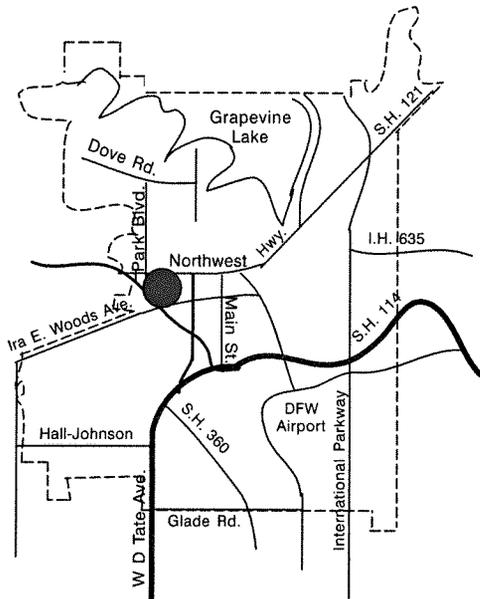
HAMILTON: THURSDAY | 5.08.2014 - SCALE: 1:1  
 L:\PROJ\100828\CIVIL\100828\_CUP-STRUCTURE.DWG - LAYOUT: MODEL

TO: HONORABLE MAYOR, CITY COUNCIL MEMBERS AND THE  
PLANNING AND ZONING COMMISSION

FROM: BRUNO RUMBELOW, CITY MANAGER <sup>BR</sup>  
SCOTT WILLIAMS, DEVELOPMENT SERVICES DIRECTOR

MEETING DATE: MAY 20, 2014

SUBJECT: DEVELOPMENT SERVICES TECHNICAL REPORT OF  
CONDITIONAL USE APPLICATION CU14-20 ANGELS'  
ATTIC II



APPLICANT: Angels' Attic – Phillip Bressinck

PROPERTY LOCATION AND SIZE:

The subject property is located at 1639 West Northwest Highway, and is platted as Lot 1, Block 1, Northwest Plaza Addition.

REQUESTED CONDITIONAL USE AND COMMENTS:

The applicant is requesting a conditional use permit to amend the previously approved site plan of CU09-38 (Ord. 2009-52) specifically to allow for retail sales of secondhand goods in an enclosed building where the size of the space exceeds excess of 3,000 square feet of floor area.

Established in May 2006 and approved for an expansion to 5,816 square feet by the City Council on November 17, 2009, Angels' Attic sells secondhand goods in a floor area which exceeds 3,000-square feet. At the November 15, 2001 meeting City Council approved CU11-32 to expand Angels' Attic into a separate 1,400 square foot suite within the same complex.

With this request, the applicant proposes to vacate a 1,400 square foot lease space and move to a 2,940 square foot space within the same shopping complex. The total square footage proposed for the three suites is 8,756 square feet—an increase of 1,540 square feet. The proposed hours of operation are 10:00 a.m. through 4:00 p.m. Tuesday through Saturday. The previously approved donation drop off area located at the rear of the 1,400 square foot space is proposed to be relocated to the rear of the proposed suite and will be manned Tuesday through Saturday from 10:00 a.m. through 4:00 p.m.

**PRESENT ZONING AND USE:**

The property is currently zoned “SP” Site Plan Zoning and is developed as the Northwest Plaza Shopping Center.

**HISTORY OF TRACT AND SURROUNDING AREA:**

The subject property was zoned “SP” Site Plan Zoning with an approved site plan prior to the 1984 City Rezoning. A zoning request (Z85-01) amended the site plan to allow the retail sale, storage, possession, and on-premise consumption of alcoholic beverages (beer and wine) for Mama’s Pizza—now known as Amore Pasta & Pizza. Eckerd’s Drug Store was granted a conditional use permit (CU89-19) to allow off-premise alcohol beverage sales in January 1990. La Casa Mexican restaurant was granted a conditional use permit (CU92-15) to allow the patio area on the north end of the restaurant to be enclosed on an as needed basis. La Casa received a prior conditional use permit (CU90-15) for alterations and expansion of the bar area and the walkway on the north side of the restaurant. The floor plan for the La Casa restaurant was again modified in 1994 (CU94-17). In 1998 Council approved a conditional use permit (CU98-38) which allowed for the installation of an ATM machine with a canopy in the parking area of the Northwest Plaza shopping center. At the May 18, 2004 meeting CU04-14 (Ord. 04-34) was approved for an outdoor patio and outdoor dining for an existing restaurant (La Casa). Conditional Use Request CU09-38 (Ord.09-52) was approved by Council at the November 17, 2009 meeting which allowed for the establishment of a secondhand goods retail store in an enclosed building in excess of 3,000-square feet. City Council on April 19, 2011 approved an eight month extension to Conditional Use Request CU09-38. Conditional Use Request CU11-32 (Ord.2011-61) was approved by Council at the November 15, 2011 meeting which allowed for the establishment of a secondhand goods retail store in an enclosed building in excess of 3,000-square feet.

**SURROUNDING ZONING AND EXISTING LAND USE:**

- NORTH: “CC” Community Commercial District—office uses including Omni American, Preferred Imaging, Cooks Children’s
- SOUTH: “SP” Site Plan—Dollar General, Tuesday Morning, Bealls, Passion Lighting, Grapevine Antique Mall

EAST: "HC" Highway Commercial—Auto Zone

WEST: "SP" Site Plan—various retail, personal service and office uses including Metroplex Realtors, Minute Man Press, Sports Cards. Alanon, Animal Clinic, Maui Nails

**AIRPORT IMPACT:**

The subject tract is not located within any of the noise zones as defined on the "Aircraft Sound Exposure: Dallas/Fort Worth Regional Airport Environs" map.

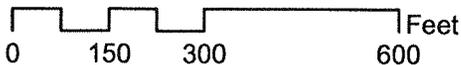
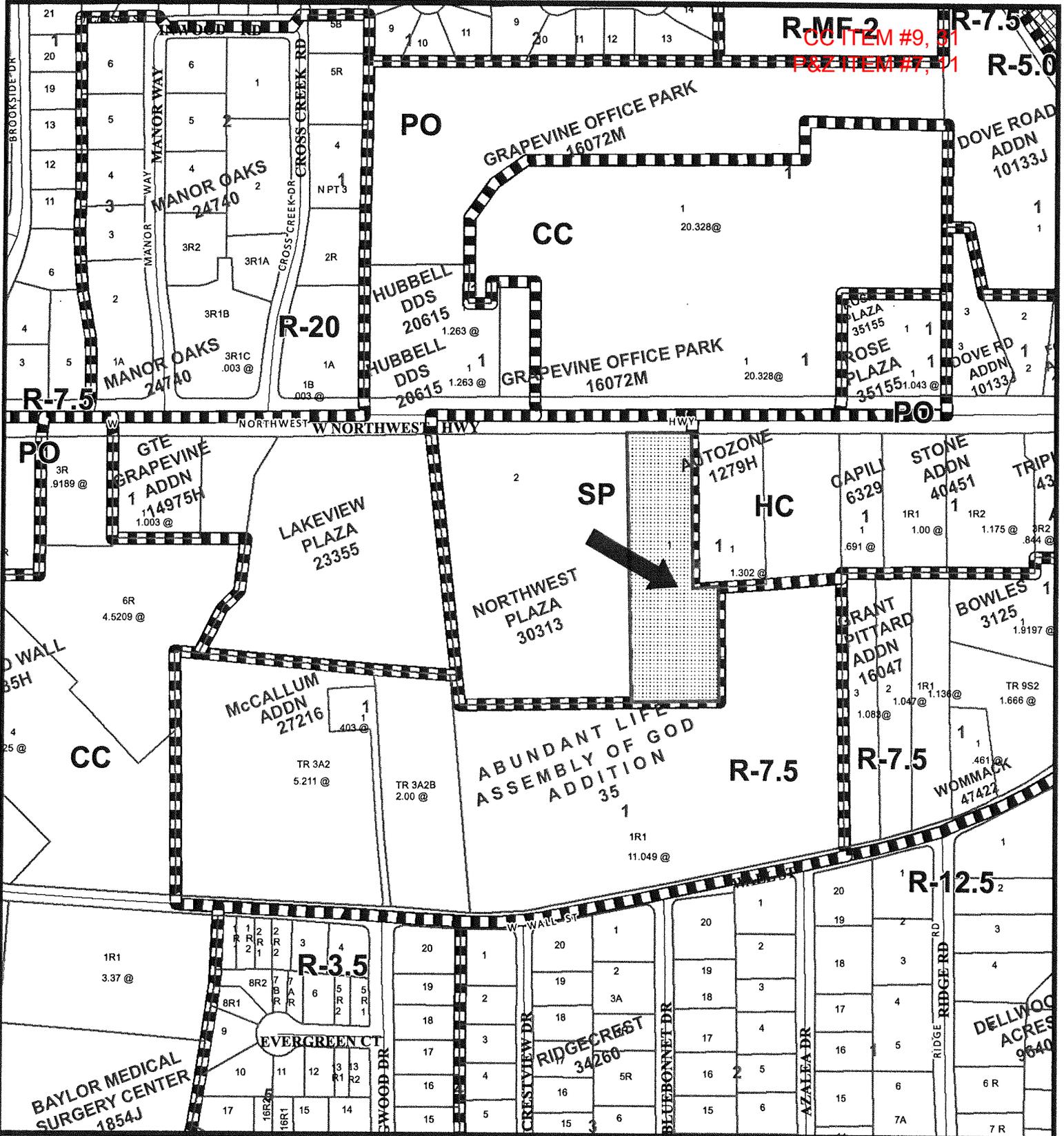
**MASTER PLAN APPLICATION:**

The Master Plan designates the subject property as a Commercial Land Use. The applicant's proposal is in compliance with the Master Plan.

**THOROUGHFARE PLAN APPLICATION:**

The Thoroughfare Plan designates West Northwest Highway as a Type C, Minor Arterial with a minimum 80-foot right-of-way developed as four lanes with a center left turn lane.

/at



**CU14-20**  
**Angel's Attic too**



# CITY OF GRAPEVINE

## CONDITIONAL USE APPLICATION

Form "A"

### PART 1. APPLICANT INFORMATION

Name of applicant / agent/company/contact  
**ANGELS' ATTIC TOOP/PHILLIP BRESSINCK**

Street address of applicant / agent:  
**1629 W. NORTHWEST HIGHWAY**

City / State / Zip Code of applicant / agent:  
**GRAPEVINE, TX 76051**

Telephone number of applicant / agent: **817 988-1212** Fax number of applicant/agent:

Email address of applicant/agent: **PHILLIP.B@VERIZON.NET** Mobile phone number of applicant/agent: **817 988-1212**

### PART 2. PROPERTY INFORMATION

Street address of subject property  
**1639 W. NORTHWEST HIGHWAY**

Legal description of subject property (metes & bounds must be described on 8 1/2" x 11" sheet)

Lot **1** Block **1** Addition **NORTHWEST PLAZA ADDN.**

Size of subject property  
Acres **2.940** Square footage

Present zoning classification: **SP W/CC USES** Proposed use of the property: **RETAIL SALE OF FURNITURE + HOUSEWARES; SORTING**

Circle yes or no, if applies to this application  
Outdoor speakers Yes  No

Minimum / maximum district size for conditional use request:

Zoning ordinance provision requiring a conditional use:

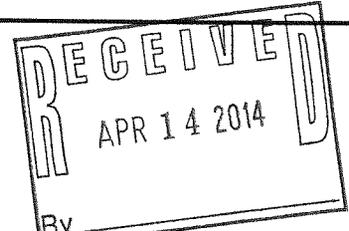
### PART 3. PROPERTY OWNER INFORMATION

Name of current property owner:  
**C. JAY HO**

Street address of property owner:  
**25 HIGHLAND PARK VILLAGE**

City / State / Zip Code of property owner:  
**DALLAS, TX 75205**

Telephone number of property owner: **972 496-1900** Fax number of property owner:



- Submit a letter describing the proposed conditional use and note the request on the site plan document
- In the same letter, describe or show on the site plan, and conditional requirements or conditions imposed upon the particular conditional use by applicable district regulations (example: buffer yards, distance between users)
- In the same letter, describe whether the proposed conditional use will, or will not cause substantial harm to the value, use, or enjoyment of other property in the neighborhood. Also, describe how the proposed conditional use will add to the value, use or enjoyment of other property in the neighborhood.
- Application of site plan approval (Section 47, see attached Form "B").
- The site plan submission shall meet the requirements of Section 47, Site Plan Requirements.
- All conditional use and conditional use applications are assumed to be complete when filed and will be placed on the agenda for public hearing at the discretion of the staff. Based on the size of the agenda, your application may be scheduled to a later date.
- All public hearings will be opened and testimony given by applicants and interested citizenry. Public hearings may be continued to the next public hearing. Public hearings will not be tabled.
- Any changes to a site plan (no matter how minor or major) approved with a conditional use or conditional use permit can only be approved by city council through the public hearing process.
- I have read and understand all the requirements as set forth by the application for conditional use or conditional use permit and acknowledge that all requirements of this application have been met at the time of submittal.

**PART 4. SIGNATURE TO AUTHORIZE CONDITIONAL USE REQUEST AND PLACE A CONDITIONAL USE REQUEST SIGN ON THE SUBJECT PROPERTY**

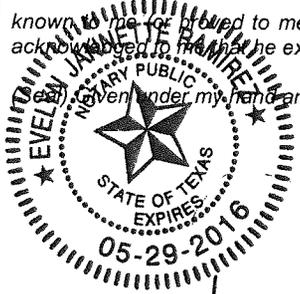
Phillip Bressinck Phillip Bressinck  
 Print Applicant's Name: Applicant's Signature:

The State of Texas  
 County Of Tarrant

Before Me Evelyn J. Ramirez on this day personally appeared Phillip Bressinck  
 (notary) (applicant)

known to me (or proved to me on the oath of card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Witness under my hand and seal of office this 14th day of April, A.D. 2014.



Evelyn J. Ramirez  
 Notary In And For State Of Texas

Chen Jay Ho  
 Print Property Owners Name:

[Signature]  
 Property Owner's Signature:

The State Of Texas  
 County Of Tarrant

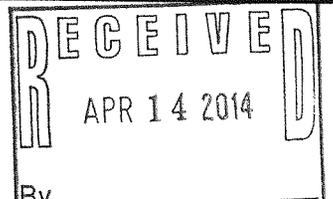
Before Me Evelyn J. Ramirez on this day personally appeared Chen Jay Ho  
 (notary) (property owner)

known to me (or proved to me on the oath of card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Witness under my hand and seal of office this 14th day of April, A.D. 2014.



Evelyn J. Ramirez  
 Notary In And For State Of Texas



**ACKNOWLEDGEMENT**

**All Conditional Use and Special Use Applications are assumed to be complete when filed and will be placed on the agenda for public hearing at the discretion of the staff. Based on the size of the agenda, your application may be scheduled to a later date.**

**All public hearings will be opened and testimony given by applicants and interested citizenry. Public hearings may be continued to the next public hearing. Public hearings will not be tabled.**

**Any changes to a site plan (no matter how minor or major) approved with a conditional use or a special use permit can only be approved by city council through the public hearing process.**

**Any application for a change in zoning or for an amendment to the zoning ordinance shall have, from the date of submittal, a period of four months to request and be scheduled on an agenda before the Planning and Zoning Commission and City Council. If after said period of four months an application has not been scheduled before the Commission and Council said application shall be considered withdrawn, with forfeiture of all filing fees. The application, along with the required filing fee may be resubmitted any time thereafter for reconsideration. Delays in scheduling applications before the Planning and Zoning Commission and City Council created by city staff shall not be considered a part of the four month period.**

**I have read and understand all of the requirements as set forth by the application for conditional use or special use permit and acknowledge that all requirements of this application have been met at the time of submittal.**

Signature of Applicant Philip Brossinich

Date: 4-14-2014

Signature of Owner [Signature]

Date: 4/14/14



April 14, 2014

City of Grapevine  
Development Services  
Planning Division  
200 S. Main St.  
Grapevine, TX 76051

Re: Angels' Attic Too Expansion

To Whom It May Concern:

The purpose of this Conditional Use Application is to request the relocation and expansion of the current Suite 1629 which is several doors down from the main store into Suite 1639 which adjoins the main store. This was instigated by the recent vacancy of the tenant that occupied Suite 1639. The Main Angels' Attic store contains approximately 5,816 square feet. The added 1,540 square feet of space will be used for the Retail sale of furniture and houseware items and also for sorting items that have been donated.

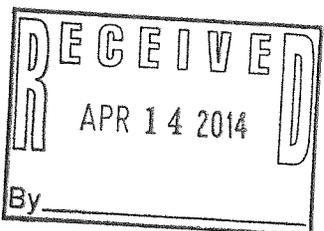
Angels' Attic is a non-profit charitable outreach ministry of White's Chapel United Methodist Church. We have distributed almost \$500,000 to various needy organizations and causes both locally and worldwide over the last few years. It is anticipated and hoped that this expansion will allow us to increase our giving by selling more furniture and other high profit items.

Thank you for your consideration.

Sincerely,



Phillip Bressinck  
Board Member



ORDINANCE NO. \_\_\_\_\_

CU14-20  
ANGELS' ATTIC

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 CU14-20 TO AMEND THE SITE PLAN APPROVED BY ORDINANCE NO. 2009-52 FOR RETAIL SALES OF SECONDHAND GOODS IN A STORE EXCEEDING 3,000 SQUARE FEET IN A DISTRICT ZONED "SP" SITE PLAN 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

WHEREAS, an application was made requesting issuance of a conditional use permit by making applications for same with the Planning & Zoning Commission of the City of Grapevine, Texas, as required by State statutes and the zoning ordinance of the City of Grapevine, Texas, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of the City of Grapevine, Texas, after all legal notices requirements, conditions and prerequisites having been complied with; and

WHEREAS, the City Council of the City of Grapevine, Texas, at a public hearing called by the City Council did consider the following factors in making a determination as to whether this requested conditional use permit should be granted or denied: safety of the motoring public and the pedestrians using the facilities in the area immediately surrounding the site; safety from fire hazards and measures for fire control; protection of adjacent property from flood or water damages, noise producing elements, and glare of the vehicular and stationary lights and effect of such lights on established character of the neighborhood; location, lighting, and types of signs and relation of signs to traffic control and adjacent property; street size and adequacy of width for traffic reasonably expected to

be generated by the proposed use around the site and in the immediate neighborhood; adequacy of parking as determined by requirements of this ordinance for off-street parking facilities; location of ingress and egress points for parking and off-street locating spaces, and protection of public health by surfacing on all parking areas to control dust; effect on the promotion of health and the general welfare; effect on light and air; the effect on the overcrowding of the land; the effect on the concentration of population; the effect on the transportation, water, sewerage, schools, parks and other facilities; and

WHEREAS, the City Council of the City of Grapevine, Texas, at a public hearing called by the City Council of the City of Grapevine, Texas, did consider the following factors in making a determination as to whether this requested conditional use permit should be granted or denied; effect on the congestion of the streets, the fire hazards, panics and other dangers possibly present in the securing of safety from same, the effect on the promotion of health and the general welfare, effect on adequate light and air, the effect on the overcrowding of the land, the effect on the concentration of population, the effect on the transportation, water, sewerage, schools, parks and other public facilities; and

WHEREAS, all of the requirements of Section 48 of Ordinance No. 82-73 have been satisfied by the submission of evidence at a public hearing; and

WHEREAS, the City Council further considered among other things the character of the existing zoning district and its peculiar suitability for particular uses and with the view to conserve the value of buildings and encourage the most appropriate use of land throughout this City; and

WHEREAS, the City Council of the City of Grapevine, Texas, does find that there is a public necessity for the granting of this conditional use permit, that the public demands it, that the public interest clearly requires the amendment, that the zoning changes do not unreasonably invade the rights of those who bought or improved property with reference to the classification which existed at the time their original investment was made; and

WHEREAS, the City Council of the City of Grapevine, Texas, does find that the conditional use permit lessens the congestion in the streets, helps secure safety from fire, panic and other dangers, prevents the overcrowding of land, avoids undue concentration of population, facilitates the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements; and

WHEREAS, the City Council of the City of Grapevine, Texas, has determined that there is a necessity and need for this conditional use permit and has also found and determined that there has been a change in the conditions of the property surrounding and in close proximity to the property requested for a change since this property was originally classified and, therefore, feels that the issuance of this conditional use permit for the particular piece of property is needed, is called for, and is in the best interest of the public at large, the citizens of the City of Grapevine, Texas, and helps promote the general health, safety and welfare of this community.

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

Section 1. That the City does hereby issue 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 CU14-20 to amend the site plan previously approved by Ordinance No. 2009-52 specifically to allow retail sales of secondhand goods in an enclosed building in excess of 3,000 square feet of floor area (Angels' Attic) in a district zoned "SP" Site Plan District within the following described property: Lot 1, Block 1, Northwest Plaza Addition (1639 West Northwest Highway) all in accordance with a site plan approved pursuant to Section 47 of Ordinance No. 82-73, attached hereto and made a part hereof as Exhibit "A", and all other conditions, restrictions, and safeguards imposed herein, including but not limited to the following: None.

Section 2. That the City Manager is hereby directed to amend the official zoning map of the City of Grapevine, Texas, to reflect the herein conditional use permit.

Section 3. That in all other respects the use of the tract or tracts of land herein above described shall be subject to all the applicable regulations contained in said City of Grapevine zoning ordinance and all other applicable and pertinent ordinances of the City of Grapevine, Texas.

Section 4. That the zoning regulations and districts as herein established have been made in accordance with the comprehensive plan for the purpose of promoting health, safety, morals and the general welfare of the community. They have been designed with respect to both present conditions and the conditions reasonably anticipated to exist in the foreseeable future; to lessen congestion in the streets; to secure safety from fire, panic, flood and other dangers; provide adequate light and air; to prevent overcrowding of land, to avoid undue concentration of population; facilitate the adequate provisions of transportation, water, sewerage, drainage and surface water, parks and other public requirements, and to make adequate provisions for the normal business, commercial needs and development of the community. They have been made with reasonable consideration, among other things, of the character of the district, and its peculiar suitability for the particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community.

Section 5. That this ordinance shall be cumulative of all other ordinances of the City of Grapevine, Texas, affecting zoning and shall not repeal any of the provisions of said ordinances except in those instances where provisions of those ordinances which are in direct conflict with the provisions of this ordinance.

Section 6. That the terms and provisions of this ordinance shall be deemed to be severable and that if the validity of the zoning affecting any portion of the tract or tracts of land described herein shall be declared to be invalid, the same shall not affect the validity of the zoning of the balance of the tract or tracts of land described herein.

Section 7. That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Section 8. That the fact that the present ordinances and regulations of the City of Grapevine, Texas, are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the City of Grapevine, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this ordinance shall become effective from and after the date of its final passage, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 20th day of May, 2014.

APPROVED:

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ATTEST:

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APPROVED AS TO FORM:

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MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
FROM: BRUNO RUMBELOW, CITY MANAGER <sup>BR</sup>  
MEETING DATE: MAY 20, 2014  
SUBJECT: LEGISLATIVE CONSULTING CONTRACT RENEWAL

RECOMMENDATION:

City council to consider renewal of a contract with Fred Hill.

FUNDING SOURCE:

Funding is available in account 100-44540-120-1.

BACKGROUND:

In 2010, the City entered into a four year contract with Fred Hill to represent the City on legislative matters in Austin. Mr. Hill has successfully fulfilled his obligation, making us aware of numerous bills that have been filed that would have impacted the City of Grapevine and its residents (in either a negative or positive way).

Because literally thousands of bills are filed each legislative session (each biennium) it is more efficient to contract this function than to have a staff member dedicated. Mr. Hill works with other local entities and often is more influential because of the group of clients that he represents.

The terms of the contract will not change (\$3,500 per month). This renewal would be for a two year period with an automatic renewal of two additional years, unless either party notifies the other 60 days in advance of the expiration of the initial two year term.

Staff recommends approval.

JCH

## AGREEMENT

This Agreement is made on this the 20<sup>th</sup> day of May, 2014, by and between Solutions for Local Control, LLC ("Consultant") and the City of Grapevine ("City"). The two parties agree as follows:

### PARTIES

For purposes of this Agreement, Consultant shall mean Mr. Fred Hill, sole principal and owner of Solutions for Local Control, LLC. If for any reason Mr. Hill ceases to serve as Consultant, this Agreement will be deemed terminated effective immediately.

### TERMS

This Agreement is effective from May 20, 2014, through May 20, 2016. The agreement will renew automatically for an additional two year period unless terminated in writing by either party 60 days prior to the termination date.

### SERVICES

The parties agree that the Consultant shall perform the following services at the direction of the City and its City Council:

1. Assist the City in developing political and legislative strategies to achieve its goals;
2. Assist in communicating the position of the City to the legislative and executive branches of Texas government, interested parties and the public;
3. Represent the City during meetings, hearings and negotiating sessions involving the executive or legislative branches of Texas government regarding issues of importance to the City;
4. Assist the City in working with elected officials and members and staff persons of the Texas House of Representatives and Texas Senate in passing or amending legislation favorable to the City or in defeating legislation deemed harmful to the goals of the City;
5. Monitor and represent the City during interim legislative studies or interim committee meetings; and
6. Provide routine status reports to the City regarding the items outlined above.
7. The scope of work and method to obtain the desired results shall be at the sole direction and discretion of the City.

## **FEES**

For services rendered under this Agreement, the City agrees to pay Consultant the sum of \$3,500 monthly for the duration of this agreement unless cancelled by either party and payable on the 3<sup>rd</sup> day of each calendar month beginning May 20, 2014. The fee shall be made to Solutions for Local Control, LLC, 909 North Waterview Drive, Richardson, Texas, 75080, and deposited electronically to the account of the Consultant on or about the first of each month.

## **EXPENSES**

In addition to the professional fee, the City agrees to reimburse Consultant for necessary and reasonable, itemized out-of-pocket expenses requested and approved in advance by City. Expenses may include travel, lodging and business meals ***incurred on behalf of the City and at its request.*** Such itemized expenses, with corresponding paid receipts, shall be paid separately and shall be reviewed and approved by the City, prior to payment. ***Such expenses do not include the normal office functions or daily expenses of the Consultant in the course of his functions in Austin representing the interests of the City.***

## **CONFLICTS OF INTEREST**

Consultant will comply with all relevant state laws regarding ethics and lobbying, including immediately notifying the City in the event a conflict of interest arises and resolving any conflict.

## **REGISTRATION REQUIREMENTS**

Texas ethic laws require Consultant to disclose his representation of the City and to report certain moneys paid for some of the activities to be conducted under this contract. Consultant will comply with all rules regarding such disclosure and shall communicate with the City prior to filing such disclosures. In addition, if the Consultant performs any lobbying for the City with any local jurisdiction, it is the responsibility of the Consultant to properly register and comply with all local lobbying ordinances.

Consultant agrees not to engage in any activity on behalf of the City, which is contrary to any Federal, State, or local law or regulation. Furthermore, Consultant agrees not to make or offer any gifts or gratuities to any public official on behalf of the City.

## **TERMINATION**

It is agreed and fully understood that City may, at its option and without prejudice to any other remedy it may be entitled to at law or in equity, cancel or terminate this agreement upon sixty (60) days written notice to Consultant. Consultant shall be compensated in accordance with the terms of this contract for all services that City shall be obligated to pay for any work performed in accordance with this agreement. City shall not be obligated to pay for any work which is not submitted in compliance with the terms of this agreement. Consultant shall deliver all original source documents belonging to City immediately after notice of

termination of this agreement has been received by Consultant. The City may also terminate this contract with a thirty (30) day notice if termination is caused due to a conflict of interest that cannot be resolved to the City's satisfaction.

It is agreed and fully understood that the Consultant may, at its option and without prejudice to any other remedy it may be entitled to at law or in equity, cancel or terminate this agreement upon sixty (60) days written notice to City.

**City of Grapevine**

\_\_\_\_\_

\_\_\_\_\_  
DATE

**Consultant**

\_\_\_\_\_  
Fred Hill  
On behalf of Solutions for  
Local Control, LLC

\_\_\_\_\_  
DATE

MEMO TO: HONORABLE MAYOR & MEMBERS OF THE CITY COUNCIL  
FROM: BRUNO RUMBELOW, CITY MANAGER <sup>BR</sup>  
MEETING DATE: MAY 20, 2014  
SUBJECT: ATMOS RATE INCREASE DENIAL

RECOMMENDATION

Staff recommends City Council approve a resolution supporting the denial of the Atmos Energy Mid-Tex Division request for a rate increase.

BACKGROUND

Grapevine, along with approximately 164 other cities served by Atmos Energy Mid-Tex Division, is a member of the Atmos Cities Steering Committee ("ACSC"). On or about February 28, 2014, Atmos Mid-Tex filed with the City an application to increase natural gas rates pursuant to the Rate Review Mechanism (RRM) tariff renewed by the City in 2013 as a continuation and refinement of the previous RRM rate review process. This is the second annual RRM filing under the renewed RRM tariff.

The Atmos Mid-Tex RRM filing sought a \$45.7 million rate increase system-wide. The City worked with ACSC to analyze the schedules and evidence offered by Atmos Mid-Tex to support its request to increase rates. Although a good faith attempt was made by ACSC to reach a compromise with Atmos Mid-Tex, an agreement was not reached. In the absence of an agreement, the ACSC Executive Committee and ACSC's legal counsel have recommended that ACSC members adopt the attached Resolution denying the rate increase request.

Under the RRM tariff, Atmos may appeal the rate decision of the cities to the Railroad Commission; such appeal must be filed within 30 days of the City action.

**Rate Impact of Appeal by Atmos Effective June 1:**

The RRM tariff constrains the annual increase in the residential customer charge to no more than \$0.50. The current \$17.70 customer charge will be increased to \$18.22 per month with the addition of an energy conservation program surcharge of \$0.02. A comparison of rates and rate impact of what Atmos initially proposed in its RRM filing is reflected in the following chart:

Customer Class	Current Bill	New Bill	Difference	New Customer Charge	New Commodity Charge	Base Rate Increase
Residential	48.09	50.11	2.02	\$ 18.22	\$0.08998 Ccf	9.41%
Commercial	254.85	260.91	6.06	\$ 38.85	\$0.07678 Ccf	9.59%
Industrial	4,680.30	4,837.10	156.80	\$675.00	declining block	9.70%
Transportation	2,836.84	2,993.64	156.80	\$675.00	declining block	9.70%

However, Atmos has indicated that it will not appeal all issues raised by Cities and thus the impact should be slightly less than what is reflected in the above chart. A precise impact statement cannot be presented until after the Company's appeal is filed.

**Reasons Justifying Approval of the Resolution:**

While the evidence does not support the \$45.7 million increase requested by the Company, ACSC's consultants agree that the Company can justify an increase in revenues of a much lesser amount—namely, an increase of only \$19 million. The Executive Committee authorized a settlement value considerably above the consultants' recommendation but it was insufficient to meet the Company's expectation. The Company and ACSC Cities were too far apart in their positions to reach a compromise, and rather than granting a partial increase that the Company will not accept, the option remaining is to deny the rate increase request in its entirety, and participate in the Company's appeal of this decision at the Railroad Commission.

Staff recommends approval of the resolution denying the rate increase.

BR:JH/sgp

RESOLUTION NO. \_\_\_\_\_

ATMOS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, DENYING THE RATE INCREASE REQUESTED BY ATMOS ENERGY CORP., MID-TEX DIVISION UNDER THE COMPANY'S 2014 ANNUAL RATE REVIEW MECHANISM FILING IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES PERTAINING TO REVIEW OF THE RRM; AUTHORIZING THE CITY'S PARTICIPATION WITH ATMOS CITIES STEERING COMMITTEE IN ANY APPEAL FILED AT THE RAILROAD COMMISSION OF TEXAS BY THE COMPANY; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES IN ANY SUCH APPEAL TO THE RAILROAD COMMISSION; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE STEERING COMMITTEE'S LEGAL COUNSEL AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Grapevine, Texas ("City") is a gas utility customer of Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company"), and a regulatory authority with an interest in the rates and charges of Atmos Mid-Tex; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee ("ACSC"), a coalition of approximately 164 similarly situated cities served by Atmos Mid-Tex that have joined together to facilitate the review of and response to natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, pursuant to the terms of the agreement settling the Company's 2007 Statement of Intent to increase rates, ACSC Cities and the Company worked collaboratively to develop a Rate Review Mechanism ("RRM") tariff that allows for an expedited rate review process controlled in a three-year experiment by ACSC Cities as a substitute to the current Gas Reliability Infrastructure Program ("GRIP") process instituted by the Legislature; and

WHEREAS, the City took action in 2008 to approve a Settlement Agreement with Atmos Mid-Tex resolving the Company's 2007 rate case and authorizing the RRM tariff; and

WHEREAS, in 2013, ACSC and the Company negotiated a renewal of the RRM tariff process for an additional five years; and

WHEREAS, the City passed an ordinance renewing the RRM tariff process for the City for an additional five years; and

WHEREAS, the RRM renewal tariff contemplates reimbursement of ACSC Cities' reasonable expenses associated with RRM applications; and

WHEREAS, on or about February 28, 2014, the Company filed with the City its second annual RRM filing under the renewed RRM tariff, requesting to increase natural gas base rates by \$45.7 million; and

WHEREAS, ACSC coordinated its review of Atmos Mid-Tex's RRM filing through its Executive Committee, assisted by ACSC attorneys and consultants, to investigate issues identified by ACSC in the Company's RRM filing; and

WHEREAS, ACSC attorneys and consultants have concluded that the Company is unable to justify a rate increase of the magnitude requested in the RRM filing; and

WHEREAS, ACSC's consultants determined the Company is only entitled to a \$19 million increase, approximately 42% of the Company's request under the 2014 RRM filing; and

WHEREAS, the Company would only be entitled to approximately \$31 million if it had a GRIP case; and

WHEREAS, the Company's levels of operating and maintenance expense have dramatically risen without sufficient justification; and

WHEREAS, the Company has awarded its executives and upper management increasing and unreasonable levels of incentives and bonuses, expenses which should be borne by shareholders who received a 23% total return on investment in 2013; and

WHEREAS, the Company requested a drastically high level of medical expense that is unreasonable and speculatively based upon estimates; and

WHEREAS, ACSC and the Company were unable to reach a compromise on the amount of additional revenues that the Company should recover under the 2014 RRM filing; and

WHEREAS, the ACSC Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities deny the requested rate increase; and

WHEREAS, the Company's current rates are determined to be just, reasonable, and in the public interest.

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

Section 1. That the findings set forth in this resolution are hereby in all things approved.

Section 2. That the City Council finds that Atmos Mid-Tex was unable to justify the appropriateness or the need for the increased revenues requested in the 2014 RRM filing, and that existing rates for natural gas service provided by Atmos Mid-Tex are just and reasonable.

Section 3. That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC Cities in processing the Company's RRM application.

Section 4. That in the event the Company files an appeal of this denial of rate increase to the Railroad Commission of Texas, the City is hereby authorized to intervene in such appeal, and shall participate in such appeal in conjunction with the ACSC membership. Further, in such event Atmos Mid-Tex shall reimburse the reasonable expenses of the ACSC Cities in participating in the appeal of this and other ACSC City rate actions resulting from the 2014 RRM filing.

Section 5. That the meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 6. That if any one or more sections or clauses of this resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this resolution and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

Section 7. That a copy of this resolution shall be sent to Atmos Mid-Tex, care of Chris Felan, Manager of Rates and Regulatory Affairs, at Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

Section 8. That this resolution shall take effect from and after the date of its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 20th day of May, 2014.

APPROVED:

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ATTEST:

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APPROVED AS TO FORM:

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MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
FROM: BRUNO RUMBELOW, CITY MANAGER <sup>BIZ</sup>  
MEETING DATE: MAY 20, 2014  
SUBJECT: EXTENSION OF ANNUAL CONTRACTS FOR WATER  
TREATMENT CHEMICALS

RECOMMENDATION:

City Council to consider approval of a 90 day extension of RFB 318-2009 with Brenntag Southwest, Inc., Fort Bend Services, Inc., Harcros Chemicals, DPC Industries, Inc. and Univar USA for the purchase of water treatment chemicals.

FUNDING SOURCE:

Funds for this purchase are available in account 200-42205-530-2 and 200-42205-531-2 (Water/Wastewater Treatment) in the estimated amount of \$244,000.00.

BACKGROUND:

Bids were taken in accordance with Local Government Code Chapter 252, Subchapter B, Section 252.021 (a) and Section 252.041 (a). The bid advertisement was posted in the Fort Worth Star Telegram on November 3 and 10, 2011. The contract was for an initial one-year period with four one-year renewal options.

The purpose of this contract is to establish fixed annual pricing for various water and wastewater treatment chemicals used for the daily operations of the water and wastewater treatment plants.

This request is for a 90 day extension from June 1, 2014 through September 1, 2014 to continue services under the same terms and conditions of the annual contract and to facilitate the rebid process. Due to regulatory requirements and permitting for water and wastewater treatment plant chemicals a change in specifications is required to meet new standards.

Staff recommends approval.

KC/LW

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
FROM: BRUNO RUMBELOW, CITY MANAGER *BR*  
MEETING DATE: MAY 20, 2014  
SUBJECT: APPROVAL FOR THE AWARD OF RFP 414-2014 FOR  
BANKING DEPOSITORY SERVICES

RECOMMENDATION:

City Council to consider award of RFP 414-2014 for Bank Depository Services to Legacy Texas Bank.

FUNDING SOURCE:

There is no funding required for the banking services as Legacy Texas Bank has waived all depository service fees for the contract period.

BACKGROUND INFORMATION:

Request for proposals were taken in accordance with Texas Local Government Code Chapter 252.022. The Request for Proposal 414-2014 was issued for the Finance Department for Bank Depository Services. The RFP was opened publicly on April 11, 2014.

The RFP public notice was in the Fort Worth Star Telegram on March 13 and 20, 2014. There were 51 invitations sent out through the eBid Procurement system with 10 institutions downloading and viewing the RFP.

Five banking institutions submitted proposals:

Northstar Bank of Texas  
Legacy Texas Bank  
Wells Fargo  
Frost Bank  
First Financial

An evaluation team made up of Finance and CVB representatives reviewed and evaluated all five proposals based on the City's requirements and the services offered and ranked them accordingly. Of the five firms, the three top ranked institutions were interviewed and were asked to submit their final proposal. They were Legacy Texas Bank, Wells Fargo and Frost Bank.

After the three bank institutions were interviewed and services re-evaluated, the evaluation team re-ranked them based on RFP submittal clarifications. The evaluation team ranked Legacy Texas Bank as the top banking institution.

The contract will be for two years with three optional, one year renewals.

Staff recommends approval.

KW/BS

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER <sup>BR</sup>

MEETING DATE: MAY 20, 2014

SUBJECT: APPROVAL TO RENEW AN ADDITIONAL ONE YEAR CONTRACT OPTION FOR OUTSIDE AUDIT SERVICES WITH PATTILLO, BROWN & HILL, LLP

RECOMMENDATION:

City Council to consider approval to renew an additional one year contract option for outside audit services with Pattillo, Brown & Hill, LLP in the amount of \$105,500.

FUNDING SOURCE:

Funds are available for professional auditing service fees of \$105,500 in the various Operating Funds in account 44540 for the annual audit.

BACKGROUND:

The City Council approved a five year contract with Pattillo, Brown & Hill, LLP on April 16, 2013 to perform the City of Grapevine's annual audit services. This would be the second year of the five year contract renewal options. Pattillo, Brown & Hill, LLP have extensive experience providing these services throughout the North Texas area with several municipal clients in the Metroplex that are pleased with their professional services. The firm has also performed the City's annual audit for the past six years with satisfactory results.

Staff recommends approval.



PATILLO, BROWN & HILL, L.L.P.  
CERTIFIED PUBLIC ACCOUNTANTS ■ BUSINESS CONSULTANTS

April 29, 2014

City of Grapevine, Texas  
Attention: Karen Walker  
P.O. Box 95104  
Grapevine, Texas 76099

We are pleased to confirm our understanding of the services we are to provide the City of Grapevine, Texas for the year ended September 30, 2014. We will audit the financial statements of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements, of the City of Grapevine, Texas as of and for the year ended September 30, 2014. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the City of Grapevine, Texas' basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City of Grapevine, Texas' RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis.
- 2) Budgetary Comparison Schedules.
- 3) Schedule of Funding Progress for Retirement Plan.
- 4) Schedule of Funding Progress for OPEB Plan.

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The AICPA logo consists of the letters 'AICPA' in a bold, sans-serif font, enclosed within a circular border. Below the logo, the text 'Governmental Audit Quality Center' is written in a smaller, sans-serif font.  
Governmental Audit  
Quality Center

We have also been engaged to report on supplementary information other than RSI that accompanies the City of Grapevine, Texas' financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole:

- 1) Schedule of Expenditures of Federal Awards.
- 2) Combining and individual fund financial statements and schedules.

The following other information accompanying the financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements, and our auditors' report will not provide an opinion or any assurance on that other information.

- 1) Introductory section.
- 2) Statistical section.

### **Audit Objectives**

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. The objective also includes reporting on—

- Internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control related to major programs and an opinion (or disclaimer of opinion) on compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) that the report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the entity's internal control and compliance. The OMB Circular A-133 report on internal control over compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of OMB Circular A-133. Both reports will state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of OMB Circular A-133, and will include tests of accounting records, a determination of major program(s) in accordance with OMB Circular A-133, and other procedures we consider necessary to enable us to express such opinions. We will issue written reports upon completion of our Single Audit. Our reports will be addressed to Management and the City Council of the City of Grapevine, Texas. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements or the Single Audit compliance opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or may withdraw from this engagement.

### **Management Responsibilities**

Management is responsible for the financial statements, Schedule of Expenditures of Federal Awards, and all accompanying information as well as all representations contained therein. Management is also responsible for identifying all federal and state awards received and understanding and complying with the compliance requirements, and for preparation of the Schedule of Expenditures of Federal Awards (including notes and noncash assistance received) in accordance with the requirements of OMB Circular A-133. As part of the audit, we will assist with preparation of your financial statements, Schedule of Expenditures of Federal Awards, and related notes. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. You agree to assume all management responsibilities relating to the financial statements, Schedule of Expenditures of Federal Awards, related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, Schedule of Expenditures of Federal Awards, and related notes and that you have reviewed and approved the financial statements, Schedule of Expenditures of Federal Awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, who possesses suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Management is responsible for (a) establishing and maintaining effective internal controls, including internal controls over compliance, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; (b) following laws and regulations; (c) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (d) ensuring that management is reliable and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities also include identifying significant vendor relationships in which the vendor has responsibility for program compliance and for the accuracy and completeness of that information. Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. Management is also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements, or abuse that we report. Additionally, as required by OMB Circular A-133, it is management's responsibility to follow up and take corrective action on reported audit findings and to prepare a summary schedule of prior audit findings and a corrective action plan.

You are responsible for preparation of the Schedule of Expenditures of Federal Awards (including notes and noncash assistance received) in conformity with OMB Circular A-133. You agree to include our report on the Schedule of Expenditures of Federal Awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to include the audited financial statements with any presentation of the Schedule of Expenditures of Federal Awards that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the Schedule of Expenditures of Federal Awards in accordance with OMB Circular A-133; (2) you believe the Schedule of Expenditures of Federal Awards, including its form and content, is fairly presented in accordance with OMB Circular A-133; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the Schedule of Expenditures of Federal Awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with

GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

### **Audit Procedures—General**

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys

as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; Schedule of Expenditures of Federal Awards; federal award programs; compliance with laws, regulations, contracts, and agreements; and other responsibilities required by generally accepted auditing standards.

#### **Audit Procedures—Internal Control**

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by OMB Circular A-133, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to OMB Circular A-133.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and OMB Circular A-133.

#### **Audit Procedures—Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

OMB Circular A-133 requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with applicable laws and regulations and the provisions of contracts and grant agreements applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the OMB Circular A-133 Compliance Supplement for the types of compliance requirements that could have a direct and material effect on each of the City's major programs. The purpose of these procedures will be to express an opinion on the City's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to OMB Circular A-133.

#### **Engagement Administration, Fees, and Other**

You may request that we perform additional services not addressed in this engagement letter. If this occurs, we will communicate with you regarding the scope of the additional services and the estimated

fees. We also may issue a separate engagement letter covering the additional services. In the absence of any other written communication from us documenting such additional services, our services will continue to be governed by the terms of this engagement letter.

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to submit the reporting package (including financial statements, Schedule of Expenditures of Federal Awards, Summary Schedule of Prior Audit Findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. If applicable, we will provide copies of our report for you to include with the reporting package you will submit to pass-through entities. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of the auditors' reports or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audits.

We will provide copies of our reports to the City; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Pattillo, Brown and Hill, L.L.P. and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to a federal or state agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Pattillo, Brown and Hill, L.L.P. personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release or for any additional period requested by the cognizant agency, oversight agency for audit, or pass-through entity. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

We expect to begin our audit on approximately November 17, 2014 and to issue our reports no later than February 27, 2015. Todd Pruitt, CPA, is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them.

Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses, will not exceed \$105,500. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on

presentation. In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our reports. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

*Government Auditing Standards* require that we provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our 2013 peer review report accompanies this letter.

We appreciate the opportunity to be of service to the City of Grapevine, Texas and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,  
Pattillo, Brown & Hill, L.L.P.



Todd Pruitt, CPA

TP/ad

RESPONSE:

This letter correctly sets forth the understanding of the City of Grapevine, Texas.

Management Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Governance Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

American Institute of  
Certified Board Accountants

Mississippi Society of  
Certified Public Accountants

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A Worldwide Association of Accounting Firms



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## SYSTEM REVIEW REPORT

August 29, 2013

**To the Partners of  
Pattillo, Brown & Hill, L. L. P.  
and the National Peer Review Committee**

We have reviewed the system of quality control for the accounting and auditing practice of **Pattillo, Brown & Hill, L. L. P.** (the firm) in effect for the year ended May 31, 2013. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants. As a part of our peer review, we considered reviews by regulatory entities, if applicable, in determining the nature and extent of our procedures. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review. The nature, objectives, scope, limitations of, and the procedures performed in a System Review are described in the standards at [www.aicpa.org/prsummary](http://www.aicpa.org/prsummary).

As required by the standards, engagements selected for review included engagements performed under *Government Auditing Standards*, audits of employee benefit plans, audits performed under FDICIA and examinations of service organizations [Service Organizations Control (SOC) 1 engagements].

In our opinion, the system of quality control for the accounting and auditing practice of **Pattillo, Brown & Hill, L. L. P.** in effect for the year ended May 31, 2013, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. **Pattillo, Brown & Hill, L. L. P.** has received a peer review rating of *pass*.

  
EUBANK, BETTS, HIRN, WOOD, PLLC

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: MAY 20, 2014

SUBJECT: APPROVAL TO RENEW HEALTH PLAN ADMINISTRATIVE SERVICES AGREEMENT

RECOMMENDATION:

City Council to consider approval to renew an annual contract for third-party administrative services with UMR for the City's self-funded health plan.

FUNDING SOURCE:

Funds are available in account 100-45674-109-1 (Health Insurance Premium) in the estimated amount of \$310,000.

BACKGROUND:

The purpose of this contract is to establish annual pricing for third-party administration for the City's self-funded health plan. UMR has agreed to a three year, tiered renewal with a 1.3% increase this year; an increase of 1.57% in year 2; and an increase of 0.91% in the final year. UMR has provided these services to the City in the past with successful results.

Administrative Services Director recommends approval.

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER <sup>B2</sup>

MEETING DATE: MAY 20, 2014

SUBJECT: APPROVAL OF A RESOLUTION FOR THE PURCHASE OF MICROSOFT OFFICEPROPLUS ENTERPRISE SOFTWARE

RECOMMENDATION:

City Council to consider approval of a resolution for the purchase of Microsoft OfficeProPlus enterprise software from SHI Government Solutions, Inc. through a contract established by the State of Texas Department of Information Resources (DIR) Cooperative Contracts Program.

FUNDING SOURCE:

Funding for this purchase is currently available in account 325-44540-101-14-0030 (Professional Services) in the amount not to exceed \$82,225.00.

BACKGROUND:

This purchase will be made in accordance with a contract established with SHI Government Solutions, Inc. by the State of Texas Department of Information Resources (DIR) Cooperative Contracts Program. Purchases through this program are authorized under Texas Local Government Code, Chapter 271, Subchapter D and Texas Government Code Chapter 2054, Section 2054.0565 (b).

Bids were taken by the cooperative and a contract was awarded to SHI Government Solutions, Inc. The Purchasing and IT staff reviewed the contract for specification compliance and pricing and determined that the contract would provide the best service and pricing for meeting the needs of the City.

This purchase request is for the final payment for Microsoft Office 2010 on a Microsoft Enterprise Agreement. Starting in 2015 we will be paying for Software Assurance (Microsoft's name for software maintenance) and the amount will be a percentage of the value of the software.

Staff recommends approval.

JJ/BS

RESOLUTION NO. \_\_\_\_\_

MICROSOFT  
SOFTWARE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO PURCHASE MICROSOFT OFFICEPROPLUS ENTERPRISE SOFTWARE THROUGH A STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) CONTRACT PROGRAM AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Grapevine, Texas is a local government in the State of Texas and as such is empowered by the Texas Local Government Code, Chapter 271, Subchapter D and Texas Government Code Chapter 2054, Section 2054.0565 (b) to make purchases under a state contract therefore satisfying any state law requiring local governments to seek competitive bids for the purchase of the item; and

WHEREAS, the State of Texas Department of Information Resources (DIR) Cooperative Contracts program is a qualified purchasing program; and

WHEREAS, the City of Grapevine, Texas can participate in the State of Texas DIR Cooperative Contracts Program through membership in the Program and wishes to utilize the contract meeting all State of Texas bidding requirements; and

WHEREAS, the State of Texas DIR has an established contract #DIR-SDD-2503 with SHI Government Solutions, Inc. for IT Products and Related Services; and

WHEREAS, the City has a need for Microsoft OfficeProPlus enterprise software.

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

Section 1. That all matters stated in the above preamble are true and correct and are incorporated herein as if copied in their entirety.

Section 2. That the City Council of the City of Grapevine authorizes the purchase with SHI Government Solutions, Inc. for Microsoft OfficeProPlus enterprise software for an amount not to exceed \$82,225.00.

Section 3. That the City Manager or his designee is authorized to take all steps necessary to consummate the purchase of said Microsoft product.

Section 4. That this resolution shall take effect from and after the date of its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 20th day of May, 2014.

APPROVED:

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ATTEST:

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APPROVED AS TO FORM:

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MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
FROM: BRUNO RUMBELOW, CITY MANAGER BR  
MEETING DATE: MAY 20, 2014  
SUBJECT: APPROVAL OF A RESOLUTION FOR THE PURCHASE OF A 3  
WHEEL SWEEPER

RECOMMENDATION:

City Council to consider approval of a resolution for the purchase of A Lay-mor 3 Wheel Sweeper from Anderson Machinery through an Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council (H-GAC).

FUNDING SOURCE:

Funding for this purchase is currently available in account 325-48860-415-14-0034 (Capital Equipment/Machinery Purchase Fund/Motor Vehicles) for the amount not to exceed \$22,685.00.

BACKGROUND:

This purchase will be made in accordance with an existing Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council (H-GAC) as allowed by Texas Local Government Code, Section 271.102, Cooperative Purchasing Program.

Bids were taken by the Cooperative and a contract was awarded to Anderson Machinery. The Fleet Services and Purchasing staff reviewed the contract for specification compliance and pricing and determined that the contract would provide the best product and pricing for meeting the needs of the City.

The Public Works Department received approval to purchase a powered street broom to replace unit 15862 in the Vehicle and Equipment Replacement List for FY2014 Budget.

Staff recommends approval.

PH/BS

RESOLUTION NO. \_\_\_\_\_

*SWEEPER*

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 LAY-MOR 3 WHEEL SWEEPER THROUGH AN ESTABLISHED INTERLOCAL AGREEMENT FOR COOPERATIVE PURCHASING AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Grapevine, Texas is a local government in the State of Texas and as such is empowered by the Texas Local Government Code, Section 271.102 to enter into a cooperative purchasing program agreement with other qualified entities in the State of Texas; and

WHEREAS, the Houston-Galveston Area Council (H-GAC), a regional planning commission, is a qualified purchasing cooperative program as authorized by Section 271.102 of the Texas Local Government Code; and

WHEREAS, the City of Grapevine, Texas, has established an Interlocal Agreement for Cooperative Purchasing with H-GAC and wishes to utilize established contracts meeting all State of Texas bidding requirements; and

WHEREAS, H-GAC has established a contract with Anderson Machinery under contract #SM10-12, Street Maintenance Equipment; and

WHEREAS, the City of Grapevine, Texas has a need to purchase a sweeper to replace an old unit for the Public Works Department.

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

Section 1. That all matters stated in the above preamble are true and correct and are incorporated herein as if copied in their entirety.

Section 2. That the City Council of the City of Grapevine authorizes the purchase of a Lay-Mor 3 Wheel Sweeper from Anderson Equipment through an Interlocal Agreement for Cooperative Purchasing with H-GAC for an amount not to exceed \$22,685.00.

Section 3. That the City Manager or his designee is authorized to take all steps necessary to consummate the purchase of said sweeper.

Section 4. That this resolution shall take effect from and after the date of its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 20th day of May, 2014.

APPROVED:

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ATTEST:

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APPROVED AS TO FORM:

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MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
FROM: BRUNO RUMBELOW, CITY MANAGER *BR*  
MEETING DATE: MAY 20, 2014  
SUBJECT: APPROVAL OF A RESOLUTION FOR THE SALE OF CITY SURPLUS PROPERTY

RECOMMENDATION:

City Council to consider a resolution declaring the property listed in Exhibit "A" as surplus property and authorizes their sale through public auction.

BACKGROUND:

This request is to approve a resolution for the sale of surplus as listed in Exhibit "A". The City currently has miscellaneous surplus including utility vehicles, various vehicle parts and fleet equipment, copiers, furniture, power tools, miscellaneous equipment and old siren head equipment ready for auction due to equipment age or condition. Staff has considered age, cost of operation and/or life-to-date maintenance costs when classifying property as surplus.

Staff recommends approval.

LW

**Exhibit "A"**  
**May 6, 2014**

1. 2 ea. Ford Starters.
2. 2 ea. Motorcycle Lights Red and Blue.
3. 1 Pallet of Signal and Siren Equipment.
4. 1 Pallet of Large Trucking Equipment and Parts.
5. 1 Pallet of Ford Crown Vic Equipment and Parts.
6. 1 Pallet of Ford Crown Vic Parts and Accessories.
7. 1 Pallet of Chevrolet Consoles and Stands.
8. 1 Pallet 2009 Ford Crown Vic Window Bars and Partitions.
9. 1 Pallet 2009 Ford Crown Vic Lights and Electronic Equipment.
10. 1 Pallet Motorcycle Parts and Equipment.
11. 1 Pallet of 2007-2011 Crown Vic Lights and Equipment.
12. 1 Pallet of Truck consoles.
13. 1 Motorcycle Lift.
14. 1 Konica Minolta Bizhub Copier.
15. 1 Ice Dispenser.
16. 1 Air Compressor.
17. 1 Box of Power Tools.
18. 1 Lot of Siren Heads.
19. 2 Toro Utility Vehicles.
20. 1 Lot Tables and Chairs.
21. 1 Lot Steel Cabinets and organizers.

RESOLUTION NO. \_\_\_\_\_

SURPLUS  
PROPERTY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, DECLARING CERTAIN PROPERTY AS SURPLUS PROPERTY AND PROVIDING FOR THE AUTHORIZATION TO DISPOSE OF SAID PROPERTY AT AUCTION AND PROVIDING AN EFFECTIVE DATE

WHEREAS, it has been determined that the City of Grapevine, Texas is in possession of items that are no longer used and are of little or no value to the City and are surplus property as described in attached Exhibit "A".

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

Section 1. That all matters stated in the above preamble are true and correct and are incorporated herein as if copied in their entirety.

Section 2. That all items described in Exhibit "A" to this resolution are hereby declared surplus property.

Section 3. That the City Manager or his designee is hereby authorized to schedule an auction for the purpose of offering for sale all items listed in Exhibit "A" and to obtain the highest bid possible for these items.

Section 4. That this resolution shall take effect from and after the date of its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 20th day of May, 2014.

APPROVED:

\_\_\_\_\_

ATTEST:

\_\_\_\_\_

APPROVED AS TO FORM:

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MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER BR

MEETING DATE: MAY 20, 2014

SUBJECT: APPROVAL OF A RESOLUTION FOR A SOLE SOURCE PURCHASE OF AN OUTDOOR CHRISTMAS SIGN AND DECORATIONS

RECOMMENDATION:

City Council to consider approval of a resolution for a sole source purchase of custom Christmas decorations from the Gaylord Texas for the City of Grapevine.

FUNDING SOURCE:

Funding for this purchase is currently available in account 174-74015-075 (Holiday Decorations PCMF) for an amount not to exceed \$31,349.00.

BACKGROUND:

This procurement will be made as a sole source in accordance with Local Government Code Chapter 252, Subchapter B, § 252.022. General Exemptions (a)(7).

The Gaylord Texan Resort and Convention Center has designed and will fabricate a custom "Christmas Capital of Texas" entry sign for the downtown Christmas decorations based on the images presented at the April 1, 2014 Council Workshop. Gaylord Texan is also refurbishing many decorations no longer used at the resort. The design team is adding custom paint and finishes to the decorations for the City at a fraction of the cost. These new decorations will add to the "Christmas Capital of Texas" experience.

Staff recommends approval.

TS/KM



RESOLUTION NO. \_\_\_\_\_

CHRISTMAS  
SIGN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO APPROVE THE SOLE SOURCE PURCHASE OF AN OUTDOOR CHRISTMAS SIGN AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Grapevine, Texas is a local government in the State of Texas and as such is empowered by Texas Local Government Code Chapter 252, Subchapter B, § 252.022. General Exemptions (a)(7) to purchase said sign on a sole source basis; and

WHEREAS, the sole source purchase is due to custom design requirements by the City.

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

Section 1. That all matters stated in the above preamble are true and correct and are incorporated herein as if copied in their entirety.

Section 2. That the City Council of the City of Grapevine authorizes the sole source purchase of a custom Christmas sign and decorations from the Gaylord Texan Resort & Convention Center for the City of Grapevine for an amount not to exceed \$31,349.00.

Section 3. That the City Manager or his designee is authorized to take all steps necessary to consummate the purchase of a custom Christmas sign and decorations from the Gaylord Texan for the City's Parks & Recreation Department.

Section 4. That this resolution shall take effect from and after the date of its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 20th day of May, 2014.

APPROVED:

\_\_\_\_\_

ATTEST:

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APPROVED AS TO FORM:

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MEMO TO: HONORABLE MAYOR & MEMBERS OF THE CITY COUNCIL  
FROM: BRUNO RUMBELOW, CITY MANAGER *BR*  
MEETING DATE: MAY 20, 2014  
SUBJECT: UTILITY EASEMENT ABANDONMENTS – 2200 BASS PRO COURT

RECOMMENDATION:

City Council consider adopting an ordinance abandoning two, 10 foot wide utility easements located on Lot 1, Block 1, Silver Lake Crossings Addition, and take any necessary action.

BACKGROUND:

The property owner of the hotel site for the Marriott Hotel and Town Place Suites located at 2200 Bass Pro Court has requested the City abandon the two easements crossing Lot 1, Block 1, Silver Lake Crossings Addition since they are no longer being used and lie beneath the new buildings. With the construction of the new hotels in the 2013-2014 timeframe, utilities located within these two easements were relocated to the perimeter of the lot to allow for the building construction.

The easements were dedicated to the City by separate instruments in 1980 and 1990 and are no longer in use.

Staff recommends approval.

ORDINANCE NO. \_\_\_\_\_

SILVER LAKE  
ABANDONMENT

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, ABANDONING AND VACATING TWO 10-FOOT WIDE UTILITY EASEMENTS LOCATED ON LOT 1, BLOCK 1, SILVER LAKE CROSSINGS ADDITION IN THE CITY OF GRAPEVINE, TEXAS AS HEREINAFTER DESCRIBED; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the property owner of Lot 1, Block 1, Silver Lake Crossings Addition located at 2200 Bass Pro Court, City of Grapevine, Tarrant County, Texas has requested that two 10-foot wide utility easements located on Lot 1, Block 1, Silver Lake Crossings Addition, as herein after described, be abandoned and vacated; and

WHEREAS, the easements are not needed for public use and will not be needed in the future for public use; and

WHEREAS, abandoning and vacating the said easements will relieve the City of Grapevine, Texas from the cost and expense of maintaining said property.

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

Section 1. That all matters stated in the preamble of this ordinance are true and correct and are hereby incorporated into the body of this ordinance as if copied in their entirety.

Section 2. That the two 10-foot wide utility easements located on Lot 1, Block 1, Silver Lake Crossings Addition recorded in Volume 7217, Page 1445, DRTCT and in Volume 9833, Page 0219, DRTCT, described in Exhibits "A" and "B", attached hereto and incorporated herein for all purposes, are hereby abandoned and vacated for public use and the same are hereby abandoned and vacated insofar as all public right, title, interest in and to said easements are concerned.

Section 3. That the terms and provisions of this ordinance shall be deemed to be severable, and that if the validity of any section, subsection, word, sentence or phrase shall be held to be invalid, it shall not affect the remaining part of this ordinance.

Section 4. That the fact that the easements are no longer needed by the public for public usage and would create a hardship or burden upon the City of Grapevine to keep open and maintain such easement creates an urgency and an emergency for the immediate preservation of the public health, safety, and general welfare which requires that this ordinance shall take effect immediately from and after its passage and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
GRAPEVINE, TEXAS on this the 20th day of May, 2014.

APPROVED:

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ATTEST:

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APPROVED AS TO FORM:

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State of Texas  
County of Tarrant

Before me, \_\_\_\_\_, Notary Public on this day personally appeared \_\_\_\_\_ known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 20th day of May, 2014.

\_\_\_\_\_  
Notary Signature

My Commission Expires:

**LAND DESCRIPTION  
EASEMENT ABANDONMENT**

**BEING** a tract of land situated in the A.W. Anderson Survey, Abstract No. 26, Tarrant County, Texas and being a portion of Lot 1, Block 1 of the Silver Lake Crossings Addition, an addition to the City of Grapevine as recorded in Document No. D212050937 of the Plat Records, Tarrant County, Texas and being a portion of a 10' Utility Easement as recorded in Volume 9833, Page 219 of the Deed Records, Tarrant County Texas and being more particularly described as follows;

**COMMENCING** at a DFW Airport Concrete Monument found at the southwest corner of said Lot 1;

**THENCE** South 89 degrees 51 minutes 35 seconds East, along the south line of said Lot 1, a distance of 51.42 feet to a point for corner from which a 5/8 inch iron rod found with plastic cap stamped 'Huitt-Zollars' at the southeast corner of said Lot 1 bears south 89 degrees 51 minutes 35 seconds East a distance of 738.27 feet;

**THENCE** North 00 degrees 28 minutes 03 seconds East, departing the south line of said Lot 1, a distance of 43.75 feet to the **POINT OF BEGINNING**;

**THENCE** North 00 degrees 28 minutes 03 seconds East a distance of 9.65 feet to a point for corner;

**THENCE** North 28 degrees 58 minutes 35 seconds East a distance of 1.05 feet to a point for corner;

**THENCE** North 74 degrees 09 minutes 00 seconds East a distance of 36.39 feet to a point for corner;

**THENCE** North 65 degrees 10 minutes 21 seconds East a distance of 673.43 feet to a point for corner;

**THENCE** North 52 degrees 44 minutes 22 seconds East a distance of 51.76 feet to a point for corner;

**THENCE** North 47 degrees 28 minutes 58 seconds East a distance of 61.32 feet to a point for corner at the beginning of a non-tangent curve to the right having a delta angle of 00 degrees 46 minutes 53 seconds, a radius of 893.50 feet and being subtended by a chord which bears South 77 degrees 19 minutes 03 seconds East a distance of 12.18 feet;

**THENCE** along said curve to the right an arc length of 12.18 feet to a point at the end of said curve;

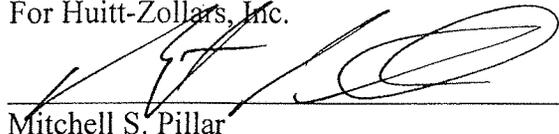
**THENCE** South 47 degrees 28 minutes 58 seconds West a distance of 68.72 feet to a point for corner;

**THENCE** South 52 degrees 44 minutes 22 seconds West a distance of 53.31 feet to a point for corner;

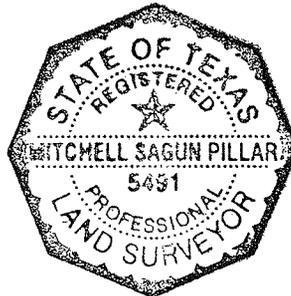
**THENCE** South 65 degrees 10 minutes 21 seconds West a distance of 675.30 feet to a point for corner;

**THENCE** South 74 degrees 09 minutes 00 seconds West a distance of 40.64 feet to the **POINT OF BEGINNING** and containing 0.1907 acres of land, more or less.

For Huitt-Zollars, Inc.



Mitchell S. Pillar  
Registered Professional Land Surveyor  
Texas Registration No. 5491  
Huitt-Zollars, Inc.  
Firm Registration No. 10025600  
1717 McKinney Avenue  
Suite 1400  
Dallas, Texas 75202-1236  
Ph. (214) 871-3311  
Date: January 17, 2014



BASIS OF BEARING:  
THE FINAL PLAT OF SILVER LAKE CROSSINGS ADDITION,  
AN ADDITION TO THE CITY OF GRAPEVINE AS  
RECORDED IN INSTRUMENT No. D212050937 OF THE  
PLAT RECORDS, TARRANT COUNTY, TEXAS.

CITY OF GRAPEVINE  
APPROXIMATE  
100-YR FLOODPLAIN LIMITS

OWNER:  
GRAPEVINE EQUITY  
PARTNERS, LLC.  
Instr. # D208160241  
O.P.R.T.C.T.

VARIABLE WIDTH R.O.W.  
ABANDONED BY  
INSTR. # D209306550  
D.R.T.C.T.  
City of Grapevine retained a  
public access, drainage &  
utility easement

**CC ITEM #25**

40' DRAINAGE &  
UTILITY EASEMENT  
CAB. A. SLIDE 5995  
P.R.T.C.T.

15' DRAINAGE EASEMENT  
INSTR. # D212050937

10' SETBACK

(INSTR. # D212050937)

VARIABLE WIDTH  
UTILITY EASEMENT  
INSTR. # D212050937

41' ACCESS EASEMENT  
INSTR. # D212050937

10' UTILITY EASEMENT  
INSTR. # D212050937

VARIABLE WIDTH  
UTILITY EASEMENT  
INSTR. # 212050937

UNITED STATES ARMY  
CORP OF ENGINEERS  
VOL. 2027, PG. 163  
TRACT A-1-A

LOT 1  
BLOCK 1

10' UTILITY EASEMENT  
VOL. 9833, PG. 0219  
D.R.T.C.T.

SILVER LAKE  
CROSSINGS ADDITION  
DOC. # D212050937  
P.R.T.C.T.

EASEMENT ABANDONMENT  
(0.1907 ACRES)

10' UTILITY EASEMENT  
INSTR. # D212050937

THE BLUFFS AT  
GRAPEVINE  
INSTR. # 213153582  
P.R.T.C.T.

LOT 2A, BLOCK 1

VARIABLE WIDTH  
UTILITY EASEMENT  
INSTR. # D212050937

ONCOR EASEMENT  
INSTR. # D213097031  
D.R.T.C.T.

10' UTILITY EASEMENT  
VOL. 7217, PG. 1445  
D.R.T.C.T.

15' DRAINAGE EASEMENT  
INSTR. # D212050937

POINT OF  
BEGINNING

20' SETBACK

(INSTR. # D212050937)

DFW CONCRETE  
MONUMENT FOUND

POINT OF  
COMMENCING

S 89° 51' 35" E

738.27'

A.W. ANDERSON SURVEY ABSTRACT No. 26

M. HOOD SURVEY ABSTRACT No. 699

APPROXIMATE LOCATION SURVEY LINE

CITY OF FORT WORTH  
VOL. 5154, PG. 549  
D.R.T.C.T.

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S 89°51'35" E	51.42'	L7	N 52°44'22" E	51.76'
L2	N 00°28'03" E	4.375'	L8	N 47°28'58" E	61.32'
L3	N 00°28'03" E	9.65'	L9	S 47°28'58" W	68.72'
L4	N 28°58'35" E	1.05'	L10	S 52°44'22" W	53.31'
L5	N 74°09'00" E	36.39'	L11	S 65°10'21" W	675.30'
L6	N 65°10'21" E	673.43'	L12	S 74°09'00" W	40.64'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	12.18'	893.50'	0°46'53"	S 77°19'03" E	12.18'

**HUITT-ZOLIARS**

Huitt-Zollars, Inc. Dallas  
1717 McKinney Avenue, Suite 1400  
Dallas, Texas 75202-1236

Phone (214) 871-3311 Fax (214) 871-0757

EASEMENT ABANDONMENT  
OUT OF LOT 1, BLOCK 1 OF THE  
SILVER LAKE CROSSINGS ADDITION  
OUT OF THE A.W. ANDERSON SURVEY,  
ABST. NO. 26,  
CITY OF GRAPEVINE,  
TARRANT COUNTY, TEXAS

EXHIBIT A

**LAND DESCRIPTION  
EASEMENT ABANDONMENT**

**BEING** a tract of land situated in the A.W. Anderson Survey, Abstract No. 26, Tarrant County, Texas and being a portion of Lot 1, Block 1 of the Silver Lake Crossings Addition, an addition to the City of Grapevine as recorded in Document No. D212050937 of the Plat Records, Tarrant County, Texas and being a portion of a 10' Utility Easement as recorded in Volume 7217, Page 1445 of the Deed Records, Tarrant County Texas and being more particularly described as follows;

**COMMENCING** at a DFW Airport Concrete Monument found at the southwest corner of said Lot 1;

**THENCE** South 89 degrees 51 minutes 35 seconds East, along the south line of said Lot 1, a distance of 51.42 feet to a point for corner from which a 5/8 inch iron rod found with plastic cap stamped 'Huitt-Zollars' at the southeast corner of said Lot 1 bears south 89 degrees 51 minutes 35 seconds East a distance of 738.27 feet;

**THENCE** North 00 degrees 28 minutes 03 seconds East, departing the south line of said Lot 1, a distance of 24.71 feet to the **POINT OF BEGINNING**;

**THENCE** North 00 degrees 28 minutes 03 seconds East a distance of 11.06 feet to a point for corner;

**THENCE** North 65 degrees 07 minutes 25 seconds East a distance of 735.75 feet to a point for corner;

**THENCE** North 47 degrees 33 minutes 21 seconds East a distance of 106.20 feet to a point for corner at the beginning of a non-tangent curve to the right having a delta angle of 00 degrees 46 minutes 26 seconds, a radius of 893.50 feet and being subtended by a chord which bears South 76 degrees 29 minutes 32 seconds East a distance of 12.07 feet;

**THENCE** along said curve to the right an arc length of 12.07 feet to a point for corner at the end of said curve;

**THENCE** South 47 degrees 33 minutes 21 seconds West a distance of 114.50 feet to a point for corner;

**THENCE** South 65 degrees 07 minutes 25 seconds West a distance of 742.03 feet to the **POINT OF BEGINNING** and containing 0.1949 acres of land, more or less.

For Huitt-Zollars, Inc.



Mitchell S. Pillar  
Registered Professional Land Surveyor  
Texas Registration No. 5491  
Huitt-Zollars, Inc.  
Firm Registration No. 10025600  
1717 McKinney Avenue  
Suite 1400  
Dallas, Texas 75202-1236  
Ph. (214) 871-3311  
Date: January 17, 2014



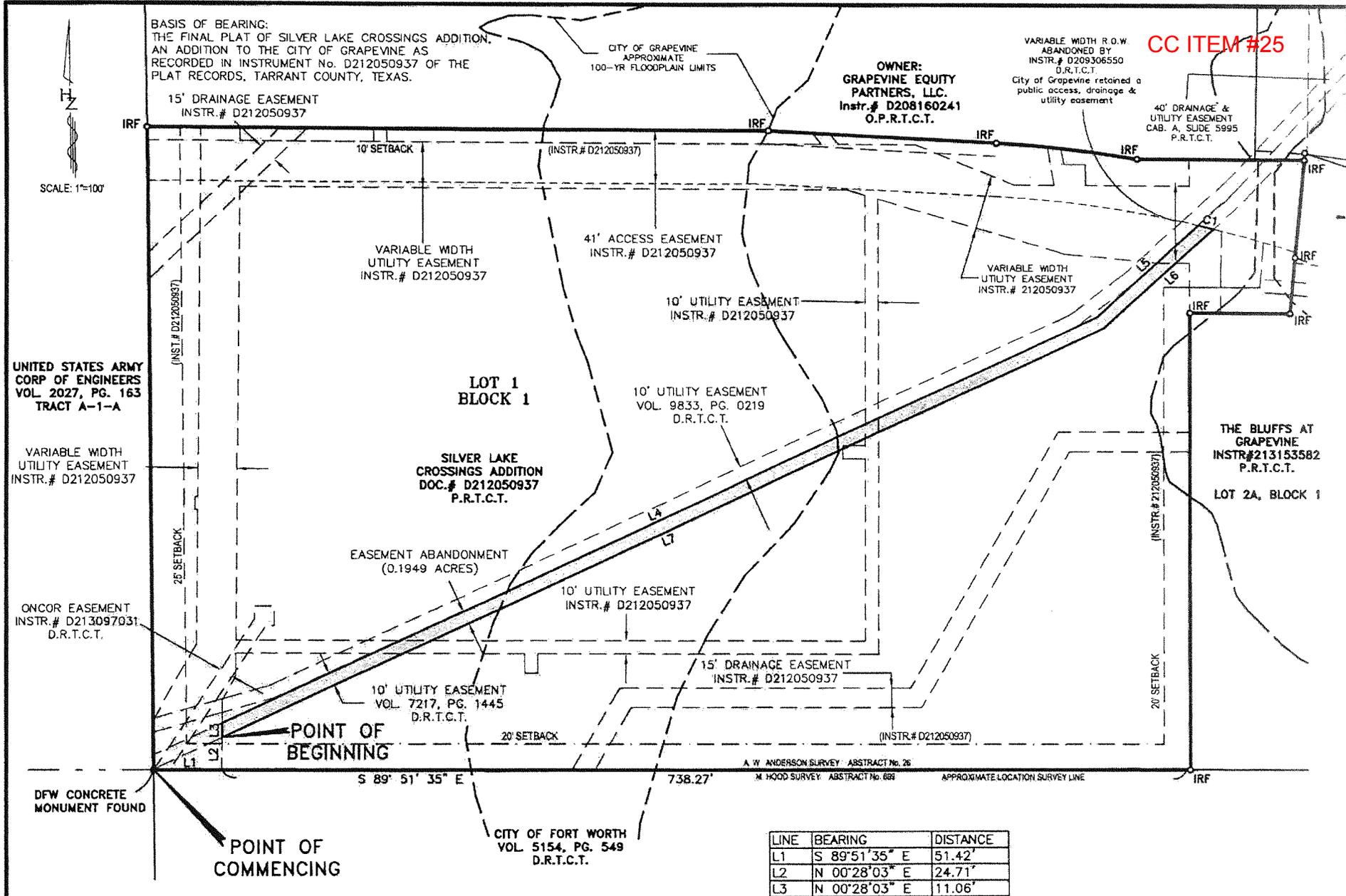
**CC ITEM #25**

BASIS OF BEARING:  
THE FINAL PLAT OF SILVER LAKE CROSSINGS ADDITION,  
AN ADDITION TO THE CITY OF GRAPEVINE AS  
RECORDED IN INSTRUMENT No. D212050937 OF THE  
PLAT RECORDS, TARRANT COUNTY, TEXAS.

**OWNER:**  
**GRAPEVINE EQUITY PARTNERS, L.L.C.**  
Instr. # D208160241  
O.P.R.T.C.T.

VARIABLE WIDTH R.O.W.  
ABANDONED BY  
INSTR. # D209306550  
O.R.T.C.T.  
City of Grapevine retained a  
public access, drainage &  
utility easement

40' DRAINAGE &  
UTILITY EASEMENT  
CAB. A. SLIDE 5995  
P.R.T.C.T.



UNITED STATES ARMY  
CORP OF ENGINEERS  
VOL. 2027, PG. 163  
TRACT A-1-A

VARIABLE WIDTH  
UTILITY EASEMENT  
INSTR. # D212050937

ONCOR EASEMENT  
INSTR. # D213097031  
D.R.T.C.T.

**LOT 1  
BLOCK 1**  
**SILVER LAKE  
CROSSINGS ADDITION**  
DOC. # D212050937  
P.R.T.C.T.

**THE BLUFFS AT  
GRAPEVINE**  
INSTR. # 213153582  
P.R.T.C.T.  
**LOT 2A, BLOCK 1**

**POINT OF  
BEGINNING**

**POINT OF  
COMMENCING**

EASEMENT ABANDONMENT  
(0.1949 ACRES)

A.W. ANDERSON SURVEY ABSTRACT No. 26  
M. HOOD SURVEY ABSTRACT No. 689  
APPROXIMATE LOCATION SURVEY LINE

CITY OF FORT WORTH  
VOL. 5154, PG. 549  
D.R.T.C.T.

LINE	BEARING	DISTANCE
L1	S 89°51'35" E	51.42'
L2	N 00°28'03" E	24.71'
L3	N 00°28'03" E	11.06'
L4	N 65°07'25" E	735.75'
L5	N 47°33'21" E	106.20'
L6	S 47°33'21" W	114.50'
L7	S 65°07'25" W	742.03'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	12.07'	893.50'	0°46'26"	S 76°29'32" E	12.07'

**HUITT-ZOLLARS**

Huitt-Zollars, Inc. Dallas  
1717 McKinney Avenue, Suite 1400  
Dallas, Texas 75202-1236  
Phone (214) 871-3311 Fax (214) 871-0757

**EASEMENT ABANDONMENT  
OUT OF LOT 1, BLOCK 1 OF THE  
SILVER LAKE CROSSINGS ADDITION  
OUT OF THE A.W. ANDERSON SURVEY,  
ABST. NO. 26,  
CITY OF GRAPEVINE,  
TARRANT COUNTY, TEXAS**

**EXHIBIT B**

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
FROM: BRUNO RUMBELOW, CITY MANAGER *BR*  
MEETING DATE: MAY 20, 2014  
SUBJECT: DRAINAGE AND ACCESS, SANITARY SEWER, TEMPORARY  
CONSTRUCTION & DRAINAGE EASEMENT ABANDONMENTS  
– VINEYARD CREEK ESTATES

RECOMMENDATION:

City Council consider adopting an ordinance abandoning the following:

- a drainage and access easement;
- a 10 foot sanitary sewer easement; and
- a temporary construction and drainage easement

lying within Vineyard Creek Estates, and take any necessary action.

BACKGROUND:

The developer owner of Vineyard Creek Estates has requested the City abandon the three easements since they are no longer being used. With the construction of the new development, new utility lines and drainage improvements were constructed in new easements dedicated around the perimeter of the subdivision to facilitate the development of the streets and homes in the R-5.0 development.

Homes will be constructed on the lots across which these easements currently lie.

The easements are no longer needed by the City or the public utilities.

Staff recommends approval.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, ABANDONING AND VACATING A DRAINAGE AND ACCESS EASEMENT; A SANITARY SEWER EASEMENT; AND A TEMPORARY CONSTRUCTION AND DRAINAGE EASEMENT LOCATED IN VINEYARD CREEK ESTATES IN THE CITY OF GRAPEVINE, TEXAS AS HEREINAFTER DESCRIBED; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the developer of Vineyard Creek Estates located between Hughes Road and Hall Johnson Road in the City of Grapevine, Tarrant County, Texas has requested a drainage and access easement; a sanitary sewer easement; and a temporary construction and drainage easement lying within Vineyard Creek Estates, as herein after described, be abandoned and vacated by the City; and

WHEREAS, the easements are not needed for public use and will not be needed in the future for public use; and

WHEREAS, abandoning and vacating the said easements will relieve the City of Grapevine, Texas from the cost and expense of maintaining said property.

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

Section 1. That all matters stated in the preamble of this ordinance are true and correct and are hereby incorporated into the body of this ordinance as if copied in their entirety.

Section 2. That a portion of a drainage and access easement recorded in Volume 13352, Page 482 CRTCT; a portion of a sanitary sewer easement recorded in Volume 8272, Page 508 CRTCT; and a temporary construction and drainage easement recorded in Volume 8272, Pages 504 and 508 CRTCT; described in Exhibits "A", "B" and "C", attached hereto and incorporated herein for all purposes, are hereby abandoned and vacated for public use and the same are hereby abandoned and vacated insofar as all public right, title, interest in and to said easements are concerned.

Section 3. That the terms and provisions of this ordinance shall be deemed to be severable, and that if the validity of any section, subsection, word, sentence or phrase shall be held to be invalid, it shall not affect the remaining part of this ordinance.

Section 4. That the fact that the easement is no longer needed by the public for public usage and would create a hardship or burden upon the City of Grapevine to keep

open and maintain such easement creates an urgency and an emergency for the immediate preservation of the public health, safety, and general welfare which requires that this ordinance shall take effect immediately from and after its passage and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 20th day of May, 2014.

APPROVED:

---

ATTEST:

---

APPROVED AS TO FORM:

---

State of Texas  
County of Tarrant

Before me, \_\_\_\_\_, Notary Public on this day personally appeared \_\_\_\_\_ known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 20th day of May, 2014.

\_\_\_\_\_  
Notary Signature

My Commission Expires:

**EXHIBIT "A"**  
**LEGAL DESCRIPTION OF A**  
**DRAINAGE and ACCESS EASEMENT**  
**ABANDONMENT**

**BEING** a tract of land situated in the William Driskell Survey, Abstract Number 405, City of Grapevine, Tarrant County, Texas, being a portion of a Drainage and Access Easement recorded in Volume 13352, Page 482, County Records, Tarrant County, Texas, and being more particularly described as follows:

**BEGINNING** at a 5/8 inch iron rod with plastic cap stamped "PELTON" found in the west line of said easement, being in the north right-of-way line of Hughes Road (a variable width right-of-way), being the southwest corner of Lot 28, Block 2, Vineyard Creek Estates, an addition to the City of Grapevine recorded in Instrument Number D213255394, said County Records;

**THENCE** N 00°19'05"W departing said right-of-way line with the west line of said easement, at 836.57 feet a 5/8 inch iron rod with plastic cap stamped "CHEATHAM" found, in all 1147.36 feet to a northwest corner of said easement;

**THENCE** N 34°40'55"E, 12.35 feet with the north line of said easement;

**THENCE** S 00°19'08"E, 139.28 feet departing said north line to a 5/8 inch iron rod with plastic cap stamped "PELTON" found in the north right-of-way line of Vineyard Creek Drive (a variable width right-of-way), the beginning of a non-tangent curve to the right;

**THENCE** with said right-of-way line and non-tangent curve to the right, an arc distance of 11.48 feet, through a central angle of 02°01'28", having a radius of 325.00 feet, the long chord which bears S 81°15'17"E, 11.48 feet to a 5/8 inch iron rod with plastic cap stamped "PELTON" found, the beginning of a reverse curve to the left;

**THENCE** with said right-of-way line and reverse curve to the left, an arc distance of 48.87 feet, through a central angle of 10°10'52", having a radius of 275.00 feet, the long chord which bears S 85°20'04"E, 48.80 feet to a 5/8 inch iron rod with plastic cap stamped "PELTON" found in the east line of said easement;

**THENCE** S 00°18'56"E, 1012.02 feet departing said right-of-way line with said east line to the aforementioned north right-of-way line of Hughes Road;

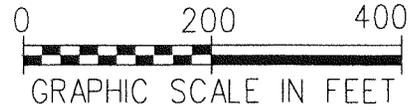
**THENCE** S 89°33'45"W, 67.00 feet with said right-of-way line to the **Point of Beginning** and containing 68,954 square feet or 1.583 acres of land more or less.

"Integral parts of this document"

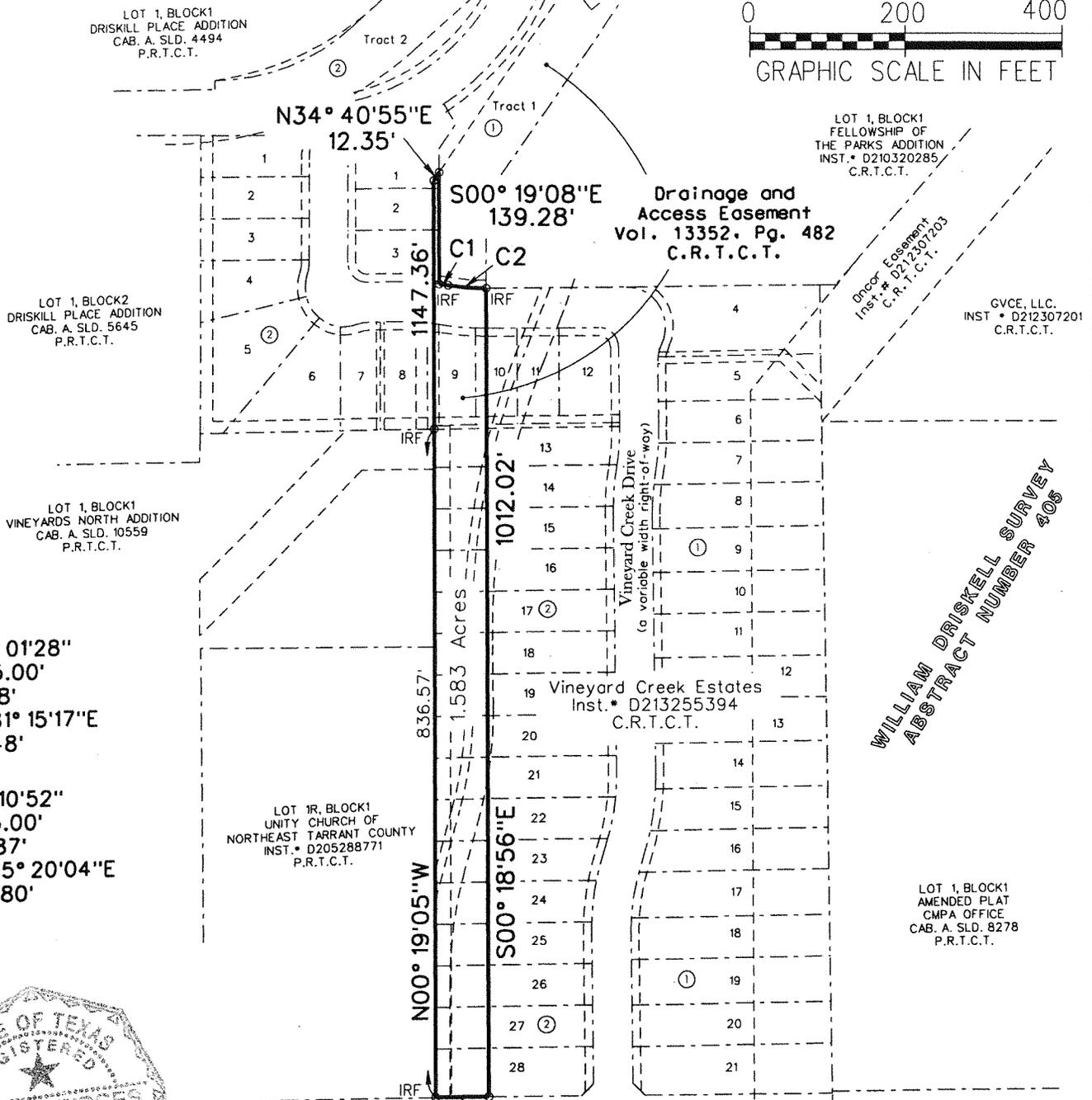
1. Description
2. Exhibit

The Basis of Bearing is The Texas Coordinate System, NAD83, Zone 4202.

IRF = Iron Rod Found



TBLPLS Firm Reg No. 10177700



C1 Δ = 02° 01'28"  
 R = 325.00'  
 L = 11.48'  
 LC = S 81° 15'17"E  
 11.48'

C2 Δ = 10° 10'52"  
 R = 275.00'  
 L = 48.87'  
 LC = S 85° 20'04"E  
 48.80'

WILLIAM DISKELL SURVEY  
 ABSTRACT NUMBER 405



Point of Beginning

S89° 33'45"W  
 67.00'

EXHIBIT "A"  
**DRAINAGE and ACCESS EASEMENT  
 ABANDONMENT**

Situated in the William Driskell Survey, Abstract Number 405  
 City of Grapevine, Tarrant County, Texas

"Integral parts of this document"  
 1. Description  
 2. Exhibit

PELTON  
 LAND SOLUTIONS

**Legal Description**  
**10' Sanitary Sewer Easement Abandonment**

**BEING** a tract of land situated in the William Driskill Survey, Abstract Number 405, Tarrant County, Texas, and being a portion of that tract of land described by deed to City of Grapevine, Texas as recorded in Volume 8272, Page 508, County Records, Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

**COMMENCING** at the southeast corner of Tract 1, Block 1, Vineyard Creek Estates, an addition to the City of Grapevine recorded in Instrument Number D213255394, said County Records and being in the north right-of-way line of Vineyard Creek Drive (a 50 foot right-of-way) also being the southwest corner of Lot 1, Block 1, Fellowship of the Parks Addition, an addition the City of Grapevine recorded in Instrument Number D210320285 said County Records;

**THENCE** N 89°34'36"E, 68.37 feet with said north right-of-way line and the south line of said Lot 1, Block 1 of said Fellowship of the Parks Addition to the **POINT OF BEGINNING**;

**THENCE** N 89°34'36"E, 10.61 feet with said common line to the beginning of a non-tangent curve to the right;

**THENCE** departing said common line, with said non-tangent curve to the right, an arc distance of 33.29 feet, through a central angle of 02°19'08", having a radius of 822.50 feet, the long chord which bears S 20°05'48"W, 33.29 feet;

**THENCE** S 21°15'21"W, 56.20 feet to the beginning of a curve to the left;

**THENCE** with said curve to the left, an arc distance of 81.45 feet, through a central angle of 04°55'31", having a radius of 947.50 feet, the long chord which bears S 18°47'37"W, 81.42 feet;

**THENCE** S 89°09'20"W, 10.46 feet from which the southwest corner of Lot 10, Block 2, said Vineyard Creek Estates bears S65°59'25"W, 25.42 feet at the beginning of a non-tangent curve to the right;

**THENCE** with said non-tangent curve to the right, an arc distance of 85.40 feet, through a central angle of 05°06'36", having a radius of 957.50 feet, the long chord which bears N 18°42'04"E, 85.37 feet;

**THENCE** N 21°15'21"E, 56.20 feet to the beginning of a curve to the left;

**THENCE** with said curve to the left, an arc distance of 29.37 feet, through a central angle of 02°04'15", having a radius of 812.50 feet, the long chord which bears N 20°13'14"E, 29.36 feet to the **Point of Beginning** and containing 1,709 square feet or 0.039 acres of land more or less.

"Integral parts of this document"

1. Description
2. Exhibit

BASIS OF BEARING IS THE  
TEXAS STATE PLANE COORDINATE SYSTEM  
NAD83, NORTH CENTRAL ZONE 4202

3

①  
Tract 1

Point of Beginning

LOT 1, BLOCK 1  
FELLOWSHIP OF  
THE PARKS ADDITION  
DOC. NO. D210320285  
C.R.T.C.T.

CC ITEM #26



Point of Commencing

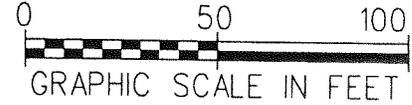
N89°34'36"E  
68.37'

N89°34'36"E  
10.61'

WILLIAM DRISKELL  
SURVEY  
ABSTRACT NUMBER 405

Vineyard Creek Drive

△ 02°19'08"  
R - 822.50'  
L - 33.29'  
L.C. - S20°05'48"W



8

△ 05°06'36"  
R - 957.50'  
L - 85.40'  
L.C. - N18°42'04"E

10' SANITARY SEWER EASEMENT  
VOL. 8272, PG. 508  
C.R.T.C.T.

33.29'

12

C1 △ 04°55'31"  
R - 947.50'  
L - 81.45'  
L.C. - S18°47'37"W

85.37'

N21°15'21"E  
56.20'

S21°15'21"W  
56.20'

C1

11

②

81.42'

15'S.S.E.

C2 △ 02°04'15"  
R - 812.50'  
L - 29.37'  
L.C. - N20°13'14"E

29.36'

S89°09'20"W  
10.46'

13

Vineyard Creek Estates  
Inst. No. D213255394  
C.R.T.C.T.

Vineyard Creek Drive

4

5

①

6

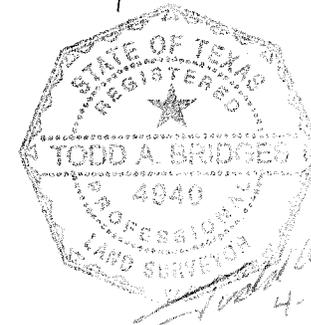
7

EXHIBIT "B"

10' Sanitary Sewer line  
Abandonment

SITUATED IN THE WILLIAM DRISKELL SURVEY, ABSTRACT NUMBER 405  
CITY OF GRAPEVINE, TARRANT COUNTY, TEXAS

"Integral parts of this document"  
1. Description  
2. Exhibit



**PELTON**  
LAND SOLUTIONS

5751 KROGER DR. STE. 185 | KELLER, TX 76244 | 817-562-3350  
G:\JOB\DRH13002 - Vineyard Creek Estates\Sur\Easements\DRH13002\_AB1.dgn

**EXHIBIT C**  
**LEGAL DESCRIPTION OF A**  
**TEMPORARY CONSTRUCTION**  
**and DRAINAGE EASEMENT**  
**ABANDONMENT**

**BEING** a tract of land situated in the William Driskell Survey, Abstract Number 405, City of Grapevine, Tarrant County, Texas, being a portion of that Temporary Construction and Drainage Easement recorded in Volume 8272, Pages 504 and 508, County Records, Tarrant County, Texas, and being more particularly described as follows:

**BEGINNING** at a 5/8 inch iron rod with plastic cap stamped "PELTON" found in the north right-of-way line of Hughes Road (a variable width right-of-way), being the southwest corner of Vineyard Creek Estates as recorded in Instrument Number D213255394, said County Records;

**THENCE** N 00°19'05"W, 233.89 feet departing said right-of-way line with the west line of said Vineyard Creek Estates to the beginning of a non-tangent curve to the right;

**THENCE** departing said west line with said non-tangent curve to the right, an arc distance of 57.79 feet, through a central angle of 06°02'53", having a radius of 547.50 feet, the long chord which bears N 12°11'59"E, 57.77 feet;

**THENCE** N 15°13'25"E, 71.11 feet to the beginning of a curve to the left;

**THENCE** with said curve to the left, an arc distance of 128.76 feet, through a central angle of 16°07'30", having a radius of 457.50 feet, the long chord which bears N 07°09'40"E, 128.33 feet;

**THENCE** N 00°54'05"W, 84.38 feet to the beginning of a curve to the right;

**THENCE** with said curve to the right, an arc distance of 366.43 feet, through a central angle of 22°09'30", having a radius of 947.50 feet, the long chord which bears N 10°10'40"E, 364.15 feet;

**THENCE** N 21°15'25"E, 56.20 feet to the beginning of a curve to the left;

**THENCE** with said curve to the left, an arc distance of 33.69 feet, through a central angle of 02°20'48", having a radius of 822.50 feet, the long chord which bears N 20°05'01"E, 33.69 feet to the north right-of-way line of Vineyard Creek Drive (a variable width right-of-way), from which a 1/2 inch iron rod bears S 89°34'36"W, 79.12 feet;

**THENCE** N 89°34'40"E, 27.50 feet with said right-of-way line to the beginning of a non-tangent curve to the right;

**THENCE** with said non-tangent curve to the right, an arc distance of 43.86 feet, through a central angle of  $02^{\circ}57'42''$ , having a radius of 848.50 feet, the long chord which bears  $S 19^{\circ}46'34''W$ , 43.85 feet;

**THENCE**  $S 21^{\circ}15'25''W$ , 56.20 feet to the beginning of a curve to the left;

**THENCE** with said curve to the left, an arc distance of 356.38 feet, through a central angle of  $22^{\circ}09'30''$ , having a radius of 921.50 feet, the long chord which bears  $S 10^{\circ}10'40''W$ , 354.16 feet;

**THENCE**  $S 00^{\circ}54'05''E$ , 84.38 feet to the beginning of a curve to the right;

**THENCE** with said curve to the right, an arc distance of 136.07 feet, through a central angle of  $16^{\circ}07'30''$ , having a radius of 483.50 feet, the long chord which bears  $S 07^{\circ}09'40''W$ , 135.62 feet;

**THENCE**  $S 15^{\circ}13'25''W$ , 71.11 feet to the beginning of a curve to the left;

**THENCE** with said curve to the left, an arc distance of 141.05 feet, through a central angle of  $15^{\circ}29'50''$ , having a radius of 521.50 feet, the long chord which bears  $S 07^{\circ}28'31''W$ , 140.62 feet;

**THENCE**  $S 00^{\circ}19'05''E$ , 143.96 feet to the aforementioned north right-of-way line of Hughes Road;

**THENCE**  $S 89^{\circ}33'45''W$ , 18.50 feet with said right-of-way line to the **Point of Beginning** and containing 25,336 square feet or 0.582 acres of land more or less.

"Integral parts of this document"

1. Description – 2 Pages
2. Exhibit

TBP/LS Firm Reg No. 10177700

The Basis of Bearing is The Texas Coordinate System, NAD83, Zone 4202.

IRF = Iron Rod Found

**CURVE TABLE**

NO.	DELTA	RADIUS	LENGTH	BEARING	DISTANCE
C1	06° 02' 53"	547.50'	57.79'	N 12° 11' 59" E	57.77'
C2	16° 07' 30"	457.50'	128.76'	N 07° 09' 40" E	128.33'
C3	22° 09' 30"	947.50'	366.43'	N 10° 10' 40" E	364.15'
C4	02° 20' 48"	822.50'	33.69'	N 20° 05' 01" E	33.69'
C5	02° 57' 42"	848.50'	43.86'	S 19° 46' 34" W	43.85'
C6	22° 09' 30"	921.50'	356.38'	S 10° 10' 40" W	354.16'
C7	16° 07' 30"	483.50'	136.07'	S 07° 09' 40" W	135.62'
C8	15° 29' 50"	521.50'	141.05'	S 07° 28' 31" W	140.62'

**WILLIAM DISKELL SURVEY  
ABSTRACT NUMBER 405**

LOT 1, BLOCK1  
DRISKILL PLACE ADDITION  
CAB. A. SLD. 4494  
P.R.T.C.T.

LOT 1, BLOCK2  
DRISKILL PLACE ADDITION  
CAB. A. SLD. 5645  
P.R.T.C.T.

LOT 1, BLOCK1  
FELLOWSHIP OF  
THE PARKS ADDITION  
INST. # D210320285  
C.R.T.C.T.

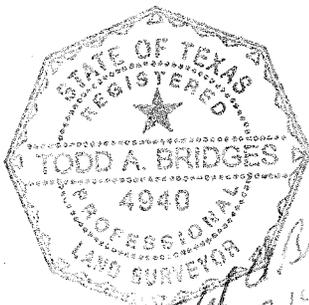
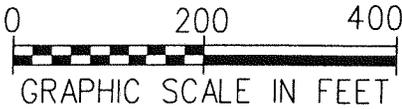
GVCE, LLC.  
INST. # D212307201  
C.R.T.C.T.

LOT 1R, BLOCK1  
UNITY CHURCH OF  
NORTHEAST TARRANT COUNTY  
INST. # D205288771  
P.R.T.C.T.

Vineyard Creek Estates  
Inst. # D213255394  
C.R.T.C.T.

LOT 1, BLOCK1  
VINEYARDS NORTH ADDITION  
CAB. A. SLD. 10559  
P.R.T.C.T.

LOT 1, BLOCK1  
AMENDED PLAT  
CMPA OFFICE  
CAB. A. SLD. 8278  
P.R.T.C.T.



*Todd A. Bridges*  
4-17-14

**Point of Beginning**

"Integral parts of this document"  
1. Description  
2. Exhibit

**EXHIBIT C  
TEMPORARY CONSTRUCTION  
and DRAINAGE EASEMENT  
ABANDONMENT**

Situated in the William Driskell Survey, Abstract Number 405  
City of Grapevine, Tarrant County, Texas

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STATE OF TEXAS  
COUNTY OF TARRANT  
CITY OF GRAPEVINE

The City Council of the City of Grapevine, Texas met in Workshop on this the 15th day of April, 2014 at 6:30 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
Sharron Spencer	Council Member
Roy Stewart	Council Member
Darlene Freed	Council Member
Mike Lease	Council Member
Chris Coy	Council Member

constituting a quorum, with Mayor Pro Tem C. Shane Wilbanks absent, with the following members of the City Staff:

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

CALL TO ORDER

Mayor Tate called the workshop to order at 6:34 p.m.

ITEM 1. BRIEFING ON CHARITABLE DONATION BINS

City Manager Rumbelow stated the Planning & Zoning Commission had discussed the regulation of charitable donation bins during the April 8, 2014 Planning & Zoning Commission Workshop. Assistant City Attorney Matthew Boyle and Development Services Director Scott Williams then briefed the City Council on the Planning & Zoning Commission's discussions on charitable donation bins. It was the consensus of the Council to develop a list of specifications from City Code that Staff would use to educate business and property owners when locating charitable donation bins on their property.

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 collections were up 4.1% over last year; ambulance service revenue was up 18%; collection of fines and fees was up 22%; the General Fund expenditures are down and that not all transfers had been completed; the revenues for the Utility Enterprise

Fund were up 2.9% and that fund expenditures were also up due to the Public Works Department's Headworks Rehabilitation Project. He compared Tarrant County's unemployment rate of 5.7% to the City's of 5.2%. Council Member Spencer requested ambulance billing practices be scheduled for discussion.

There was no formal action taken by the City Council.

ADJOURNMENT

There being no further business to consider, Mayor Tate declared the meeting adjourned at 6:51 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 20th day of May, 2014.

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 15th day of April, 2014 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
Sharron Spencer	Council Member
Roy Stewart	Council Member
Darlene Freed	Council Member
Mike Lease	Council Member
Chris Coy	Council Member

constituting a quorum, with Mayor Pro Tem C. Shane Wilbanks absent, with the following members of the City Staff:

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

CALL TO ORDER

Mayor Tate called the meeting to order at 7:02 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, stay, or expand in the City; deliberate the offer of a financial or other incentive; with which businesses the City is conducting economic development negotiations pursuant to Section 551.087, Texas Government Code; and

(B) Personnel relative to City Manager's annual evaluation pursuant to Section 551.074, 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. Relative to Item 1.A. Conference with City Manager and Staff, City Manager Rumbelow requested authorization for the City Manager to execute the Tenth Amendment to the Contract of Sale between the City and JLB Realty, LLC under Section 551.087, Texas Government Code. Mr. Rumbelow stated

the amendment was to extend the date of the previous contract while the City completes the master planning of the 185 acres purchased in December 2013.

Council Member Spencer, seconded by Council Member Lease, offered a motion authorizing the City Manager to execute the contract amendment as requested. The motion prevailed by the following vote:

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

NOTE: No action was taken on Item 1.B. relative to personnel under Section 551.074, Texas Government Code.

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

#### ADJOURNMENT

Council Member Lease, seconded by Council Member Stewart, offered a motion to adjourn the meeting at 8:43 p.m. The motion prevailed by the following vote:

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 20th day of May, 2014.

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 15th day of April, 2014 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
Sharron Spencer	Council Member
Roy Stewart	Council Member
Darlene Freed	Council Member
Mike Lease	Council Member
Chris Coy	Council Member

constituting a quorum, with Mayor Pro Tem C. Shane Wilbanks absent, with the following members of the Planning & Zoning Commission:

Larry Oliver	Chairman
Betty "BJ" Wilson	Member
Monica Hotelling	Member
Gary Martin	Member
Beth Tiggelaar	Member
Dennis Luers	Alternate
Theresa Mason	Alternate

constituting a quorum, with Commissioners Herbert Fry and Jim Fechter absent, 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 7:42 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Gary Martin delivered the Invocation and led the Pledge of Allegiance.

ITEM 1. PUBLIC HEARING, ZONING APPLICATION Z14-02 213 EAST COLLEGE STREET

Mayor Tate declared the public hearing open.

Assistant Development Services Director Ron Stombaugh stated that Zoning Application Z14-02 had been submitted by Lemoine Wright requesting rezoning of 0.949 acres from "PO" Professional Office District Regulations to "R-7.5" Single Family District Regulations. The subject property is located at 213 East College Street. The applicant proposes to utilize the property as the family homestead. Voluntary deed restrictions were approved with the December 15, 1998 zoning change to "PO" Professional Office District Regulations.

The existing structure will be partially demolished and reconstructed with a porch that wraps around the front and the east side of the home; an addition to the north and two separate detached garages are also planned; and total square footage of all structures and porches will be 6,842 square feet. The applicant received approval of the proposed layout and building elevations at the Historic Preservation Commission's February 26, 2014 meeting.

Mr. Lemoine Wright requested favorable consideration of the application.

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

Mayor Tate invited guests present to comment regarding the application. Mr. John Huffman, 223 East College Street, representing Oryx Oilfield Services, LLC spoke in opposition to the rezoning request. It was noted that one letter of support and one letter of concern had been copied to the Council and Commission.

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

Ayes: Oliver, Wilson, Hotelling, Martin, Tiggelaar, Luers & Mason  
Nays: None  
Absent: Fry & Fechter

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

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

ITEM 2. PUBLIC HEARING, CONDITIONAL USE APPLICATION CU14-11 MAC'S-  
AN AMERICAN GRILL

Mayor Tate declared the public hearing open.

Assistant Development Services Director Stombaugh stated that Conditional Use Application CU14-11 had been submitted by ReWard Restaurant Group (Mac's-An American Grill) requesting a conditional use permit to allow for the possession, storage, retail sale and on-premise consumption of alcoholic beverages (beer, wine and mixed beverages) and outside dining in conjunction with a restaurant. The subject property is located at 909 South Main Street #110 and is zoned "MXU" Mixed Use District Regulations. The applicant proposes to utilize an additional 1,000 square feet of lease space immediately adjacent to the north for a total restaurant size of 3,756 square feet, along with both outside dining areas developed by the former restaurant (no outside speakers, music, televisions, etc. are proposed). Total seating for the restaurant will accommodate 146 patrons (118 seats indoor, 28 outdoor in two separate patio areas). Total parking provided on site is 602 spaces (510 garage spaces, 92 surface spaces); 496 spaces are required.

Ms. Rena Frost requested favorable consideration of the application and provided that the restaurant was relocating from the City of Colleyville.

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

Ayes: Oliver, Wilson, Hotelling, Martin, Tiggelaar, Luers & Mason  
Nays: None  
Absent: Fry & Fechter

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

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

ITEM 3. PUBLIC HEARING, CONDITIONAL USE APPLICATION CU14-12 MESSINA HOF WINERY

Mayor Tate declared the public hearing open.

Assistant Development Services Director Stombaugh stated that Conditional Use Application CU14-12 had been submitted by Messina Hof Winery requesting a conditional use permit to allow a winery with on- and off-premise consumption of alcoholic beverages (wine only). The subject property is located at 201 South Main Street (One Liberty Park Plaza) and is zoned "GU" Governmental Use District. The applicant proposes to utilize the Wallis building and former home of the City's Convention and Visitors Bureau as a winery for Messina Hof Winery. The first floor of the 4,516 structure will contain several tasting

areas, as well as a production area and a portion devoted to retail sales. The bulk of the second floor will be devoted to public meeting space, a small museum and a tasting area.

Mr. Paul Bonarrigo requested favorable consideration of the application and answered questions on meeting space, balcony area and outside public restrooms.

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

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

Ayes: Oliver, Wilson, Hotelling, Martin, Tiggelaar, Luers & Mason  
Nays: None  
Absent: Fry & Fechter

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

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

ITEM 4. PUBLIC HEARING, SPECIAL USE APPLICATION SU14-02 BIGFOOT REFLEXOLOGY

Mayor Tate declared the public hearing open.

Assistant Development Services Director Stombaugh stated that Special Use Application SU14-02 had been submitted by William Tang (Bigfoot Reflexology) requesting a special use permit to amend the site plan approved by Ordinance No. 98-114 and allow for massage therapy services. The subject property is located at 4010 William D. Tate Avenue #100 and is zoned "CC" Community Commercial District Regulations.

Mr. William Tang requested favorable consideration of the application.

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

Ayes: Oliver, Wilson, Hotelling, Martin, Tiggelaar, Luers & Mason  
Nays: None  
Absent: Fry & Fechter

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, Spencer, Stewart, Freed, Lease & Coy  
Nays: None  
Absent: Wilbanks

ITEM 5. PUBLIC HEARING, HISTORIC LANDMARK SUBDISTRICT HL14-01  
232 AUSTIN STREET

Mayor Tate declared the public hearing open.

Assistant Development Services Director Stombaugh stated that Historic Landmark Subdistrict HL14-01 had been submitted by Lawrence and Paula Marshall requesting designation as a historical landmark subdistrict. The subject property is located at 232 Austin Street and is zoned "R-7.5" Single Family District Regulations.

Mr. Larry Marshall requested favorable consideration of the application.

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

Ayes: Oliver, Wilson, Hotelling, Martin, Tiggelaar, Luers & Mason  
Nays: None  
Absent: Fry & Fechter

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

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

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 6A. CITIZENS COMMENTS, KATHLEEN THOMPSON

Ms. Kathleen Thompson, 3317 Burning Log, spoke in opposition to Item 9 relative to temporary political sign regulations.

ITEM 6. PRESENTATION, CERTIFICATE OF RECOGNITION

Mayor Tate presented Mr. Carlton Pittard, MD, a Certificate of Recognition for more than 50 years of dedicated service to the citizens of Grapevine. Dr. Pittard spoke about his life, Grapevine's history and introduced his family.

ITEM 7. RECIPROCAL LEASE AGREEMENT, FAITH CHRISTIAN SCHOOL PROPERTY

Assistant Parks Director Kevin Mitchell presented a reciprocal lease agreement with Faith Christian School for property near Sunshine Harbor Park. This lease will result in an additional 14,000 square feet added to the Sunshine Harbor Park and 7,000 square feet of City property leased to the school, resulting in a 7,000 square feet total property gain by the City. The initial lease is for 25 years with three automatic 25 year renewals, and begins once the Planning & Zoning Commission and Council approve the site plan; provides public use of the school's tennis courts; regulates school bus traffic and provides recognition of GCISD Superintendent Cannon.

Assistant City Manager Jennifer Hibbs stated a modification to Section 2(i) of the lease was proposed to clarify the routing of bus traffic onto Dallas Road, if the access tunnel construction is approved. Discussion ensued relative to the school's proposed access tunnel and bus traffic.

Council Member Spencer, seconded by Council Member Coy, offered a motion to approve the reciprocal lease agreement with the modification to Section 2(i) that once the tunnel is constructed, all reasonable efforts be made to keep bus traffic on Dallas Road. The motion prevailed by the following vote:

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

Nays: None

Absent: Wilbanks

ITEM 8. ORDINANCE, ABANDON PORTION OF CANNON STREET

Public Works Director Stan Laster recommended approval of an ordinance abandoning Cannon Street between Austin Street and Ruth Street contingent upon future approval of a

Conditional Use Application for Faith Christian School. The abandonment proposes that Cannon Street be closed and access from Austin Street be eliminated. Access from Ruth Street will remain to serve a parking area and circular drop-off area. By removing the west segment of Cannon Street, the campus will have an uninterrupted pedestrian traffic flow from the buildings to the stadium and ultimately to the high school on Dallas Road via a tunnel beneath the railroad.

Council Member Coy, seconded by Council Member Stewart, offered a motion to approve the ordinance as presented. The motion prevailed by the following vote:

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

ORDINANCE NO. 2014-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, ABANDONING AND VACATING CANNON STREET BETWEEN AUSTIN STREET AND RUTH STREET IN THE CITY OF GRAPEVINE, TEXAS CONTINGENT UPON FUTURE FAITH CHRISTIAN SCHOOL SITE PLAN APPROVAL BY THE CITY; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 9. ORDINANCE, AMEND CHAPTER 20, STREETS, SIDEWALKS, AND OTHER PUBLIC WAYS, TEMPORARY POLITICAL SIGNS

City Secretary Brown presented an ordinance (AM14-02) amending Chapter 20, Streets, Sidewalks, and other Public Ways, Section 20-13.1 relative to temporary political signs on City property designated as a polling location and in public rights-of-way. The proposed ordinance was revised after the April 1st Workshop discussions, allowing 2'x2' temporary political signs on the polling location property; that signs at the polling location and in the public right-of-way be supported by a stake no larger than a 9 gauge diameter; allowing 25 signs per candidate or ballot measure and that signs be placed in the perimeter landscaping, clear of interior landscaping islands, tree roots and irrigation lines.

Council Member Freed, seconded by Council Member Lease, offered a motion to approve the ordinance. The motion prevailed by the following vote:

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

ORDINANCE NO. 2014-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AMENDING THE GRAPEVINE CODE OF ORDINANCES BY AMENDING CHAPTER 20, STREETS,

SIDEWALKS AND OTHER PUBLIC WAYS, REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH SEPARATE OFFENSE 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

NOTE: Items 22-26, Planning & Zoning Commission Recommendations, were considered before Item 10.

ITEM 10. LEASE AGREEMENT, THE WALLIS HOTEL, 201 SOUTH MAIN STREET (ONE LIBERTY PARK PLAZA)

This item was considered after Item 26.

Convention & Visitors Bureau Executive Director Paul McCallum requested authorizing for the Grapevine Convention & Visitors Bureau to enter into a lease agreement with Messina Hof Winery for The Wallis Hotel located at 201 South Main Street (One Liberty Park Plaza). The 10-year lease agreement is for 3,430 square feet of the building, and will not include the public restrooms which are accessed from the south exterior of the building; nor the Reception Room located on the second floor, which will become an exhibit space for the Wylie/Wallis Museum. The facility will be used as a wine production facility, tasting room, wine related retail store and event facility.

Council Member Spencer, seconded by Council Member Freed, offered a motion to approve the revised lease agreement which added Section 1.1(o) relative to Public Space Use. The motion prevailed by the following vote:

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

Item 11. Ordinance, Second Reading of Conditional Use Application CU14-06 First Bank Texas

Development Services Director recommended approval of the second and final reading of an ordinance granting Conditional Use Application CU14-06 submitted by First Bank Texas requesting a conditional use permit to allow a bank with drive-through service and a 25-foot pole sign. The subject property is located at 301 East State Highway 114 and is zoned "CC" Community Commercial District Regulations.

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

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

ORDINANCE NO. 2014-19

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 CU14-06 FOR A BANK WITH DRIVE THROUGH SERVICE AND A POLE SIGN 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 AND PROVIDING AN EFFECTIVE DATE

Item 12. Renew Housecleaning Services Annual Contract

Parks & Recreation Director recommended approval of an annual contract renewal in an estimated amount of \$65,000.00 with TCB Landscaping and Cleaning Services, Inc. for cabin housecleaning services at The Vineyards Campground & Cabins.

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

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

Item 13. Renew Elevator Maintenance Services Annual Contract

Public Works Director recommended approval of an annual contract renewal with ThyssenKrupp Elevator Corporation in an estimated amount of \$16,700.00 for elevator

maintenance services through an established Cooperative Agreement with the National Joint Powers Alliance (NJPA). This is the second renewal of the three, one-year renewals.

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

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

Nays: None

Absent: Wilbanks

Item 14. Renew Horticultural Chemicals and Fertilizers Annual Contracts

Administrative Services Director and Parks & Recreation Director recommended approval to renew annual contracts with Innovative Turf Supply, Helena Chemical Company, Agrium Direct Solutions, Winfield Solutions, LLC and BWI Companies, Inc. for horticultural chemicals and fertilizers in an estimated amount of \$135,000.00. These contracts will be utilized by the Parks and Recreation and Golf Course Departments.

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

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

Nays: None

Absent: Wilbanks

Item 15. Award Informal Request for Quote for Rental Equipment

Public Works Director recommended approval to award an Informal Request for Quote for rental equipment from Kirby-Smith Machinery, Inc. in an amount not to exceed \$42,720.00. This rental agreement will secure the rental of two pieces of equipment to be used in the storm drain pipe installation in the Rustic Channel Project.

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

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

Nays: None

Absent: Wilbanks

Item 16. Award Bid 415-2014 Chevrolet and Ford Vehicles

Public Works Director recommended approval to award Bid 415-2014 Chevrolet and Ford Vehicles to Classic Chevrolet and Sam Pack Five Star Ford in an amount not to exceed \$349,658.02. The purchase is for eight Chevrolet and six Ford vehicles on the Vehicle and Equipment Replacement List for FY2014 Budget; replacing vehicles in Police, Public

Works, and Utility Departments, and one Increase Service Level vehicle for the Utility Department.

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

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

Item 17. Resolution, Authorize Various Fuels Annual Contracts

Public Works Director recommended approval of a resolution authorizing annual contracts with renewals for various fuels in an estimated budgeted amount of \$1,122,200.00 to Martin Eagle Oil Company, as primary vendor, and TAC Energy, as secondary vendor; and with Douglas Distributing, as an alternate vendor, through an Interlocal Cooperative Agreement with Tarrant County, Texas. The contract is for an initial one-year term with three, one-year renewal options.

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

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

RESOLUTION NO. 2014-37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO CONTRACT FOR VARIOUS FUELS THROUGH AN ESTABLISHED INTERLOCAL PARTICIPATION AGREEMENT AND PROVIDING AN EFFECTIVE DATE

Item 18. Resolution, Authorize Toro Utility Vehicle Purchase

Administrative Services Director recommended approval of a resolution authorizing the purchase of a Toro 7385 workman hdx-d utility vehicle for the Golf Course in an amount not to exceed \$22,946.78 from Professional Turf Products, LP through a Cooperative Purchasing Agreement with the National Intergovernmental Purchasing Alliance.

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

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

RESOLUTION NO. 2014-38

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 TORO MODEL 7385 WORKMAN HDX-D UTILITY VEHICLE THROUGH AN ESTABLISHED COOPERATIVE PURCHASING AGREEMENT AND PROVIDING AN EFFECTIVE DATE

Item 19. Mid-year Appointment, Grapevine Housing Authority Board of Commissioners

Council Member Sharron Spencer recommended approval of the mid-year appointment of Ms. Terri Rushing as a resident member to the Grapevine Housing Authority Board of Commissioners to fill an unexpired two-year term (term expires 2015).

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

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

Item 20. Election Services Contract for May 10, 2014 City Officer Election

City Secretary recommended approval of an Election Services Contract in an estimated amount of \$6,100.00 with Tarrant County for the May 10, 2014 City Officer Election for Places 5 and 6.

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

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

Item 21. Consideration of Minutes

City Secretary recommended approval of the minutes of the April 1, 2014 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, Spencer, Stewart, Freed, Lease & Coy  
Nays: None  
Absent: Wilbanks

ITEM 22. PLANNING & ZONING COMMISSION RECOMMENDATION  
ZONING APPLICATION Z14-02 213 EAST COLLEGE STREET

The Planning & Zoning Commission Recommendations were considered after Item 9.

Assistant Development Services Director Stombaugh reported the Planning & Zoning Commission voted 6-1 for approval of Zoning Application Z14-02 submitted by Lemoine Wright (213 East College Street) granting rezoning of 0.949 acres from "PO" Professional Office District Regulations to "R-7.5" Single Family District Regulations. Mr. Stombaugh noted the voluntary deed restrictions would be removed from the subject property with adoption of the proposed ordinance. The subject property is located at 213 East College Street.

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

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

ORDINANCE NO. 2014-20

AN ORDINANCE AMENDING 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 OF GRAPEVINE, TEXAS, GRANTING ZONING CHANGE Z14-02 ON A TRACT OF LAND OUT OF THE WILLIAM DOOLEY SURVEY, ABSTRACT NO. 422, DESCRIBED AS BEING A TRACT OF LAND LYING AND BEING SITUATED IN THE CITY OF GRAPEVINE, TARRANT COUNTY, TEXAS MORE FULLY AND COMPLETELY DESCRIBED IN THE BODY OF THIS ORDINANCE; ORDERING A CHANGE IN THE USE OF SAID PROPERTY FROM "PO" PROFESSIONAL OFFICE DISTRICT REGULATIONS TO "R-7.5" SINGLE FAMILY DISTRICT REGULATIONS; 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 23. PLANNING & ZONING COMMISSION RECOMMENDATION  
CONDITIONAL USE APPLICATION CU14-11 MAC'S-AN AMERICAN GRILL

Assistant Development Services Director Stombaugh reported the Planning & Zoning Commission voted 7-0 for approval of Conditional Use Application CU14-11 submitted by ReWard Restaurant Group (Mac's-An American Grill) granting a conditional use permit to allow for the possession, storage, retail sale and on-premise consumption of alcoholic beverages (beer, wine and mixed beverages) and outside dining in conjunction with a restaurant. The subject property is located at 909 South Main Street #110 and is zoned "MXU" Mixed Use District Regulations.

Council Member Freed, seconded by Council Member Coy, 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, Spencer, Stewart, Freed, Lease & Coy

Nays: None

Absent: Wilbanks

ORDINANCE NO. 2014-21

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 CU14-11 TO ALLOW THE POSSESSION, STORAGE, RETAIL SALES, AND ON-PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER, WINE, AND MIXED BEVERAGES) AND OUTSIDE DINING IN CONJUNCTION WITH A RESTAURANT IN A DISTRICT ZONED "MXU" MIXED USE 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 24. PLANNING & ZONING COMMISSION RECOMMENDATION  
CONDITIONAL USE APPLICATION CU14-12 MESSINA HOF WINERY

Assistant Development Services Director Stombaugh reported the Planning & Zoning Commission voted 7-0 for approval of Conditional Use Application CU14-12 submitted by Messina Hof Winery granting a conditional use permit to allow a winery with on- and off-premise consumption of alcoholic beverages (wine only). The subject property is located at 201 South Main Street (One Liberty Park Plaza) and is zoned "GU" Governmental Use District.

Council Member Spencer, 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, Spencer, Stewart, Freed, Lease & Coy  
Nays: None  
Absent: Wilbanks

ORDINANCE NO. 2014-22

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 CU14-12 TO ALLOW FOR A WINERY WITH ON- AND OFF-PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES (WINE ONLY) 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 25. PLANNING & ZONING COMMISSION RECOMMENDATION  
SPECIAL USE APPLICATION SU14-02 BIGFOOT REFLEXOLOGY

Assistant Development Services Director Stombaugh reported the Planning & Zoning Commission voted 7-0 for approval of Special Use Application SU14-02 submitted by William Tang (Bigfoot Reflexology) granting a special use permit to amend the site plan approved by Ordinance No. 98-114 and allow for massage therapy services. The subject property is located at 4010 William D. Tate Avenue #100 and is zoned "CC" Community Commercial District Regulations.

Council Member Freed, seconded by Council Member Lease, 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, Spencer, Stewart, Freed, Lease & Coy  
Nays: None  
Absent: Wilbanks

ORDINANCE NO. 2014-23

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 SU14-02 TO ALLOW FOR MASSAGE SERVICES 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 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

ITEM 26. PLANNING & ZONING COMMISSION RECOMMENDATION  
HISTORIC LANDMARK SUBDISTRICT HL14-01 232 AUSTIN STREET

Assistant Development Services Director Stombaugh reported the Planning & Zoning Commission voted 7-0 for approval of Historic Landmark Subdistrict HL14-01 submitted by Lawrence and Paula Marshall granting designation as a historical landmark subdistrict and adoption of the Historical Design Guidelines. The subject property is located at 232 Austin Street and is zoned "R-7.5" Single Family District Regulations.

Council Member Stewart, seconded by Council Member Coy, offered a motion to accept the Commission's recommendation and approve the ordinance granting the Historical Landmark Subdistrict Overlay. The motion prevailed by the following vote:

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

ORDINANCE NO. 2014-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, DESIGNATING A HISTORIC LANDMARK SUBDISTRICT HL14-01 IN ACCORDANCE WITH SECTION 39 OF ORDINANCE NO. 82-73 (APPENDIX "D" OF THE CODE OF ORDINANCES), DESIGNATING THE AREA PLATTED AS LOT N ½ 7 AND 8, BLOCK 104, COLLEGE HEIGHTS ADDITION AND MORE SPECIFICALLY DESCRIBED HEREIN, IN A DISTRICT ZONED "R-7.5" SINGLE FAMILY DISTRICT REGULATIONS; PROVIDING FOR THE ADOPTION OF THE 232 AUSTIN STREET 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

NOTE: New Business Item 10 was the next item to be considered by the City Council.

ADJOURNMENT

NOTE: Mayor Tate and the City Council acknowledged Parks & Recreation Director Doug Evans' retirement and expressed their appreciation for his dedication and service to the City and citizens.

Council Member Lease, seconded by Council Member Stewart, offered a motion to adjourn the meeting at 8:43 p.m. The motion prevailed by the following vote:

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

Nays: None

Absent: Wilbanks

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 20th day of May, 2014.

APPROVED:

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William D. Tate  
Mayor

ATTEST:

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Jodi C. Brown  
City Secretary

MEMO TO: THE HONORABLE MAYOR, MEMBERS OF THE CITY COUNCIL,  
AND THE PLANNING & ZONING COMMISSION

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: MAY 20, 2014

SUBJECT: FINAL PLAT APPLICATION  
LOT 6, BLOCK 1, B & G PROPERTIES

PLAT APPLICATION FILING DATE..... May 13, 2014

APPLICANT..... Mr. Dzevat Tairi

REASON FOR APPLICATION.....Platting site to build a home

PROPERTY LOCATION..... 1565 South Gravel Circle

ACREAGE.....0.241

ZONING..... Existing R-7.5

NUMBER OF LOTS..... 1

PREVIOUS PLATTING..... No

CONCEPT PLAN..... Z06-08

SITE PLAN..... No

OPEN SPACE REQUIREMENT.....Yes

AVIGATION RELEASE.....Yes

PUBLIC HEARING REQUIRED..... No

**PLAT INFORMATION SHEET  
FINAL PLAT APPLICATION  
LOT 6, BLOCK 1, B & G PROPERTIES**

I. GENERAL:

- The applicant, Mr. Tairi is platting this 0.241 acre site to build a home. The property is located 1565 South Gravel Circle.

II. STREET SYSTEM:

- The development has access to South Gravel Circle.
- ALL abutting roads:  are on the City Thoroughfare Plan:  
 are not on the City Thoroughfare Plan:

Periphery Street Fees are due as follows:

Type of Roadway	Cost / LF	Length	Cost
<input type="checkbox"/> Major Arterial (A)	\$ 234.57 / LF		
<input type="checkbox"/> Major Arterial (B)	\$ 178.35 / LF		
<input type="checkbox"/> Minor Arterial (C)	\$ 203.06 / LF		
<input type="checkbox"/> Minor Arterial (D)	\$ 170.33 / LF		
<input type="checkbox"/> Collector (E)	\$ 170.33 / LF		
<input type="checkbox"/> Collector (F)	\$ 150.98 / LF		
<input type="checkbox"/> Sidewalk	\$ 25.00 / LF		
<input type="checkbox"/> Curb & Gutter	\$ 10.00 / LF		

Periphery Street Fees are not due:

TOTAL

III. STORM DRAINAGE SYSTEM:

- The site drains east towards Grapevine Lake.
- The developer will be required to design for onsite as well as offsite drainage in accordance with the requirements of the City of Grapevine's Code of Ordinances.

IV. WATER SYSTEM:

- The existing water supply system bordering the subject site is adequate to serve the development.
- The existing water supply system bordering the subject site is not adequate to serve the development. Additional off site water system improvements will be necessary to serve the site.

V. SANITARY SEWER SYSTEM:

- The existing sanitary sewer collection system bordering the subject site is adequate to serve the development.
- The existing sanitary sewer collection system bordering the subject site is not adequate to serve the development.

VI. MISCELLANEOUS:

- Water and Wastewater Impact Fees are not required for:
- Water and Wastewater Impact Fees are due prior to the issuance of building permits: Lot 6, Block 1, B&G Properties

- Single Family Residential ( \$ 2,191/ Lot)
- Multifamily ( \$ 1,026 / Unit)
- Hotel ( \$ 38,107/ Acre)
- Corporate Office ( \$ 18,847/ Acre)
- Government ( \$ 4,037/ Acre)
- Commercial / Industrial ( \$ 5,209 / Acre)

- Open Space Fees are not required for :

- Open Space Fees are required for: Lot 6, Block 1, B&G Properties

- R-5.0, Zero Lot District ( \$ 1,416.00 / Lot)
- R-7.5, Single Family District ( \$ 1,146.00 / Lot)
- R-12.5, Single Family District ( \$ 1,071.00 / Lot)
- R-20.0, Single Family District ( \$ 807.00 / Lot)

- Public Hearing Only
- Variances were required on the following items:
  - Front building line
  - Rear building line
  - Lot width & depth
  - Max. Impervious Area
- The following items associated with this plat are not in accordance with the current subdivision standards:
  - 50' ROW dedication not met: Developer is proposing to dedicate variable width private access easements throughout the development. The access easements will be owned and maintained by a Home Owners Association (HOA).
  - Length of cul-de-sac street exceeds the 600-foot limit:
  - Driveway Spacing not met.

VII. STATEMENT OF FINDINGS:

- A. The City has determined that the right-of-way and easements required to be dedicated for streets, utilities, drainage, access, sidewalks and other municipal needs and services are consistent with the City's ordinances and master plan, are reasonable and are connected to the proposed project in the following manner:
- The right-of-way provides for future widening of public streets that will serve the development of this site.
  - The onsite utility easements provide for a utility network to serve the development of this site.
  - The onsite drainage easements provide for a drainage network to serve the development of this site.
  - The onsite access easements provide cross access capabilities to this site and surrounding property.
  - The onsite sidewalk easements provide for a sidewalk network to serve the development of this site.

- B. The City further finds that the required dedication is related both in nature and extent to the impact of the proposed development as follows:
- The right-of-way is necessary to provide for future widening of public streets that will serve the development of this site.
  - The onsite utility easements are necessary to provide for a utility system to serve this development and connect to existing utilities on surrounding property.
  - The onsite drainage easements are necessary to provide for storm drainage improvements to serve the development of the site.
  - The onsite access easements are necessary to provide cross access capabilities to this site and surrounding property.
  - The onsite sidewalk easements are necessary to provide for a sidewalk network to serve the development of this site.
  - All of the dedications benefit the development to at least the extent of the impact of such on the development.

VIII. RECOMMENDATION:

The members of the City Council and The Planning & Zoning Commission consider the following motion: "Move that the City Council (Planning and Zoning Commission) approve the Statement of Findings and the Final Plat of Lot 6, Block 1, B & G Properties."

APPLICATION FOR PLATTING  
CITY OF GRAPEVINE, TEXAS

TYPE OF PLAT:  Preliminary  Final  Replat  Amendment

PROPERTY DESCRIPTION:

Name of Addition: B & G Properties  
Number of Lots: 1 Gross Acreage: 0.241 Proposed Zoning: R-75  
Location of Addition: 1565 S. GRAVEL CIR GRAPEVINE

PROPERTY OWNER:

Name: DZEVAT TAIRI Contact: JERRY  
Address: 1558 S. GRAVEL CIR City: GRAPEVINE  
State: TX Zip: 76092 Phone: (817) 715-3008  
Fax: ( )  
Signature: [Signature] Email: \_\_\_\_\_

APPLICANT:

Name: DZEVAT TAIRI Contact: JERRY  
Address: 1558 S. GRAVEL CIR City: GRAPEVINE  
State: TX Zip: 76092 Phone: (817) 715-3008  
Fax: ( )  
Signature: [Signature] Email: \_\_\_\_\_

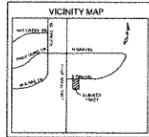
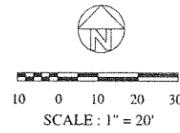
SURVEYOR:

Name: BURKS LAND SURVEYING Contact: QUINN  
Address: 6005 MAIN City: RHOME  
State: TX Zip: 76078 Phone: (817) 638-2242  
Fax: ( )  
Email: \_\_\_\_\_

\*\*\*\*\* FOR OFFICE USE ONLY \*\*\*\*\*

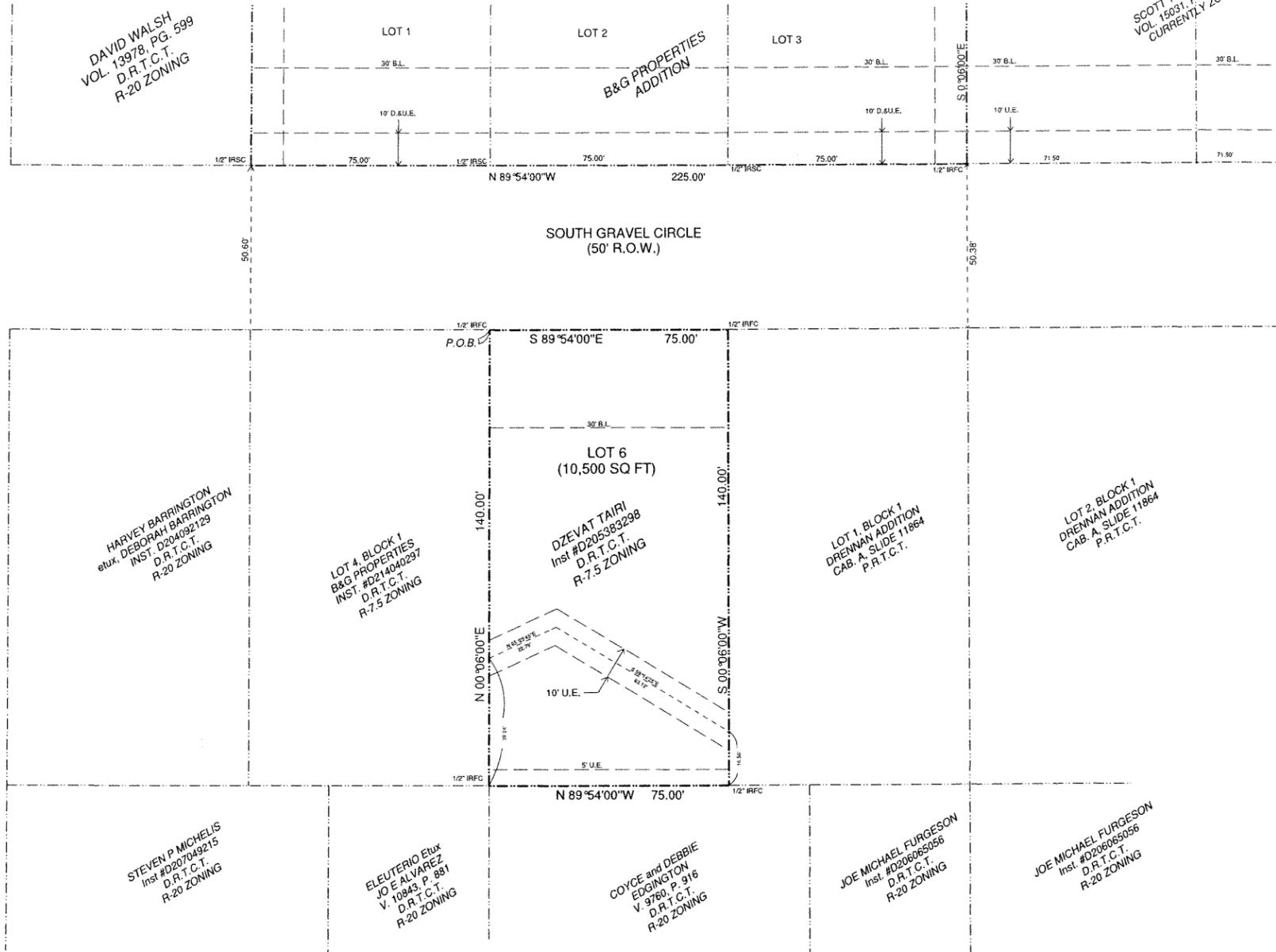
Application Received: 3/24/2014  
Fee Amount: \$ 300

By: Dzevat Tairi  
Check Number: 1750



DAVID WALSH  
VOL. 13978, PG. 539  
D.R.T.C.T.  
R-20 ZONING

SCOTT TIMOTHY KNEAREM  
VOL. 15891, PG. 231 D.R.T.C.T.  
CURRENTLY ZONED: R-20



OWNERS CERTIFICATE

STATE OF TEXAS  
COUNTY OF TARRANT

WHEREAS, DZEVAI TAIRI is the owner of a 0.241 acre tract of land in the L. Lincoln Survey, Abstract No. 981 as recorded in Instrument #D2006065056 of the Deed Records of Tarrant County, Texas and being more particularly described as follows:

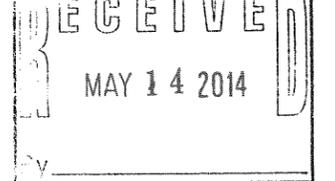
BEGINNING at a 1/2" iron rod found with a "TO Burks #5509" cap and said point being by deed call the northwest corner of said Tairi tract in the south right-of-way line of South Gravel Circle (50' R.O.W.) and being by deed call the northeast corner of that certain tract of land as described in Lot 4, Block 1 B&G Properties as recorded in INST. #D214040297 P.R.T.C.T.;

THENCE S 89° 54' 00" E along said south right-of-way a distance of 75.00 feet to a 1/2" iron rod found with a "TO Burks #5509" cap and said point being by deed call the northeast corner of said Tairi tract and also being by deed call the northwest corner of that certain tract of land as described in Lot 1, Block 1, Drennan Addition as recorded in Cabinet A, Slide 11864 P.R.T.C.T.;

THENCE S 00° 06' 00" W along the east line of said Tairi tract a distance of 140.00 feet to a 1/2" iron rod found with a "TO Burks #5509" cap and said point being by deed call the southeast corner of said Tairi tract, the southwest corner of said Drennan Lot 1, and in the north line of that certain tract of land as described in deed to Coyce and Debbie Edgington as recorded in Volume 9760, Page 916 D.R.T.C.T., and the northeast corner of that certain tract of land as described in deed to Eleuterio et ux, Jo E Alvarez as recorded in Volume 10843, Page 981 D.R.T.C.T.;

THENCE N 89° 54' 00" W along the south line of said Tairi tract a distance of 75.00 feet to a 1/2" iron rod found with a "TO Burks #5509" cap and said point being by deed call the southwest corner of said Tairi tract and the southeast corner of said Lot 1 B&G Properties;

THENCE N 00° 06' 00" E along west line of said Tairi tract a distance of 140.00 feet to the Point of Beginning and containing in all 10,500 square feet or 0.241 acres of land.



NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS, THAT Dzevai Tairi does hereby adopt this plat and do hereby dedicate to the public use forever the right-of-way and easements shown hereon. The easements shown hereon are hereby reserved for the purposes as indicated. The utility easements shall be open for all City or franchised public utilities for each particular use. The maintenance of paving on the easements is the responsibility of the property owner. No buildings or auxiliary structures shall be constructed, reconstructed, or placed upon, over, or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using, or desiring to use same. Any City or franchised utility shall have the full right to remove and keep removed all of parts of any fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system of the easements and all City or franchised utilities shall at all times have the full right of ingress and egress to and from and upon said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or parts of its respective system without the necessity of any line of procuring the permission of anyone. I have reviewed the City's findings concerning dedications and I do agree that the statements are true and correct.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Grapevine, Texas.

Witness my hand this the \_\_\_\_ day of \_\_\_\_\_, 2014.

Dzevai Tairi

STATE OF TEXAS  
COUNTY OF TARRANT

BEFORE ME, the undersigned authority, on this day personally appeared Dzevai Tairi, representative of B & G Properties, known to me to be the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the \_\_\_\_ day of \_\_\_\_\_, 2014.

Notary Public

Commission expires: \_\_\_\_\_

PLANNING AND ZONING COMMISSION:

Date Approved: \_\_\_\_\_

Chairman: \_\_\_\_\_

Secretary: \_\_\_\_\_

GRAPEVINE CITY COUNCIL:

Date Approved: \_\_\_\_\_

Mayor: \_\_\_\_\_

City Secretary: \_\_\_\_\_

FINAL PLAT  
OF  
LOT 6, BLOCK 1  
B & G PROPERTIES ADDITION  
IN THE  
L. LINCOLN SURVEY, ABSTRACT No. 981  
SITUATED IN THE  
CITY OF GRAPEVINE, TARRANT COUNTY, TEXAS  
0.241 ACRES  
CURRENT ZONING - R-7.5  
MAY 2014  
1 LOT

AVIGATION RELEASE

THE STATE OF TEXAS  
COUNTY OF TARRANT

WHEREAS, Dzevai Tairi, hereinafter called "Owner", is the owner of that certain parcel of land situated in the City of Grapevine, Tarrant County, Texas, being said properties as described as shown on this plat.

NOW, THEREFORE, in consideration of the sum of ONE AND 00/100 (\$1.00) DOLLAR and other good and valuable consideration, the receipt and sufficiency of which is hereby fully acknowledged and confessed, Owners do hereby waive, release, remise and quitclaim to the City of Grapevine, Tarrant County, Texas, the Dallas-Fort Worth International Airport Board, the Cities of Dallas, Texas and Fort Worth, Texas, their successors and assigns, hereinafter called "Cities", for the use and benefit of the public and its agencies, any and all claims for damages of any kind to persons or property that Owners may suffer by reason of the passage and flight of all aircraft in the air space above Owner's property above the height restriction as presently established by Ordinance No. 73-50 for the City of Grapevine, known as the Airport Zoning Ordinance of the Dallas-Fort Worth International Airport, to an altitude height above same, whether such damage shall originate from noise, vibration, fumes, dust, fuel, and lubricant particles, and all other effects that may be caused by the operation of aircraft, landing at, or taking off from, or operating at or on the Dallas-Fort Worth International Airport.

This instrument does not release the owners or operators of aircraft from liability for damage to person or property caused by falling aircraft or physical object from aircraft, except as stated herein with respect to noise, fumes, dust, fuel, and lubricant particles.

It is agreed that this Release shall be binding upon said owners and their heirs and assigns, and successors in interest to said property, and it is further agreed that this instrument shall be a covenant running with the land, and shall be recorded in the Deed Records of the county or counties in which the property is situated.

EXECUTED at \_\_\_\_\_, Texas, this \_\_\_\_ day of \_\_\_\_\_, 2014

DZEVAI TAIRI

The State of Texas  
County of Tarrant

Before me \_\_\_\_\_ On this day personally appeared DZEVAI TAIRI

known to me (or proved to me on the oath of \_\_\_\_\_ or through \_\_\_\_\_ (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this \_\_\_\_ day of \_\_\_\_\_, A.D. 2014.

- NOTES:
- BEARINGS ARE BASED ON THE NORTH AND SOUTH LINES OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN VOL. 13481, PG. 250 D.R.T.C.T.
  - ACCORDING TO THE FLOOD INSURANCE RATE MAP No. 48490000K EFFECTIVE SEPTEMBER 25, 2009 THIS PROPERTY IS DETERMINED TO BE OUTSIDE OF THE 500 YEAR FLOOD PLAIN.
  - RIGHT OF WAY DEDICATION = 0 SQUARE FEET  
EASEMENT DEDICATION = 859 SQUARE FEET  
NET PLATTED AREA = 10,500 SQUARE FEET  
TOTAL PLATTED AREA = 10,500 SQUARE FEET

SURVEYORS CERTIFICATE

I, Tommy Q. Burks, of Burks Land Surveying, a Registered Professional Land Surveyor of the State of Texas, do hereby declare that I prepared this plat from an actual and accurate survey on the land and that the corner monuments shown thereon were properly placed under my supervision in accordance with the platting rules and regulations of the State of Texas and the City of Grapevine.

Tommy Q. Burks  
Registered Professional Land Surveyor No. 5509  
Burks Land Surveying  
600 S. Main / PO Box 603  
Grapevine, TX 76049  
Metro 817618-2242



UTILITY LEGEND

- ⊙ SANITARY SEWER MANHOLE
- ⊞ VERIZON 2"x3" BOX
- ⊞ WATER METER
- ⊞ WATER VALVE
- ⊞ GAS METER
- ⊞ IRRIGATION CONTROL VALVE
- ⊞ POWER POLE
- ⊞ FIRE HYDRANT
- ⊞ IRSC IRON ROD SET WITH A "TO BURKS #5509 CAP"
- ⊞ IRF IRON ROD FOUND
- ⊞ AIR CONDITIONER
- ⊞ GAS PUMP

OWNED BY:  
B & G PROPERTIES

925 NW HWY  
GRAPEVINE, TEXAS 76092  
817251-0100

PREPARED BY:  
BURKS LAND SURVEYING

P. O. BOX 403  
400 S. MAIN, SUITE 200  
GRAPEVINE, TEXAS 76074  
METRO 817618-2242

MEMO TO: MEMBERS OF THE PLANNING AND ZONING COMMISSION

FROM: RON STOMBAUGH, ASSISTANT DIRECTOR, DEVELOPMENT SERVICES *RS*

MEETING DATE: MAY 20, 2014

SUBJECT: WORKSHOP—AMENDMENTS TO ALL APPROPRIATE ZONING DISTRICTS RELATIVE TO ACCESSORY STRUCTURES AND BUFFER YARDS; AMENDMENTS TO SECTION 23A, “GV” GRAPEVINE VINTAGE DISTRICT

RECOMMENDATION:

Staff recommends the Commission consider the proposed amendments to all appropriate zoning districts relative to accessory structures and buffer yards and the proposed amendments to Section 23A, “GV” Grapevine Vintage District, and take any necessary action.

BACKGROUND INFORMATION:

During the April 8, 2014 Planning and Zoning Commission workshop, discussion was held relative to accessory structures and buffer yards in residential and non-residential zoning districts; in addition, possible amendments to the “GV” Grapevine Vintage District were also discussed. The proposed amendments are as follows:

***Accessory structures and buffer yards in residential districts:***

As previously discussed, a number of slight inconsistencies exist within the ordinance relative to the height of accessory structures and their appropriate setback. The R-20 and R-12.5 Districts allow for slightly taller accessory structures and accompanying additional setback however this language was inadvertently carried over into the other residential districts creating the impression that additional height was allowed. This discrepancy has been corrected. There is also a distinction made between accessory structures and storage buildings whereby storage buildings are limited in size and height relative to accessory structures. Since a storage building is in essence an accessory structure, the reference to storage buildings has been removed from the ordinance to avoid confusion and possible conflict.

Currently all residential districts require a 40 foot buffer be established when developed adjacent to an existing multifamily district or non-residential district. This buffer is required to adequately provide separation between dissimilar uses and help mitigate any unwanted,

light, sound, odors or other unwanted intrusions. Staff has occasionally been approached by property owners who wish to reduce or eliminate this buffer requirement which can greatly reduce the buildable area of a residential lot. During the April 8 workshop the Commission recommended elimination of the 40 foot buffer requirement within the residential zoning districts given the reduced height, increased building separation, and landscaped buffer area requirement within the non-residential zoning districts when located immediately adjacent to residential districts. Direction was given to increase the landscaped buffer areas in non-residentially zoned districts to 20 feet if not already established at that distance. Attached are the appropriate changes to those specific zoning districts.

***Section 23A, "GV" Grapevine Vintage District and a general discussion on restaurants within wineries:***

As the ordinance is currently written, restaurants and restaurants with outside dining are allowed as a permitted use within the "GV" Grapevine Vintage District. A recent conditional use request within the "GV" Grapevine Vintage District in which a restaurant with outside dining, on- and off-premise beer and wine sales, and outside amplified musical entertainment was proposed brought attention to the possibility that these types of uses might be incompatible within an area comprised of single family residences. During the April 8 workshop the following recommendations were made relative to specific amendments to the "GV" Grapevine Vintage District:

- Revision of the "Purpose" statement to eliminate reference to the district being used as a buffer between residentially zoned property and properties of higher intensity zoning.
- Transfer of those uses listed in the "Permitted Uses" section of the ordinance to the "Accessory Uses" category.
- Removal of restaurant uses from the Conditional Use section of the ordinance and allowed only as an accessory use. Some additional wording was also written stating that food sales cannot exceed fifty (50) percent of gross sales.

Staff recommends the Commission review the attached amended ordinances and be prepared to discuss any additions/changes if necessary.

/rs

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## Section 13 R-20 Single-Family District Regulations 052014

3. Width of side yard on each side, feet - 15
4. Width of lot, feet - 100, except reverse frontage lots shall be a minimum of 130 feet in width.
5. Depth of lot, feet - 100
6. Distance between buildings: The minimum distance between principal or accessory buildings on adjacent lots shall be not less than thirty (30) feet.
7. Only one single-family detached dwelling shall be permitted on each lot or lot of record as the case may be.

### H. RESERVED BUFFER AREA REGULATIONS:

~~Whenever an R-20 Single family development is located adjacent to an existing multifamily district (RMF 1, RMF 2, R 3.75, R TH) or a non-residential district, without any division such as a dedicated public street, park, or permanent open space, all principal buildings or structures shall be set back a minimum of forty (40) feet from the adjoining property line. The setback area shall contain appropriate landscape improvements, fencing, berms or trees to adequately buffer adjoining uses.~~

### I. HEIGHT:

The following maximum height regulations shall be observed.

1. Height of principal structure, two (2) stories not to exceed thirty-five (35) feet.
2. Height of accessory structure, one and one-half (1-1/2) stories not to exceed twenty (20) feet, ~~except a storage building one hundred twenty (120) square feet or less shall not exceed ten (10) feet in height.~~

### J. OFF-STREET PARKING:

Provisions for the parking of automobiles shall be allowed as an accessory use to any principal permitted use provided that such shall not be located on a required front yard. Off-Street parking shall be provided in accordance with the provisions of Section 56 and 58 of this Ordinance and other applicable Ordinances of the City.

Parking of recreational vehicles, recreational trailers, motor homes, or boats (all

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## Section 14. R-12.5 Single-Family District Regulations 052014

### H. RESERVED ~~BUFFER AREA REGULATIONS:~~

~~Whenever an R-12.5 Single Family development is located adjacent to an existing multi-family district (RMF-1, RMF-2, R-3.75, R-TH) or a non-residential district, without any division such as a dedicated public street, park, or permanent open space, all principal buildings or structures shall be setback a minimum of forty (40) feet from the adjoining property line. The setback area shall contain appropriate landscape improvements, fencing, berms or trees to adequately buffer adjoining uses.~~

### I. HEIGHT:

The following maximum height regulations shall be observed.

1. Height of principal structure, two (2) stories not to exceed thirty-five (35) feet.
2. Height of accessory structure, one and one-half (1-1/2) stories not to exceed twenty (20) feet, ~~except a storage building which shall not exceed ten (10) feet in height.~~

### J. OFF-STREET PARKING:

Provisions for the parking of automobiles shall be allowed as an accessory use to any principal permitted use provided that such shall not be located on a required front yard. Off-street parking shall be provided in accordance with the provisions of Sections 56 and 58 of this Ordinance and other applicable Ordinances of the City.

Parking of recreational vehicles, recreational trailers, motor homes, or boats (all listed hereinafter referred to as vehicles) is prohibited in the required front yard except in the following circumstances:

1. Pursuant to a permit to park said vehicle on a paved driveway in the front yard issued by the Director of Development Services (Director), or his designee, after a determination is made by the Director that it is not feasible to park said vehicle in the side or rear yard.
2. For any length of time for all or any part of three (3) consecutive days, the said vehicles may be parked in the required front yard on a paved driveway for three (3) consecutive 24-hour days, or any part of three (3) consecutive 24-hour days. For example, vehicle could be parked in front yard on Friday evening at 10:00 p.m. and all day for the next two (2)

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**Section 15. R-7.5 Single-Family District Regulations  
052014**

in this district.

2. Cabana, pavilion, or roofed area.
3. Private swimming pools.
4. Accessory buildings.
5. Signs subject to the provisions of Section 60.
6. Customary home occupation.
7. Communication equipment meeting the requirements of Chapter 7, Article XII of the Grapevine code of Ordinance.
8. Sale of merchandise or goods, including but not limited to garage sales and yard sales, shall be limited to a maximum of once per quarter, for a period not to exceed three (3) continuous days. For the purpose of this paragraph, the month of January shall constitute the first month of the first quarter.

With the exception of Item 8, When any of the foregoing permitted accessory uses are detached from the principal single-family dwelling, said uses shall be located not less than forty-five (45) feet from the front lot line and shall meet the requirements of Section 42.C.,D.,E.,F., and G.

~~Accessory buildings more than sixteen (16) feet in height shall be set back from the rear property line six (6) feet plus two (2) additional feet for each additional foot of height over sixteen (16) feet. The height of the structure shall be measured from the top of the slab or from its bottom floor.~~

C. **CONDITIONAL USES:**

The following conditional uses may be permitted provided they meet the provisions of Section 48, and a conditional use permit is issued.

1. Public and non profit institutions of an educational, religious or cultural type excluding correctional institutions.
2. Non profit community centers and swimming pools and tennis courts.
3. Public and private country clubs and golf courses excluding miniature golf

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## Section 15. R-7.5 Single-Family District Regulations 052014

principal or accessory buildings on adjacent lots shall be not less than twelve (12) feet.

7. Only one single-family detached dwelling shall be permitted on each lot or lot of record, as the case may be.

### H. RESERVED ~~BUFFER AREA REGULATIONS:~~

~~Whenever an R-7.5 Single family development is located adjacent to an existing multi-family district (RMF-1, RMF-2, R-3.75, R-TH) or a non-residential district, without any division such as a dedicated public street, park or permanent open space, all principal buildings or structures shall be set back a minimum of forty (40) feet from the adjoining property line. The setback area shall contain appropriate landscape improvements, fencing, berms or trees to adequately buffer adjoining uses.~~

### I. HEIGHT REGULATIONS:

The following maximum height regulations shall be observed:

1. Height of principal structure, two (2) stories not to exceed thirty-five (35) feet.
2. Height of accessory structure, one story not to exceed sixteen (16) feet, except a storage building which shall not exceed ten (10) feet in height.

### J. OFF-STREET PARKING:

Provisions for the parking of automobiles shall be allowed as an accessory use to any principal permitted use provided that such shall not be located on a required front yard. Off-street parking shall be provided in accordance with the provisions of Sections 56 and 58 of this Ordinance and other applicable ordinances of the City.

Parking of recreational vehicles, recreational trailers, motor homes, or boats (all listed hereinafter referred to as vehicles) is prohibited in the required front yard except in the following circumstances:

1. Pursuant to a permit to park said vehicle on a paved driveway in the front yard issued by the Director of Development Services (Director), or his designee, after a determination is made by the Director that it is not feasible to park said vehicle in the side or rear yard.

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## Section 16. R-5.0 Zero-Lot-Line District Regulations 052014

### H. RESERVED ~~BUFFER AREA REGULATIONS:~~

~~Whenever an R-5.0 Zero-Lot-Line District is located adjacent to an existing multi-family district (RMF-1, RMF-2, R-3.75, R-TH) or a non-residential district, without any division such as a dedicated public street, park or permanent open space, all principal buildings or structures shall be setback a minimum of forty (40) feet from the adjoining property line. The setback area shall contain appropriate landscape improvements, fencing, berms, or trees to adequately buffer adjoining uses.~~

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Parking of recreational vehicles, recreational trailers, motor homes, or boats (all listed hereinafter referred to as vehicles) is prohibited in the required front yard except in the following circumstances:

1. Pursuant to a permit to park said vehicle on a paved driveway in the front yard issued by the Director of Development Services (Director), or his designee, after a determination is made by the Director that it is not feasible to park said vehicle in the side or rear yard.
2. For any length of time for all or any part of three (3) consecutive days, the said vehicles may be parked in the required front yard on a paved driveway for three (3) consecutive 24-hour days, or any part of three (3) consecutive 24-hour days. For example, vehicle could be parked in front yard on Friday evening at 10:00 p.m. and all day for the next two (2) days, Saturday and Sunday, with the authorized parking time ending at 12:00 a.m. Sunday night. Parking of the vehicle in the front yard for all or

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## Section 17. R-3.5 Two-Family District Regulations 052014

### H. RESERVED BUFFER AREA REGULATIONS:

~~Whenever an R-3.5 two-family development is located adjacent to an existing multi-family district (RMF-1, RMF-2, R-3.75, R-TH) or a non-residential district, without any division such as a dedicated public street, park or permanent open space, all principal buildings or structures shall be set back a minimum of forty (40) feet from the adjoining property line. The setback area shall contain appropriate landscape improvements, fencing, berms or trees to adequately buffer adjoining uses.~~

### I. HEIGHT REGULATIONS:

The following maximum height regulations shall be observed.

1. The maximum height of a principal structure shall be two (2) stories not to exceed thirty-five (35) feet.
2. The maximum height of an accessory structure shall be one (1) story not to exceed fifteen ~~twenty~~ (20 15) feet.
3. ~~The maximum height of a storage building shall be one (1) story not to exceed ten (10) feet.~~

### J. OFF-STREET PARKING:

Provisions of the parking of automobiles shall be allowed as an accessory use to any principal permitted use provided that such shall not be located in a required front yard. Off-street parking shall be provided in accordance with the provisions of Section 56 and 58 of this ordinance and other applicable ordinances of the City.

Parking of recreational vehicles, recreational trailers, motor homes, or boats (all listed hereinafter referred to as vehicles) is prohibited in the required front yard except in the following circumstances:

1. Pursuant to a permit to park said vehicle on a paved driveway in the front yard issued by the Director of Development Services (Director), or his designee, after a determination is made by the Director that it is not feasible to park said vehicle in the side or rear yard.
2. For any length of time for all or any part of three (3) consecutive days, the said vehicles may be parked in the required front yard on a paved driveway for three (3) consecutive 24-hour days, or any part of three (3)

**DRAFT Section 18. R-3.75 Three and Four-Family District Regulations  
052014**

**H. RESERVED BUFFER AREA REGULATIONS:**

~~Whenever an R-3.75 three or four family development is located adjacent to an existing multi-family district (RMF-1, RMF-2, R-TH) or a non-residential district, without any division such as a dedicated public street, park or permanent open space, all principal buildings or structures shall be set back a minimum of forty (40) feet from the adjoining property line. The setback area shall contain appropriate landscape improvements, fencing, berms or trees to adequately buffer adjoining uses.~~

**I. HEIGHT REGULATIONS:** The following maximum height regulations shall be observed:

- 1. The maximum height of principal structure shall be two (2) stories not to exceed twenty-five (25) feet. Whenever a triplex or fourplex structure is erected contiguous to an existing single-family dwelling, the number of stories and height of the triplex or fourplex structure shall not exceed the number of stories and height of the contiguous single-family dwelling. In no instance shall the height of a triplex or fourplex structure exceed two (2) stories or twenty-five (25) feet.
- 2. The maximum height of an accessory structure shall be one (1) story not to exceed fifteen (15) feet.
- 3. ~~The maximum height of a storage building shall be one (1) story not to exceed ten (10) feet.~~

**J. OFF-STREET PARKING:** Provisions for the parking of automobiles shall be allowed as an accessory use to any principal permitted use provided that such shall not be located in a required front yard. Off-street parking shall be provided in accordance with the provisions of Sections 56 and 58 of this Ordinance and other applicable Ordinances of the City.

Parking of recreational vehicles, recreational trailers, motor homes, or boats (all listed hereinafter referred to as vehicles) is prohibited in the required front yard except in the following circumstances:

- 1. Pursuant to a permit to park said vehicle on a paved driveway in the front yard issued by the Director of Development Services (Director), or his designee, after a determination is made by the Director that it is not

**DRAFT      Section 19, R-MH. Manufactured Home District Regulations  
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C. **PARKING REGULATIONS:** Provisions for the parking of automobiles shall be permitted as an accessory use to any principal permitted use provided that such shall not be located on a required front yard. Off-street parking shall be provided in accordance with the provisions of this Ordinance and other applicable Ordinances of the City.

D. **AREA REGULATIONS:** The following minimum standards shall be required.

1. Depth of front setback, feet..... 30
2. Depth of rear setback, feet.....25
3. Width of side yard, feet..... 15
4. **MANUFACTURED HOME:** Only one single-family manufactured home shall be permitted on each lot or lot of record or each plot within a manufactured home subdivision. Each lot of record within a manufactured home subdivision shall contain a minimum of, square feet.....5000
5. Minimum square footage per dwelling unit, square feet.....600

E. **HEIGHT REGULATIONS:** The following height regulations shall be observed:

1. **PRINCIPAL STRUCTURE:** 1 story not to exceed 15 feet.
2. **ACCESSORY STRUCTURE:** 1 story not to exceed 15 feet, ~~except storage buildings which shall not exceed 10 feet in height.~~

F. **OTHER REQUIREMENTS:** All underpinning shall be of brick, stone, or other masonry or material of equal characteristics or comparable and matching material to exterior siding of the manufactured home with the necessary vents, screens, and/or openings, and shall be installed within forty (40) days after emplacement of the manufactured home.

G. **LIMITATION OF USES**

1. No Storage boxes or any other containers to be picked up or dropped off by curbside self-storage services, moving services and other similar services

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## Section 20. R-TH Townhouse District Regulations 052014

- H. ~~RESERVED BUFFER AREA REGULATIONS: Whenever an R-TH Townhouse development is located adjacent to a developed residential district (R-20, R-12.5, R-7.5, R-5.0, R-3.75, R-MF) or a non-residential district, without any division such as a dedicated public street, park or permanent open space, all principal buildings or structures shall be set back a minimum of forty (40) feet from the adjoining property line. The setback area shall contain appropriate landscape improvements, fencing, berms or trees in accordance with Alternate A, B, or E, in Section 50, to adequately buffer adjoining uses.~~
- I. HEIGHT REGULATIONS: The following maximum height regulations shall be observed:
1. The maximum height of the principal structures shall be two (2) stories not to exceed thirty-five (35) feet. Whenever a townhouse structure is erected contiguous to an existing single family dwelling, the number of stories and height of the townhouse structure shall not exceed the number of stories and height of the contiguous single family dwelling. In no instance shall the height of a townhouse structure exceed two (2) stories or thirty-five (35) feet.
  2. The maximum height of an accessory structure shall be one (1) story not exceed fifteen (15) feet.
  3. ~~The maximum height of a storage building used for maintenance or mechanical equipment shall be one story not to exceed ten (10) feet.~~
- J. OFF-STREET PARKING: Provisions for the parking of automobiles shall be allowed as an accessory use to any principal permitted use provided that such shall not be located on a required front yard or side yard. Off-street parking areas shall be landscaped in accordance with Section 53. Off-street parking shall be provided in accordance with the provisions of Sections 56 and 58 of this Ordinance and other applicable ordinances of the City.

Parking of recreational vehicles, recreational trailers, motor homes, boats, towed trailers and the like, is prohibited in the required front yard, and the side yards of reverse frontage lots. Whenever such parking facilities are

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## SECTION 22, "R-MF" MULTIFAMILY DISTRICT

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main and accessory buildings and structures, and paved parking and driveway areas shall not exceed seventy-five (75) percent of the total lot area.

6. MINIMUM FLOOR AREA: Every dwelling hereafter erected, constructed, reconstructed or altered in the R-MF District shall have a minimum square feet of floor area, excluding common corridors, basements, open and screened porches or decks, and garages as follows:
  - a. Efficiency unit, square feet - 600
  - b. One bedroom unit, square feet - 750
  - c. Two bedroom unit, square feet - 900
  - d. Three bedroom unit, square feet - 1,000
  - e. Units containing a minimum of six hundred (600) square feet to seven hundred fifty (750) square feet shall not exceed fifteen (15) percent of the total number of units in the development.
  
- G. AREA REGULATIONS: The following minimum standards shall be required. Day care centers and assisted living facilities permitted as a conditional use shall meet the requirements of Section 22.N.2.
  1. Depth of front yard, feet - 40
  2. Depth of rear yard, feet - 30
  3. Width of side yard, each side - 20
  4. Width of lot, feet - 200
  5. Depth of lot, feet - 200
  
- H. BUFFER AREA REGULATIONS: Whenever an R-MF District is located adjacent to an existing or zoned residential district of lower density development, without any division such as a dedicated public street, park or permanent open space, all principal buildings or structures shall be set back a minimum of forty (40) feet from the adjoining property line. **In addition, a buffer strip at least twenty (20) feet in width shall be provided between the two districts.** ~~The setback area~~ **This buffer strip** shall contain

appropriate landscape improvement, fencing, berms or trees to adequately buffer adjoining uses.

I. HEIGHT REGULATIONS: The following maximum height regulations shall be observed:

- 1. The maximum height of the principal structure shall be two (2) stories not to exceed thirty-five (35) feet. Whenever a multifamily structure is erected contiguous to an existing single-family dwelling, the number of stories and height of the multifamily structure shall not exceed the number of stories and height of the contiguous single-family dwelling. In no instance shall the height of a multifamily structure exceed two (2) stories or thirty-five (35) feet.
- 2. The maximum height of an accessory structures shall be one (1) story not to exceed fifteen (15) feet.
- 3. The maximum height of a storage building used for maintenance or mechanical equipment shall be one (1) story not to exceed ten (10) feet.

J. OFF-STREET PARKING: Off-street parking shall be provided in accordance with the provisions of Section 56 and 58 of this Ordinance and other applicable ordinances of the City. No off-street parking shall be located closer than (10) feet to any adjacent property line. No off-street parking shall be allowed in the front yard however, with an appropriate landscaped berm, the front yard setback relative to parking may be reduced to no less than 15-feet. Such berm shall be a minimum of four feet in height of combined berming and landscape plantings. It is preferred that berms undulate and vary in height and width for a more natural appearance. Similarly while plantings shall extend the length of the front yard it is preferred that they vary in distance from the property line and complement the berming as opposed to being planted in a straight line. Though the front yard setback may be reduced relative to parking, the building setback shall remain at 40-feet.

K. OFF-STREET LOADING: No off-street loading is required in the R-MF District for residential uses. Off-street loading for conditional uses may be required as determined by the Planning Commission.

L. LANDSCAPING REQUIREMENTS: Landscaping shall be required in accordance with Section 53 of this Ordinance.

M. DESIGN REQUIREMENTS: The following minimum design requirements

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SECTION 27 PROFESSIONAL OFFICE  
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20, R-12.5, or R-7.5 District shall not exceed one (1) floor level and twenty (20) feet in height, however an increase up to five (5) feet to the above stated height requirements may be granted upon approval of a conditional use permit by the City Council.

2. No accessory structure shall be erected or altered to a height exceeding fifteen (15) feet.
- J. **LANDSCAPING REQUIREMENTS:** Landscaping shall be required in accordance with Section 53 of this ordinance. Planned Professional Office Centers permitted as conditional use shall meet the requirements of Sections 27.N.3.
- K. **OFF-STREET PARKING:** Off-street parking shall be provided in accordance with the provisions of Section 56 and 58 and shall be landscaped in accordance with Section 53 of this Ordinance.
- L. **OFF-STREET LOADING:** Off-street loading shall be provided in accordance with the provisions of Section 57 of this Ordinance.
- M. **DESIGN REQUIREMENTS:** The following design requirements shall apply in the P-O District:
1. No outdoor storage, except for refuse disposal, shall be permitted. Refuse disposal areas shall be landscaped and screened from view.
  2. Mechanical and electrical equipment, including air conditioning units, shall be designed, installed and operated to minimize noise impact on surrounding property. All such equipment shall be screened from public view.
  3. Lighting shall be designed to reflect away from any adjacent residential area.
  4. Whenever a P-O District is adjacent to any residentially zoned district, a buffer strip, at least **twenty (20)** ~~ten (10)~~ feet in width shall be provided between the two (2) districts. A wall, fence or berm shall be erected to effectively screen the P-O District from the residential area.
  5. The masonry requirements of Section 54 shall be met.
  6. **ADDITIONAL BUFFERING, SCREENING, FENCING, & LANDSCAPING.** The Planning and Zoning Commission may recommend and the City Council

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### Sec. 23A. GV Grapevine Vintage District Regulations

PURPOSE: The GV District is established to provide locations to accommodate wineries, vineyards and the associated low intensity retail/commercial uses. ~~to be designed and arranged to buffer single family and other residential zoning districts from high intensity commercial zoning.~~ The GV District is intended for wineries, vineyards, wine tasting facilities, and low intensity retail/commercial uses which promote, enhance and compliment the Texas Wine Industry. ~~The GV District is primarily established as a transitional district that serves as a low intensity commercial land use to buffer low density residential land uses from commercial land uses.~~ Such facilities should not be so large or so broad in scope of services as to attract intensive commercial developments.

USES GENERALLY: In a GV Grapevine Vintage District no land shall be used and no building shall be erected for or converted to any use other than as hereinafter provided.

#### A. ~~PERMITTED USES:~~ RESERVED

1. ~~Vineyards.~~
2. ~~Restaurants and restaurants with outside dining, excluding drive in and drive-through facilities.~~
3. ~~Any specialty retail shop such as, but not limited to, books, florist, jewelry, gift, hobby; within a completely enclosed building whose aggregate gross floor area does not exceed 5,000 square feet.~~
4. ~~Bakery, tea rooms, confectionery, and delicatessen, ice cream, soda fountain shops, and cheese factory; within a completely enclosed building whose aggregate gross floor area does not exceed 5,000 square feet.~~
5. ~~Studios for the creations of crafts, and heritage arts which are handmade or handcrafted, that do not exceed 20% of the total floor area of a permitted use listed in Section 23A.A.3. of this Ordinance.~~
6. ~~Planned specialty shopping center defined as a combination of all the uses permitted in 23A.A.,. A single building shall not exceed 25,000 square feet as a permitted use. All individual users shall have the same floor area limitations as noted in Section 23A.A.~~
7. ~~Hospitality Centers which provide meeting facilities for, but not limited to civic clubs, lodges, fraternal organizations, receptions, and seminars.~~

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- 8. ~~Dinner Theaters.~~
- 9. ~~Art galleries and museums.~~

B. **ACCESSORY USES:** The following uses shall be permitted as accessory uses to those uses listed in Section C. Conditional Uses:

1. Mechanical equipment located within 120-feet of any residentially zoned district must meet the standards established for noise regulation as stated in Section 55. Performance Standards.
2. Screened garbage storage on a concrete pad no nearer than fifty (50) feet to a residentially zoned district and not located between the front of the building and any street right-of-way.
3. Off-street parking to serve permitted uses, provided that any off-street parking or vehicular use area within sixty (60) feet of a residentially zoned district shall be separated from said lot in accordance with Section 50.C.1. Screening Alternate A.
4. Signs advertising uses on the premises in accordance with Section 60 of this Ordinance, with the exception of pole signs. Pole signs shall not be allowed within the Grapevine Vintage District.
5. Other structures or uses which are customarily accessory and clearly incidental and subordinate to the permitted use and/or structure.
6. Vineyards.
7. Restaurants Food service and restaurants food service with outside dining, excluding drive-in and drive-through facilities. In no case shall food sales on an annual basis exceed fifty (50) percent of total gross sales. Drive-in and drive-through restaurants shall not be allowed.
8. Any specialty retail shop such as, but not limited to, books, florist, jewelry, gift, hobby; within a completely enclosed building whose aggregate gross floor area does not exceed 5,000 square feet.
9. Bakery, tea rooms, confectionery, and delicatessen, ice cream, soda fountain shops, and cheese factory; within a completely enclosed building whose aggregate gross floor area does not exceed 5,000 square feet.

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10. Studios for the creations of crafts, and heritage arts which are handmade or handcrafted, that do not exceed 20% of the total floor area of a permitted use listed in Section 23A.A.3. of this Ordinance. Section B. Accessory Uses, paragraph 8 above.
11. Planned specialty shopping center defined as a combination of all the uses permitted in 23A.A., Section B. Accessory Uses, paragraphs 6-10, 12-14. A single building shall not exceed 25,000 square feet as a permitted use. All individual users shall have the same floor area limitations as noted in Section 23A.A. B. Accessory Uses.
12. Hospitality Centers which provide meeting facilities for, but not limited to civic clubs, lodges, fraternal organizations, receptions, and seminars.
13. Dinner Theaters.
14. Art galleries and museums.

C. **CONDITIONAL USES:** The following uses may be permitted, provided they meet the provisions of, and a Conditional Use Permit is issued pursuant to, Section 48 of the Ordinance.

1. Winery with alcoholic beverage sales, with on-premise and off-premise consumption, provided a special permit is issued in accordance with Section 42.B. of the Ordinance.
2. Wine tasting facility with alcoholic beverage sales with on-premise and off-premise consumption, provided a special permit is issued in accordance with Section 42.B. of the Ordinance. All alcoholic beverage sales shall be consistent with the Texas Alcoholic Beverage Code.
3. ~~Restaurants and restaurants with outside dining, including alcoholic beverage sales provided a special permit is issued in accordance with Section 42.B. of the Ordinance. Drive-in and drive-through restaurants shall not be allowed.~~
4. Alcoholic beverage sales provided a special permit is issued in accordance with Section 42.B. of this Ordinance.

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5. Inn.
6. Outdoor commercial amusements such as golf driving ranges, miniature golf, archery, and croquet.
7. Commercial amusements, the operation of which is totally within an enclosed building, including bowling alleys, video arcades, roller skating and ice skating arenas, motion picture theaters, but excluding any special uses authorized by Section 49.B.
8. Planned Commercial Centers. ~~The total retail or commercial shopping floor area on any lot or parcel whose aggregate gross floor area not exceeding one hundred thousand (100,000) square feet.~~ All individual users shall have the same floor area limitations as noted in Section 23A.A. **B. Accessory Uses.**
9. Any use allowed within this district with outdoor speakers.

D. LIMITATION ON USES:

1. The GV district is intended for specialty retail shopping and service facilities and whose aggregate gross floor area on any lot or parcel shall not exceed twenty-five thousand (25,000) square feet.
2. Pole signs shall not be permitted in the GV district.

E. PLAN REQUIREMENTS: No application for a building permit for construction of a principal building shall be approved unless:

1. A Plat, meeting all requirements of the City of Grapevine has been approved by the City Council and recorded in the official records of Tarrant County.
2. A Site Plan, meeting the requirements of Section 47 has been approved.
3. A Landscape Plan, meeting the requirements of Section 53, has been approved.

F. DENSITY REQUIREMENTS: The following bulk and intensity of use requirements shall apply:

1. **MAXIMUM DENSITY:** The maximum density within GV District shall not exceed a floor area ratio of 0.20.

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2. LOT SIZE: The minimum lot size in a GV District shall be twenty thousand (20,000) square feet.
  3. MINIMUM OPEN SPACE: At least twenty-five (25) percent of the total lot area shall be devoted to nonvehicular open space. (Nonvehicular open space is any area not devoted to buildings, parking, loading, storage, or vehicular use.)
    - a. Landscaping in excess of the required minimum open space that is located in the rear yard of the site shall not be used to meet the minimum open space requirements for the site.
  4. DISTRICT SIZE: The minimum size of any GV District shall be one (1) acre.
  5. MAXIMUM IMPERVIOUS SURFACE: The combined area occupied by all main and accessory structures, parking storage, loading and other paved areas shall not exceed seventy-five (75) percent of the total lot area.
- G. AREA REGULATIONS: The following minimum standards shall be required:
1. LOT WIDTH: Every lot shall have a minimum width of one hundred twenty-five (125) feet.
  2. LOT DEPTH: Every lot shall have a minimum depth of not less than one-hundred fifty (150) feet.
  3. FRONT YARD: Every lot shall have a front yard of not less than thirty (30) feet, which shall be utilized as a landscaped setback area. Front yards shall not be used for any building, structure, fence wall, or storage area, except that signs may be permitted in this area. Front yards shall be landscaped with grass, shrubbery, vineyards, or trees, and no part shall be paved or surfaced except of minimum access, driveways and sidewalks in accordance with Section 53 of this Ordinance.
  4. SIDE YARDS: Every lot shall have two side yards, each of which shall be not less than fifteen (15) feet in width. Planned Commercial Centers permitted as a Conditional Use shall meet the requirements of Section 23A.N.1.
  5. REAR YARD: Every lot shall have a rear yard of not less than twenty-five (25) feet in depth. Planned Commercial Centers permitted as a Conditional

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Use shall meet the requirements of Section 23A.N.1.

6. **DISTANCE BETWEEN BUILDINGS:** The minimum distance between detached principal or accessory buildings on the same lot shall be not less than twenty (20) feet.

#### H. BUFFER AREA REGULATIONS:

1. **BUFFER AND SCREENING REQUIREMENTS:** Whenever a GV District abuts a residential district, an appropriate buffer and screen shall be provided in accordance with the provisions of Sections 50, 53, 23A.H.2. and 23A.H.3. of this Ordinance.
2. **ADDITIONAL BUILDING SETBACK REQUIREMENTS:** No building or structure shall be located nearer to any residentially zoned property than a distance equal to two (2) times the height of any building or structure, or fifty (50) feet whichever is greater.
3. **ADDITIONAL SCREENING, FENCING AND LANDSCAPING:** The Planning and Zoning Commission may recommend and the City Council may require screening, fencing, buffering and landscaping requirements on any zone change, conditional use, or special use case or concept plan in addition to or in lieu of buffering, screening, fencing or landscaping requirements set out specifically in each use district, when the nature and character of surrounding or adjacent property dictate a need to require such methods in order to protect such property and to further provide protection for the general health, welfare and morals of the community in general.

#### I. HEIGHT:

1. No principal structure shall be erected or altered to a height exceeding thirty-five (35) feet. Principal structures located contiguous to an R-20, R-12.5, R-7.5 or R-5.0 Residential District shall be limited to one (1) floor level, however an increase up to five (5) feet to this requirement may be granted upon approval of a conditional use request by the City Council.

A winery or wine tasting facility not adjacent to a R-7.5, R-12.5 or R-20 Single Family Residential District, may exceed the maximum height requirements of Section 23A.I.1 (thirty-five (35) feet) not to exceed a maximum height of fifty (50) feet, provided a conditional use permit is issued in accordance with Section 48 of the Ordinance.

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2. No accessory structure shall be erected or altered to a height exceeding twenty-five (25) feet.
- J. LANDSCAPING REQUIREMENTS: Landscaping shall be required in accordance with Section 53 of this Ordinance.
- K. OFF-STREET PARKING: Off-street parking shall be provided in accordance with the provisions of Sections 56 and 58 and shall be landscaped in accordance with Section 53 of this Ordinance.
- L. OFF-STREET LOADING: Off-street loading shall be provided in accordance with the provision of Section 57 of this Ordinance.
- M. DESIGN REQUIREMENTS: The following design requirements shall apply in the GV District:
1. Lighting shall be designed to reflect away from any adjacent residential area.
  2. Parking lot lighting facilities, if provided shall meet the requirement of Section 58, Parking and Loading Area Development Standards
  3. No outdoor storage, except for refuse disposal, shall be permitted. Refuse disposal areas shall be landscaped and screened from view in accordance with Section 50.B.3.
  4. Due to the development nature of the Grapevine Vintage District, it is recognized that requiring wineries to have exterior fire resistant construction having at least seventy (70) percent of the total exterior walls, excluding doors and windows constructed of brick, stone or other masonry or material of equal characteristics in accordance with the City Building Code and Fire Prevention Code may not allow for vintage type developments. Wineries proposed in the GV not meeting the seventy (70) percent masonry requirement shall present a exterior wall plan to the Planning and Zoning Commission and the Commission shall establish the amount of masonry required.
- N. PLANNED COMMERCIAL CENTER DESIGN REQUIREMENTS: Each lot or parcel of land created within a Planned Commercial Center shall comply with the following requirements:
1. MINIMUM YARD REQUIREMENTS OF PLANNED COMMERCIAL CENTERS: The front yard requirements contained in Section 23A.G.3. shall

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be applicable to each lot or parcel of land within a Planned Commercial Center. A minimum fifteen (15) foot side yard and a minimum twenty-five (25) foot rear yard shall be required around the outside perimeter of the Planned Commercial Center. Minimum side and rear yard requirements of interior lots may be required if deemed necessary by City Council in order to meet the provisions of Section 48.

2. **LANDSCAPING REQUIREMENTS OF PLANNED COMMERCIAL CENTERS:** The minimum landscaping requirements of Section 53.H.2 shall be applicable around the outside perimeter of a Planned Commercial Center. For interior lots the minimum landscaping requirements of Section 53.H.2.b. may be required if deemed necessary by City Council in order to meet the provisions of Section 48.
3. **MINIMUM OPEN SPACE REQUIREMENTS OF PLANNED COMMERCIAL CENTERS:** At least twenty-five (25) percent of the total site area of the Planned Commercial Center shall be devoted to nonvehicular open space (nonvehicular open space is any area not devoted to buildings, parking, loading, storage, or vehicular use.)

STATE OF TEXAS  
COUNTY OF TARRANT  
CITY OF GRAPEVINE

The Planning and Zoning Commission of the City of Grapevine, Texas met in Workshop, on this the 8<sup>th</sup> day of April 2014, in the Planning and Zoning Conference Room, 200 South Main Street, 2nd Floor, Grapevine, Texas with the following members present-to-wit:

Larry Oliver	Chairman
Herb Fry	Vice-Chairman
B J Wilson	Member
Gary Martin	Member
Beth Tiggelaar	Member
Dennis Luers	Alternate
Theresa Mason	Alternate
Darlene Freed	Council Liaison

constituting a quorum with Monica Hotelling and Jimmy Fechter absent and the following City Staff:

Scott Williams	Development Services Director
Ron Stombaugh	Development Services Assistant Director
Albert Triplett, Jr.	Planner II
Susan Batte	Planning Technician

CALL TO ORDER

Chairman Larry Oliver called the Planning and Zoning Commission workshop to order at 6:05 p.m.

ITEM #1 - SECTION 12, DEFINITIONS

First for the Commission was to consider was a presentation regarding video streaming of meetings and a legal briefing by the City Attorney.

A presentation on video streaming was presented by SWAGIT and the city attorney discussed the implications of the recordings relative to their duties as commissioners.

ITEM #2 – SECTION 23A, GV GRAPEVINE VINTAGE DISTRICT REGULATIONS

Next for the Commission was to consider was possible amendments to Appendix D, Section 23A, GV Grapevine Vintage District relative to restaurant uses and discussion regarding restaurants within wineries.

Discussion was held regarding the "Purpose" statement relative to elimination of any reference to the district being utilized as a buffer between residential uses and other higher intensity non-residential uses and designating wineries as the principal use within the district and all other uses as accessory to wineries. This item will be discussed further at a later workshop.

### ITEM #3 – ACCESSORY BUILDINGS AND BUFFER AREA REGULATIONS

Next for the Commission was to consider possible amendments to Appendix D, all appropriate sections, relative to accessory buildings and buffer area regulations.

Discussion was held regarding the 40 foot buffer requirement between residential and non-residentially zoned property. Staff was authorized to amend the appropriate sections relative to eliminating the inconsistencies and eliminate the storage building reference. Staff was also authorized to eliminate the 40 foot buffer requirement for residentially zoned property adjacent to non-residentially zoned property and increase the landscaped buffer area for non-residentially zoned property to 20 feet in all appropriate zoning districts.

### ITEM #4 – CHARITABLE DONATION BINS

Next for the Commission was to discuss charitable donation bins.

Discussion was held regarding the placement of charitable donation bins. Staff was authorized to examine the properties where the donation bins are placed relative to location, required parking, landscaping and visibility and to contact property owners regarding proper placement of the donation bins.

### ITEM #5 – FUTURE WORKSHOP MEETING DATES

Next for the Commission was to discuss establishing workshop dates in advance according to the Commission by-laws (January, May, and September) and the best day of the week for all Commission members to attend. It was suggested using the 4<sup>th</sup> Monday of January, May and September with the 3<sup>rd</sup> Monday in May when it conflicts with the Memorial Day holiday.

### ADJOURNMENT

With no further business to discuss, Commissioner Oliver adjourned the workshop at 9:00 pm.

PLANNING & ZONING COMMISSION  
WORKSHOP APRIL 8, 2014

PASSED AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE  
CITY OF GRAPEVINE, TEXAS ON THIS THE 20<sup>TH</sup> DAY OF MAY, 2014.

APPROVED:

\_\_\_\_\_  
CHAIRMAN

ATTEST:

\_\_\_\_\_  
PLANNING TECHNICIAN

STATE OF TEXAS  
COUNTY OF TARRANT  
CITY OF GRAPEVINE

The Planning and Zoning Commission of the City of Grapevine, Texas met in Special Briefing Session on this the 15<sup>th</sup> day of April 2014 at 7:00 p.m. in the Planning and Zoning Conference Room, 200 South Main Street, 2nd Floor, Grapevine, Texas with the following members present-to-wit:

Larry Oliver	Chairman
B J Wilson	Member
Monica Hotelling	Member
Gary Martin	Member
Dennis Luers	Alternate
Theresa Mason	Alternate

constituting a quorum with Herb Fry and Jimmy Fechter absent and the following City Staff:

Ron Stombaugh	Development Services Asst. Director
Albert Triplett, Jr.	Planner II
Susan Batte	Planning Technician

CALL TO ORDER

Chairman Oliver called the meeting to order at 7:00 p.m.

WORK SESSION ITEM 1.

Chairman Oliver announced the Planning and Zoning Commission would conduct a work session relative to the following cases:

Z14-02	LEMOINE WRIGHT
CU14-11	MAC'S – AN AMERICAN GRILL
CU14-12	MESSINA HOF WINERY
SU14-02	BIGFOOT REFLEXOLOGY
HL14-01	232 AUSTIN STREET

to discuss development issues.

ADJOURNMENT

After a brief discussion, Chairman Oliver adjourned the meeting at 7:17 p.m.

PLANNING & ZONING COMMISSION  
APRIL 15, 2014

PASSED AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE  
CITY OF GRAPEVINE, TEXAS ON THIS THE 20<sup>TH</sup> DAY OF MAY 2014.

APPROVED:

\_\_\_\_\_  
CHAIRMAN

ATTEST:

\_\_\_\_\_  
PLANNING TECHNICIAN

NOTE: Planning and Zoning Commission continued with the Joint Public Hearing

STATE OF TEXAS  
COUNTY OF TARRANT  
CITY OF GRAPEVINE

The Planning and Zoning Commission of the City of Grapevine, Texas met in Joint Public Hearing with the City Council, on this the 15<sup>th</sup> day of April 2014, in the City Council Chambers, 200 South Main Street, 2nd Floor, Grapevine, Texas with the following members present-to-wit:

Larry Oliver	Chairman
B J Wilson	Member
Monica Hotelling	Member
Gary Martin	Member
Dennis Luers	Alternate
Theresa Mason	Alternate

constituting a quorum with Herb Fry and Jimmy Fechter absent and the following City Staff:

Ron Stombaugh	Development Services Asst. Director
Albert Triplett, Jr.	Planner II
Susan Batte	Planning Technician

CALL TO ORDER

Mayor Tate called the joint meeting to order at 7:42 p.m. and Chairman Oliver called the Planning and Zoning Commission deliberation session to order at 8:05 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Gary Martin delivered the Invocation and led the Pledge of Allegiance.

JOINT PUBLIC HEARINGS

Z14-02 – LEMOINE WRIGHT

First for the Commission to consider and make recommendation to City Council was zone change request Z14-02 for property located at 213 East College Street and platted as Lot 4R, Block 31, City of Grapevine. The applicant was requesting to rezone approximately 0.949 acres from PO Professional Office District to R-7.5 Single Family District for a single family residence.

Mr. Lemoine Wright, the applicant, was available to answer questions and requested favorable consideration. Mr. Wright discussed the family history in the area for both himself and his wife and would like to continue the history.

Mr. John Huffman spoke regarding concerns that it would affect the city's commercial tax base.

With no further questions, guests to speak, one letter of support and one letter of concern, the public hearing was closed.

In the Commission's deliberation session, Monica Hotelling moved to approve zone change request Z14-02. B J Wilson seconded the motion, which prevailed by the following vote:

Ayes: Oliver, Wilson, Hotelling, Martin, Luers and Mason  
Nays: Tiggelaar

CONDITIONAL USE APPLICATION CU14-11 – MAC'S AN AMERICAN GRILL

Next for the Commission to consider and make recommendation to City Council was conditional use application CU14-11 submitted by ReWard Restaurant Group for property located at 909 South Main Street #110 and platted as Lot 1, Block 1, Hasten Addition. The applicant was requesting a conditional use permit to allow the possession, storage, retail sale and on-premise consumption of alcoholic beverages (beer, wine and mixed beverages) and outside dining in conjunction with a restaurant.

During the public hearing in 2007 relative to the previous restaurant request, discussion centered on restaurant uses in the new mixed use project and the possible negative impact they could have on the success of the project if they were allowed to consume the majority of the lease space on the ground floor of both buildings. Subsequent to that discussion, the developer/owner of the property at that time (Fairfield Development) agreed along with favorable consideration of the Tastings restaurant request that any additional full service restaurant uses would not be permitted on the subject property with the exception of coffee shops, bakeries, sandwich shops, and wine tasting rooms which would require approval of a conditional use permit by the Council. Since that time, the remaining retail lease space in both buildings has languished and despite the developer's extensive marketing efforts it appears the restriction on additional restaurant uses on the subject property is inhibiting its success. With that in mind, the applicant's request, which includes approximately 1,000 square feet of additional space, required elimination of the prohibition on any additional full service restaurants on the subject property. The ordinance for the request was modified to reflect this change.

Ms. Rena Frost, the applicant, was available to answer questions and requested favorable consideration. Ms. Frost indicated that this restaurant would be relocating from its current location in Colleyville.

With no further questions, guests to speak, nor letters or petitions, the public hearing was closed.

In the Commission's deliberation session, B J Wilson moved to approve conditional use application CU14-11. Dennis Luers seconded the motion, which prevailed by the following vote:

Ayes: Oliver, Wilson, Hotelling, Martin, Tiggelaar, Luers and Mason  
Nays: None

CONDITIONAL USE APPLICATION CU14-12 – MESSINA HOF WINERY

Next for the Commission to consider and make recommendation to City Council was conditional use application CU14-12 submitted by Messina Hof Winery for property located at 201 South Main Street and platted as Lots 4, 5 and N ½ Lot 3, Block 20, City of Grapevine. The applicant was requesting a conditional use permit to allow for the possession, storage, retail sale and on- and off-premise consumption of alcoholic beverages (wine only) in conjunction with a winery.

Mr. Paul Bonarrigo, the applicant, was available to answer questions and requested favorable consideration. Mr. Bonarrigo stated that the extra meeting space would be used during regular operating hours for rotary and garden clubs, etc.

With no further questions, guests to speak, nor letters or petitions, the public hearing was closed.

In the Commission's deliberation session, a brief discussion was held regarding parking. Theresa Mason moved to approve conditional use application CU14-12. B J Wilson seconded the motion, which prevailed by the following vote:

Ayes: Oliver, Wilson, Hotelling, Martin, Tiggelaar, Luers and Mason  
Nays: None

SPECIAL USE APPLICATION SU14-02 – BIGFOOT REFLEXOLOGY

Next for the Commission to consider and make recommendation to City Council was special use application SU14-02 submitted by Bigfoot Reflexology for property located at 4010 William D Tate Avenue #100 and platted as Lot 1, Block 1, Tom Thumb No. 1. The applicant was requesting a special use permit to amend the previously approved site plan of Cu98-44 (Ord. 98-114) for a planned commercial center, specifically to allow for massage services.

Mr. William Tang, the applicant, was available to answer questions and requested favorable consideration.

With no further questions, guests to speak, nor letters or petitions, the public hearing was closed.

In the Commission's deliberation session, Theresa Mason moved to approve special use application SU14-02. Monica Hotelling seconded the motion, which prevailed by the following vote:

Ayes: Oliver, Wilson, Hotelling, Martin, Tiggelaar, Luers and Mason  
Nays: None

HISTORIC LANDMARK SUBDISTRICT HL 14-01 - 232 AUSTIN STREET

Next for the Commission to consider and make recommendation to City Council was historic landmark subdistrict application SU14-01 submitted by Lawrence and Paula Marshall for property located at 232 Austin Street and platted as Lot N ½ 7 & 8, Block 104, College Heights. The applicant was requesting a historic landmark subdistrict overlay.

With no further questions, guests to speak, nor letters or petitions, the public hearing was closed.

In the Commission's deliberation session, Monica Hotelling moved to approve historic landmark subdistrict application HL14-01. B J Wilson seconded the motion, which prevailed by the following vote:

Ayes: Oliver, Wilson, Hotelling, Martin, Tiggelaar, Luers and Mason  
Nays: None

END OF PUBLIC HEARING

CONSIDERATION OF MINUTES

Next for the Commission to consider were the minutes of the March 18, 2014, Planning and Zoning meetings.

Monica Hotelling moved to approve the Planning and Zoning Commission minutes of March 18, 2014 with the correction that Theresa Mason was absent from the meeting/ Gary Martin seconded the motion, which prevailed by the following vote:

Ayes: Oliver, Wilson, Hotelling and Martin  
Nays: None  
Abstain: Tiggelaar, Luers and Mason

ADJOURNMENT

With no further business to discuss, Monica Hotelling moved to adjourn the meeting at 8:09 p.m. Dennis Luers seconded the motion which prevailed by the following vote:

Ayes: Oliver, Wilson, Hotelling, Martin, Tiggelaar, Luers and Mason  
Nays: None

PASSED AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF GRAPEVINE, TEXAS ON THIS THE 20<sup>TH</sup> DAY OF MAY 2014.

APPROVED:

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CHAIRMAN

ATTEST:

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PLANNING TECHNICIAN