

AGENDA  
CITY OF GRAPEVINE, TEXAS  
REGULAR JOINT CITY COUNCIL  
&  
PLANNING & ZONING COMMISSION MEETING\*  
TUESDAY, OCTOBER 21, 2014  
GRAPEVINE CITY HALL, SECOND FLOOR  
200 SOUTH MAIN STREET  
GRAPEVINE, TEXAS 76051

---

6:00 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

---

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

**EXECUTIVE SESSION**

1. City Council to recess to the City Council Conference Room to conduct a closed session relative to:
  - A. Pending or contemplated litigation relative to CBS Billboard v. Grapevine and Grapevine Board of Zoning Adjustment, Cause No. 141-254547-11 pursuant to Section 551.071, Texas Government Code.
  - B. 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.

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

2. Discuss Community Activities Center branding, marketing and fee structure.

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

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

JOINT PUBLIC HEARINGS

3. Conditional Use Application **CU14-39** (Wise Guys Pizzeria) - City Council and Planning & Zoning Commission to conduct a public hearing relative to an application submitted by McNamara Wise Guys LLC requesting a conditional use permit to amend the site plan approved by Ordinance No. 2000-15 for the possession, storage, retail sale and on-premise consumption of alcoholic beverages (beer and wine only), outdoor speakers and outside dining in conjunction with a restaurant in a planned commercial center. The subject property is located at 322 South Park Boulevard and is zoned "CC" Community Commercial District Regulations.
4. Conditional Use Application **CU14-40** (Grapevine Crossing) - City Council and Planning & Zoning Commission to conduct a public hearing relative to an application submitted by R. L. Goodson Jr. Inc. requesting a conditional use permit to amend the site plan approved by Ordinance No. 2001-03 to increase the building height by the addition of a five-foot high parapet. The subject property is located at 1527 West State Highway 114 and is zoned "CC" Community Commercial District Regulations.
5. Special Use Application **SU14-03** (Crown Castle Towers) - City Council and Planning & Zoning Commission to conduct a public hearing relative to an application submitted by Crown Castle Towers requesting a special use permit for a 120 foot monopole and the collocation of cellular equipment. The subject property is located at 1650 Hughes Road and is zoned "PCD" Planned Commerce Development District. **The applicant has requested the public hearing be tabled to the November 18, 2014 meeting.**

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.

CITIZEN COMMENTS

6. Any person who is not scheduled on the agenda may address the City Council under Citizen 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.

NEW BUSINESS

7. Consider a Traffic Engineering Services Contract with Lee Engineering for the evaluation of capacity improvement needs on Bass Pro Drive between State Highway 121 and State Highway 26, consider an **ordinance** appropriating funds from General Obligation Bonds programmed for the Bass Pro Drive project,

consider authorization for the City Manager to execute the contract and take any necessary action.

8. Consider a License Agreement with Dallas Area Rapid Transit, authorization for the City Manager to execute Municipal Corridor Use License No. 980909 and take any necessary action.
9. Consider an **ordinance** amending the Fiscal Year 2014-2015 budget of the Community Quality of Life Capital Projects fund authorizing additional project allocations in the amount of \$2,880,000.00 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.

10. Consider the mid-year appointment of Shea Kirkman as an alternate member to the Building Board of Appeals. Council Member Chris Coy recommends approval.
11. Consider renewal of an annual contract with Ion Wave Technologies, Inc. for enterprise sourcing services for the Purchasing Division. Administrative Service Director recommends approval.
12. Consider renewal of an annual maintenance contract for various network software services with SHI Government Solutions, Inc. through the State of Texas Department of Information Resources (DIR) Cooperative Contracts Program. City Manager recommends approval.
13. Consider authorization to sale surplus cellular phones and cellular tablet computers to e-Cycle. City Manager recommends approval.
14. Consider renewal of an enterprise license agreement for geographic information software with ESRI, Inc. City Manager recommends approval.
15. Consider renewal of the Library ILS computer support and software contract with SIRSI Corporation. City Manager recommends approval.
16. Consider authorizing funds for the design, fabrication and installation of the Unicorn sculpture by Linda Lewis-Roark for the Convention & Visitors Bureau Headquarters Complex. Convention & Visitors Bureau Executive Director recommends approval.

17. Consider a one-year extension of Conditional Use Permit **CU13-20** and Planned Development Overlay **PD13-01** (Microland America) for property located at 2451 West Grapevine Mills Circle. The conditional use application granted an outdoor commercial amusement and a planned development overlay to include but not be limited to deviation from the front yard landscape setback area. The subject property is zoned "CC" Community Commercial District Regulations. Development Services Director recommends approval.
18. Consider renewal of an annual sole source contract with Gear Cleaning Solutions, LLC for inspection and repair of protective clothing for the Fire Department. Fire Chief recommends approval.
19. Consider a **resolution** authorizing an annual contract for bunker gear (protective clothing) from Casco Industries, Inc. through an Interlocal Participation Agreement with The Local Government Purchasing Cooperative (Buyboard). Fire Chief recommends approval.
20. Consider a **resolution** authorizing the sole source purchase of a digital fire training system from BullEx, Inc. Fire Chief recommends approval.
21. Consider an **ordinance** amending the Grapevine Code of Ordinances, Chapter 23 Traffic, Section 23-30 relative to the addition of stop intersections at Inland Drive and Sycamore Drive/Sycamore Court. Public Works Director recommends approval.
22. Consider an **ordinance** amending the Grapevine Code of Ordinances, Chapter 23 Traffic establishing Section 23-37 Pedestrian Crossing Red Beacon Display, and authorizing the installation of a Pedestrian Crossing Red Beacon Display at the Community Outreach Center Crosswalk on Mustang Drive. Public Works Director recommends approval.
23. Consider a **resolution** authorizing an annual contract with renewals for pavement marking services with Stripe-a-Zone through an Interlocal Cooperative Agreement with the City of Grand Prairie, Texas. Public Works Director recommends approval.
24. Consider renewal of annual contracts for heavy equipment rental services with Fox Rental and Kirby Smith Machinery, Inc. Public Works Director recommends approval.
25. Consider renewal of an annual contract for pavement stabilization with Nortex Concrete Lift and Stabilization, Inc. through an Interlocal Cooperative Agreement with the City of Grand Prairie, Texas. Public Works Director recommends approval.
26. Consider a **resolution** authorizing the First Amendment to the Ground and Tower Lease Agreement with New Cingular Wireless PCS, LLC, for the purpose of installing, operating, and maintaining a communications facility on the Minters

Chapel Monopole, located at 1900 Minters Chapel Road, and authorization for the City Manager to execute the amendment. Public Works Director recommends approval.

27. Consider a **resolution** authorizing the Second Amendment to the Ground and Tower Lease Amendment with New Cingular Wireless PCS, LLC, for the purpose of installing, operating, and maintaining a communications facility on the Dove Water Tower, located at 1702 Sagebrush Trail, and authorization for the City Manager to execute the amendment. Public Works Director recommends approval.
28. Consider the minutes of the October 7 and October 14, 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.

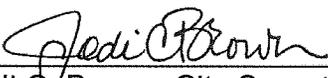
#### PLANNING & ZONING COMMISSION RECOMMENDATIONS

29. Conditional Use Application **CU14-39** (Wise Guys Pizzeria) - Consider the recommendation of the Planning & Zoning Commission and a subsequent **ordinance**, if applicable.
30. Conditional Use Application **CU14-40** (Grapevine Crossing) - Consider the recommendation of the Planning & Zoning Commission and a subsequent **ordinance**, if applicable.
31. Special Use Application **SU14-03** (Crown Castle Towers) - Consider the recommendation of the Planning & Zoning Commission and a subsequent **ordinance**, if applicable. **No action to be taken - Applicant has requested the item be tabled to the November 18, 2014 meeting.**

#### 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 October 17, 2014 by 5:00 p.m.

  
Jodi C. Brown, City Secretary



AGENDA  
CITY OF GRAPEVINE, TEXAS  
REGULAR PLANNING & ZONING COMMISSION MEETING  
TUESDAY, OCTOBER 21, 2014  
GRAPEVINE CITY HALL, SECOND FLOOR  
200 SOUTH MAIN STREET  
GRAPEVINE, TEXAS 76051

---

6:00 p.m. Workshop Session - Planning & Zoning Commission 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

---

**CALL TO ORDER: 6:00 p.m.** - Planning & Zoning Commission Conference Room

**WORKSHOP**

1. Discuss possible amendments to Section 23A "GV" Grapevine Vintage District Regulations, Section 39 Historic Landmark and Section 42 Supplemental District Regulations.

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

2. 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.

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

**INVOCATION AND PLEDGE OF ALLEGIANCE:** Commissioner Gary Martin

3. Conditional Use Application **CU14-39** (Wise Guys Pizzeria) - City Council and Planning & Zoning Commission to conduct a public hearing relative to an application submitted by McNamara Wise Guys LLC requesting a conditional use permit to amend the site plan approved by Ordinance No. 2000-15 for the possession, storage, retail sale and on-premise consumption of alcoholic beverages (beer and wine only), outdoor speakers and outside dining in conjunction with a restaurant in a planned commercial center. The subject property is located at 322 South Park Boulevard and is zoned "CC" Community Commercial District Regulations.
4. Conditional Use Application **CU14-40** (Grapevine Crossing) - City Council and Planning & Zoning Commission to conduct a public hearing relative to an application submitted by R. L. Goodson Jr. Inc. requesting a conditional use permit to amend the site plan approved by Ordinance No. 2001-03 to increase the building height by the addition of a five-foot high parapet. The subject property is located at 1527 West State Highway 114 and is zoned "CC" Community Commercial District Regulations.

5. Special Use Application **SU14-03** (Crown Castle Towers) - City Council and Planning & Zoning Commission to conduct a public hearing relative to an application submitted by Crown Castle Towers requesting a special use permit for a 120 foot monopole and the collocation of cellular equipment. The subject property is located at 1650 Hughes Road and is zoned "PCD" Planned Commerce Development District. **The applicant has requested the public hearing be tabled to the November 18, 2014 meeting.**

#### 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

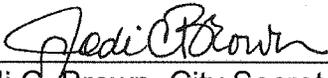
6. Consider Zoning Application **CU14-39** (Wise Guys Pizzeria) and make a recommendation to the City Council.
7. Consider Conditional Use Application **CU14-40** (Grapevine Crossing) and make a recommendation to the City Council.
8. Special Use Application **SU14-03** (Crown Castle Towers) and make a recommendation to the City Council. **No action to be taken - Applicant has requested the item be tabled to the November 18, 2014 meeting.**
9. Consider the minutes of the September 16, 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

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 October 17, 2014 by 5:00 p.m.

  
\_\_\_\_\_  
Jodi C. Brown, City Secretary



MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
FROM: BRUNO RUMBELOW, CITY MANAGER *BR*  
MEETING DATE: OCTOBER 21, 2014  
SUBJECT: WORKSHOP – CAC BRANDING, MARKETING AND FEE  
STRUCTURE

BACKGROUND INFORMATION:

At the September 2, 2014 council meeting Adolfson & Peterson and staff presented a construction update on the new Multi-generational Recreation Center. Staff informed council that the next step was to discuss the branding, marketing, and fee structures for the facility that were anticipated in the original business plan. Steve Atkins with the Atkins group will present alternatives for marketing the new facility.

The proposed fee schedule is based on the business plan from Pros Consulting and input from the Council that asked that there be options of “wet” and “dry” memberships.

In addition, Council asked staff to research the proposed child watch fees in comparison with our competitors and bring back a recommendation to Council.

Multigenerational Recreation Center Fee Structure

CC WS ITEM #2

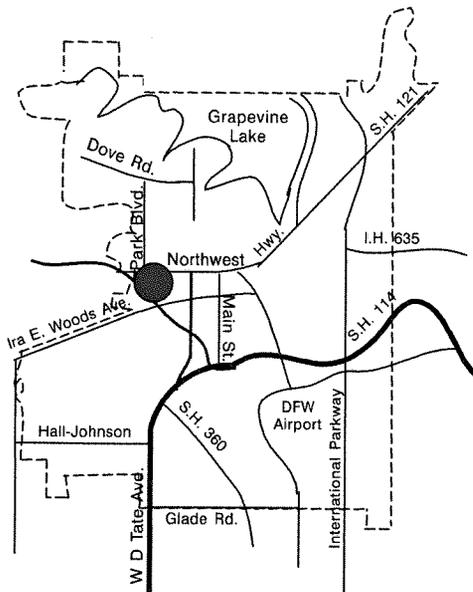
Type of Membership/Pass	Price	Passes	Revenues
Annual Passes - Primary	\$ 300.00	1150	\$ 345,000.00
Annual Passes - Secondary		3795	
Annual Passes - Individuals	\$ 120.00	3850	\$ 462,000.00
Annual Passes - Individual City Employee		200	
Annual Passes - Non Res Family	\$ 780.00	250	\$ 195,000.00
Annual Passes - Non Res Ind.	\$ 440.00	750	\$ 330,000.00
Aquatic "wet" Family	\$ 200.00	352	\$ 70,400.00
Aquatic "wet" Individual	\$ 80.00	250	\$ 20,000.00
Fitness "dry" Family	\$ 170.00	350	\$ 59,500.00
Fitness "dry" Individual	\$ 70.00	250	\$ 17,500.00
Guest Pass	\$ 10.00	1000	\$ 10,000.00
Child Watch Pass - Drop-in	\$ 5.00	100	\$ 500.00
Child Watch Pass - Annual (resident only)	\$ 100.00	250	\$ 25,000.00
PLAY Pass (all PARD facilities resident only)	\$ 400.00	500	\$ 20,000.00
<b>Total Pass Revenues</b>		<b>13,047</b>	<b>\$ 1,554,900.00</b>

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

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

MEETING DATE: OCTOBER 21, 2014

SUBJECT: DEVELOPMENT SERVICES TECHNICAL REPORT OF  
CONDITIONAL USE APPLICATION CU14-39 WISE GUYS  
PIZZERIA



APPLICANT: McNamara Wise Guys, LLC

PROPERTY LOCATION AND SIZE:

The subject property is located at 322 South Park Boulevard and is platted as Lot 5, Block 1, Park and Wall Addition. The addition contains 2.25 acres and has approximately 329 feet of frontage along South Park Boulevard and approximately 267 feet of frontage along West Wall Street.

REQUESTED CONDITIONAL USE AND COMMENTS:

The applicant is requesting a conditional use permit to amend the previously approved site plan of CU99-70 (Ord. 2000-15) for a planned commercial center, specifically to allow for the possession, storage, retail sale, and on-premise consumption of alcoholic beverages (beer and wine only), outdoor speakers and outside dining in conjunction with a restaurant.

The applicant intends to occupy the former Biscuits Café and establish Wise Guys Pizzeria on the subject site. This is a casual dining restaurant which features pizza, pasta and premium draft beer. The applicant proposes total seating to accommodate 131 patrons including the addition of a 762 square-foot covered outdoor patio area on the west side of the building that can accommodate 46 restaurant patrons. Two outdoor speakers are proposed on the patio. The required parking for the existing uses within the shopping center and the proposed restaurant is 381 parking spaces—384 parking spaces have been

provided. The proposed patio will not encroach into any existing landscaping and there are no proposed changes to the existing landscaping on the site.

The applicant has applied for a Wine and Beer Retailer's Permit (BG Permit) from the Texas Alcoholic Beverage Commission. The BG Permit allows for both on and off-premise consumption of beer and wine; however, the applicant does not intend to sell alcoholic beverages for off-premise consumption.

#### PRESENT ZONING AND USE:

The property is currently zoned "CC" Community Commercial District with a Planned Commercial Center designation and is currently developed with the 60,279 square foot Tom Thumb grocery store, a 40 foot pole sign, a 2,550 square foot dry cleaner and a 21,064 square foot multi-tenant shopping center. Lot 6R was approved for development of six medical office buildings totaling 20,500 square feet and one 10,000 square foot retail building which have not been constructed.

#### HISTORY OF TRACT AND SURROUNDING AREA:

The subject property was rezoned in the 1984 City Rezoning from "R-1", Single Family to "PO", Professional Office. In 1988, the City Council approved for the Park and Wall Addition a Zone Change Request (Z87-02) to "CC" Community Commercial. A portion of Lot 3, just east of the Living Word Lutheran Church was deed restricted to "PO" Professional Office District with that zone change. A Conditional Use Permit (CU88-06) was approved for a Planned Commercial Center, a 40 foot pole sign to be located at the corner of Park Boulevard, State Highway 114 and Wall Street, and to allow Tom Thumb (Lot 4) off-premise alcoholic beverage sales. A Conditional Use Permit (CU90-10) was approved with amendments to Lot 4 to allow Tom Thumb to add 3,480 square feet to the entry vestibule and amend the area for beer and wine storage, add temporary promotional display areas for beer and wine, relocated both store entries and the handicapped parking spaces to provide several cart storage areas in the parking islands and revised the exterior building facades. Conditional Use Permit (CU90-14) was approved to allow on Lot 1 the Chevron gasoline and convenience store with off-premise consumption of alcoholic beverages. Conditional Use Permit (CU91-20) was approved to allow the enlargement of the vestibule area by 496 square feet. Conditional Use Permit (CU94-09) was approved to allow on Lot 5 a 21,118 square foot retail site addition to the west of Tom Thumb. Conditional Use Permit (CU94-34) was approved to allow on-premise consumption of alcoholic beverages in conjunction with a restaurant on Lot 5 (322 Park Boulevard South). Conditional Use Permit (CU95-09) was approved to allow on Lot 3 an 11,238 square foot strip office center. Conditional Use Permit (CU96-11) was approved to allow outdoor storage of wood in conjunction with a restaurant on Lot 5 (322 Park Boulevard South). Conditional Use Permit (CU97-20) was approved to allow on Lot 2 a 3,600 square foot building for personal service and retail development. Conditional Use Permit (CU98-11) was approved to revise the retail building on Lot 2. Conditional Use Permit CU98-46 (Ord.99-26) was approved at the February 16, 1999 meeting to allow for the addition of a

12,984 square foot retail space on Lot 6R which was never built. Conditional Use Permit CU99-70 (Ord. 2000-15) was approved at the February 15, 2000 meeting to allow for outside dining and alcoholic beverage consumption on a proposed outdoor dining area which was never constructed. Conditional Use Permit CU06-16 was approved at the June 20, 2006 meeting to allow for new office buildings on Lot 6R which were never constructed. Conditional Use Permit CU11-35 (Ord. 2012-03) was approved at the January 17, 2012 meeting for office condominiums on Lot 6R.

#### SURROUNDING ZONING AND EXISTING LAND USE:

- NORTH: "PO" Professional Office District, "CC" Community Commercial District, "R-7.5" Single Family District, and "R-20" Single Family District – Lutheran Church, Medical Offices, Brookside Addition, Manor Addition, the Verizon Building and Chevron
- SOUTH: "CC" Community Commercial – Baylor Surgery Center
- EAST: "PO" Professional Office District and "R-7.5" Single Family District – Grapevine Offices and single family residential
- WEST: "HC" Highway Commercial District – Viewpoint Bank, O'Reilly Auto Parts

#### AIRPORT IMPACT:

The subject tract is located within "Zone A" zone of minimal effect as defined on the "Aircraft Sound Exposure: Dallas/Fort Worth Regional Airport Environs" map. Few activities will be affected by aircraft sounds in Zone A, except for sound sensitive activities such as auditoriums, churches, schools, hospitals, and theaters. The proposed addition is appropriate in this noise zone.

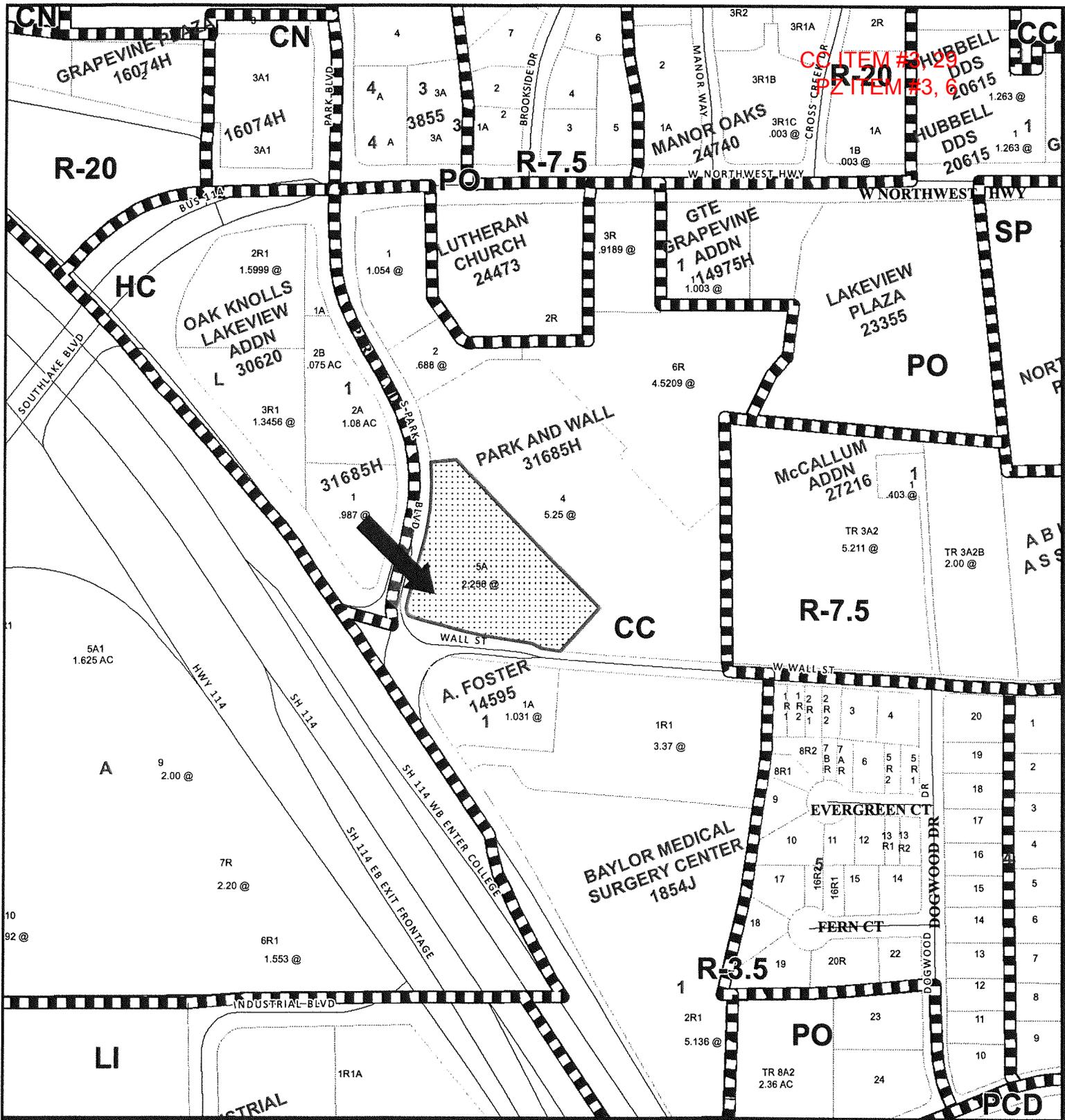
#### MASTER PLAN APPLICATION:

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

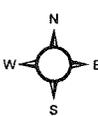
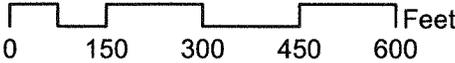
#### THOROUGHFARE PLAN APPLICATION:

The Thoroughfare Plan designates South Park Boulevard as a Type C, Minor Arterial with a minimum 80-foot of right-of-way developed as 4 lanes with a turning lane.

/at



CC ITEM #3, 20  
 #2 ITEM #3, 6



# CU14-39 Wise Guys Pizzeria

Date Prepared: 10/6/2014

This data has been compiled by the City of Grapevine IT/GIS department. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.



# CITY OF GRAPEVINE

## CONDITIONAL USE APPLICATION

### Form "A"

#### PART 1. APPLICANT INFORMATION

Name of applicant / agent/company/contact <b>McNamara Wise Guys LLC DBA Wise Guys Pizzeria</b>	
Street address of applicant / agent: <b>4317 Country Lane</b>	
City / State / Zip Code of applicant / agent: <b>Grapevine, Tx 76051</b>	
Telephone number of applicant / agent: <b>972-921-5835</b>	Fax number of applicant/agent
Email address of applicant/agent <b>ken.w.mcnamara@a@hotmail.com</b>	Mobile phone number of applicant/agent <b>972-921-5835</b>

#### PART 2. PROPERTY INFORMATION

Street address of subject property <b>302 S. Park Blvd</b>		
Legal description of subject property (metes & bounds must be described on 8 1/2" x 11" sheet)		
Lot <b>5</b>	Block <b>1</b>	Addition <b>Park West Plaza</b>
Size of subject property <b>82,977</b>	Acreage	<b>2950</b> Square footage
Present zoning classification: <b>CC</b>	Proposed use of the property: <b>Restaurant</b>	
Circle yes or no, if applies to this application		
Outdoor speakers <input checked="" type="radio"/> Yes <input type="radio"/> No	<b>Family Restaurant Speakers on patio only for background music</b>	
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: <b>Inland American Management LLC</b>	
Street address of property owner: <b>2901 Butterfield Road</b>	
City / State / Zip Code of property owner: <b>Oak Brook, Illinois 60523</b>	
Telephone number of property owner: <b>630-218-8000</b>	Fax number of property owner: <b>630-574-9368</b>

RECEIVED

AUG 12 2014

By \_\_\_\_\_

014-39

- 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**

Kevin McNamara

[Signature]

Print Applicant's Name:

Applicant's Signature:

The State of Texas

County Of Tarrant

Before Me Cristy Rose Wilson (notary) on this day personally appeared Kevin McNamara (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.

(Seal) Given under my hand and seal of office this 04 day of August, A.D. 2014



[Signature]  
Notary In And For State Of Texas

Inland American Grapevine Park West Limited Partnership

[Signature]

Print Property Owners Name:

Property Owner's Signature:

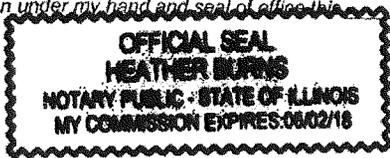
The State Of Illinois

County Of DuPage

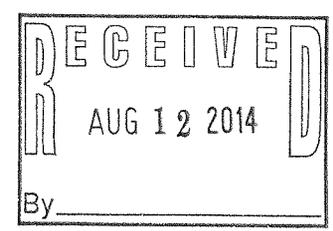
Before Me Heather Burns (notary) on this day personally appeared Maureen E. Sharpe (property owner)

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.

(Seal) Given under my hand and seal of office this 1 day of August, A.D. 2014



[Signature]  
Notary In And For State Of Texas  
Illinois



- 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**

Print Applicant's Name: \_\_\_\_\_ Applicant's Signature: \_\_\_\_\_

The State of \_\_\_\_\_

County Of \_\_\_\_\_

Before Me \_\_\_\_\_ on this day personally appeared \_\_\_\_\_  
(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.

(Seal) Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, A.D. \_\_\_\_\_.

Notary In And For State Of Texas

Inland American Grapevine Park West Limited Partnership

*Maureen E. Sharpe*

Print Property Owners Name: \_\_\_\_\_ Property Owner's Signature: \_\_\_\_\_

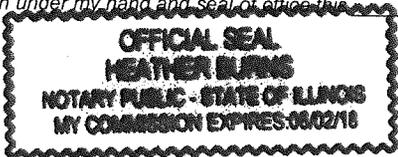
The State Of Illinois

County Of DuPage

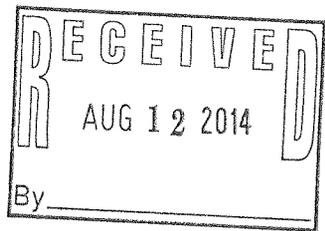
Before Me Heather Burns on this day personally appeared Maureen E. Sharpe  
(notary) (property owner)

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.

(Seal) Given under my hand and seal of office this \_\_\_\_\_ day of August, A.D. 2014.



*Heather Burns*  
Notary In And For State Of Texas  
Illinois



CW14-39

CC ITEM #3, 29  
PZ ITEM #3, 6

**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.**

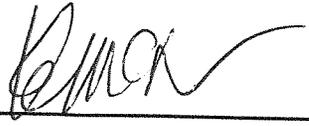
**Any changes to a site plan (no matter how minor or major) approved with a conditional use or a special use permit can only be approved by city council through the public hearing process.**

**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.**

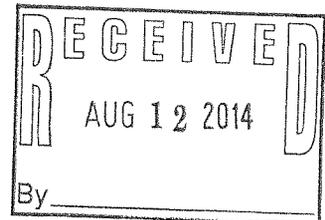
**I have read and understand all of the requirements as set forth by the application for conditional use or special use permit and acknowledge that all requirements of this application have been met at the time of submittal.**

Signature of Applicant 

Date: 8/4/14

Signature of Owner 

Date: 8/4/14



To whom it may concern,

I am writing in regards to a conditional usage permit for Wise Guys Pizzeria. The proposed address is 322 S. Park Blvd where the Biscuits Café was. Upon approval from council and dignitaries we would be honored to open a family restaurant that serves Pizza, Pasta, and Premium Drafts. Our mission statement is Exceeding Expectations Every day! We believe it is our duty to exceed our guest's expectations by serving fresh quality food with a great value. We also believe it is our duty to exceed our community's expectations by tithing and supporting our local community including serving only local draft beers like Lake Fire or Sir Williams from Grapevine Craft Brewery. We will be partnering up with Grace Ministries and our restaurant will give its first 10% of profits to local charities. Lastly it is critical for us to exceed the expectations with our employees. We will provide a fun, safe, and professional atmosphere where our employees can grow personally and in business. We know when our employees enjoy where they work they will in turn give great service to our guests.

Our proposed use for the building would be a family pizzeria that has a full service bar and patio. (Beer & Wine BG permits) We are not looking for a mixed beverage permit as we really want to keep it the family feel. A great local beer or a glass of wine while enjoying quality time with family or friends! Our intention is to deliver to the local 5 mile radius. Our hours of operations would be the following; Sunday through Thursday 11 am until 9 pm Friday and Saturday 11 am until 10 pm. We also would like to, upon approval, add on a patio. The patio will be able to accommodate bigger groups that can enjoy a meal after a game or event. As a father of 4 and a resident of Grapevine we are looking forward to providing a patio that can accommodate local teams. I envision my oldest daughter bringing her cheer squad in after a local game! Our proposed patio would take 3 parking spots that are currently there. This would not cause any parking issues or change any of the handicap accessibility. We propose to add 2 speakers on the patio for back ground music. It is not our intention to have loud music outside that would disturb our neighbors or local community. The location of our patio faces the frontage road and is not extremely close to residents. We respect the values and culture of our great city and realize that outdoor speakers are not approved for good reason in most cases. We respectfully ask you to consider allowing 2 speakers for our outdoor patio space.

Thank you in advance for your consideration and I am looking forward to being a great partner to the city of Grapevine for many years to come.

Regards,



Kevin McNamara

Wise Guys Pizzeria

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

CU14-39

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, 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 CU14-39 AMENDING THE SITE PLAN APPROVED BY ORDINANCE NO. 2000-15 FOR A PLANNED COMMERCIAL CENTER FOR THE POSSESSION, STORAGE, RETAIL SALE AND ON-PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER AND WINE ONLY), OUTSIDE SPEAKERS AND OUTSIDE DINING IN CONJUNCTION WITH A RESTAURANT 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); 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 CU14-39 amending the site plan approved by Ordinance No. 2000-15 for a planned commercial center for the possession, storage, retail sale and on-premise consumption of alcoholic beverages (beer and wine only), outside speakers and outside dining in conjunction with a restaurant (Wise Guys Pizzeria) in a district zoned "CC" Community Commercial District Regulations within the following described property: Lot 5, Block 1, Park and Wall Addition (322 South Park Boulevard) 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 21st day of October, 2014.

APPROVED:

---

ATTEST:

---

APPROVED AS TO FORM:

---

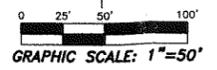
~ CURVE TABLE ~

NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
1	480.50'	48°02'27"	402.89'	N 07°39'28" W	391.19'
2	480.50'	21°39'01"	181.58'	N 05°32'12" E	180.50'
3	480.50'	15°26'13"	129.46'	N 13°00'26" W	129.07'
4	480.50'	10°57'07"	91.85'	N 26°12'11" W	91.71'

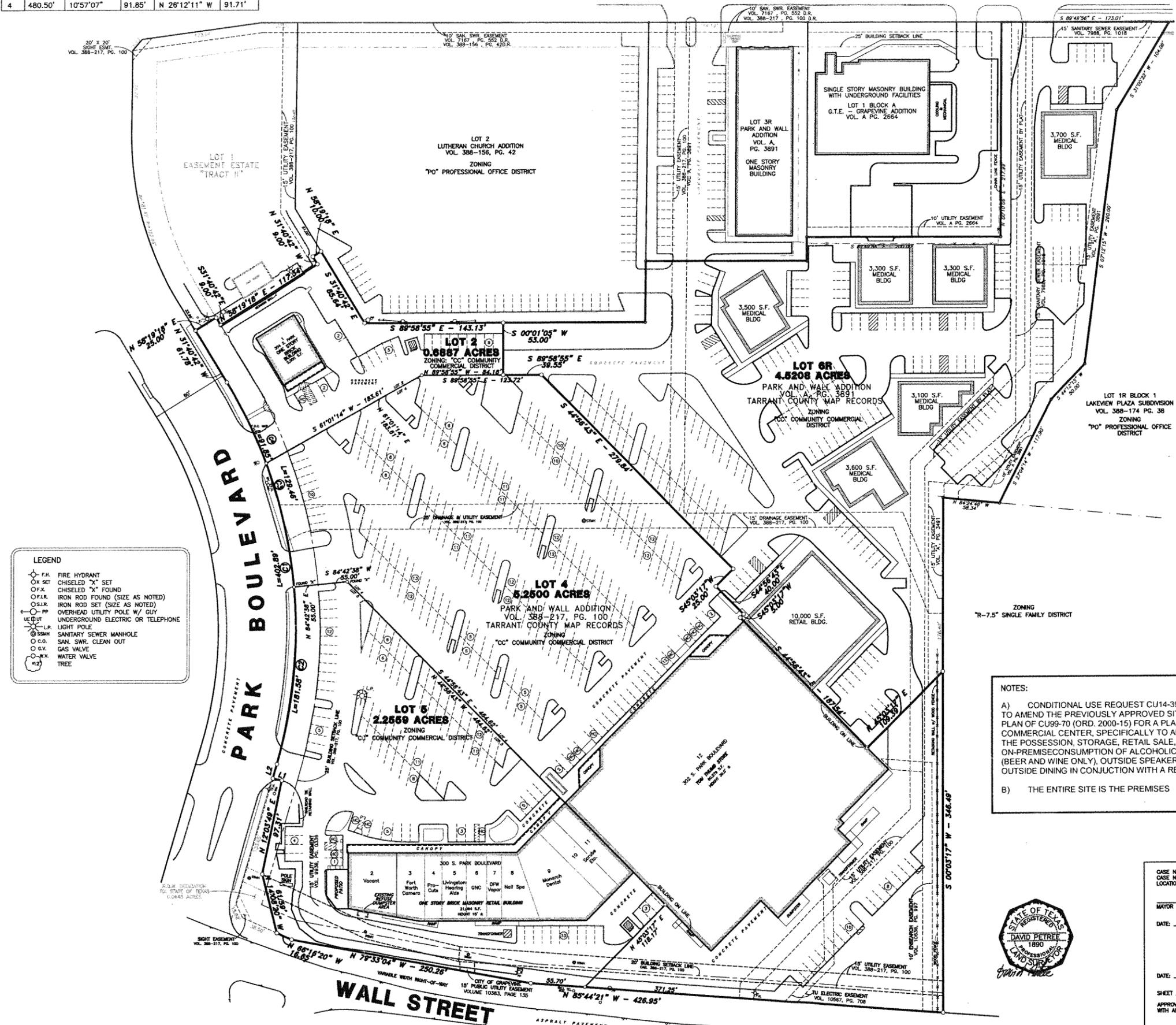
~ LINE TABLE ~

NO.	BEARING	DISTANCE
L1	N 77°56'11" W	9.62'
L2	N 16°21'45" E	15.09'

# NORTHWEST HIGHWAY - SH 114



CC ITEM #3, 29  
PZ ITEM #3, 6



SITE DATA TABLE

LOT NUMBER	LOT SIZE (SF)	BUILDING COVERAGE	OPEN SPACE	TOTAL PARKING REQUIRED	HC PARKING REQUIRED	STANDARD PARKING PROVIDED	HC PARKING PROVIDED
2	30,000	2,550	27,450	13	-	18	1
4	226,690	60,279	166,411	238	-	254	4
5	98,267	21,064	77,203	175	-	101	6
6R	196,928	30,500	166,428	193	-	212	-

NOTE FOR LOTS 2, 4 AND 5:  
4 PARKING SPACES FOR EACH 1,000 GLA PLUS 10 PARKING SPACES FOR EACH 1,000 SQUARE FOOT OF RESTAURANT.

TENANT TABLE

UNIT NO.	SQ. FT.	TENANT
1	2,550	WK CLEANERS
2	2,950	WISE GUYS PIZZERIA
3	1,953	FORT WORTH CAMERA
4	1,245	PRO-CUTS
5	1,745	LIVINGSTON HEARING AIDS
6	1,460	GNC
7	1,060	DFW VAPOR
8	1,925	ELITE NAILS
9	4,580	MONARCH DENTAL
10	2,000	SCRUBS ETC.
11	2,000	SCRUBS ETC.
12	60,279	TOM THUMB

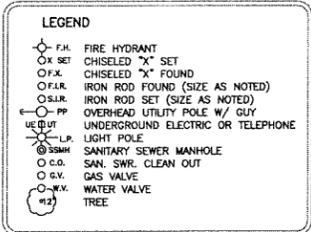
PARKING TABLE  
LOTS 2, 4 & 5

REGULAR	HANDICAPPED	TOTAL
373	11	384

LANDSCAPE AND HARDSCAPE INFORMATION (SQ. FT.)

AREA	AREA (SQ. FT.)
TOTAL AREA OF LOTS 2, 4 & 5	356,957
PERVIOUS AREA OF LOTS 2, 4 & 5	47,762
IMPERVIOUS AREA OF LOTS 2, 4 & 5	309,195

NOTES:  
A) CONDITIONAL USE REQUEST CU14-39 IS A REQUEST TO AMEND THE PREVIOUSLY APPROVED SITE PLAN OF CU99-70 (ORD. 2000-15) FOR A PLANNED COMMERCIAL CENTER, SPECIFICALLY TO ALLOW FOR THE POSSESSION, STORAGE, RETAIL SALE, AND ON-PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER AND WINE ONLY), OUTSIDE SPEAKERS AND OUTSIDE DINING IN CONJUNCTION WITH A RESTAURANT.  
B) THE ENTIRE SITE IS THE PREMISES



CASE NAME: WISE GUYS PIZZERIA  
CASE NUMBER: CU14-39  
LOCATION: LOT 5, BLOCK 1, PARK WEST PLAZA

MAYOR \_\_\_\_\_ SECRETARY \_\_\_\_\_  
DATE: \_\_\_\_\_ PLANNING AND ZONING COMMISSION \_\_\_\_\_  
CHAIRMAN \_\_\_\_\_  
DATE: \_\_\_\_\_  
SHEET \_\_\_ OF 7  
APPROVAL DOES NOT AUTHORIZE ANY WORK IN CONFLICT WITH ANY CODES OR ORDINANCES  
DEPARTMENT OF DEVELOPMENT SERVICES

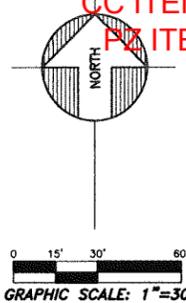


**MASTER SITE PLAN**  
**PARKWEST SHOPPING CENTER**  
**PARK AND WALL ADDITION**  
CITY OF GRAPEVINE, TARRANT COUNTY, TEXAS

DATE: OCTOBER 7, 2014  
SCALE: 1" = 50'

SHEET 1 OF 7

CC ITEM #3, 29  
 PZ ITEM #3, 6

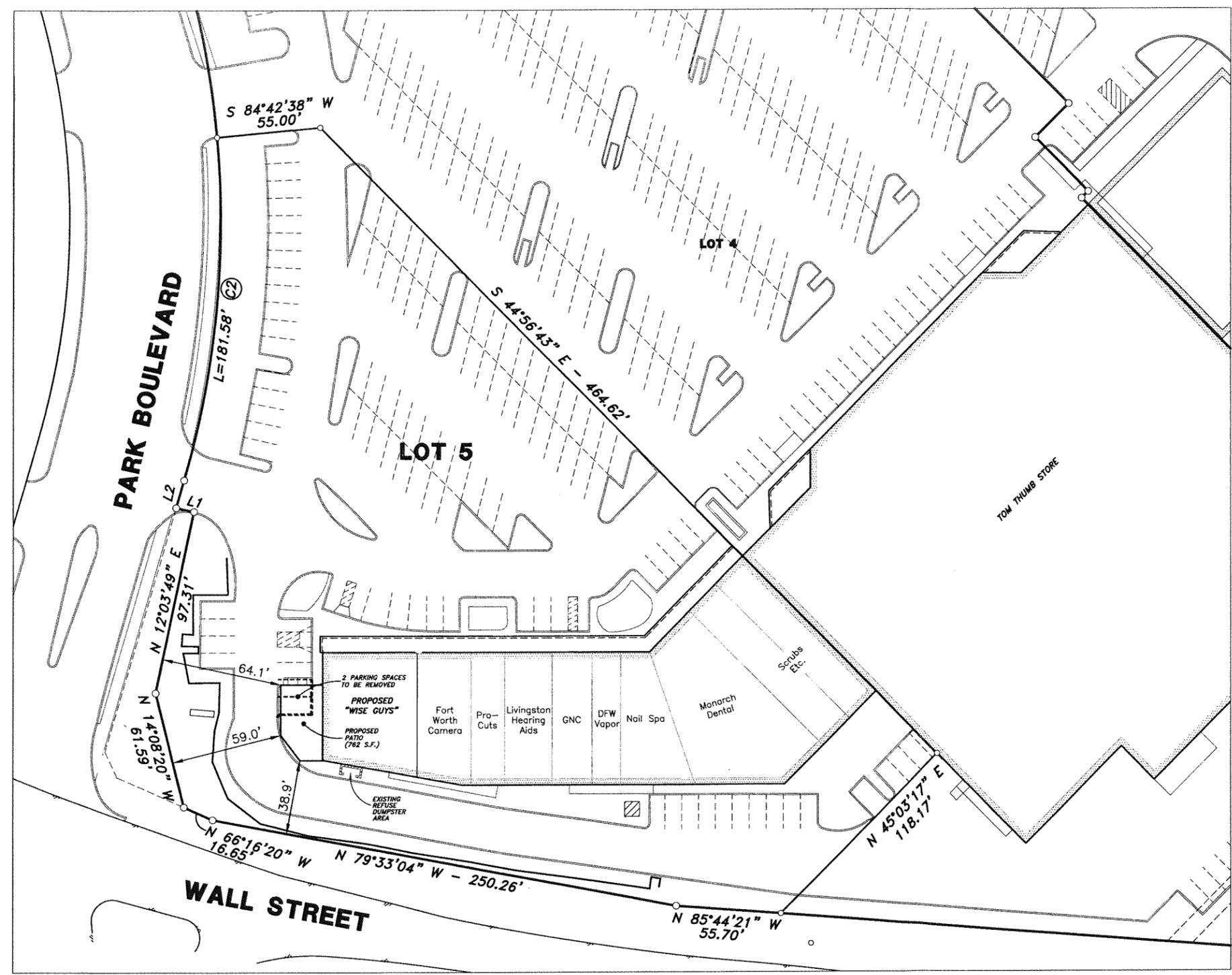


~ LINE TABLE ~

NO.	BEARING	DISTANCE
L1	N 77°56'11" W	9.62'
L2	N 16°21'45" E	15.09'

~ CURVE TABLE ~

NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
1	480.50'	48°02'27"	402.89'	N 07°39'28" W	391.19'



NOTES:  
 A) CONDITIONAL USE REQUEST CU14-39 IS A REQUEST TO AMEND THE PREVIOUSLY APPROVED SITE PLAN OF CU99-70 (ORD. 2000-15) FOR A PLANNED COMMERCIAL CENTER, SPECIFICALLY TO ALLOW FOR THE POSSESSION, STORAGE, RETAIL SALE, AND ON-PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER AND WINE ONLY), OUTSIDE SPEAKERS AND OUTSIDE DINING IN CONJUNCTION WITH A RESTAURANT.  
 B) THE ENTIRE SITE IS THE PREMISES

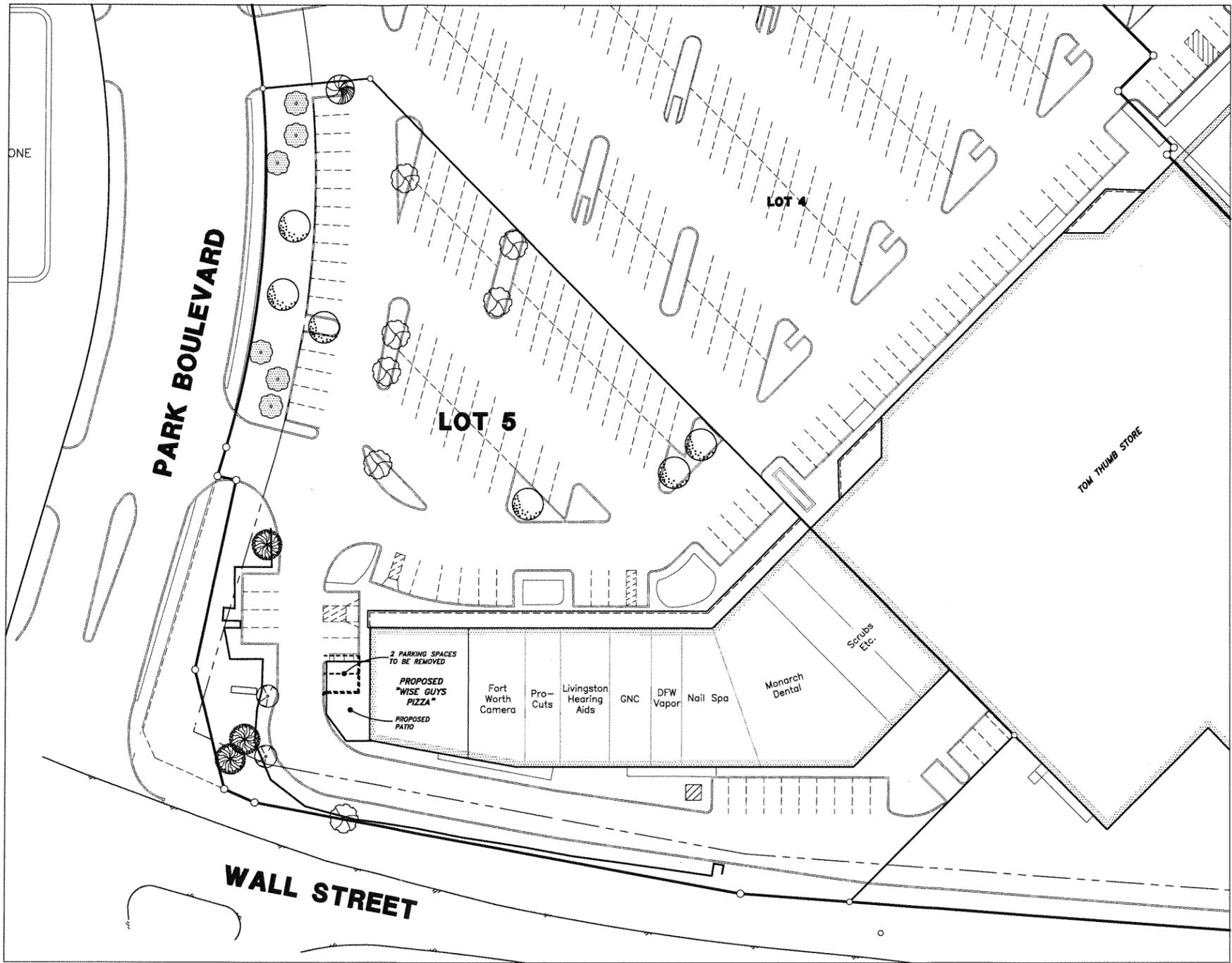
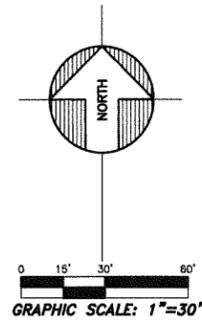
NOTE: THE PURPOSE OF THIS SHEET IS TO DEPICT THE ORIENTATION OF THE PROPOSED PATIO IN RELATION TO THE PROPERTY BOUNDARY.

CASE NAME: WISE GUYS PIZZA  
 CASE NUMBER: 0314-39  
 LOCATION: LOT 5, BLOCK 1, PARK WEST PLAZA

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

SHEET \_\_\_ OF 7  
 APPROVAL DOES NOT AUTHORIZE ANY WORK IN CONFLICT WITH ANY CODES OR ORDINANCES  
 DEPARTMENT OF DEVELOPMENT SERVICES

**DIMENSIONAL CONTROL SITE PLAN / FOCUSED PLAN**  
**PARKWEST SHOPPING CENTER**  
**PARK AND WALL ADDITION**  
 CITY OF GRAPEVINE, TARRANT COUNTY, TEXAS  
 DATE: OCTOBER 7, 2014  
 SCALE: 1" = 30'  
 SHEET 2 OF 7



LANDSCAPE AND HARDSCAPE INFORMATION (SQ. FT.)	
TOTAL AREA OF LOT 5	98,267
PERVIOUS AREA OF LOT 5	15,893
IMPERVIOUS AREA OF LOT 5	82,374

TREE INFORMATION			
TREES	QTY	TYPE	SIZE
	3	LACEY OAK / QUERCUS LACEYI	18" CAL, 20' HT x 15' SPR
	2	ARIZONA CYPRESS / CUPRESSUS ARIZONICA	7" CAL, 12' HT x 6' SPR
	7	CALLERY PEAR / PYRUS CALLERYANA	10" CAL, 14' HT x 10' SPR
	6	CRAPEMYRTLE / LAGERSTROEMIA INDICA	4" CAL, 10' HT x 5' SPR
	1	SILVER MAPLE / ACER SACCHARINUM	16" CAL, 20' HT x 15' SPR
	6	SOUTHERN LIVE OAK / QUERCUS VIRGINIANA	12" CAL, 15' HT x 12' SPR

NOTE: THERE IS NO CHANGE IN LANDSCAPING WITH THE ADDITION OF THE PROPOSED PATIO.

CASE NAME: WISE GUYS PIZZERIA  
CASE NUMBER: CU14-30  
LOCATION: LOT 5, BLOCK 1, PARK WEST PLAZA

MAYOR \_\_\_\_\_ SECRETARY \_\_\_\_\_  
DATE: \_\_\_\_\_  
PLANNING AND ZONING COMMISSION  
\_\_\_\_\_  
CHAIRMAN  
DATE: \_\_\_\_\_  
SHEET \_\_\_ OF 7  
APPROVAL DOES NOT AUTHORIZE ANY WORK IN CONFLICT WITH ANY CODES OR ORDINANCES  
DEPARTMENT OF DEVELOPMENT SERVICES

**LANDSCAPE PLAN - LOT 5**  
**PARKWEST SHOPPING CENTER**  
**PARK AND WALL ADDITION**  
CITY OF GRAPEVINE, TARRANT COUNTY, TEXAS

DATE: OCTOBER 7, 2014  
SCALE: 1" = 30'

SHEET 3 OF 7







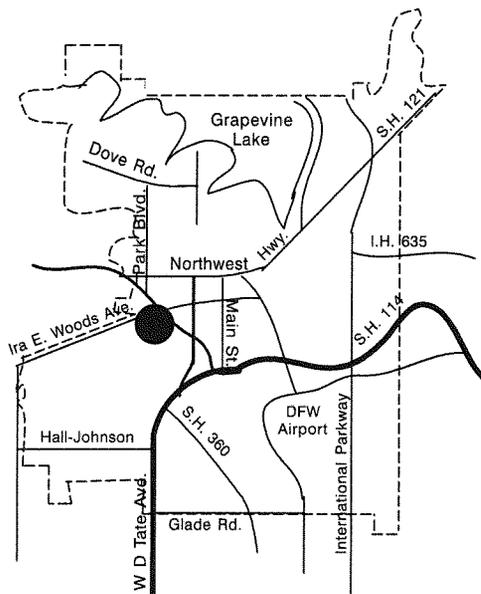


TO: HONORABLE MAYOR, CITY COUNCIL MEMBERS AND THE  
PLANNING AND ZONING COMMISSION

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

MEETING DATE: OCTOBER 21, 2014

SUBJECT: DEVELOPMENT SERVICES TECHNICAL REPORT OF  
CONDITIONAL USE APPLICATION CU14-40, GRAPEVINE  
CROSSING



APPLICANT: R.L. Goodson Jr., Inc.

PROPERTY LOCATION AND SIZE:

The subject property is located at 1527 West State Highway 114 and is platted as Lot 7R, Block 1, Regency Center. The addition contains approximately 1.291 acres. The property has approximately 643 feet of frontage along Ira E. Woods Avenue.

REQUESTED CONDITIONAL USE AND COMMENTS:

The applicant is requesting a conditional use permit to amend the previously approved site plan of CU00-65 (Ord. 2001-03) for a planned commercial center, specifically to allow for an increase in the building height in conjunction with an existing multi-tenant retail building.

The applicant proposes adding a 379 square-foot (75.75' x 5') parapet along the west wall of the existing building 5' in height. The proposed parapet will increase the building height from 22' to 27'. The purpose of the request is to allow signage on the portion of the raised parapet.

PRESENT ZONING AND USE:

The property is currently zoned "CC", Community Commercial District with a conditional

use permit for a planned commercial center. Lot 7 was developed in 2001 and the remaining planned commercial center is currently developed.

#### HISTORY OF TRACT AND SURROUNDING AREA:

The subject property was rezoned from the "R-1", Single-Family District to the "I-1", Light Industrial District in April 1982 (Case No. Z82-14, Ord. No. 82-20). This site, as well as the site to the southeast was rezoned to the "CC", Community Commercial in the 1984 citywide rezoning. CU99-67 (Ord. No. 99-177) for a planned commercial center was approved for the subject site on December 7, 1999. At the January 16, 2001 meeting conditional use permit CU00-65 (2001-03) was approved to allow for the development of Lots 2, 3 & 7 and modify the landscape plan to incorporate off-site site improvements.

The Towne Center 2 Addition, located to the east of this site, was approved for development in 1992 (CU99-23). A Target store and various other retail establishments are located in this addition.

The Dallas/Fort Worth International Airport property, located to the south and west of the subject site, was rezoned in 1984 citywide rezoning from "R-1", Single Family District to "DFW", Dallas/Fort Worth Airport District. The Airport property was later rezoned in 1989 to the "GU", Government Use District (Case No. Z89-11).

The property to the north was rezoned in the 1984 City Rezoning from "I-1" Light Industrial district to "LI", Light Industrial District. The western portion of the property to the north was rezoned from "I-2", Heavy Industrial District to "LI", Light Industrial District at that time. SU97-03 approved the installation of a 35-foot telecommunications tower with the accompanying equipment cabinet in February 1997. It was not installed and the special use permit expired. Zone change request Z01-19 (Ord. 02-08) and Conditional Use Request CU01-71 (Ord. 02-09) approved at the January 15, 2002 meeting allowed for a zone change from "LI" Light Industrial District to "CC" Community Commercial District and for a planned commercial center including an automotive repair facility, gasoline sales, the possession, storage, retail sale and off-premise consumption of alcoholic beverages (beer and wine only) in conjunction with a retail store, and approval of one 40-foot pole sign and two 20-foot pole signs. Conditional use Request CU02-10 approved at the May 29, 2002 Site Plan Review Committee meeting allowed for exterior elevation changes to screen rooftop mechanical equipment. Conditional use Request CU02-25 approved at the March 22, 2002 Site Plan Review Committee meeting allowed for elevation changes for the gas station as well as some minor revisions to the gas station site plan. Conditional use Request CU03-07 approved at the May 30, 2003 Site Plan Review Committee meeting allowed for changes to the gas station operations, relocation of a 40-foot sign, modification of a 24-foot sign and elevation changes to the Sam's Club. Conditional use Request CU03-29 approved at the July 23, 2003 Site Plan Review Committee meeting allowed for drive entry modifications and landscaping enhancements to the main entry along Highway 26.

**SURROUNDING ZONING AND EXISTING LAND USE:**

- NORTH:** Ira E. Woods Avenue (S.H. 126) and "CC", Community Commercial District – Sam's Wholesale and Wal-Mart
- SOUTH:** DFW Airport property - undeveloped DFW Airport property.
- EAST:** SH 114 and "CC", Community Commercial District – Towne Center Addition 2
- WEST:** DFW Airport property - undeveloped DFW Airport property

**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 proposed use is an appropriate use in this noise zone.

**MASTER PLAN APPLICATION:**

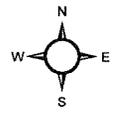
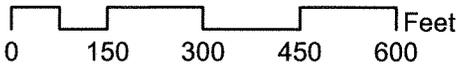
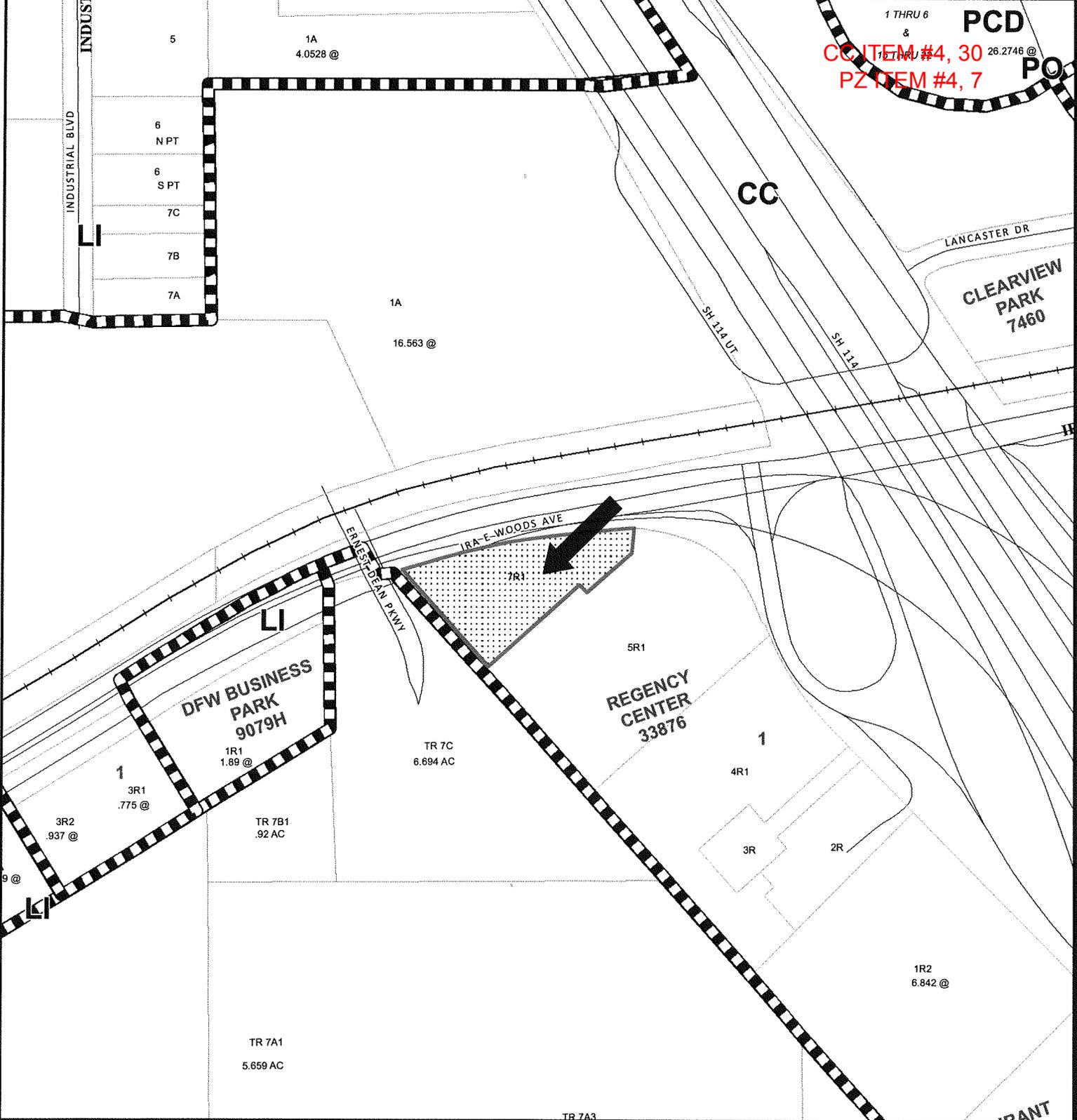
The Master Plan designates the subject property as a Commercial land use. The applicant's proposal is in compliance with the Master Plan.

**THOROUGHFARE PLAN APPLICATION:**

The Thoroughfare Plan designates Ira E. Woods Avenue as a Type A Major Arterial with a minimum 100-feet of right-of-way developed as six lanes with a median. Ernest Dean Parkway is not designated on the Thoroughfare Plan.

/at

1 THRU 6  
&  
PCD  
CC ITEM #4, 30  
PZ ITEM #4, 7  
26.2746 @



# CU14-40 Grapevine Crossing

Date Prepared: 10/6/2014

This data has been compiled by the City of Grapevine IT/GIS department. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.



# CITY OF GRAPEVINE

## CONDITIONAL USE APPLICATION

Form "A"

### PART 1. APPLICANT INFORMATION

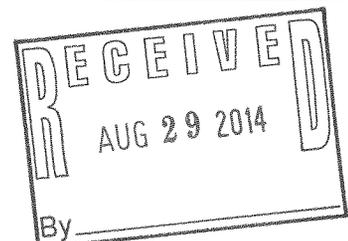
Name of applicant / agent / company / contact <b>GLENN HITT, P.E. - R.L. GOODSON JR., INC.</b>	
Street address of applicant / agent: <b>5445 LA SIERRA DR. / SUITE 300</b>	
City / State / Zip Code of applicant / agent: <b>DALLAS, TX. 75231</b>	
Telephone number of applicant / agent: <b>214-739-8100</b>	Fax number of applicant / agent: <b>214-739-6354</b>
Email address of applicant / agent: <b>ghitt@rlginc.com</b>	Mobile phone number of applicant / agent: <b>214-505-8448</b>

### PART 2. PROPERTY INFORMATION

Street address of subject property <b>1527 W. STATE HWY 114</b>			
Legal description of subject property (metes & bounds must be described on 8 1/2" x 11" sheet)			
Lot <b>7R</b>	Block <b>1</b>	Addition <b>REGENCY CENTER</b>	
Size of subject property <b>1.291</b>		Acres <b>56,243</b>	Square footage
Present zoning classification: <b>CC</b>	Proposed use of the property: <b>RETAIL</b>		
Circle yes or no, if applies to this application			
Outdoor speakers Yes <input type="radio"/> No <input checked="" type="radio"/>			
Minimum / maximum district size for conditional use request:			
Zoning ordinance provision requiring a conditional use: <b>SECTION 25</b>			

### PART 3. PROPERTY OWNER INFORMATION

Name of current property owner: <b>RPAI SOUTHWEST MANAGEMENT, LLC</b>	
Street address of property owner: <b>5741 LEGACY DR / SUITE 315</b>	
City / State / Zip Code of property owner: <b>PLANO, TX, 75024</b>	
Telephone number of property owner: <b>972-801-6013</b>	Fax number of property owner: <b>972-429-9017</b>



- 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**

GLENN HITT  
Print Applicant's Name:

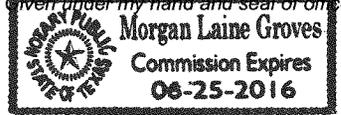
*Glenn Hitt*  
Applicant's Signature:

The State of TEXAS  
County Of DALLAS

Before Me MORGAN LAINE GROVES (notary) on this day personally appeared GLENN HITT (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.

(Seal) Given under my hand and seal of office this 27<sup>th</sup> day of AUGUST, A.D. 2014.



*Morgan Laine Groves*  
Notary In And For State Of Texas

*Tim Stinneford*  
Print Property Owners Name:

*Tim Stinneford*  
Property Owner's Signature:

The State Of TEXAS  
County Of TARRANT

Before Me Kim Sutter (notary) on this day personally appeared Tim Stinneford (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.

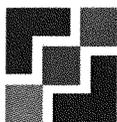
(Seal) Given under my hand and seal of office this 15 day of August, A.D. 2014.



*Kim Sutter*  
Notary In And For State Of Texas







RPAI Southwest Management LLC  
5741 Legacy Drive, Suite 315  
Plano, TX 75024  
T: 972.442.6770 F: 972.429.9017  
www.rpai.com

2014-40  
CC ITEM #4, 30  
PZ ITEM #4, 7

August 20, 2014

Mr. Ron Stombaugh  
Development Services  
Planning Division  
City of Grapevine  
200 S. Main Street  
Grapevine, TX 76051

Re: Conditional Use Permit Application  
1527 W. State Highway 114

Dear Mr. Stombaugh:

This is to request a Conditional Use Permit for the existing retail building at 1527 W. State Highway 114. The request is for permission to extend the parapet on the existing east wall of the building vertically by 5 feet and to affix signage to the parapet extension advertising the six retail tenants of the building.

In our opinion, this will cause no harm to the neighbors, since the property is surrounded by Ira E. Woods (S.H. 26) on the north, S.H. 114 on the east, the Nissan car dealership on the south and DFW airport property on the west.

Instead, we view this as a benefit to the neighboring businesses if it attracts additional customers as intended.

Thank you for your consideration.

Sincerely,

Tim Stinneford  
Senior Property Manager  
RPAI Southwest Management, LLC



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

CU14-40

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 CU14-40 AMENDING THE SITE PLAN APPROVED BY ORDINANCE NO. 2001-03 FOR A FIVE-FOOT PARAPET WALL 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); 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 CU14-40 to amend the site plan approved by Ordinance No. 2001-03 for a planned commercial center, specifically to allow an increase in the building height by adding a five-foot in height parapet wall in a district zoned "CC" Community Commercial District Regulations within the following described property: Lot 7R, Block 1, Regency Center (1527 West State Highway 114) 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 21st day of October, 2014.

APPROVED:

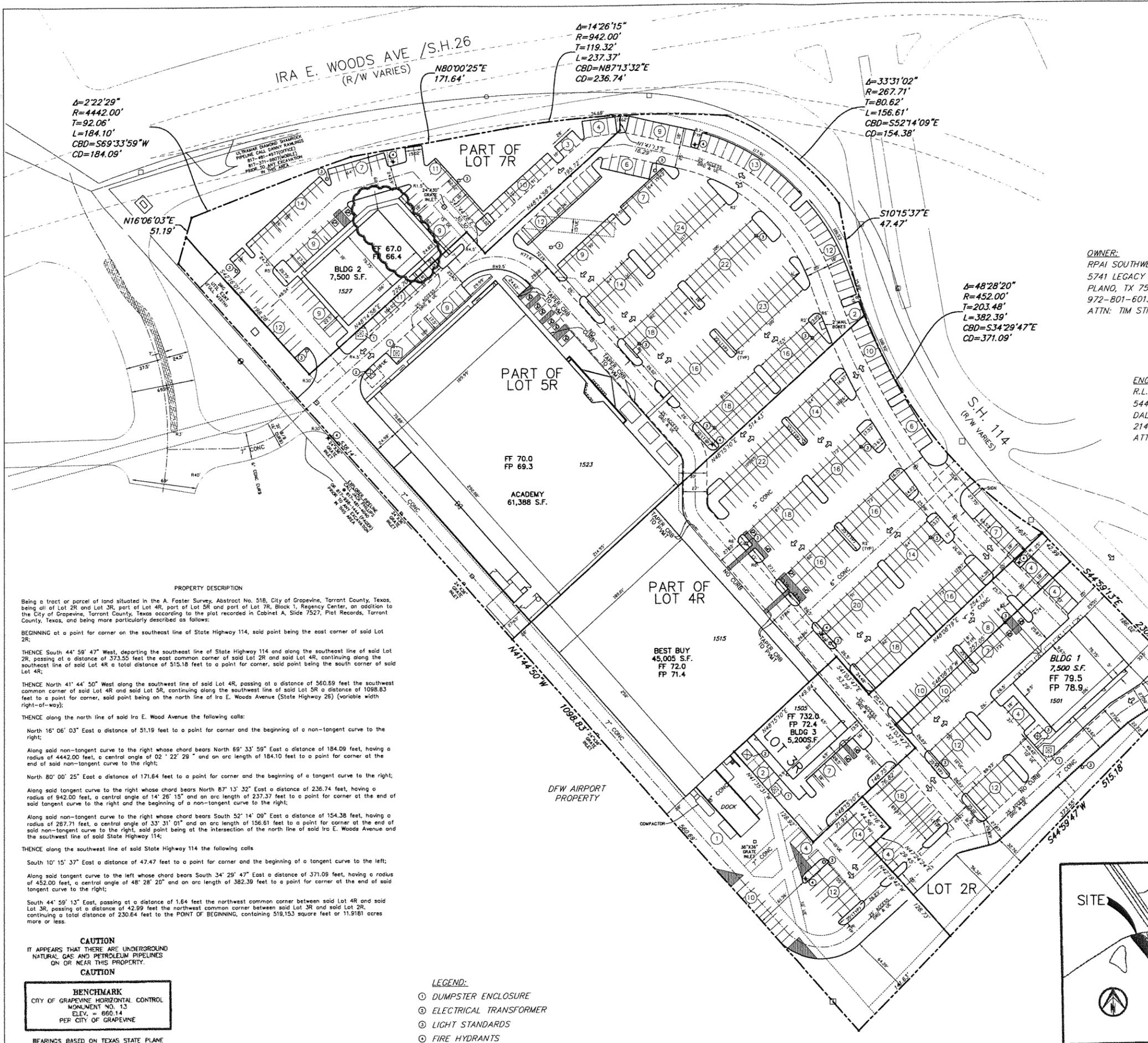
---

ATTEST:

---

APPROVED AS TO FORM:

---



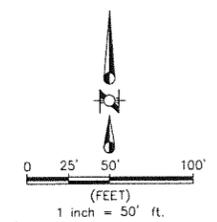
	LOT 2R	LOT 3R	LOT 4R	LOT 5R	LOT 7R	TOTAL
TOTAL AREA	1.550 ACRES (67,507 S.F.)	0.694 ACRES (30,224 S.F.)	4.005 ACRES (174,452 S.F.)	4.782 ACRES (190,727 S.F.)	1.919 ACRES (83,243 S.F.)	13.149 ACRES (579,153 S.F.)
BUILDING AREA (FOOTPRINT)	7,500 S.F.	5,200 S.F.	45,005 S.F.	61,388 S.F.	7,500 S.F.	126,593 S.F. (23.2%)
TOTAL PAVED AREA	40,204 S.F.	22,449 S.F.	111,803 S.F.	104,339 S.F.	30,887 S.F.	309,692 S.F. (56.7%)
VEHICULAR SUBTOTAL	37,504 S.F.	20,602 S.F.	107,496 S.F.	98,808 S.F.	27,140 S.F.	-
PEDESTRIAN SUBTOTAL	2,700 S.F.	1,847 S.F.	4,307 S.F.	5,531 S.F.	3,747 S.F.	-
TOTAL UNPAVED OPEN SPACE	19,803 S.F.	2,575 S.F.	17,644 S.F.	25,001 S.F.	17,856 S.F.	110,044 S.F. (20.14%)
TOTAL HEIGHT OF BUILDING REQUIRED	50'	50'	50'	50'	50'	-
TOTAL HEIGHT OF BUILDING PROVIDED	1 STORY	1 STORY	1 STORY	1 STORY	1 STORY	-
NUMBER OF STORIES	** 48	* 24	* 180	* 248	* 32	532
PARKING SPACES REQUIRED	71	31	235	248	88	673
PARKING SPACES PROVIDED						

**REQUIRED PARKING RATIO:**  
 \* 4 SPACES/1000 SF (LOT 3R, 4R, 5R, AND 7R)  
 \*\* 6 SPACES/4000 SF (LOT 2R)

**GENERAL NOTES:**  
 1. APPROVED SITE PLAN OF CU00-65 (ORD. 2001-03) FOR A PLANNED COMMERCIAL CENTER, SPECIFICALLY TO ALLOW AN INCREASE IN THE BUILDING HEIGHT DUE TO THE STATE HIGHWAY 114 FLY OVER. SEE CLOUDED AREA ON SITE PLAN.  
 2. ALL REQUIREMENTS OF SECTION 53, LANDSCAPE REGULATIONS SHALL BE MET.  
 3. ALL REQUIREMENTS OF SECTION 56, OFF-STREET PARKING REQUIREMENTS SHALL BE MET.  
 4. ALL DUMPSTERS SHALL BE SCREENED IN ACCORDANCE WITH SECTION 50.8.3. SECTION 50.8.3 REQUIRES ALL SOLID REFUSE DUMPSTERS TO BE VISUALLY SCREENED BY SOLID WOOD FENCE OR WALL ONE FOOT ABOVE THE REFUSE DUMPSTER NOT TO EXCEED 8 FEET IN HEIGHT ON ALL SIDES SHALL NOT BE REQUIRED TO BE SCREENED UNLESS THE SERVICE SIDE OF THE REFUSE STORAGE AREA IS VISIBLE FROM A RESIDENTIALLY ZONED DISTRICT.  
 5. ALL PARKING FOR DISABLED PERSONS SHALL BE DESIGNATED ACCORDING TO CHAPTER 23, SECTION 23.6 THRU 24.69 OF THE GRAPEVINE CODE OF ORDINANCES. THIS DESIGNATION IS THE BLUE HANDICAPPED SIGN REQUIREMENT.  
 6. ALL GRADING AND PAVING SHALL BE DONE IN ACCORDANCE WITH THE PUBLIC WORKS REQUIREMENTS.  
 7. ALL ESSENTIAL PUBLIC SERVICES, INCLUDING WATER, SEWER, DRAINAGE, AND SOLID WASTE, SHALL BE IN ACCORDANCE WITH THE PUBLIC WORKS REQUIREMENTS.  
 8. ALL REQUIREMENTS OF SECTION 25, "CC" COMMUNITY COMMERCIAL DISTRICT SHALL BE MET.  
 9. ALL REQUIREMENTS OF SECTION 60, SIGN STANDARDS SHALL BE MET.  
 10. THE PROPERTY IS CURRENTLY ZONED "CC" COMMUNITY COMMERCIAL DISTRICT.  
 11. THE CURRENT LAND USE DESIGNATION AS CONTAINED IN THE COMPREHENSIVE MASTER PLAN IS COMMERCIAL.  
 12. DURING THE PERIOD OF CONSTRUCTION ALL REQUIREMENTS OF THE GRAPEVINE EROSION CONTROL ORDINANCE, SECTION 25, "CC" COMMUNITY SHALL BE MET.

**OWNER:**  
 RPAI SOUTHWEST MANAGEMENT LLC  
 5741 LEGACY DR. / SUITE 315  
 PLANO, TX 75024  
 972-801-6013  
 ATTN: TIM STINNEFORD

**ENGINEER:**  
 R.L. GOODSON JR., INC.  
 5445 LASIERRA DR. / SUITE 300  
 DALLAS, TX 75231  
 214-739-8100  
 ATTN: GLENN HITT P.E.



CASE NAME: Grapevine Crossing Signage  
 CASE NUMBER: CUI4-40  
 LOCATION:  
 LOT 7R, BLOCK 1  
 REGENCY CENTER ADDITION  
 1527 W. STATE HWY. 114 #100

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

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

PLANNING & ZONING COMMISSION

CHAIRMAN \_\_\_\_\_

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

SHEET 1 OF 2

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

DEPARTMENT OF DEVELOPMENT SERVICES

**PROPERTY DESCRIPTION**

Being a tract or parcel of land situated in the A. Foster Survey, Abstract No. 518, City of Grapevine, Tarrant County, Texas, being all of Lot 2R and Lot 3R, part of Lot 4R, part of Lot 5R and part of Lot 7R, Block 1, Regency Center, an addition to the City of Grapevine, Tarrant County, Texas according to the plat recorded in Cabinet A, Slide 7527, Plat Records, Tarrant County, Texas, and being more particularly described as follows:

BEGINNING at a point for corner on the southeast line of State Highway 114, said point being the east corner of said Lot 2R;

THENCE South 44° 59' 47" West, departing the southeast line of State Highway 114 and along the southeast line of said Lot 2R, passing at a distance of 373.55 feet the east common corner of said Lot 2R and said Lot 4R, continuing along the southeast line of said Lot 4R a total distance of 515.18 feet to a point for corner, said point being the south corner of said Lot 4R;

THENCE North 41° 44' 50" West along the southwest line of said Lot 4R, passing at a distance of 560.89 feet the southwest common corner of said Lot 4R and said Lot 5R, continuing along the southwest line of said Lot 5R a distance of 1098.83 feet to a point for corner, said point being on the north line of Ira E. Woods Avenue (State Highway 26) (variable width right-of-way);

THENCE along the north line of said Ira E. Wood Avenue the following calls:

North 16° 06' 03" East a distance of 51.19 feet to a point for corner and the beginning of a non-tangent curve to the right;

Along said non-tangent curve to the right whose chord bears North 69° 33' 59" East a distance of 184.09 feet, having a radius of 4442.00 feet, a central angle of 02° 22' 29" and an arc length of 184.10 feet to a point for corner at the end of said non-tangent curve to the right;

North 80° 01' 25" East a distance of 171.64 feet to a point for corner and the beginning of a tangent curve to the right;

Along said tangent curve to the right whose chord bears North 87° 13' 32" East a distance of 236.74 feet, having a radius of 942.00 feet, a central angle of 14° 26' 15" and an arc length of 237.37 feet to a point for corner at the end of said tangent curve to the right and the beginning of a non-tangent curve to the right;

Along said non-tangent curve to the right whose chord bears South 52° 14' 09" East a distance of 154.38 feet, having a radius of 267.71 feet, a central angle of 33° 31' 01" and an arc length of 156.61 feet to a point for corner at the end of said non-tangent curve to the right, said point being at the intersection of the north line of said Ira E. Woods Avenue and the southwest line of said State Highway 114;

THENCE along the southwest line of said State Highway 114 the following calls:

South 10° 15' 37" East a distance of 47.47 feet to a point for corner and the beginning of a tangent curve to the left;

Along said tangent curve to the left whose chord bears South 34° 29' 47" East a distance of 371.09 feet, having a radius of 452.00 feet, a central angle of 48° 28' 20" and an arc length of 382.39 feet to a point for corner at the end of said tangent curve to the left;

South 44° 59' 13" East, passing at a distance of 1.64 feet the northwest common corner between said Lot 4R and said Lot 3R, passing at a distance of 42.99 feet the northwest common corner between said Lot 3R and said Lot 2R, continuing a total distance of 230.64 feet to the POINT OF BEGINNING, containing 519,153 square feet or 11.9161 acres more or less.

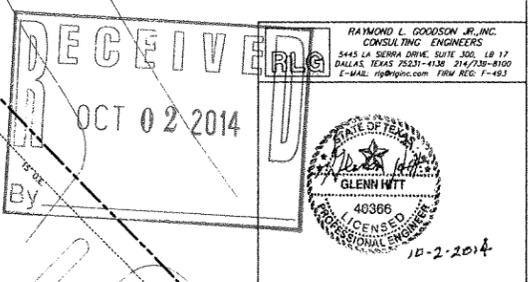
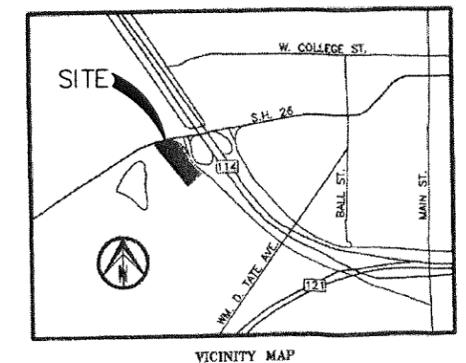
**CAUTION**  
 IT APPEARS THAT THERE ARE UNDERGROUND NATURAL GAS AND PETROLEUM PIPELINES ON OR NEAR THIS PROPERTY.

**CAUTION**

**BENCHMARK**  
 CITY OF GRAPEVINE HORIZONTAL CONTROL MONUMENT NO. 13  
 ELEV. = 660.14  
 PER CITY OF GRAPEVINE

BEARINGS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM (NAD-83)  
 OBTAINED BY TRAVERSE FROM BENCHMARK

- LEGEND:**
- ① DUMPSTER ENCLOSURE
  - ② ELECTRICAL TRANSFORMER
  - ③ LIGHT STANDARDS
  - ④ FIRE HYDRANTS

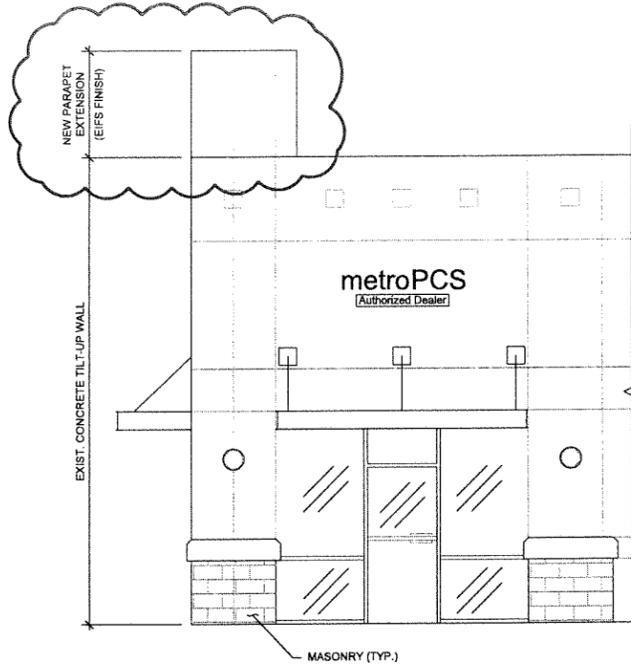


RECEIVED  
 OCT 02 2014

**REVISED SITE PLAN**  
 REGENCY CENTER  
 LOTS 2 THROUGH 7  
 GRAPEVINE, TEXAS  
 TARRANT CO., TEXAS

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
RLG	RLG	8-14-14	1"=50'		14	350
JOB NO.	E-FILE	DWG. NO.				

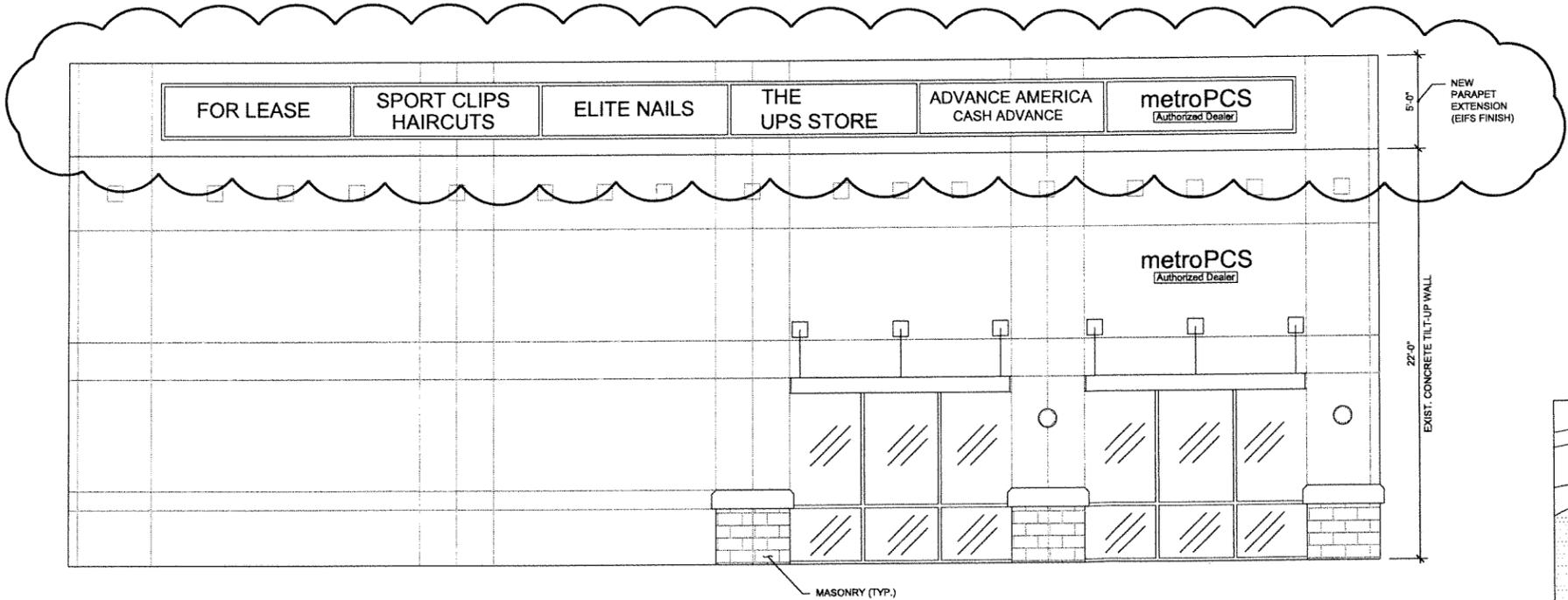
Plotted: 9/22/2014 4:27 PM by shawgen, Beth File Name: P:\3014\0014.201 grapevine crossing parapet (b)5\Drawings\SheetR.2 ELEVATION WITH NEW PARAPET.dwg



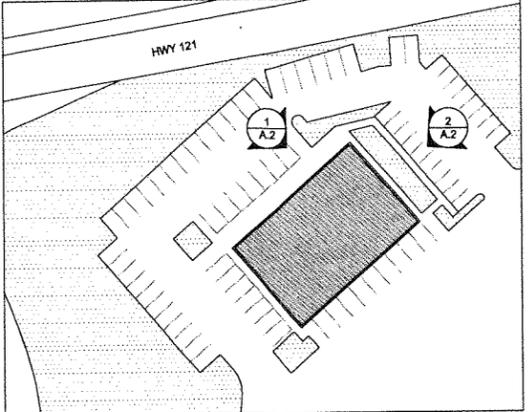
WALL MATERIALS*	
WALL	MASONRY
EAST	81%
NORTH	98%
WEST	100%
SOUTH	100%

\* EXCLUDING DOORS AND WINDOWS

1 PARTIAL NORTH ELEVATION  
SCALE: 1/4" = 1'-0"



2 EAST ELEVATION  
SCALE: 1/4" = 1'-0"



KEY PLAN  
NOT TO SCALE

NOT FOR CONSTRUCTION

CASE NAME: Grapevine Crossing Signage  
CASE NUMBER: CU14-40  
LOCATION: LOT 7R, BLOCK 1  
REGENCY CENTER ADDITION  
1527 W. STATE HWY. 114 #100

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

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

PLANNING & ZONING COMMISSION

\_\_\_\_ CHAIRMAN

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

SHEET 2 OF 2

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

DEPARTMENT OF DEVELOPMENT SERVICES

**WJE ENGINEERS**  
**ARCHITECTS**  
**MATERIALS SCIENTISTS**  
**PZ ITEM #4, 7**

Wiss, Janney, Elstner Associates, Inc.  
6363 N. State Highway 161, Suite 550  
Irving, Texas 75038  
972.550.7777 tel | 972.550.7770 fax  
www.wje.com

Headquarters & Laboratories: Northbrook, Illinois  
Atlanta | Austin | Boston | Chicago | Cleveland | Dallas | Denver | Detroit  
Honolulu | Houston | Los Angeles | Minneapolis | New Haven | New York  
Princeton | San Francisco | Seattle | Washington, D.C.

Texas Registered Engineering Firm F-0093



Consultants

Project

New Parapet  
Grapevine Crossing  
1527 Highway 114  
Grapevine, TX 76051

Client

RPAI  
Southwest Management, LLC  
PO BOX 9272  
Oakbrook, IL 60522

Mark	Date	Description
—	9-22-2014	For Review
—	8-19-2014	For Review

0 1/2" 1" 2"  
THIS SHEET PLOTS FULL SIZE  
AT 24x36 (NOSES)

Project No. 2014.2021  
Date 9/22/14  
Drawn LAL  
Checked BLB  
Scale As Noted

ELEVATION WITH  
NEW PARAPET  
EXTENSION

Sheet Title

Sheet No. **A.2**

© Copyright 2014. All rights reserved. No part of this document may be reproduced in any form or by any means without permission from Wiss, Janney, Elstner Associates, Inc. (WJE). WJE disclaims any responsibility for the unauthorized use.

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

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

MEETING DATE: OCTOBER 21, 2014

SUBJECT: SPECIAL USE APPLICATION SU14-03, CROWN CASTLE  
TOWERS

RECOMMENDATION:

Staff recommends the City Council and Planning and Zoning Commission accept the applicant's request to table special use application SU14-03 to the November 18, 2014 meeting and take any other necessary action.

BACKGROUND INFORMATION:

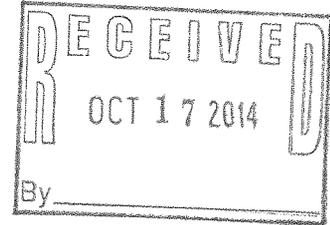
The applicant, Pamela Zoucha of Crown Castle Towers, LLC has submitted a special use application to allow for a 120-foot monopole for cellular antennas and cellular communications ground equipment. The request is to establish a 2,503 square foot ground lease at 1650 Hughes Road at the Unity Church of Northeast Tarrant County site for up to three cellular providers. The applicant is asking to table the request to the November 18, 2014 meeting in order to provide additional time to secure an FAA No Hazard Determination Letter for the 120-foot monopole on the subject site. Please see the attached letter.

/at



CC ITEM #5, 31  
October 15, 2014 ~~CC~~ ITEM #5, 8

Albert L. Triplett, Jr.  
City of Grapevine  
Development Services  
200 S. Main Street  
Grapevine, Texas 76051



Re: City of Grapevine  
Special Use Application-Crown Castle Towers  
Unity Church, 1650 Hughes Rd.  
SU14-03

Dear Mr. Triplett:

Please table the Special Use Application (SU14-03 case) until the November 18<sup>th</sup> City Council Hearing date, we are waiting for the approval to construct the 120' monopole tower from the FAA and do not have this approval at the present time. Please let me know if I can provide additional information or answer any questions you may have, thank you.

Very truly yours,

Crown Castle

A handwritten signature in cursive script that reads 'Pamela Zoucha'.

Pamela Zoucha  
NSD Project Manager

MEMO TO: HONORABLE MAYOR & MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: OCTOBER 21, 2014

SUBJECT: BASS PRO DRIVE TRAFFIC STUDY

RECOMMENDATION:

City Council consider:

- approving an Traffic Engineering Services Contract with Lee Engineering in the amount of \$23,200.00 for the evaluation of capacity improvements needed on Bass Pro Drive between SH 121 & SH 26,
- adopting an ordinance appropriating funds in an amount of \$50,000.00 from GO Bonds programmed for the Bass Pro Drive project,

authorize the City Manager to execute said contract and take any necessary action.

FUNDING:

Funds are programmed for the Bass Pro Drive Improvements Project in GO Bonds, account 178-78376-011.

BACKGROUND:

The City of Grapevine and Tarrant County initially committed \$3 million each to assist in the funding for the SH 26 widening/reconstruction from SH 114 to Pool Road. Grapevine's funding was from GO Bonds. Tarrant County's funding is from their 2006 Bond Program.

Ultimately, TxDOT was able to secure funds for the construction of the project and the City and Tarrant County were able to re-assign their funds to other projects. Commissioner Fickes and the County Commissioners agreed to assign these funds to the Bass Pro Drive Corridor for ultimate improvements complementing the DFW Connector project.

Before we engage an engineering firm to design improvements to Bass Pro Drive, Staff feels that it is prudent to more fully study the need for improvements and to identify those improvements to address existing and future capacity needs. The goal is to utilize the funds wisely and to improve the Bass Pro Drive corridor's operation in conjunction

with the operation of the SH 26 corridor from Bass Pro Drive to Ruth Wall Road/Texan Trail.

The study will encompass the following:

1. Lee Engineering will develop a report identifying the needed improvements, whether it is total reconstruction to a six-lane divided roadway or more site specific improvements at the signalized intersections with SH 121 and SH 26.
2. The study will also identify any needed intersection capacity/operational improvements along SH 26 up to Ruth Wall Road/Texan Trail.

Staff recommends approval.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, REVISING THE ADOPTED CAPITAL IMPROVEMENTS BUDGET FOR THE FISCAL YEAR ENDING IN 2015, PROVIDING FOR THE TRANSFER OF THE FUNDS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Grapevine desires to identify capacity improvements needed for Bass Pro Drive between State Highway 121 and State Highway 26; and

WHEREAS, funding for Bass Pro Drive, including engineering and construction, is programmed in current General Obligation Bonds; and

WHEREAS, funding for Bass Pro Drive is not currently included in the FY 2014 - 2015 Capital Improvements Plan Budget.

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 amount of \$50,000.00 be appropriated from General Obligation Bonds currently programmed for Bass Pro Drive in Account #178-78376-011 for the capacity study.

Section 3. That a copy of the revised FY 2014-2015 CIP budget document shall be kept on file in the office of the City Secretary and on the City of Grapevine website.

Section 4. 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 5. 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 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 21st day of October, 2014.

APPROVED:

---

ATTEST:

---

APPROVED AS TO FORM:

---

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
FROM: BRUNO RUMBELOW, CITY MANAGER *BR*  
MEETING DATE: OCTOBER 21, 2014  
SUBJECT: DART LICENSE AGREEMENT

RECOMMENDATION:

City Council consider approving a License Agreement with Dallas Area Rapid Transit, authorize the City Manager to execute Municipal Corridor Use License No. 980909 and take any necessary action.

BACKGROUND INFORMATION:

On February 12, 1997, the City of Grapevine and DART entered into a license agreement to construct the Cotton Belt hike & bike trail. Over the past 17 years, the agreement has been amended twice to allow the Cities of Colleyville, Hurst and North Richland Hills to construct a hike & bike trail in DART right-of-way. Over the past 10 months, representatives from Colleyville, Hurst, North Richland Hills and Grapevine have met with DART to construct a new agreement. This new agreement has been vetted by attorneys for each municipality and DART's legal team. The most significant change to the new license agreement is the clarification of the term 'maintenance' and that the agreement lasts into perpetuity unless the City of Grapevine chooses to terminate it. The maintenance responsibilities across the corridor will require that it be maintained by each city as Grapevine has done since the trail was installed several years ago.

Staff recommends approval of the agreement.

KM

## LICENSE AGREEMENT

THIS Agreement ("License"), is made by and between DALLAS AREA RAPID TRANSIT ("Licensor"), a regional transportation authority, created, organized and existing pursuant to Chapter 452, Texas Transportation Code, as amended (the "Act") and the CITY OF GRAPEVINE, CITY OF COLLEYVILLE, CITY OF HURST and CITY OF NORTH RICHLAND HILLS ("Licensees"), each a Texas municipal corporation acting herein by and through its duly authorized official, whose mailing address is respectively: P. O. Box 95104, Grapevine, Texas 76099, 5109 Bransford Road, Colleyville, Texas 76034, 1505 Precinct Line Road, Hurst, Texas 76054 and 7301 NE Loop 820, North Richland Hills, Texas.

Pursuant to an agreement between Licensor and Fort Worth & Western Railroad, (hereinafter the "Railroad"), freight railroad operations exist on Licensor's corridor.

1. **Purpose.** Licensor hereby grants a license (the "License") to Licensees for the purposes of constructing, installing, maintaining and operating a hike and bike trail, commonly known as the "Cotton Belt Hike & Bike Trail" (the "Permitted Improvement"), beginning at approximately Mile Post 612.50, in Grapevine, Tarrant County, Texas and ending at approximately Mile Post 625.60, in North Richland Hills, Tarrant County, Texas, more particularly described as shown in Exhibits "A-1" through "A-4", dated March 20, 2014, attached hereto and incorporated herein for all pertinent purposes, (the "Property").

The Property shall be used by Licensees solely for the purpose of operating and maintaining the Permitted Improvement (the "Permitted Use"). Licensees' right to enter upon and use the Property shall be limited solely to the Permitted Use and the Permitted Improvement.

2. **Term.** This License shall begin on the 1<sup>st</sup> day of \_\_\_\_\_, 2014 (the "Term") and continue thereafter until terminated by either party as provided herein.

3. **Consideration.** As consideration for the granting of this License for the use of the Licensed Property, Licensees covenant and agree to mow and maintain the entirety, property line to property line, of the DART Property situated within Licensees' respective city limits, keeping the Property free of overgrown vegetation, obstructing trees, debris and any material which could result in unsafe and/or unsanitary conditions. Paragraph 11 of this License clarifies the maintenance of the Property and the word "maintain" in this License.

4. **Non Exclusive License.** This License is non-exclusive and is subject to (a) any existing utility, drainage or communication facility located in, on, under, or upon the Property owned by Licensor, any Railroad, utility, or communication company, public or private; (b) all vested rights presently owned by any Railroad, utility or communication company, located within the Property; and (c) any existing lease, license or other interest in the Property granted by Licensor to any individual, corporation or other entity, public or private.

5. **Design, Construction, Operation and Maintenance.** Licensor's use of the Property and adjoining property may include the use of electrically powered equipment. Notwithstanding Licensor's inclusion within its system of measures designed to reduce stray current which may cause corrosion, **Licensees are hereby warned that such measures may not prevent electrical current being present in proximity to the Permitted Improvement and that such presence could produce corrosive effects to the Permitted Improvement. Licensees waive any claim and release Licensor with regard to any claim arising from such corrosion.**

5.01. All design, construction, reconstruction, replacement, removal, operation and maintenance of the Permitted Improvement on the Property shall be done in such a manner so as not to interfere in any way with the operations of Licensor or Railroad operations. Cathodic protection or other stray current corrosion control measures of the Permitted Improvement as required shall be made a part of the design and construction of the Permitted Improvement.

5.02. During the design phase and prior to commencing any construction on the Property, a copy of the construction plans showing the exact location, type and depth of the construction, any cathodic protection measures and any working area, shall be submitted for written approval to Licensor and the Railroad. Such approval shall not be unreasonably withheld. No work shall commence until said plans have been approved by Licensor and the Railroad.

5.03. Licensees agree to design, construct and maintain the Permitted Improvement in such a manner so as not to create a hazard to the use of the Property, and further agree to pay any damages which may arise by reason of Licensees' use of the Property under this License.

5.04. Licensees covenant and agree to institute and maintain a reasonable testing program to determine whether or not additional cathodic protection of their Permitted Improvement is necessary and if it is or should become necessary, such protection shall be immediately instituted by Licensees at their sole cost and expense.

**5.05. Licensor makes no warranties regarding surface or subsurface installations on the Property. Licensees shall conduct their own surface and subsurface inspections of same and will not rely on the absence or presence of markers.**

**5.06. Licensees shall provide to Licensor final construction drawings ("as-builts") that are signed and sealed by a Texas Professional Engineer within sixty ("60") days of completion of the Permitted Improvement.**

**6. Governmental Approvals.** Licensees, at their sole cost and expense, shall be responsible for and shall obtain, any and all licenses, permits, or other approvals from any and all governmental agencies, federal, state or local, required to carry on any activity permitted herein.

**7. Licensor's Standard Contract and Insurance.** No work on the Property shall be commenced by Licensees or any contractor for Licensees until such Licensees or contractor shall have executed Licensor's "Construction Agreement And Contractor's Right Of Entry" covering such work, and has furnished insurance coverage in such amounts and types as shall be satisfactory to Licensor. A company-issued photo identification of Licensees' employees, contractors or agents shall be required to work on the Property. Routine maintenance that is required under this License is excepted from the requirements of this Section and must meet the requirements of Section 11.

**8. Duty of Care in Construction.** Licensees or their contractor shall use reasonable care during the construction period and thereafter, to avoid damaging any existing buildings, equipment and vegetation on or about the Property and any adjacent property owned by or under the control of Licensor. If Licensees or their contractor causes damage to the Property or such adjacent property, the Licensees and/or their contractor shall immediately make appropriate replacement or repair the damage at no cost or expense to Licensor. If Licensees or their contractor fail or refuse to make any such repair or replacement, Licensor shall have the right, but not the obligation, to make or effect any such repair or replacement at the sole cost and expense of Licensees, which cost and expense Licensees agrees to pay to Licensor upon demand.



and expense of Licensees. In the event Licensor exercises its right to remedy Licensees' failure, Licensees agree to immediately pay to Licensor all costs incurred by Licensor upon demand.

## **12. Future Use by Licensor.**

12.01. This License is made expressly subject and subordinate to the right of Licensor to use the Property for any purpose whatsoever.

12.02. In the event that Licensor shall, at any time subsequent to the date of this License, at its sole discretion, determine that the relocation of the Permitted Improvement shall be necessary or convenient for Licensor's use of the Property, Licensees shall, at their sole cost and expense, relocate said Permitted Improvement so as not to interfere with Licensor's, or Licensor's assigns, use of the Property. In this regard, Licensor may, but is not obligated to, designate other property for the relocation of the Permitted Improvement. Licensor shall give Licensees a minimum of thirty (30) days written notice of any required relocation. Licensees shall promptly commence to make the relocation thereafter and shall diligently complete the relocation within a reasonable period.

**13. Relocation Benefits.** The parties hereto agree that the construction of the Permitted Improvement on the Property shall be subsequent to the acquisition of the Property by Licensor and that Licensees do hereby waive any and all claim that they may have under the Act, or otherwise, regarding the payment of any and all relocation benefits and that all costs associated with any relocation of such Permitted Improvement shall be borne by Licensees.

**14. Duration of License.** This License shall terminate and be of no further force and effect: (a) in the event Licensees shall discontinue or abandon the use of the Permitted Improvement; (b) in the event Licensees shall relocate the Permitted Improvement from the Property; (c) upon termination in accordance with paragraph 19 of this License, whichever event first occurs. PROVIDED, HOWEVER, that any indemnifications provided for herein shall survive such termination.

**15. Compliance With Laws and Regulations.** Licensees agrees to abide by and be governed by all laws, ordinances and regulations of any and all governmental entities having jurisdiction over the Licensees and by railroad regulations, policies and operating procedures established by the Railroad, or other applicable railroad regulating bodies, and Licensees agree, to the extent allowed by law, to indemnify and hold Licensor harmless from any failure to so abide and all actions resulting therefrom.

**16. Indemnification.** To the extent allowed by law, Licensees shall at all times protect, indemnify, defend and hold Licensor and the Railroad harmless against and from any and all loss, cost, damage or expense, including attorney's fees and including, without limitation, claims of negligence, arising out of this License (including by example and not limitation, Licensees' acts or failure to act hereunder), Licensees' use in any way of the Property, or arising from any accident or other occurrence on or about the Property, resulting in personal injury, death, or property damage, except to the extent fault is judicially determined against Licensor.

**17. Termination of License.** At such time as this License may be terminated or canceled for any reason whatsoever, Licensees, upon written request by Licensor, shall remove the improvements made by Licensees and appurtenances owned by Licensees, situated in, on, under or attached to the Property and shall restore the Property to the condition existing at the date of execution of this License, at the Licensees' sole expense.

**18. Assignment.** Licensees shall not assign or transfer their rights under this License in whole or in part, or permit any other person or entity to use the License hereby granted without the prior written consent of Licensor which Licensor is under no obligation to grant.

**19. Methods of Termination.** This License may be terminated in any of the following ways:

19.01. The entire License may be terminated by written agreement of all parties; or

19.02. The entire License may be terminated by written agreement of Licensor; or

19.03. The entire License may be terminated by written agreement of all Licensees; or

19.04. Any Licensee may terminate its interest herein (and related obligations) by written notice to all other parties which notice shall include an executed assignment and assumption agreement, in form and substance approved by Licensor, by a creditworthy substitute Licensee, as determined by Licensor.

**20. Miscellaneous.**

20.01. Notice. When notice is permitted or required by this License, it shall be in writing and shall be deemed delivered when delivered in person or when placed, postage prepaid, in the U.S. Mail, Certified, Return Receipt Requested, and addressed to the parties at the following addresses:

LICENSOR:	Dallas Area Rapid Transit 1401 Pacific Avenue Dallas, Texas 75202-7210 ATTN: Railroad Management	OR	P. O. Box 660163 Dallas, Texas 75266-7210
-----------	---	----	--

LICENSEES:	City of Grapevine 200 S. Main Street Grapevine, Texas 76051	OR	P. O. Box 95104 Grapevine, Texas 76099
------------	---	----	---

City of Colleyville  
100 Main Street  
Colleyville, Texas 76034

City of Hurst  
1505 Precinct Line Road  
Hurst, Texas 76054

City of North Richland Hills  
7301 NE Loop 820  
North Richland Hills, Texas 76180

Any party may from time to time designate another and different address for receipt of notice by giving written notice of such change of address.

20.02. Governing Law. This License shall be construed under and in accordance with the laws of the State of Texas.

20.03. Entirety and Amendments. This License embodies the entire agreement between the parties and supersedes all prior agreements and understandings, if any, relating to the Property and the matters addressed herein, and may be amended or supplemented only by a written instrument executed by the party against whom enforcement is sought.

20.04. Parties Bound. This License shall be binding upon and inure to the benefit of the

executing parties and their respective heirs, personal representatives, successors and assigns.

20.05. Number and Gender. Words of any gender used in this License shall be held and construed to include any other gender; and words in the singular shall include the plural and vice versa, unless the text clearly requires otherwise.

20.06. No Joint Enterprise. The parties do not intend that this License be construed as finding that the parties have formed a joint enterprise. The purposes for which each party has entered into this License are separate and distinct. It is not the intent of any of the parties that a joint enterprise relationship is being entered into and the parties hereto specifically disclaim such relationship. This License does not constitute a joint enterprise, as there are no common pecuniary interests, no common purpose and no equal right of control among the parties hereto.

20.07. Mowing Schedule. Licensees agree to coordinate with each other and the Railroad to establish a mowing schedule in order to minimize any conflict with the Railroad's operations. Licensees shall provide Licensor and Railroad a copy of the mowing schedule on January 1<sup>st</sup> of each calendar year.

21. **New Agreement.** It is mutually agreed and understood that this License cancels and supersedes License No. 970201, dated February 12, 1997, and License No. 980909, dated September 30, 1998, or any agreements prior to this License, granted by Licensor or Licensor's predecessor railroads in regard to this License Agreement for Cotton Belt Hike & Bike Trail.

(Signatures on Next Page)

IN WITNESS WHEREOF, the parties have executed this License in duplicate originals, effective on the last date signed.

LICENSOR: DALLAS AREA RAPID TRANSIT

By: \_\_\_\_\_, Date: \_\_\_\_\_  
Printed Name:  
Title:

LICENSEES: CITY OF GRAPEVINE

By: \_\_\_\_\_, Date: \_\_\_\_\_  
Printed Name:  
Title:

CITY OF COLLEYVILLE

By: \_\_\_\_\_, Date: \_\_\_\_\_  
Printed Name:  
Title:

CITY OF HURST

By: \_\_\_\_\_, Date: \_\_\_\_\_  
Printed Name:  
Title:

CITY OF NORTH RICHLAND HILLS

By: \_\_\_\_\_, Date: \_\_\_\_\_  
Printed Name:  
Title:

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
FROM: BRUNO RUMBELOW, CITY MANAGER BR  
MEETING DATE: OCTOBER 21, 2014  
SUBJECT: QUALITY OF LIFE PROJECTS FY2015

RECCOMENDATION:

City Council to consider an ordinance amending the FY 2015 budget of the Community Quality of Life Capital Projects fund for additional project allocations in the amount of up to \$2,880,000 or in the amount Council chooses to fund at the Tuesday Council meeting.

FUNDING SOURCE:

Funds are available in the undesignated Community Quality of Life fund balance.

BACKGROUND INFORMATION:

Staff has prepared a packet of proposed Quality of Life projects from the Public Works Department, Library, Police Department and the Parks & Recreation Department. Staff presented the projects at the Council Workshop on September 2, 2014.

# FY 2015 QUALITY OF LIFE PROJECTS

CC ITEM #9

Quality of Life Funded Projects	LTD thru 9/30/14	FY 2015
Main Street Holiday Decoration	253,494	150,000 *
Median Landscaping	200,000	245,000
Botanical Garden Greenhouse		165,000
Horseshoe Trail Restroom		65,000
Parr Park Playground Surfacing		150,000
Trawick Pavilion Restroom & Playground		200,000
Oak Grove Park Pavillion		290,000
Town Square Gazebo Renovation		50,000
Bear Creek Park Sports Lights		107,000
Backlit Street Name Signs	200,000	30,000 *
Library Genealogy Room Expansion		447,000
Wall-Farrar Nature Park - Phase I	35,765	106,715 *
Gateway Project		295,000 *
CAC Multipurpose Field Improvements		250,000 *
Playground Shade Structures		250,000
Community Outreach Center Sport Court		150,000
Rockledge Park Master Plan		140,000
Kimball Rd. Sidewalk - Phase I		571,000
Sponsorship for Exhibit at Grand Tower Galleries		50,000
<b>Total Cost</b>		<b>3,711,715</b>

<b>BEGINNING BALANCE AS OF 10/01/2015</b>	<b>8,168,285</b>
<b>ESTIMATED REVENUE (INCLUDING TRANSFERS)</b>	<b>3,170,000</b>
<b>ESTIMATED EXPENDITURES</b>	<b>(3,711,715)</b>
<b>PROJECTED ENDING BALANCE</b>	<b>7,626,570</b>

\* Approved in the FY 2015 Budget

QUALITY OF LIFE  
FUND

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AMENDING THE FISCAL YEAR 2014-2015 (FY2015) OPERATING BUDGET AS ADOPTED BY ORDINANCE NO. 2014-55, AS AMENDED; PROVIDING A SAVINGS CLAUSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Fiscal Year 2015 budget for the Community Quality of Life Capital Projects Fund was adopted on September 10, 2014; and

WHEREAS, only projects with prior financial commitments totaling \$831,715 were approved at the time of budget adoption; and

WHEREAS, \$2,880,000 is needed to fund additional projects for Fiscal Year 2015 as presented at the City Council Meeting Workshop held on September 2, 2014; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF 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 the City Council of the City of Grapevine approves Fiscal Year 2015 Quality of Life Projects, attached hereto as Exhibit "A".

Section 3. That appropriation amounts for the FY2015 budget as adopted by Ordinance No. 2014-55, as amended, is hereby amended by the addition of the following projects:

Median Landscaping	\$ 245,000
Botanical Garden Greenhouse	\$ 165,000
Horseshoe Trail Restroom	\$ 65,000
Parr Park Playground Surfacing	\$ 150,000
Trawick Pavilion Restroom & Playground	\$ 200,000
Oak Grove Park Pavillion	\$ 290,000
Town Square Gazebo Renovation	\$ 50,000
Bear Creek Park Sports Lights	\$ 107,000
Library Genealogy/Teen Room Expansion	\$ 447,000
Playground Shade Structures	\$ 250,000
Community Outreach Center Sport Court	\$ 150,000

Rockledge Park Master Plan	\$ 140,000
Kimball Road Sidewalk - Phase I	\$ 571,000
Sponsorship for Exhibits at Grand Tower Galleries	\$ 50,000
 Total Additional Quality of Life Projects	 \$ 2,880,000

Section 4. That 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. That 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. 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 passage, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, on this the 21st day of October, 2014.

APPROVED:

\_\_\_\_\_

ATTEST:

\_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_

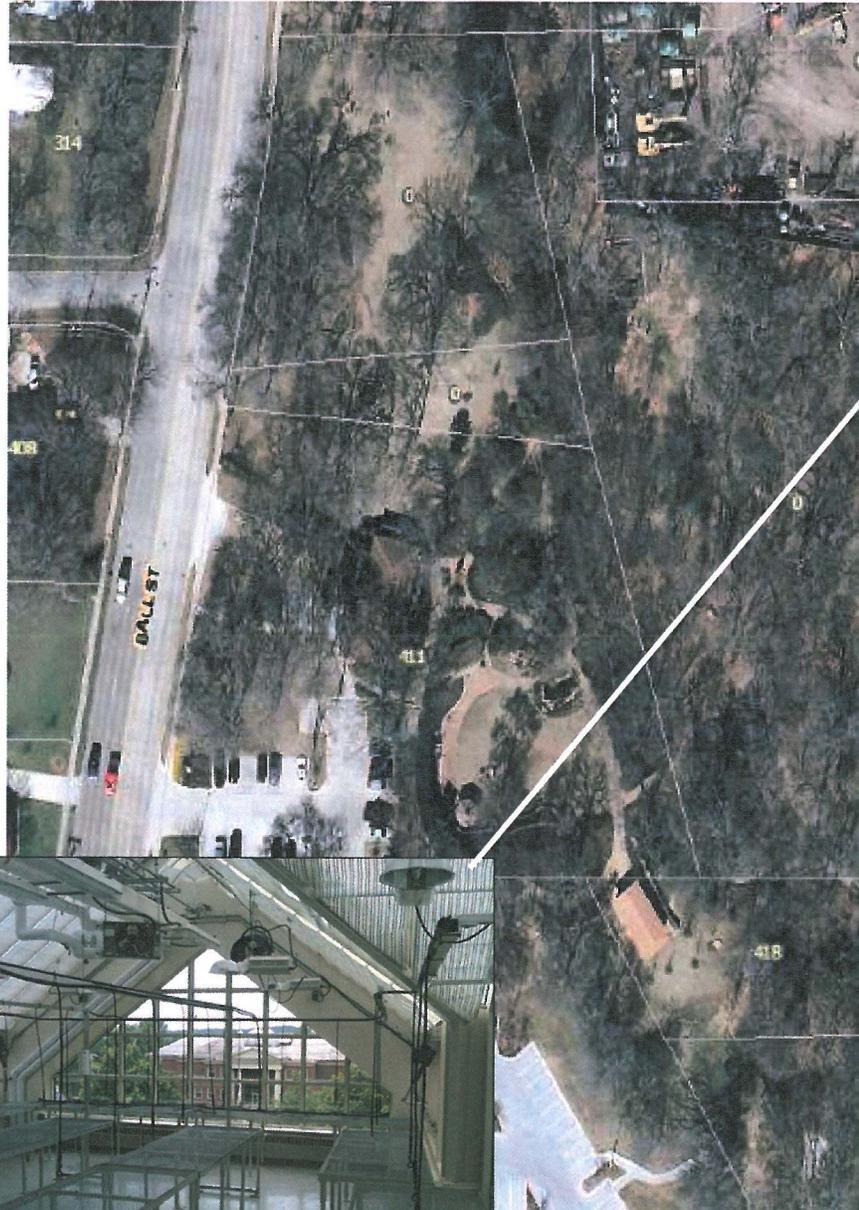


## Botanical Gardens Greenhouse

A greenhouse at the Botanical Gardens at Heritage Park was on the master plan that was approved by Council in 1999. The functional core services of the greenhouse are: expand education opportunities, enhance garden profile and awareness, plant production & expanded volunteerism

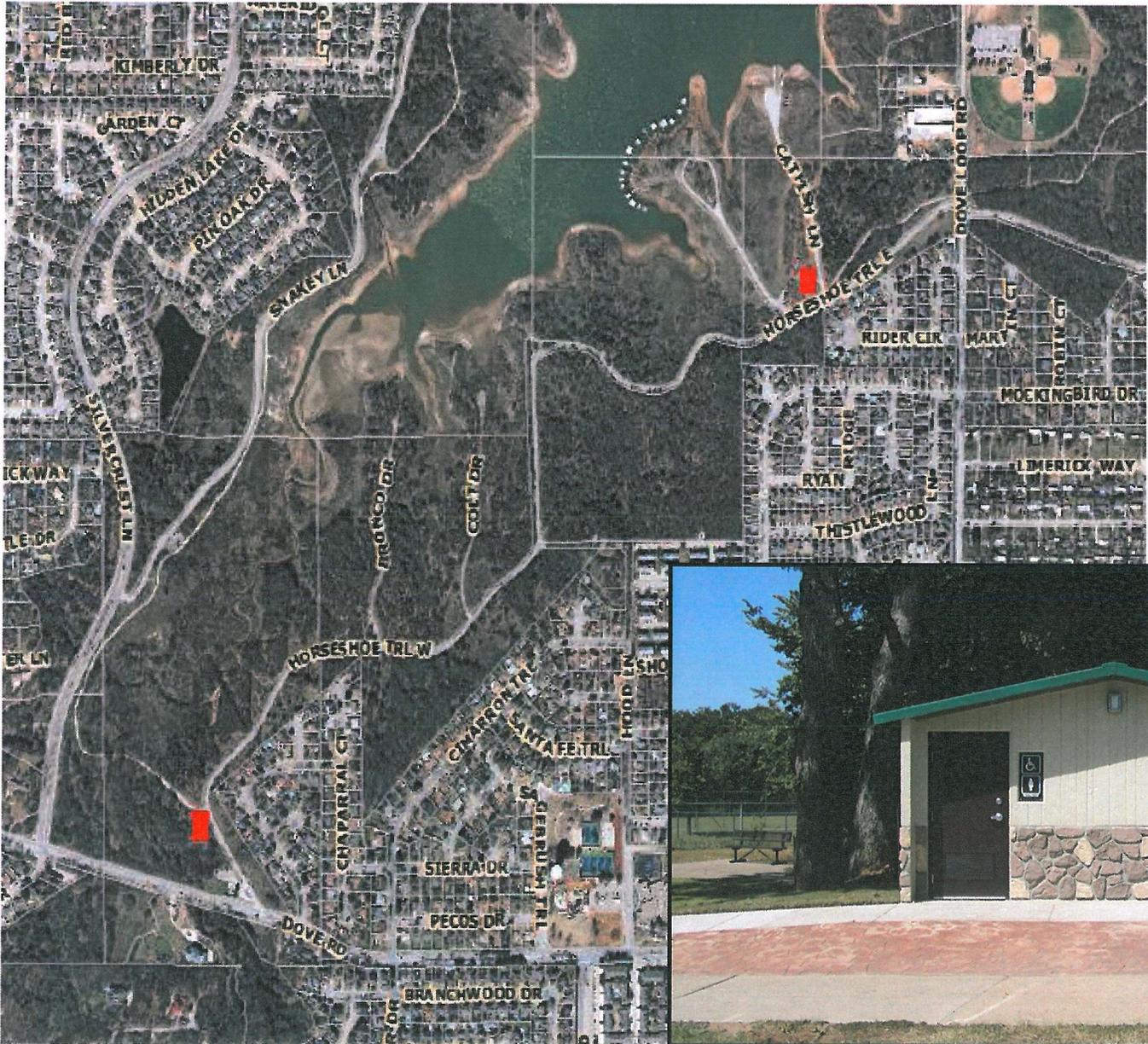
The proposed greenhouse would be located on the east side of the Botanical Gardens, in an open area. The proposed greenhouse would be 30'x48' with an attached head house.

Garden Club Donation:	\$ 92,000
FY 2015:	\$ 165,000
Total Cost:	\$257,000



# Horseshoe Trail Restrooms

This project is a CXT restroom located at the end of Horseshoe Trail, one of the most popular trails in the park. The addition of this high priority restroom was a top priority in the survey. The proposed restroom will be similar to the one at Pickering Park. Estimated cost: FY 2015: \$10,000; FY 2016: \$10,000; Total Cost: \$20,000.



## Parr Park Playground Surfacing

This project is for replacement of the wood fiber material with poured-in-place rubber surfacing. This is a cost savings measure, as the wood fiber product washes away with every flood event at Parr Park. The 2-5 area at Parr Park currently has poured-in-place rubber surfacing. We are proposing to add the surfacing under the swing area and under the large play structure.

FY 2015: \$ 150,000



## Trawick Pavilion Restroom and Playground

The Trawick Pavilion is one of the most popular pavilions on Lake Grapevine. Currently, there is no restroom; patrons use port-a-potties. The old playground was removed 10 years ago due to safety issues and has not been replaced. The addition of these two amenities would make a great experience for renters of the pavilion and park users in general. The proposed playground and restroom would be similar to the playground and restroom at Meadowmere Park.

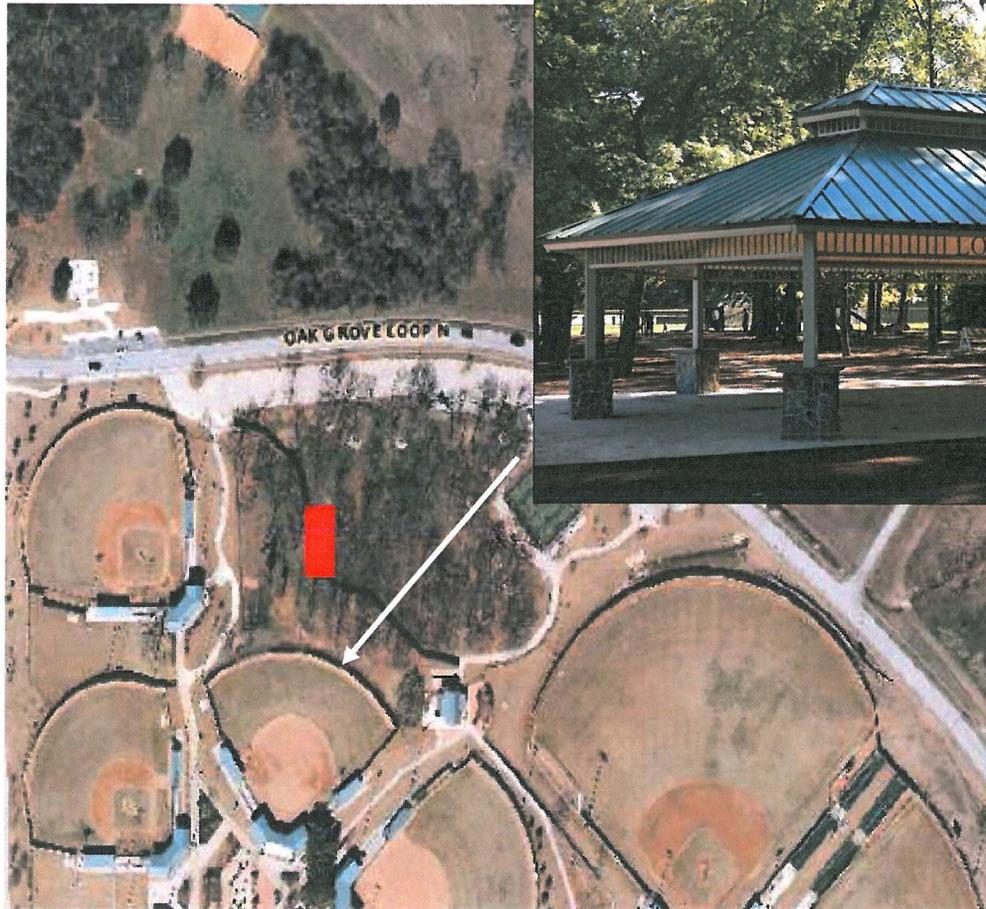
FY 2015 Restroom:	\$ 200,000
FY 2016 Playground:	\$ 150,000
<b>Total Cost:</b>	<b>\$ 350,000</b>



## Oak Grove Park Pavilion

The Oak Grove Ballfield Complex is one of the best youth baseball/softball complexes in Texas. There have been many local, regional and national tournaments at the complex. A great amenity for the complex would be a pavilion that would be located in the grove of Oak trees to the north of the complex (no trees would be removed). The pavilion would be used to present the awards for tournaments, and also be used by Grapevine residents for family reunions. This location was selected due to its proximity to an existing restroom and parking.

Total Cost: \$290,000



# Town Square Gazebo Renovation

Town Square is one of the most frequented visited parks in the heart of downtown. The proposed renovation would address some technology needs for the festivals and events. Part of the renovation includes adding synthetic turf grass to the dirt areas.

Total Cost: \$ 50,000



## Bear Creek Park Sports Lights

One of the highest priorities of the Grapevine Youth Baseball & Softball Association is lighted fields for practices and games. This is especially the case in the fall when it gets dark early in the evening. The youth association recently funded new fences and batting cages for the fields at Bear Creek Park. This project will add lights to both baseball and softball fields at Bear Creek Park. The proposed lights are similar to the lights on all other sports fields in Grapevine. The lights are from Musco, and include installation, a 25-year warranty and electrical upgrades to the park. The majority of this funding will come from Open Space funds.

Open Space Funds:	\$ 308,000
FY 2015:	\$ 107,000

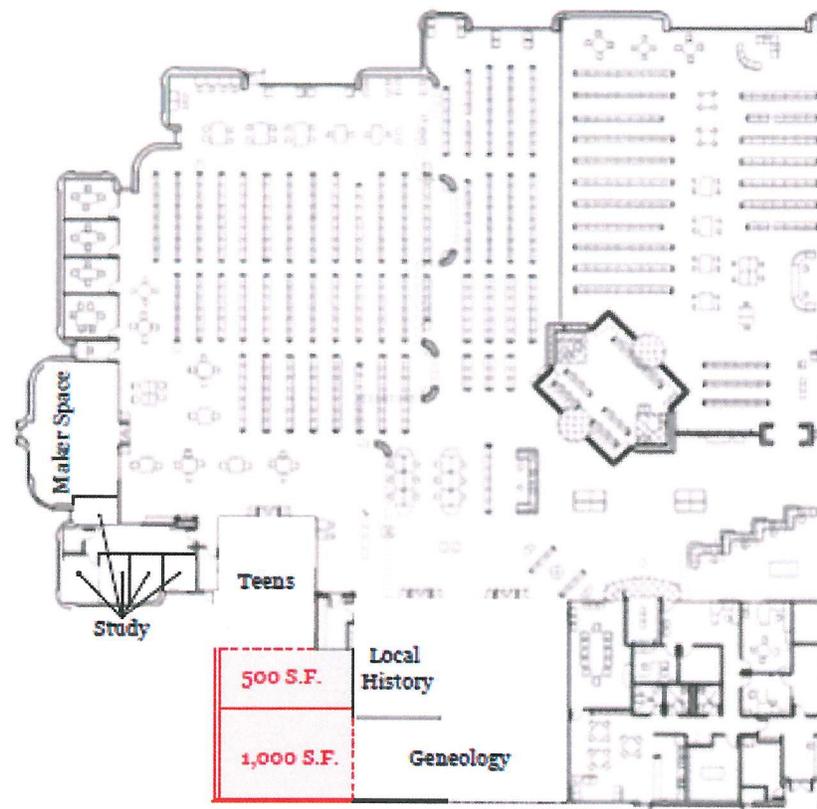
Total Cost:	\$ 415,000
-------------	------------



## Library Genealogy / Teen Room Expansion

This project is for the expansion of the Genealogy area by 1,000 square feet, to accommodate the collection as it grows and grants are received. The Teen area would be moved to the existing periodical area and expand that area by 500 square feet to give more space for the Teen Zone collection, which has out grown the current area and needs additional space for study tables and shelving for the collection. This would put the expansion in the same area to reduce costs and meet the needs of both areas.

Total Cost: \$ 447,000



## Playground Shade Structures

This project will add shade structures over playgrounds that are in full sun. Shade structures for playground equipment helps to provide cool shaded environments for children, while protecting them from harsh UV rays of the sun. Parents and care givers have peace of mind knowing that children have protection from the sun and can play for extended hours under shade structures. In FY 2015 we are proposing adding shade over the following parks: Bellaire, Parr Park, and Casey's Clubhouse. Each playground is unique, as a result each shade structure will need to be custom. This is a multi year project.

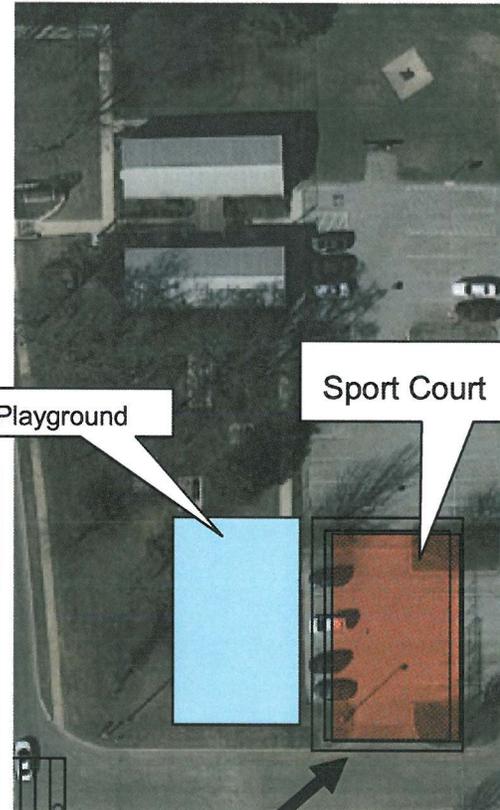
Total Cost: \$ 250,000



# Community Outreach Center Sport Court

A proposed multi-use sport court (basketball, soccer, tennis, volleyball) at COC would further identify the center as a community park and provide recreational opportunities. This would likely attract youth and young adults, who commonly create greater need for police services, and which are underserved by COC programs. Furthermore, this court could generate interest in tournaments and camps for area residents.

Total Cost: \$ 150,000



# Rockledge Park Master Plan

The City has been approached by Texas Parks & Wildlife Department (TP&W) to partner with them, and several other entities, to create a unique outdoor park. The outdoor park would include hunter education, archery, fishing and other ranger-based programming. For this project to move forward, the City needs to provide a Master Plan and a feasibility/proforma study for Rockledge Park. The Texas Parks & Wildlife Department has tentatively committed \$1,000,000 to fund this project.



Master Plan FY 2015	\$ 140,000
TP&W Commitment	\$ 1,000,000
<b>Total:</b>	<b>\$ 1,140,000</b>



# Kimball Road Sidewalk

Install a hike and bike trail from the end of C. Shane Wilbanks Trail at Snakey Lane to the trail at Meadowmere Park. The proposed trail is 1.3 miles and would be a 10' concrete surface. The purpose of this trail is to provide a safe route for residents. The proposed trail is identified on the Parks & Recreation Trail Master Plan.

FY 2015:	\$ 571,000
Phase II	\$ 1,326,000
Phase III	\$ 403,000
<b>Total Cost:</b>	<b>\$2,300,000</b>



MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
FROM: BRUNO RUMBELOW, CITY MANAGER BR  
MEETING DATE: OCTOBER 21, 2014  
SUBJECT: BUILDING BOARD OF APPEALS APPOINTMENT

RECOMMENDATION

Consider the mid-year appointment of Shea Kirkman as an alternate member to the Building Board of Appeals to fill an unexpired, one-year vacancy.

BACKGROUND

Council Member Chris Coy has requested a mid-year appointment to ensure a quorum of the Building Board of Appeals. Council Member Coy is recommending the appointment of Shea Kirkman as an alternate member of the Board, term to expire in 2015.

BR/jcb

GRAPEVINE BOARD AND COMMISSION APPLICATION

CC ITEM #10

BOARD OR COMMISSION DESIRED: Building Board of Appeals  
Use a separate application for each appointment desired.

All information provided is public pursuant to the Texas Public Information Act.

Name: Ms Mrs Mr Dr Shea Kirkman

Address: Grapevine, TX

Home Telephone: \_\_\_\_\_ Work Telephone: 817-488-4960

Employer: Kirkman Engineering, LLC

Position: Owner

Grapevine Resident Less than 1 Years Tarrant Co. Voter Registration No. 1734790

By providing an email address, you are consenting to the release of your email address by the City.

Email Address: \_\_\_\_\_ Fax: \_\_\_\_\_

Education: BS - Civil Engineering

Other relevant information, civic activities, memberships, etc.: Personal: Member-St. Laurence Church, GRACE Volunteer, Grapevine Elementary Volunteer, GES Dad's club member, Indian Princesses

Professional: Licensed Professional Engineer in Texas, Oklahoma, Louisiana, Colorado, Ohio, and Pennsylvania. NCEES member

Interest: Explain why you are interested in being appointed to this board/commission. As a new resident to the City of Grapevine, I'd like to get involved with the City. The BBA appears to be an opportunity to use my technical background as a civil engineer and custom home builder for the betterment of Grapevine.

Special knowledge or past experience qualifying you for this appointment: I have worked as a Civil Engineer in land development for the past 16 years. I'm familiar with building standards and codes.

References: List the name and phone number of one Grapevine resident, City staff, City Council, or current Committee members who may be contacted on your behalf.

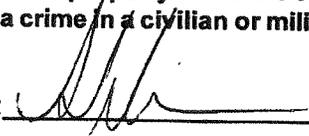
Chris Coy, City Council Member

Number of Board/Commission meetings attended in past 12 months 0

Number of City Council meetings attended in past 12 months 2

I understand that by signing this application my attendance will be required at all committee meetings.

I certify that all of my local property taxes are current and that I have not entered a guilty plea or no contest or been convicted of a crime in a civilian or military court or received a deferred adjudication (not including traffic violations).

Signature of Applicant:  Date: 10-1-14

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
FROM: BRUNO RUMBELOW, CITY MANAGER *BR*  
MEETING DATE: OCTOBER 21, 2014  
SUBJECT: APPROVAL TO RENEW AN ANNUAL CONTRACT FOR  
ENTERPRISE SOURCING SERVICES

RECOMMENDATION:

City Council to consider approval for the renewal of an annual contract with Ion Wave Technologies, Inc. for enterprise sourcing services.

FUNDING SOURCE:

Funding for this purchase is available in account 100-44500-105-3 (General Fund/ IT Software License & Maintenance Fees / Professional Services) in an annual amount of \$19,843.00.

BACKGROUND:

This contract combines our current eProcurement and contract management services.

The Ion Wave enterprise sourcing package automates the process of creating, issuing, awarding bids and managing contracts. By leveraging the system's libraries, templates, and importing capabilities the procurement function benefits from increased speed, automated auditing, and the elimination of redundant data entry. It also increases vendor participation in the bid process.

Staff recommends approval.

LW/BS

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER BR

MEETING DATE: OCTOBER 21, 2014

SUBJECT: APPROVAL TO RENEW AN ANNUAL MAINTENANCE CONTRACT FOR VARIOUS NETWORK SOFTWARE SERVICES

RECOMMENDATION:

City Council to consider approval to renew an annual maintenance contract for various network software services with SHI Government Solutions, Inc. through the State of Texas Department of Information Resources (DIR) Cooperative Contracts Program.

FUNDING SOURCE:

Funding for this purchase will be available in account 100-44500-101-2 (General Fund/City Manager/Technology/IT Software License & Maintenance Fees) in the amount not to exceed \$56,242.00.

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). The contract was for an initial one-year period with three optional one-year renewals. If approved, this will be the first renewal.

Bids were taken by the cooperative and a contract was awarded to SHI Government Solutions, Inc. The Information Technology Department staff and Purchasing 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.

This purchase request is for an annual maintenance contract to support the current software modules that operate as part of the City's computer networking system. The maintenance contract will cover maintenance on Novell, GroupWise, SecureLogin, and SUSE Linux software.

Staff recommends approval.

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL CC ITEM #13

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: OCTOBER 21, 2014

SUBJECT: APPROVAL FOR THE SALE USED PHONES AND TABLETS

RECOMMENDATION:

City Council to consider approval for the sale of phones and tablets to e-Cycle.

BACKGROUND:

This request is approval for the sale of surplus AT&T cellular phones and cellular tablet computers that are not useful to the City due to our switch over to Verizon Wireless service. The company E-Cycle is the Verizon equipment salvage partner. The prices they are quoting are equivalent to other salvage services. The amount we are getting from this sale is almost equivalent to the amount we are paying Verizon for new equipment.

Staff recommends approval.

JJ/BS

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER BR

MEETING DATE: OCTOBER 21, 2014

SUBJECT: APPROVAL TO RENEW AN ENTERPRISE LICENSE AGREEMENT FOR GEOGRAPHIC INFORMATION SOFTWARE

RECOMMENDATION:

City Council to consider approval to renew an enterprise license agreement for geographic information software with ESRI, Inc.

FUNDING SOURCE:

Funding for this purchase is currently available in account 200-44540-533-1 (Utility Enterprise Fund/Professional Services/Administration) in an amount not to exceed \$35,000.00.

BACKGROUND:

This procurement will be a sole source contract in accordance with Local Government Code Chapter 252, Subchapter B, Section 252.022 (a) (7) (A) as approved by City Council in October of 2006.

This request is to renew an enterprise license agreement to support the software modules that operate as part of the City's Geographic Information Mapping System. This contract will provide upgrades and technical support to the system. ESRI, Inc. is the sole source provider of maintenance for this software. This is the eighth annual contract renewal.

Staff recommends approval.

JJ/BS

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
FROM: BRUNO RUMBELOW, CITY MANAGER BR  
MEETING DATE: OCTOBER 21, 2014  
SUBJECT: APPROVAL TO RENEW THE LIBRARY ILS COMPUTER  
SUPPORT AND SOFTWARE CONTRACT FOR THE CITY  
LIBRARY FROM SIRSIDYNIX

RECOMMENDATION:

City Council to consider the approval to renew the contract for the library ILS computer support and software from SIRSI Corporation.

FUNDING SOURCE:

Funding for this purchase is currently available in account 100-44500-101-2 (Information Technology License and Maintenance Fees) in the amount not to exceed \$56,443.56.

BACKGROUND:

A resolution was approved by City Council on March 6, 2012 as a sole source procurement. If approved, this will be the second renewal of five optional, one-year renewals available.

The Grapevine Public Library has had an automated computer system since 1998. This renewal is for the SirsiDynix Symphony Library Automation Service. This library automation system is housed and maintained by SIRSI Corporation at their data center.

Staff recommends approval.

JJ/BS

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: OCTOBER 21, 2014

SUBJECT: 636 S. MAIN, CVB BUILDING UNICORN SCULPTURE

RECOMMENDATION: That the City Council consider authorizing funds for the design, fabrication and installation of the Unicorn sculpture at the CVB Headquarters Complex at 636 S. Main in the amount of \$60,000 to Linda Lewis-Roark, Grapevine, Texas to add to our existing investment of public art in the community.

FUNDING SOURCE:

Funds are available from the Public Art fund account # 114-44686-101-1.

BACKGROUND:

The Public Art Fund was formed to direct revenue from cell phone antennae leases on City property into something that is more aesthetically pleasing for residents and visitors. The current balance in the fund is \$854,831.

The CVB staff sent out an RFP to eight artists, four of which submitted proposals. Artists that responded to the RFP included Dawn Sharp from Meridian, Texas; Big Dream Sculpture from Red Feather Lakes, Colorado; Brad Oldham from Dallas, Texas; and Linda Lewis-Roark from Grapevine. Each proposal was reviewed by the Public Art Committee and Linda Lewis-Roark was selected on the basis that the entire project would be produced locally. Grapevine students as well as interested local artists will be involved throughout the entire sculpting process.

Linda Lewis-Roark of Grapevine, Texas has the necessary skill, experience and equipment to create the locally produced 7' bronze sculpture that will top the cupola of the CVB Headquarters Complex. The scope of work includes the design, sculpting and fabrication of the public art Unicorn. Sculpture material is to be bronze and finial/mount base to be stainless steel. This piece would be part of the existing Public Art Trail in Grapevine and complete the roof line of the Convention & Visitors Bureau building.

The Convention & Visitors Bureau staff has worked closely with Linda Lewis Roark and the Grapevine Foundry for two years. Mrs. Lewis-Roark is a local artist with over 14 years of sculpting experience and over 10 years of bronze foundry work. She is the current owner and operator of the Grapevine Foundry. The Grapevine Foundry provides

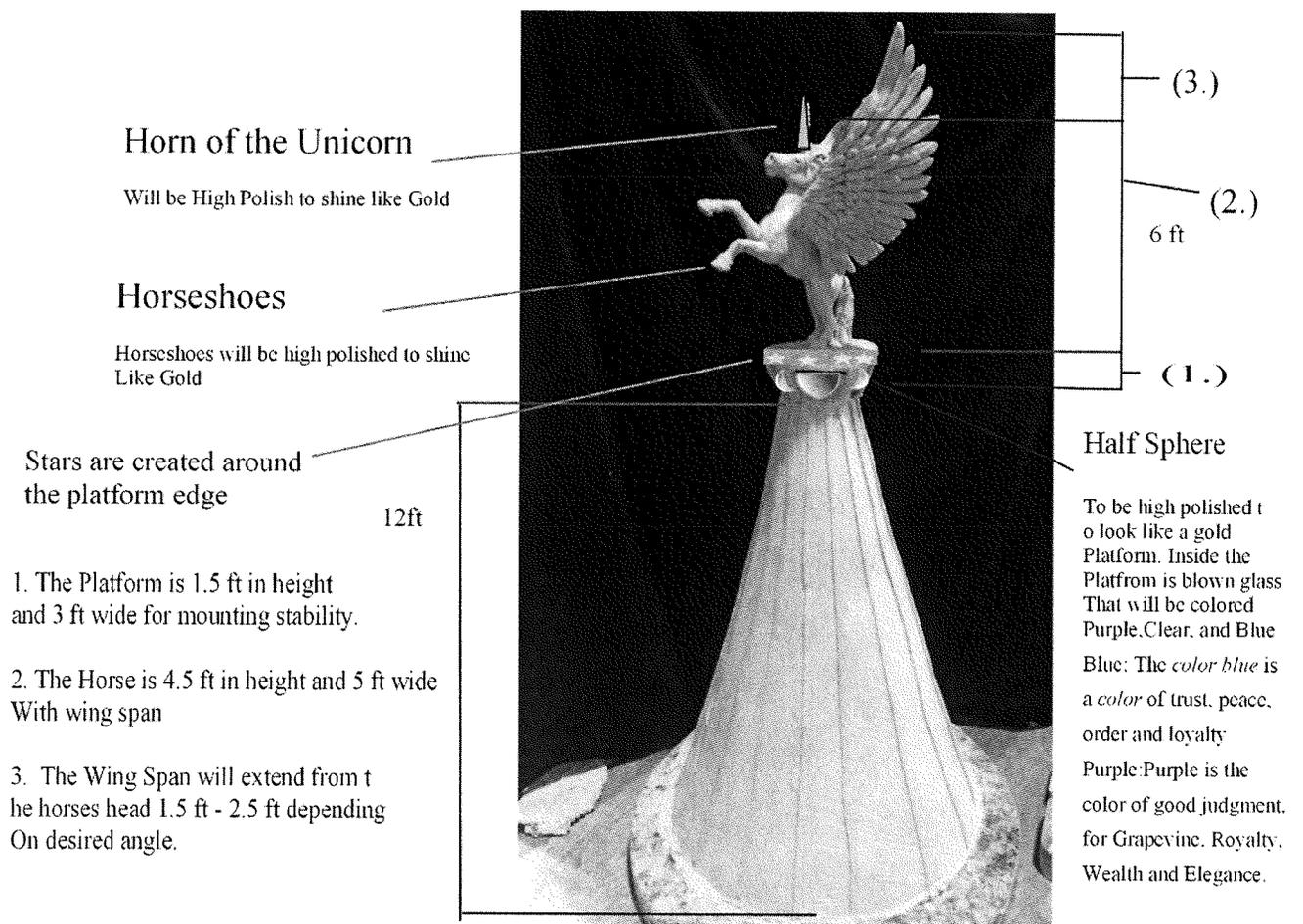
various services related to the production of bronze sculpture. This includes sculpting, wax working, mold making, bronze metal pouring, patina application and statue installation.

Staff recommends approval.

Linda Lewis-Roark assembled a team of qualified artisans to help produce the sculpture. They bring with them many years of experience with both sculpting and bronze foundry productions. These colleagues reside locally and have pledged their full support to the project, further ensuring it's successful, on-time completion.

Linda, with the assistance of her team, will design and produce a quality sculpture meeting and exceeding the requirements of the City of Grapevine. The sculpture will be durable, require minimal maintenance, and meet all safety standards. The patina and finish will be chosen for easy maintenance and durability. The structure will be built with reinforced steel rods extending internally from the base of the structure to the tips of the Unicorns wings. It will be constructed to withstand high winds and the occasional violent weather such that we experience here in Texas.

Linda is excited to have the opportunity to sculpt and produce such a landmark piece of art. Her many years of work in the sculpting and bronze foundry business have given Linda the skills required to produce a superior product, within budget, and on schedule. The proposal reflects her understanding of the fine art sculpting and foundry business. Linda is confident that she can meet the proposed time schedule and within the approved budget.



- Schedule of Technical with Cost objectives
  - Building of Armature
  - Sculpting Unicorn
  - Molding
  - Wax Working, Investment, and Pouring
  - Metal Production and Patina
  - Schedule objectives
  - Special objectives

- October 8, 2014 - October 31, 2014

**Building of Armature**

- Welder creates frame work for stability to apply foam, wax, and clay  
Hours 3-5 days
- Metal cost      Fultons Metal Denton, TX
- Foam application
- Foam AP Foam Hurst, TX
- Wax and clay application 7 days
- Clay and Wax

- November 1, 2014 – December 31, 2014

**Sculpting by Artist Linda Lewis-Roark**

As a team to complete a project in front of crowds to provide demonstrations for public education of the skills involved in the fine art of sculpture, allowing hands on involvement for the community and tours for visitors from all over the world to the Cotton Belt District of Grapevine.

42 days labor on rush and community education

- Linda Lewis/Roark
  - 2 Assistants
  - Tools
- January 1, 2015 – January 10, 2015

**Molding**

- Silicon lay up for 5 days
- Silicon Material      GT Products Grapevine, Texas
- Fiberglass Jacket Lay up 5 days
- Fiber Glass Resin      Bity Molds Richardson, Texas

- January 12, 2015 – February 14, 2015

**Wax Working**

- Wax Working 14 days
- Wax material

**Investment**

- Slurry and Silicon Sand Dipping
- Slurry and Silicon REMET CORP DALLAS, TX

**Pouring**

- Bronze burnout and pouring 5 days
- Bronze
- Overhead

February 15, 2015 – February 28, 2015

**Bronze Metal Working**

- Welding and Chasing Bronze Castings together 13 days
- Stainless Steel Mounting Rod inserts for mounting and wing stabilization  
Materials and Overhead

**Patina**

- Coloring by heat and chemicals
- Chemicals

**Structural Circular Frame for Mounting**

- Fabrication and Welding
- Materials

# LINDA LEWIS-ROARK

CC ITEM #16

Owner and operator of Grapevine Foundry and Fine Arts

701 S Main Street, #102

Grapevine, TX 76051

214-960-8605

grapevinefoundry@live.com

Artist-Sculptor-Foundry Operator

14 years sculpting

- Life Size monuments
- Wildlife
- Domestic Animals
- Religious
- Figurative Realism
- Replication

10 years Bronze Foundry Work

## SUCCESSFUL CURRENT AND COMPLETED PROJECTS

CC ITEM #16



**Photo Number:** 1

**Type of Project:** George Bush Sr. Monument, Installed overlooking downtown Houston, TX

**Contact Person:** Chas Fagan

**Phone Number:** 980-321-0532

**Email:** chasfagan@aol.com

**Completed (or projected) Year:** 2003

**Scope of Involvement:** production, patina (house bronze), and installation

**Project Contract Value:** \$198,000



**Photos Number: 2 and 3**

**Type of Project:** Patsy Buck, Life Size Bronze Sculpture Monument in Highland Village, TX

**Contact Person:** Carl Buck

**Phone Number:** 972-317-5933

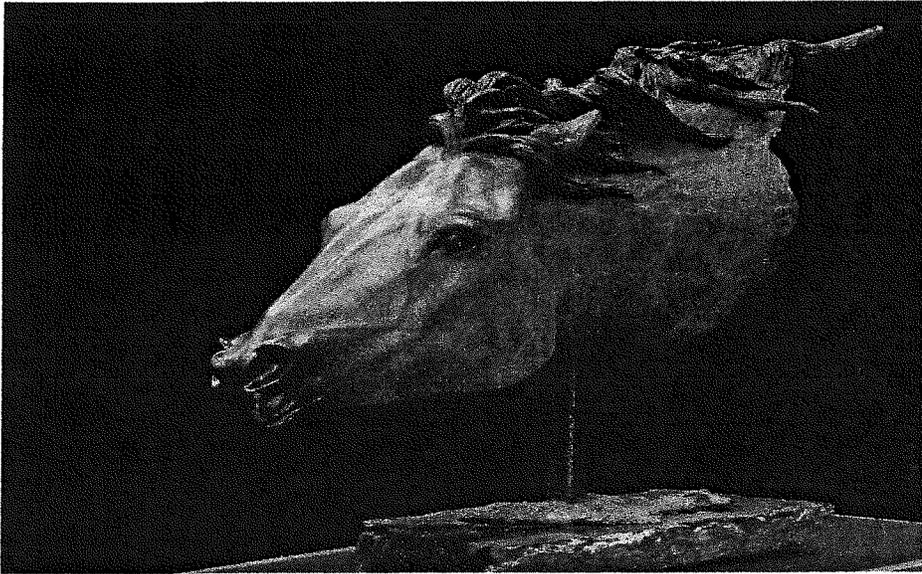
**Email:**

**Completed Year:** 2013

**Scope of Involvement:** Sole Sculptor, mold making

**Project Contract Value:** \$28,000





**Photo Number: 4**

CC ITEM #16

**Type of Project:** "Breathtaking," Bronze Sculpture, life size horse head

**Contact Person:** Linda Lewis-Roark

**Phone Number:** 214-960-8605

**Email:** grapevinefoundry@live.com

**Completed Year:** 2013

**Scope of Involvement:** Sole Sculptor, production, patina and installation

**Project Contract Value:** \$8,500



**Photo Number: 5**

**Type of Project:** "Bonnie McCarroll," Sculpture, bronze, Cowboy Hall of Fame, Oklahoma City, Oklahoma

**Contact Person:** Ann Ayres

**Phone Number:** 940-368-4575

**Email:** ann@annayresbronzes.com

**Completed:** 2005

**Scope of Involvement:** Sculptor

**Project Contract Value:** \$6,800

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
MEMBERS

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

MEETING DATE: OCTOBER 21, 2014

SUBJECT: EXTENSION OF CONDITIONAL USE CU13-20  
AND PLANNED DEVELOPMENT OVERLAY PD13-01  
MICROLAND AMERICA

RECOMMENDATION:

Staff has received a request from Betts Hoover with Microland America requesting a one-year extension to their previously approved Conditional Use Permit CU13-20 and Planned Development Overlay PD13-01 to establish an outdoor commercial amusement and deviation from the front yard landscape setback area for the development of a miniature railroad and miniature botanicals exhibit to expire on October 15, 2015.

BACKGROUND INFORMATION:

Conditional Use Request CU13-20 and Planned Development Overlay PD13-01 was originally considered and approved at the October 15, 2013 joint public hearing. The site is located at 2451 West Grapevine Mills Circle and platted as Lot 3, Block 1, Landmark at Grapevine.



10-3-14

Susan Batte  
Planning Technician  
City of Grapevine  
P.O. Box 95104  
Grapevine, TX 76099

Re: Grapevine File # CU 13-20/PD13-01

Dear Ms. Batte,

This letter is to request a one year extension of the conditional use permit located at 2451 West Grapevine Mills Circle and platted as Lot 3, Block 1, Landmark at Grapevine, to establish an outdoor commercial amusement and planned development overlay to include but not be limited to the deviation from the front yard landscape setback area for the development of a miniature railroad and miniature botanicals exhibit as approved by the City Council on October 15, 2013.

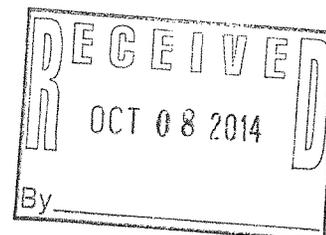
Microland America is in the process of securing our funding, including completion of an SBA loan and is requesting this extension so that we might have time to complete this process. We have been very active this past year in moving this project forward and excitement remains high among our supporters.

We appreciate your assistance and understanding as we continue to advance this project. Please advise if further information is needed to process the request of a one year extension for the conditional use permit.

Again, thank you for your assistance.

Sincerely,

Betts Hoover  
President  
Microland America



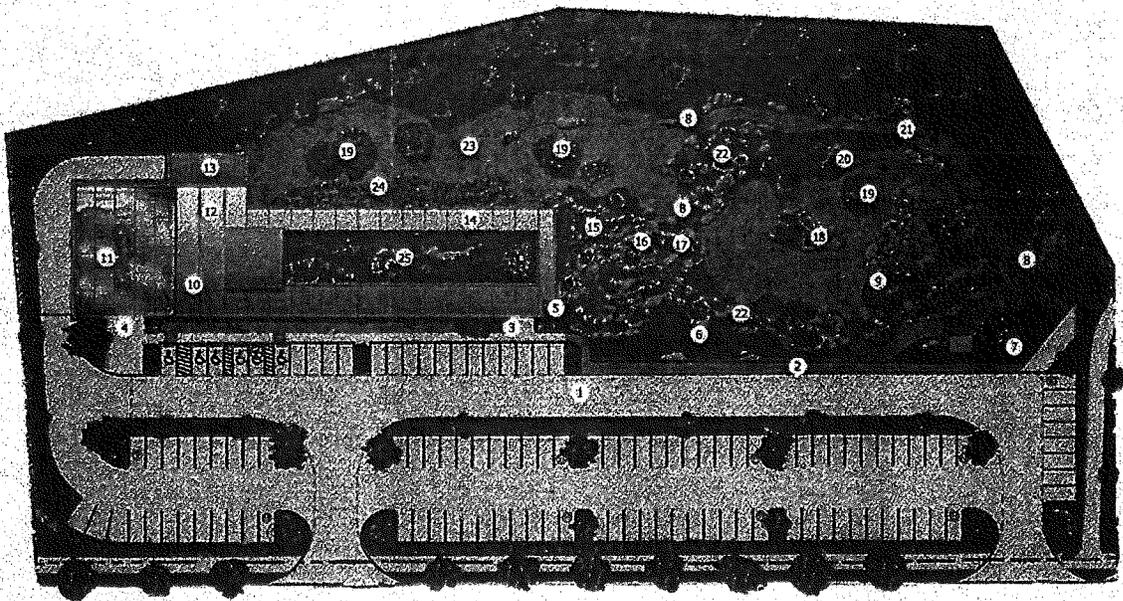
# Microland America - Master Plan



### Legend

- 1) Parking & Bus Drop-off
- 2) Sidewalk
- 3) Main Entrance
- 4) Exit with Miniscapes
- 5) Mini-Train Scape
- 6) Styled Tree Scape
- 7) 12ft. Evergreen Wall
- 8) Natural Stone Bridge
- 9) Maple Collection
- 10) Ticketing & Gift Shop
- 11) Interactive Train Play Area with Snack Bar
- 12) Classroom
- 13) Back of House
- 14) Covered Viewing Walk for Main Exhibit
- 15) Ancient Trees of The West
- 16) 15ft. Waterfall
- 17) 10ft. Waterfall
- 18) Grotto with Mini-Train Scape
- 19) 8" Live Oak
- 20) Stone Benches
- 21) Lower Walkway
- 22) Running Stream
- 23) Decomposed Granite
- 24) Bonsai Tree Gallery
- 25) Main Exhibit

Scale: 1"=30'



CASE NAME: MICROLAND AMERICA  
 CASE NUMBER: 2013-20-00103-48  
 LOCATION: 2401 West Loop West, Suite 1000, Fort Worth, TX 76102  
 DATE: \_\_\_\_\_  
 DRAWN BY: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 SHEET: 2 of 12  
 APPROVAL: \_\_\_\_\_  
 DEPARTMENT OF DEVELOPMENT SERVICES

NOTES:  
 1) CONDITIONAL USE PERMIT (CUP) IS A REQUEST FOR A COMMERCIAL, AMUSEMENT OR RECREATION QUALITY MATERIAL, EXHIBIT HIGHLIGHTING IMMEDIATE PARKING AND LANDSCAPE, BOTANICAL, PLANNED DEVELOPMENT OVERLAY, PERMIT TO ALLOW BUT NOT BE LIMITED TO DEVIATION FROM THE FRONT YARD LANDSCAPE SETBACK AREA.  
 2) MECHANICAL AND ELECTRICAL EQUIPMENT INCLUDING AIR CONDITIONING UNITS SHALL BE SCREENED, INSTALLED AND OPERATED TO MINIMIZE NOISE IMPACT ON SURROUNDING PROPERTIES. ALL SUCH EQUIPMENT SHALL BE SCREENED FROM PUBLIC VIEW.  
 3) LIGHTING SHALL BE DESIGNED TO REFLECT AWAY FROM ADJACENT RESIDENTIAL AREAS.  
 4) THE MASONRY REQUIREMENTS OF SECTION 04 SHALL BE MET.  
 5) ALL ON-SITE ELECTRICAL CONDUITORS/ASSOCIATED WITH NEW CONSTRUCTION SHALL BE LOCATED UNDERGROUND.  
 6) ALL REQUIREMENTS OF THE ORNAMENTAL SOIL EROSION CONTROL DISTURBANCE SHALL BE MET.  
 7) THE SIGN SHALL FOLLOW IN THE DETERMINATION OF THE ILLUMINATION LEVELS.

	HART, GAUGLER & ASSOCIATES, INC. CIVIL & SURVEYING ENGINEERING 13401 WEST LOOP WEST, SUITE 1000 FORT WORTH, TEXAS 76102 817-339-3333 (FAX) 817-339-3333 (PHONE)
MICROLAND AMERICA LANDMARK AT CUREVINE HENRY SUICCS SURVEY ABSTRACT No. 1415 CITY OF CUREVINE, TARRANT COUNTY, TEXAS	MASTER PLAN
SHEET 2	EXHIBIT A TO OAD 2013-48 Page 2 of 12



MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
FROM: BRUNO RUMBELOW, CITY MANAGER BR  
MEETING DATE: OCTOBER 21, 2014  
SUBJECT: APPROVAL TO RENEW AN ANNUAL SOLE SOURCE  
CONTRACT FOR INSPECTION AND REPAIR OF  
PROTECTIVE CLOTHING

RECOMMENDATION:

City Council to consider approval to renew an annual sole source contract with Gear Cleaning Solutions, LLC for inspection and repair of protective clothing for the Fire Department.

FUNDING SOURCE:

Funds are budgeted in account 100-44540-210-1 (Professional Services/Fire Department) in an estimated amount of \$16,000.00.

BACKGROUND:

This procurement will be made as a sole source in accordance with Local Government Code Chapter 252, Subchapter B, Section 252.022 (A) (7) (A). A resolution considering the initial contract for the inspection and repairs of protective clothing for the Fire Department as a sole source was approved by Council in 2012. If approved, this will be for the second renewal of the four, one-year renewal options available.

The Texas Commission on Fire Protection requires that Personal Protective Equipment (PPE) be cleaned and inspected on an annual basis. The PPE is cleaned in-house and sent to an authorized business for inspection and repair. The inspection and repair is a multi-stage process that must be performed by trained and certified personnel. Gear Cleaning Solutions, LLC is approved by the State of Texas and the PPE manufacturer to inspect, repair, and perform warranty work on personal protective equipment.

Gear Cleaning Solutions, LLC is the only local service provider authorized to perform warranty repairs on the Globe brand PPE utilized by the Fire Department. Gear Cleaning Solutions, LLC has agreed to renew the contract with no increase in pricing.

Staff recommends approval.

JS/LW

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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

MEETING DATE: OCTOBER 21, 2014

SUBJECT: APPROVAL OF A RESOLUTION FOR AN ANNUAL CONTRACT FOR BUNKER GEAR (PROTECTIVE CLOTHING) WITH RENEWALS FOR THE FIRE DEPARTMENT

RECOMMENDATION:

City Council to consider approval of a resolution for an annual contract for bunker gear (protective clothing) from Casco Industries, Inc. through an Interlocal Participation Agreement with The Local Government Purchasing Cooperative (Buyboard).

FUNDING SOURCE:

Funds are budgeted in account 100-42220-210-3 (Clothing Supplies/Fire Department) an estimated amount of \$70,000.00.

BACKGROUND:

Purchases will be made in accordance with an existing Interlocal Participation Agreement with The Local Government Purchasing Cooperative (Buyboard) as allowed by the Texas Local Government Code, Section 271.102 Cooperative Purchasing Program. This contract will be for an initial one-year period with two one-year renewal options.

Bids were taken by the Cooperative and a contract was awarded to Casco Industries, Inc. The Purchasing and Fire Department staff reviewed the contract for specification compliance and determined that this contract would provide the best product, service and pricing for meeting the needs of the City.

The purpose of this contract is to establish fixed annual pricing for firefighter bunker gear (protective clothing) for the Fire Department on an as-needed basis. The clothing consists of bunker jackets, pants and safety lettering. The triple layer clothing is made of fire resistant materials that make it possible for firefighters to enter burning buildings. The clothing conforms to the National Fire Protection Association's standards which specify a minimum standard of design, performance, safety, testing and certification requirements.

Staff recommends approval.

*BUNKER GEAR*

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

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 BUNKER GEAR (PROTECTIVE CLOTHING) FOR THE FIRE DEPARTMENT THROUGH AN ESTABLISHED COOPERATIVE AGREEMENT 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 Local Government Purchasing Cooperative (Buyboard) 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 Participation Agreement with The Local Government Purchasing Cooperative (Buyboard) and wishes to utilize an established contract meeting all State of Texas bidding requirements; and

WHEREAS, The Local Government Purchasing Cooperative (Buyboard) has established a contract with Casco Industries, Inc., contract #432-13, Public Safety & Fire House Supplies & Equipment; and

WHEREAS, the City of Grapevine, Texas has a need to purchase bunker gear (protective clothing) for the Fire Department; and

WHEREAS, all legal prerequisites for the adoption of this resolution have been met, including but not limited to the Local Government Code and the Open Meetings Act; and

WHEREAS, the City Council hereby declares that the approval of this resolution is in the best interests of the health, safety, and welfare of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF 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 bunker gear (protective clothing) from Casco Industries, Inc. through an Interlocal

Participation Agreement with The Local Government Purchasing Cooperative (Buyboard) for an estimated annual amount of \$70,000.00.

Section 3. That the City Manager or his designee is authorized to take all steps necessary to consummate the purchase of said bunker gear.

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 21st day of October, 2014.

APPROVED:

---

ATTEST:

---

APPROVED AS TO FORM:

---

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
FROM: BRUNO RUMBELOW, CITY MANAGER BR  
MEETING DATE: OCTOBER 21, 2014  
SUBJECT: APPROVAL OF A RESOLUTION FOR A SOLE SOURCE  
PURCHASE OF A DIGITAL FIRE TRAINING PACKAGE

RECOMMENDATION:

City Council to consider approval of a resolution for a sole source purchase of a digital fire training package from BullEx, Inc.

FUNDING SOURCE:

Funding for this purchase is currently available in account 100-48860-210-3 (Machinery & Equipment) in the amount of \$21,593.00.

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)(A).

BullEx is the only company offering the Attack Digital Training System.

This request is for the purchase of the Bullex Digital Fire Training simulator to be utilized for training of firefighters on structural firefighting techniques. This portable system is comprised of waterproof panels with digitized flame simulations, a theatrical smoke generator, and audio speakers that provide an auditory reference to fire situations. An added laser system will also allow training in areas that prohibit the use of water streams. This system will be utilized in acquired structures to prepare firefighters for real fire conditions.

Staff recommends approval.

MA/BS

CC ITEM #20  
DIGITAL  
FIRE TRAINING

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

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 A DIGITAL FIRE TRAINING PACKAGE 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)(A) to purchase said training package on a sole source basis; and

WHEREAS, the sole source purchase is due to the custom specifications required by the Fire Department; and

WHEREAS, all legal prerequisites for the adoption of this resolution have been met, including but not limited to the Local Government Code and the Open Meetings Act; and

WHEREAS, the City Council hereby declares that the approval of this resolution is in the best interests of the health, safety, and welfare of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF 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 digital fire training package for the Fire Department from BullEx, Inc. for an amount not to exceed \$21,593.00.

Section 3. That the City Manager or his designee is authorized to take all steps necessary to consummate the purchase of the digital fire training package.

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 21st day of October, 2014.

APPROVED:

---

ATTEST:

---

APPROVED AS TO FORM:

---

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
FROM: BRUNO RUMBELOW, CITY MANAGER <sup>BR</sup>  
MEETING DATE: OCTOBER 21, 2014  
SUBJECT: ALL WAY STOP AT INLAND DRIVE AND SYCAMORE DRIVE/  
SYCAMORE COURT

RECOMMENDATION:

City Council consider adopting an ordinance amending Chapter 23, Traffic, Section 23-30, Stop Intersections as follows:

Add:

(530) Silverlake Estates

- (I) On Inland Drive at Sycamore Drive/Sycamore Court northbound and southbound

and take any necessary action.

BACKGROUND:

Inland Drive serves as the principal feeder to Spring Creek Drive which then feeds Silverlake Elementary School from the south. This route experiences a significant volume of traffic for a residential street and poses some issues at the recommended intersection. Due to its close proximity to Dove Loop, approximately 125 feet to the south, vehicles destined for the school enter the neighborhood at posted speeds of 25 mph and are upon the intersection very quickly, providing little reaction time for crossing vehicles or crossing pedestrians.

A young student was struck at this intersection in the past three weeks while crossing Inland Drive.

The proposed stop signs on Inland Drive provides a controlled environment at the intersection for pedestrians and vehicles.

Staff recommends approval.

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

STOP  
INTERSECTIONS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AMENDING THE GRAPEVINE CODE OF ORDINANCES BY AMENDING CHAPTER 23 TRAFFIC, SECTION 23-30 RELATIVE TO STOP INTERSECTIONS; REPEALING CONFLICTING ORDINANCES; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00); PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

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

Section 1. That Chapter 23 Traffic, Section 23-30 Stop Intersections, of the Grapevine Code of Ordinances is hereby amended by adding the following stop intersections:

(530) Silverlake Estates

“(l) On Inland Drive at Sycamore Drive/Sycamore Court, northbound and southbound”

Section 2. That the City Manager, or his designee, is hereby authorized to have the proper traffic signs erected, constructed, and placed at such points along said highway, streets or alleys, or portions thereof under construction, maintenance or repair so that travelers will be reasonably notified of said traffic regulations.

Section 3. That 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; provided, however, that the ordinance or ordinances under which the cases currently filed and pending in the Municipal Court of the City of Grapevine, Texas shall be deemed repealed only when all such cases filed and pending under such ordinance or ordinances have been disposed of by a final conviction or a finding of not guilty, nolo contendere, or dismissal.

Section 4. That any person, firm or corporation 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 Hundred Dollars (\$200.00) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Section 5. That if any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it

would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 6. 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 public creates an emergency which requires that this ordinance 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 21st day of October, 2014.

APPROVED:

---

ATTEST

---

APPROVED AS TO FORM:

---

SYCAMORE



INLAND DR

SYCAMORE CT



E DOVE LOOP RD

**Proposed ALL WAY STOP at Inland Dr & Sycamore**

 Existing STOP

 Proposed STOP



MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
FROM: BRUNO RUMBELOW, CITY MANAGER  
MEETING DATE: OCTOBER 21, 2014  
SUBJECT: PEDESTRIAN CROSSING RED BEACON DISPLAY –  
MUSTANG DRIVE AT COMMUNITY OUTREACH CENTER

RECOMMENDATION:

City Council consider adopting an ordinance establishing Section 23-37, Pedestrian Crossing Red Beacon Display, authorizing the installation of a Pedestrian Crossing Red Beacon Display at the Community Outreach Center Crosswalk on Mustang Drive and take any necessary action.

BACKGROUND:

The City Staff installed flashing amber beacon displays at the crosswalk of Mustang Drive at the Community Outreach Center approximately two years ago. These flashers alert motorists of pedestrians utilizing the crosswalk.

We have experienced two events in the past two months where pedestrians were struck in the crosswalk by motorists. The Police Department has asked Public Works staff if there is an enhanced system that may improve motorists' awareness of pedestrians in the crosswalk.

Flashing Red Beacons are a relatively new approach to pedestrian crossing safety on high volume and high speed roadways. HAWK systems, as they are sometimes called, engage with a flashing yellow beacon that then progresses to a solid red beacon requiring a full stop. The beacon will then transition to a flashing red beacon which is similar to a stop sign allowing vehicles to proceed if no pedestrians are present.

The crossing is approximately 1,991 feet east of the Mustang Drive/Timberline Drive intersection which provides adequate distance for motorists to reach speeds at or above the posted limits. This speed coupled with the high volume of pedestrians crossing to the center, many of them children, presents a problem that we need to address.

Staff feels that this crosswalk is a good candidate for this type of elevated crosswalk protection.

Staff recommends approval.

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

PEDESTRIAN  
CROSSING

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AMENDING THE GRAPEVINE CODE OF ORDINANCES BY AMENDING CHAPTER 23 TRAFFIC TO ESTABLISH SECTION 23-37, PEDESTRIAN CROSSINGS WITH RED BEACON DISPLAYS; REPEALING CONFLICTING ORDINANCES; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00); PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

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

Section 1. That Chapter 23 Traffic of the Grapevine Code of Ordinances is hereby amended by adding a new section to read as follows:

“Sec. 23-37. Pedestrian Crossing Red Beacon Displays

The following Pedestrian Crossings with Red Beacon Displays are established:

- (a) On Mustang Drive 1,991 feet east of the Timberline Drive intersection with Mustang Drive, eastbound and westbound.”

Section 2. That the City Manager, or his designee, is hereby authorized to have the proper traffic signs erected, constructed, and placed at such points along said highway, streets or alleys, or portions thereof under construction, maintenance or repair so that travelers will be reasonably notified of said traffic regulations.

Section 3. That 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; provided, however, that the ordinance or ordinances under which the cases currently filed and pending in the Municipal Court of the City of Grapevine, Texas shall be deemed repealed only when all such cases filed and pending under such ordinance or ordinances have been disposed of by a final conviction or a finding of not guilty, nolo contendere, or dismissal.

Section 4. That any person, firm or corporation 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 Hundred Dollars (\$200.00) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Section 5. That if any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 6. 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 public creates an emergency which requires that this ordinance 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 21st day of October, 2014.

APPROVED:

---

ATTEST

---

APPROVED AS TO FORM:

---



CC ITEM #22

IRA E WOODS AVE

Cross Walk

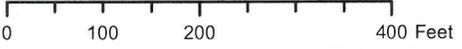
1991 ft

MUSTANG DR

TIMBERLINE DR

PRIVATE DR

CRESTHAVEN DR



10/8/2014



MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
FROM: BRUNO RUMBELOW, CITY MANAGER BR  
MEETING DATE: OCTOBER 21, 2014  
SUBJECT: APPROVAL OF A RESOLUTION FOR AN ANNUAL CONTRACT WITH RENEWALS FOR PAVEMENT MARKING SERVICES

RECOMMENDATION:

City Council to consider approval of a resolution for an annual contract with renewals for pavement marking services with Stripe-a-Zone through an Interlocal Cooperative Agreement with the City of Grand Prairie, Texas.

FUNDING SOURCE:

Funds are available in account 174-43301-415-093 (Street Maintenance Capital Replacement/Transportation Infrastructure Maintenance) for an estimated annual budgeted amount of \$70,000.00.

BACKGROUND:

Purchases will be made in accordance with an Interlocal Cooperative Purchasing Agreement with the City of Grand Prairie, Texas as allowed by Texas Government Code, Section 271.101 and 271.102 and satisfies all bidding requirements. This contract was for an initial one-year period with four, one-year renewal options. If approved, this will be the third annual renewal.

The City of Grand Prairie, Texas solicited bids on RFB #11100 from which they awarded a contract to Stripe-a-Zone on October 21, 2011. The Purchasing and Public Works Department staff reviewed the contract for specification compliance and determined that this annual contract would provide the best product, service and pricing for meeting the needs of the City.

The purpose of this contract is to establish fixed annual pricing for pavement marking services for the Public Works Department on an as-needed basis. The department has utilized this contract for the past two years with expenditures under \$15,000.00. The Public Works Department anticipates a large increase for these services this year. Stripe-a-Zone has agreed to renew the contract with no increase in pricing.

Staff recommends approval.  
FB/LW

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

PAVEMENT  
MARKING

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 PAVEMENT MARKING SERVICES THROUGH AN ESTABLISHED INTERLOCAL PARTICIPATION AGREEMENT 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 City of Grand Prairie, Texas is a qualified entity as authorized by Section 271.102 of the Texas Local Government Code; and

WHEREAS, the City of Grapevine, Texas has established an Interlocal Agreement with the City of Grand Prairie, Texas and wishes to utilize a contract for pavement marking services meeting all State of Texas bidding requirements; and

WHEREAS, the City of Grand Prairie, Texas has established a contract with Stripe-a-Zone, contract RFB #11100, Pavement Marking Services; and

WHEREAS, the City of Grapevine, Texas has a need to purchase pavement marking services for the City: and

WHEREAS, all legal prerequisites for the adoption of this resolution have been met, including but not limited to the Local Government Code and the Open Meetings Act; and

WHEREAS, the City Council hereby declares that the approval of this resolution is in the best interests of the health, safety, and welfare of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF 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 contract for pavement marking services with Stripe-a-Zone through an Interlocal Cooperative Purchasing Agreement with the City of Grand Prairie, Texas in an annual estimated budgeted amount of \$70,000.00.

Section 3. That the City Manager or his designee is authorized to take all steps necessary to consummate the purchase of pavement marking services.

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 21st day of October, 2014.

APPROVED:

---

ATTEST:

---

APPROVED AS TO FORM:

---

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
FROM: BRUNO RUMBELOW, CITY MANAGER BR  
MEETING DATE: OCTOBER 21, 2014  
SUBJECT: APPROVAL TO RENEW ANNUAL CONTRACTS FOR HEAVY  
EQUIPMENT RENTAL SERVICES

RECOMMENDATION:

City Council to consider approval to renew annual contracts for heavy equipment rental services with Fox Rental and Kirby Smith Machinery, Inc.

FUNDING SOURCE:

Funding for this purchase is limited to the budgeted amount by each department in an annual estimated amount of \$100,000.00.

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 August 31 and September 7, 2011. The bid was opened publicly on September 20, 2011. There were 24 vendors notified of the bid with four bids being received. The contract was for an initial one-year period with four, one-year renewal options. If approved, this will be the third renewal.

The purpose of this contract is to establish fixed annual pricing for heavy equipment rental services used primarily by the Public Works Department and is available to various departments on an as-needed basis. This is a multiple award contract based on the various price schedules that were awarded. When equipment is needed, the order is placed with the lowest responsive and responsible bidder meeting the requirements for daily, weekly, monthly rental and delivery. Fox Rental and Kirby Smith Machinery, Inc. have agreed to renew with no increase in pricing.

Staff recommends approval.

KH/LW

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER BR

MEETING DATE: OCTOBER 21, 2014

SUBJECT: APPROVAL TO RENEW AN ANNUAL CONTRACT FOR PAVEMENT STABILIZATION

RECOMMENDATION:

City Council to consider approval to renew an annual contract for pavement stabilization with Nortex Concrete Lift and Stabilization, Inc. through an Interlocal Cooperative Agreement with the City of Grand Prairie, Texas.

FUNDING SOURCE:

Funds are budgeted in account 174-43301-415-090 (Street Maintenance/Capital Replacement/Transportation Infrastructure Maintenance) for an estimated annual budgeted amount of \$100,000.00.

BACKGROUND:

Purchases will be made in accordance with an existing Interlocal Cooperative Agreement with the City of Grand Prairie, Texas as allowed by the Texas Government Code, Section 271.101 and 271.102 Cooperative Purchasing Program. The contract was for an initial one-year period with four optional, one-year renewals. If approved, this will be the third renew.

Bids were received by the City of Grand Prairie, Texas for RFB #12001 from which they awarded a contract to Nortex Concrete Lift and Stabilization, Inc. on November 1, 2011. The Public Works Department and Purchasing reviewed the contract for specification compliance and pricing and determined that this contract would provide the best product, service and pricing for meeting the needs of the City.

The purpose of this contract is to establish fixed annual pricing for pavement leveling services for the Public Works Department on an as-needed basis. Nortex Concrete Lift and Stabilization, Inc. has agreed to renew the contract with no increase in pricing.

Staff recommends approval.

KH/LW

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER BR

MEETING DATE: OCTOBER 21, 2014

SUBJECT: FIRST AMENDMENT TO GROUND AND TOWER LEASE AGREEMENT WITH AT&T FOR MINTERS CHAPEL MONO-POLE

RECOMMENDATION:

City Council consider adopting a resolution authorizing the first amendment to the Ground and Tower Lease Agreement with New Cingular Wireless PCS, LLC, for the purpose of installing, operating, and maintaining a communications facility on the Minters Chapel Mono-pole, 1900 Minters Chapel Road, authorize the City Manager to sign said amendments, and take any necessary action.

FUNDING SOURCE:

The City of Grapevine will receive an annual lease payment of \$43,875 from New Cingular Wireless PCS, LLC.

BACKGROUND:

The initial lease was entered into on March 20, 2001 for a period of 20 years with an initial annual payment of \$18,000. The current annual lease amount is \$23,805.

Under the amended lease, the City of Grapevine will receive an annual lease payment of \$43,875, from New Cingular Wireless.

The main points of the amendment include:

- the installation of additional antennas,
- adjusting the annual rental rate (effective immediately),
- permits Lessee to add, modify and/or replace equipment in order to comply with federal, state or local mandated applications, and
- extending the term of the lease another 20 years to 2034.

The City Attorney and Staff have reviewed the terms of the agreement and recommend approval.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, APPROVING THE FIRST AMENDMENT TO THE TOWER/GROUND LEASE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC, FOR THE INSTALLATION OF COMMUNICATIONS EQUIPMENT INCLUDING ANTENNAS, CABLES AND OTHER COMMUNICATION INSTRUMENTS ON THE MINTERS CHAPEL MONOPOLE AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on March 20, 2001, the City of Grapevine (hereinafter referred to as "Landlord") entered into a Tower/Ground Lease Agreement with Southwestern Bell Wireless, LLC dba New Cingular Wireless, acting in its capacity as general partner of the Dallas SMSA Limited Partnership, and being a corporation organized and existing under the laws of the State of Delaware, for Communications Equipment on the Minters Chapel Monopole; and

WHEREAS, the City of Grapevine is in agreement to enter into Amendment #1 to said Tower/Ground Lease Agreement with New Cingular Wireless PCS, LLC, wholly owned by AT&T since 2006; and

WHEREAS, all legal prerequisites for the adoption of this resolution have been met, including but not limited to the Local Government Code and the Open Meetings Act; and

WHEREAS, the City Council hereby declares that the approval of this resolution is in the best interests of the health, safety, and welfare of the public.

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

Section 1. That all matters stated in the preamble of this resolution are true and correct and are hereby incorporated into the body of this resolution as if copied in their entirety.

Section 2. That the City Council of the City of Grapevine, Texas hereby approves the First Amendment to the Tower/Lease Agreement for the Minters Chapel Monopole, located at 1900 Minters Chapel Road, with New Cingular Wireless PCS, LLC.

Section 3. That the approved amendment to the Tower/Ground Lease Agreement is attached as Exhibit "A".

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 21st day of October, 2014.

APPROVED:

---

ATTEST:

---

APPROVED AS TO FORM:

---



MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER BR

MEETING DATE: OCTOBER 21, 2014

SUBJECT: SECOND AMENDMENT TO GROUND AND TOWER LEASE AGREEMENT WITH NEW CINGULAR WIRELESS FOR DOVE WATER TOWER.

RECOMMENDATION:

City Council consider adopting a resolution authorizing the second amendment to the Ground and Tower Lease Agreement with New Cingular Wireless PCS, LLC, for the purpose of installing, operating, and maintaining a communications facility on the Dove water tower, 1702 Sagebrush Trail, authorize the City Manager to sign said amendments, and take any necessary action.

FUNDING SOURCE:

The City of Grapevine will receive an annual lease payment of \$43,875 from New Cingular Wireless PCS, LLC.

BACKGROUND:

The initial lease was entered into on January 4, 1994 for a period of 20 years with an initial annual payment of \$9,600. The current annual lease amount is \$36,000.

In June 2011, the first amendment to the Ground & Tower Lease allowing additional installation of antennas was approved.

Under the second amendment to the lease, the City of Grapevine will receive an annual lease payment of \$43,875, from New Cingular Wireless.

The main points of the amendment include:

- the installation of additional antennas,
- adjusting the annual rental rate (effective immediately),
- permits Lessee to add, modify and/or replace equipment in order to comply with federal, state or local mandated applications, and
- extending the term of the lease another 20 years to 2034.

The City Attorney and Staff have reviewed the terms of the agreement and recommend approval.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, APPROVING THE SECOND AMENDMENT TO THE TOWER/GROUND LEASE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC, FOR THE INSTALLATION OF COMMUNICATIONS EQUIPMENT INCLUDING ANTENNAS, CABLES AND OTHER COMMUNICATION INSTRUMENTS ON THE DOVE WATER TOWER AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on January 4, 1994, the City of Grapevine (hereinafter referred to as "Landlord") entered into a Tower/Ground Lease Agreement with Dallas SMSA Limited Partnership ("Lessee") on the Dove Water Tower; and

WHEREAS, the City of Grapevine entered into Amendment #1, on June 7, 2011, with New Cingular Wireless PCS, LLC, successor in interest to Dallas SMSA Limited Partnership; and

WHEREAS, the City of Grapevine is in agreement to enter into Amendment #2 to said Tower/Ground Lease Agreement with New Cingular Wireless PCS, LLC, wholly owned by AT&T since 2006; and

WHEREAS, all legal prerequisites for the adoption of this resolution have been met, including but not limited to the Local Government Code and the Open Meetings Act; and

WHEREAS, the City Council hereby declares that the approval of this resolution is in the best interests of the health, safety, and welfare of the public.

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

Section 1. That all matters stated in the preamble of this resolution are true and correct and are hereby incorporated into the body of this resolution as if copied in their entirety.

Section 2. That the City Council of the City of Grapevine, Texas hereby approves the Second Amendment to the Tower/Lease Agreement for the Dove Water Tower, located at 1702 Sagebrush Trail, with New Cingular Wireless PCS, LLC.

Section 3. That the approved amendment to the Tower/Ground Lease Agreement is attached as Exhibit "A".

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 21st day of October, 2014.

APPROVED:

---

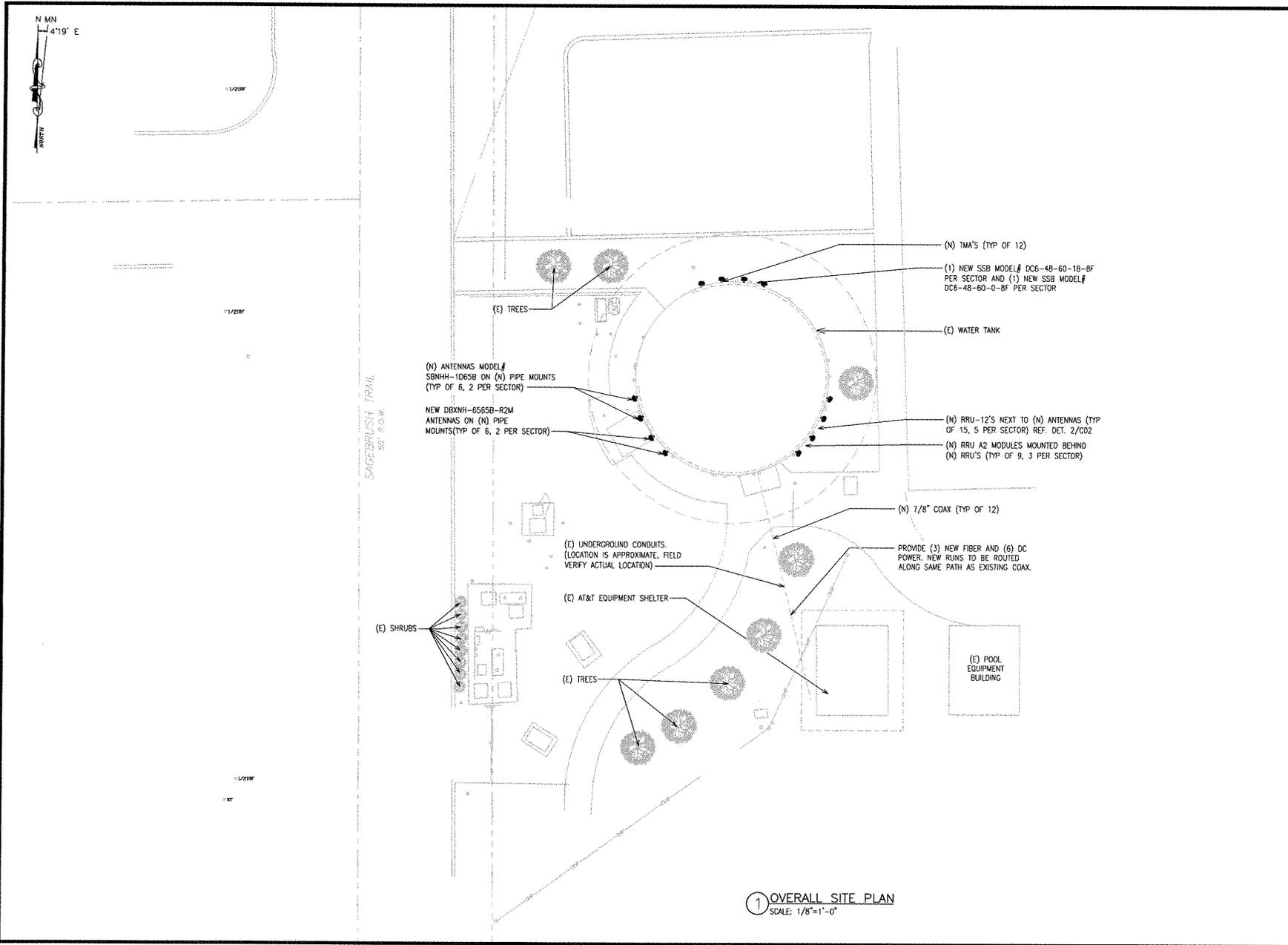
ATTEST:

---

APPROVED AS TO FORM:

---

File Info: C:\DOCUMENTS\1\Work\1\CD\LOCALS\1\Temp\MapPublish\_2398\016042\_Update\_C01.dwg Jun 25, 2014 - 11:28am lmk



REVISIONS	DATE
Δ ISSUED FOR REVIEW	06/24/14

CELERIS PROJECT NO.: 14-5998

**CELERIS GROUP**  
CONSULTING ENGINEERS  
2000 E. Lamar Blvd., Suite 550  
Arlington, TX 76006  
Office: 817.466.1700  
Fax: 817.460.0677  
TX Firm Reg. # F-13992

PRELIMINARY  
NOT FOR  
CONSTRUCTION

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW ONLY. DO NOT REPRODUCE OR TRANSMIT IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE OWNER.

**at&t**

1801 VALLEY VIEW LANE  
FARMERS BRANCH, TX 75234

SITE NAME  
**PARK / DOVE**

SITE NUMBER  
**DX6042**

DRAWN BY: KDR
CHECKED BY: ZC
DATE: 06/24/14
PLOT SCALE: 1:2
DRAWING NAME: SITE PLAN
SHEET NO.: <b>C01</b>

THIS DRAWING IS COPYRIGHTED AND IS THE SOLE PROPERTY OF THE OWNER. IT IS PROVIDED SOLELY FOR USE BY THE OWNER AND ITS AFFILIATES. REPRODUCTION OR USE OF THIS DRAWING AND/OR THE INFORMATION CONTAINED HEREIN IS FORBIDDEN WITHOUT THE WRITTEN PERMISSION OF THE OWNER.

STATE OF TEXAS  
COUNTY OF TARRANT  
CITY OF GRAPEVINE

CC ITEM #28

The City Council of the City of Grapevine, Texas met in Regular Session on this the 7th day of October, 2014 in the City Council Chambers, Second Floor, 200 South Main Street, with the following members present to-wit:

William D. Tate	Mayor
C. Shane Wilbanks	Mayor Pro Tem
Sharron Spencer	Council Member
Darlene Freed	Council Member
Mike Lease	Council Member
Duff O'Dell	Council Member

constituting a quorum, with Council Member Chris Coy absent, with the following members of the City Staff:

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 5:33 p.m. in the City Council Chambers.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Darlene Freed delivered the Invocation and led the Pledge of Allegiance.

ITEM 1. CITIZEN COMMENTS

Mr. Ray Harris, 2975 Peninsula Drive, invited the Council and citizens to participate in the 2014 Grapevine Walk to End Alzheimer's on Saturday, October 11 at Meadowmere Park.

ITEM 2. ORDINANCE, QUALITY OF LIFE FUND APPROPRIATION, PARK BOULEVARD AT WALL STREET LEFT TURN CONSTRUCTION PROJECT

Public Works Director Stan Laster recommended approval of an ordinance appropriating funds in the amount of \$80,000.00 for the construction of the Park Boulevard at Wall Street Left Turn Lane Project from the unencumbered balance of the Quality of Life Fund. The intersection was modified extensively during the DFW Connector Project resulting in the current configuration which does not provide for left turn movements from southbound Park Boulevard to eastbound Wall Street. At the August 19, 2014 meeting, the City Council approved an Engineering Services Contract with Pacheco Koch Consulting Engineers, Inc. for the reconfiguration design.

Mayor Pro Tem Wilbanks, seconded by Council Member Freed, offered a motion to approve the ordinance appropriating \$80,000.00 from the unencumbered balance of the Quality of Life Fund for the intersection modifications.

Ayes: Tate, Wilbanks, Spencer, Freed, Lease & O'Dell  
Nays: None  
Absent: Coy

ORDINANCE NO. 2014-60

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, REVISING THE ADOPTED CAPITAL IMPROVEMENTS BUDGET FOR THE FISCAL YEAR ENDING IN 2015; PROVIDING FOR THE TRANSFER OF THE FUNDS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

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. There were none.

Item 3. Renew Emergency Medical Services Continuing Education Annual Contract

Fire Chief recommended approval of the renewal of an annual contract in an amount not to exceed \$26,400.00 with Red River Medical Institute for emergency medical services continuing education. This is the first renewal of the three, one-year renewal options available.

Motion by Council Member Lease, seconded by Council Member O'Dell, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Freed, Lease & O'Dell  
Nays: None  
Absent: Coy

Item 4. Consideration of Minutes

City Secretary recommended approval of the minutes of the September 16, 2014 City Council meetings as published.

Motion by Council Member Lease, seconded by Council Member O'Dell, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Freed, Lease & O'Dell  
Nays: None  
Absent: Coy

ADJOURNMENT

Mayor Pro Tem Wilbanks, seconded by Council Member Freed, offered a motion to adjourn the meeting at 5:37 p.m. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Freed, Lease & O'Dell  
Nays: None  
Absent: Coy

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 21st day of October, 2014.

APPROVED:

\_\_\_\_\_  
William D. Tate  
Mayor

ATTEST:

\_\_\_\_\_  
Jodi C. Brown  
City Secretary

STATE OF TEXAS  
COUNTY OF TARRANT  
CITY OF GRAPEVINE

CC ITEM #28

The City Council of the City of Grapevine, Texas met in Special Session on this the 14th day of October, 2014 in the City Council Chambers, Second Floor, 200 South Main Street, with the following members present to-wit:

William D. Tate	Mayor
C. Shane Wilbanks	Mayor Pro Tem
Sharron Spencer	Council Member
Darlene Freed	Council Member
Mike Lease	Council Member
Chris Coy	Council Member
Duff O'Dell	Council Member

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

Bruno Rumbelow	City Manager
Jennifer Hibbs	Assistant City Manager
Matthew Boyle	Assistant City Attorney
Jodi C. Brown	City Secretary

CALL TO ORDER

Mayor Tate called the meeting to order at 6:32 p.m.

**EXECUTIVE SESSION**

Mayor Tate announced the City Council would recess to the City Council Conference Room to conduct a closed session regarding:

ITEM 1. EXECUTIVE SESSION

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.

The City Council recessed to the City Council Conference Room and began the closed session at 6:34 p.m.

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

ADJOURNMENT

Mayor Pro Tem Wilbanks, seconded by Council Member Coy, offered a motion to adjourn the meeting at 8:05 p.m. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Freed, Lease, Coy & O'Dell  
Nays: None

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 21st day of October, 2014.

APPROVED:

---

William D. Tate  
Mayor

ATTEST:

---

Jodi C. Brown  
City Secretary

MEMO TO: MEMBERS OF THE PLANNING AND ZONING COMMISSION

FROM: RON STOMBAUGH, ASSISTANT DIRECTOR, DEVELOPMENT SERVICES

MEETING DATE: OCTOBER 21, 2014

SUBJECT: WORKSHOP—POSSIBLE AMENDMENTS TO SECTION 39, HISTORIC LANDMARK, SECTION 42, SUPPLEMENTARY DISTRICT REGULATIONS, AND SECTION 23A, "GV" GRAPEVINE VINTAGE DISTRICT

RECOMMENDATION:

Staff recommends the Commission consider possible amendments to Section 39, Historic Landmark relative to city initiated historic landmark designation; to Section 42, Supplementary District Regulations relative to distilleries; and to Section 23A, "GV" Grapevine Vintage District, and take any necessary action.

BACKGROUND INFORMATION:

***Section 39, Historic Landmark:***

Several months ago during a public hearing to establish a historic landmark designation on the Wells Fargo bank, the legal counsel representing the bank pointed out an inconsistency in the wording within Paragraph D, of Section 39, Historic Landmark, relative to the procedure to follow to establish a historic landmark—the procedure to follow is the same process as that required for establishing a conditional use (Section 48) on a tract or parcel of land. However, within Section 48, Conditional Uses, paragraph D.3 requires the owner's consent to the filing of the application. At that initial public hearing for the Wells Fargo historic landmark designation, the bank was not in favor of the overlay and had not signed the application indicating their consent; their legal counsel questioned how it could be considered given the language as written. Given that the City has initiated historic overlays without the consent of the property owner and may do so in the future if necessary, staff is recommending that Section 39, Historic Landmark be amended to eliminate this inconsistency in wording. See the attached ordinance.

***Section 42, Supplementary District Regulations:***

Earlier this year the Commission and Council approved amendments to Section 42, Supplementary District regulations resulting from changes the Texas State Legislature made during their last legislative session to the Texas Alcohol Beverage Code. Specifically, wording was added to allow restaurant operators to pursue the Beer and Wine

Retailer's Permit; the Brewer's Permit was added to Section 42, Paragraph B.3, to exempt brewers from the restaurant/food sales requirement. During that same legislative session, the Legislature added wording to the Alcohol Beverage Code relative to distilleries allowing direct sales of distilled spirits to consumers if located within a "wet area," i.e. an area that has already held a local option election to allow some form of alcohol beverage sales. Specifically the amendments to the Code allows for on-premise consumption of the distiller's product(s) and the off-premise (package) sales of not more than two, 750 milliliter bottles of the distiller's products within a 30 day period. Staff has had several meetings within the past year from potential distillers considering operations within the City; however, the ordinance does not currently allow for the on and off-premise consumption of this type of alcoholic beverage. Staff is recommending the Commission consider an amendment to Section 42, Supplementary District Regulations that will allow potential operators to request the establishment of a distillery through the conditional use process. See the attached ordinances.

***Section 23A, "GV" Grapevine Vintage District:***

Several workshops have been held this year specifically addressing the Grapevine Vintage District with the end result being major modifications to the district regulations that were approved at the August 19, 2014 meeting. During the public hearing, it was suggested that further work may be necessary on the district. Attached is the current ordinance as amended. Staff recommends the Commission review the ordinance and consider any other changes or amendments, including the possible addition of breweries and distilleries to the list of conditional uses if deemed appropriate.

/rs

## Section 39. Historic Landmark

- A. Establishment of "H" zoning designation as a historic landmark subdistrict. Any zoning district designation appearing on the Zoning District Map may be followed by the suffix "H" indicating a Historic Landmark subdistrict. Such subdistrict may include buildings, land, areas, or districts of historical, architectural, archaeological or cultural importance or value which merit protection, enhancement, and preservation in the interest of the culture, prosperity, education, and welfare of the people. The "H" designation shall apply to those premises, lots or tracts designated through procedures set forth herein. Additional principal and accessory uses may be permitted in any specific "H" subdistrict and shall be enumerated in the ordinance establishing such historic landmark subdistrict, provided such uses are included in the zoning application. Such suffix shall not affect the legal use of the property and the basic underlying zoning of the property except as provided in the ordinance establishing the subdistrict.
- B. HISTORIC LANDMARK - DEFINED: As used in this Section, the term "Historic Landmark" shall mean any buildings, land, areas or districts of historical, architectural, archaeological or cultural importance or value, which the City Council determines shall be protected, enhanced and preserved in the interest of the culture, prosperity, education and welfare of the people.
- C. DECLARATION OF POLICY: The City Council hereby finds and declares as a matter of public policy that the protection, enhancement, preservation and use of historic landmarks is a public necessity and is required in the interest of the culture, prosperity, education and welfare of the people.
- D. HISTORIC LANDMARKS - DESIGNATION: The City Council may designate certain buildings, land, areas, and districts in the City as historic landmarks and define, amend and delineate the boundaries thereof. The procedure to be followed to establish a historic landmark designation shall be the same as that required to amend, repeal or alter the zoning on a tract, or a parcel of land under Section 48 relating to conditional uses **however, a city initiated request to establish a historic overlay shall not require the consent of the property owner as stated in Section 48, paragraph D.2.** After all notice requirements of State Zoning Statutes have been complied with and all required public hearings conducted pursuant to said State Statutes and upon receipt of the Planning and Zoning Commission's recommendations, the City Council may designate the building, land, area or district within the "H" suffix. The suffix "H" shall indicate the zoning subdistrict designation of those buildings, land, areas and districts which the City Council has designated historic landmarks. Such designation shall be in addition to any other zoning district designation established in the Comprehensive Zoning

Ordinance. All Zoning District maps shall reflect the designation of a historical landmark subdistrict by the letter "H" as a suffix.

- E. HISTORIC LANDMARKS - CRITERIA TO BE USED IN DETERMINATION: In making such designation as set forth in Section D above, the City Council and the Planning and Zoning Commission shall consider one or more of the following criteria:
1. Character, interest or value as part of the development, heritage or cultural characteristics of the City of Grapevine, State of Texas, or the United States;
  2. Identification with a person or persons who significantly contributed to the culture and development of the City;
  3. Location as the site of a significant historic event;
  4. Exemplification of the cultural, economic, social or historical heritage of the City;
  5. Relationship to other distinctive buildings, sites or areas which are eligible for preservation according to a plan based on historical, cultural or architectural motif;
  6. Unique location of singular physical characteristics representing an established and familiar visual feature of a neighborhood, community or the City;
  7. Value as an aspect of community sentiment or public pride.
  8. Detailed recommendation from the Historic Preservation Commission.
- F. PRESENT USE NOT AFFECTED: Use classifications of all property included in a historic landmark subdistrict shall continue to be governed by the Comprehensive Zoning Ordinance of the City.
- G. OFF-STREET PARKING AND LOADING: Due to the development nature of property with a Historic Landmark Designation, it is recognized that conventional off-street parking, loading, and development standards required by Section 56, 57, and 58 of the comprehensive zoning ordinance for individual lots may be difficult to provide. Any uses proposed with a Historic Landmark Designation may present a plan for parking to the Planning and Zoning Commission and the Planning and Zoning Commission may determine different amounts and methods in establishing off-street parking.

**Section 48. Conditional Uses**

- A. **PURPOSE:** In each zoning district, there are some uses which would be appropriate in some but not all locations within the district. Typically, those are uses that may have some special impact or uniqueness which requires a careful review of their location, design, configuration and special impact to determine, against fixed standards, the desirability of permitting their establishment on any given site. They are uses which may or may not be appropriate in a particular location depending on a weighing, in each case, of the public need and benefit against the local impact and effect. In this Ordinance, such uses are classified as Conditional Uses and before they may be established, the Planning and Zoning Commission must recommend, based upon findings of fact derived from evidence received at a public hearing, and the City Council must by ordinance approve the establishment of the use.
- B. **AUTHORIZATION:** The Planning and Zoning Commission may recommend, and the City Council may authorize, the establishment of those conditional uses that are expressly authorized to be permitted as a conditional use in a particular zoning district or in one or more zoning districts. No conditional use shall be authorized unless this Ordinance specifically authorizes such Conditional Use to be granted and unless such grant complies with all of the applicable provisions of this Ordinance.
- C. **INITIATION:** An application for a Conditional Use Permit may be filed by the owner of, or other person having a contractual or possessory interest in, the subject property. Any application filed by a person who is not the owner of the property for which the Conditional Use Permit is sought shall be accompanied by evidence of the consent of the owner.
- D. **APPLICATION FOR CONDITIONAL USE PERMIT:** An application for a Conditional Use Permit shall be filed in duplicate with the Director of Development Services, or such other official as he may designate, who shall forward without delay one copy to the Planning and Zoning Commission. The application shall contain a Site Plan and the following information; as well as such additional information as may be prescribed by rule of the Commission or the Director of Community Development. A site plan is not required for property zoned R-5.0 Zero Lot Line District:
1. The applicant's name and address and his interest in the subject property;
  2. The owner's name and address, if different than the applicant, and the owner's signed consent to the filing of the application;
  3. The street address and legal description of the property;
  4. The zoning classification and present use of the subject property;

5. The particular provision of this Ordinance authorizing the proposed Conditional Use;
6. A general description of the proposed Conditional Use;
7. An application for Site Plan approval, as required and defined in Section 47 of this Ordinance;
8. A statement or diagram showing compliance with any special conditions or requirements imposed upon the particular Conditional Use by the applicable district regulations;
9. A statement as to why the proposed Conditional Use will not cause substantial injury to the value, use or enjoyment of other property in the neighborhood;
10. A statement as to how the proposed Conditional Use is to be designed, arranged and operated in order to ensure that development and use of neighboring property in accordance with the applicable district regulations will not be prevented or made unlikely.

- E. HEARING ON CONDITIONAL USE PERMIT APPLICATION: A public hearing on the application shall be held and notice thereof given in the manner and form required for amendments as set out in Section 67 of this Ordinance unless the Director of Development Services or the Planning and Zoning Commission determines that the application is incomplete.

For applications involving minor modifications to previously approved Conditional Use Permits, the Director of Development Services may present the application to a Site Plan Review Committee consisting of a member of the Planning and Zoning Commission (appointed by the Commission Chairman), the City Council Representative to the Planning and Zoning Commission, and the Director of Development Services, which shall determine if the proposed modification(s) are such that a public hearing before the Planning and Zoning Commission and the City Council is or is not warranted. If the Site Plan Review Committee determines that a public hearing is not warranted, the application will be reviewed and approved administratively under the authority of the Site Plan Review Committee. For administratively approved modifications to a previously approved Conditional Use Permit, the full application fee shall be retained by the City.

- F. STANDARDS: The following standards, among other relevant standards, may be considered by the Planning and Zoning Commission and City Council in determining whether a Conditional Use may be granted.

1. That the proposed Conditional Use will be consistent with the adopted policies in the Comprehensive Master Plan of the City of Grapevine;
2. That the proposed Conditional Use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety and general welfare;
3. That the proposed Conditional Use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed Conditional Use will so dominate the immediate neighborhood, consideration shall be given to:
  - a. The location, nature and height of building, structures, walls, fences on the site; and
  - b. The nature and extent of screening on the site;
4. That the proposed Conditional Use complies with all applicable regulations of this Ordinance, including lot size requirements, bulk regulations, use limitations, and performance standards;
5. That the proposed Conditional Use at the specified location will contribute to or promote the welfare or convenience of the public;
6. That off-street parking and loading areas will be provided in accordance with the standards set out in Sections 56, 57 and 58 of this Ordinance, and such areas will be screened from any adjoining residential uses and located so as to protect such residential uses from any injurious effect;
7. That adequate access roads or entrance and exit drives will be provided and will be designed so as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys;
8. That the proposed Conditional Use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services;
9. That the proposed Conditional Use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance;

10. That proposed Conditional Use will comply with any additional standards imposed on it by the particular provision of this Ordinance authorizing such use.
  11. The Director of Community Development has approved the detailed landscaping plan as having met the provisions of Section 53.
  12. That the proposed Conditional Use will minimize disruption to existing neighborhoods, will minimize the adverse impact on existing community services, and will complement in the least intrusive manner possible the needs of the city, region, and the State;
  13. That the benefits of the proposed Conditional Use outweigh the loss of or damage to any homes, businesses, natural resources, agricultural lands, historic or cultural landmarks or sites, wildlife habitats, parks, or natural, scenic, or historic feature of significance, and outweigh the personal and economic costs of disruption to the lives, businesses and property of individuals affected by the proposed use;
  14. That all alternative sites and all reasonable means for meeting the projected need or demand for the proposed building, structure, development, use or activity which may be less costly or less intrusive to existing communities, have been considered and rejected by the applicant for clearly disclosed reasons, and that all reasonable means for minimizing adverse impacts of the proposed use have been considered and incorporated into the proposal;
  15. That the proposed Conditional Use is consistent with prior plans, master plans and projections of the applicant, if any, upon which the City of Grapevine has based planning or zoning decisions or, if the proposed use is consistent with prior plans or projections of the applicant, that any such inconsistency is outweighed by the benefits to the community of the proposed use.
- G. **CONDITIONAL AND RESTRICTIONS:** In granting a Conditional Use, the Planning and Zoning Commission may recommend, and the City Council may impose such conditions, safeguards and restrictions upon the premises benefited by the Conditional Use as may be necessary to comply with the standards set out in Section 48.F of this Ordinance to avoid, or minimize, or mitigate any potentially injurious effect of such conditional uses upon other property in the neighborhood, and to carry out the general purpose and intent of this Ordinance. Such conditions shall be set out in the Ordinance approving the Conditional Use Permit.
- H. **AFFIDAVIT OF COMPLIANCE WITH CONDITIONS:** Whenever any Conditional Use Permit authorized pursuant to this Section is made subject to conditions to be met by the applicant, the applicant shall, upon meeting such conditions, file an

affidavit with the Director of Community Development so stating.

- I. EFFECT OF ISSUANCE OF A PERMIT FOR A CONDITIONAL USE: The issuance of a permit for Conditional Use shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize the preparation, filing and processing of applications for any permits or approvals which may be required by the Codes and Ordinances of the City, including, but not limited to, a Building Permit, a Certificate Of Occupancy and subdivision approval.
  
- J. PERIOD OF VALIDITY. No Conditional Use Permit shall be valid for a period longer than one (1) year from the date on which the City Council grants the Conditional Use, unless within such one (1) year period: (1) a Building Permit is obtained and the erection or alteration of a structure is started, or (2) an Occupancy Permit is obtained and a use commenced. The City Council may grant one additional extension not exceeding one (1) year, upon written application, without notice or hearing. No additional extension shall be granted without complying with the notice and hearing requirements for an initial application for a Conditional Use Permit.

(f) An entity that is a party to an alternating brewery proprietorship or contract brewing arrangement must post with the commission a bond in an amount determined by the commission of not less than \$30,000 if the entity does not own a fee interest in a brewing facility.

**CHAPTER 14. DISTILLER'S AND RECTIFIER'S PERMIT(D)**

**Sec. 14.01. AUTHORIZED ACTIVITIES.** (a) The holder of a distiller's and rectifier's permit may:

- (1) manufacture distilled spirits;
- (2) rectify, purify, and refine distilled spirits and wines;
- (3) mix wines, distilled spirits, or other liquors;
- (4) bottle, label, and package the permit holder's finished products;
- (5) sell the finished products in this state to holders of wholesaler's permits and to qualified persons outside the state;
- (6) purchase [import] distilled spirits, to be used only for manufacturing or rectification purposes, from holders of nonresident seller's permits or distiller's and rectifier's permits; [and]
- (7) dispense free distilled spirits for consumption on the permitted premises; under Section 14.04; and
- (8) if located in a wet area, sell distilled spirits to ultimate consumers under Section 14.04 or 14.05.

**NOTE:** Section 14.01, subsection 8 added by Senate Bill 905, 83<sup>rd</sup> Legislature, Regular Session, 2013, effective September 1, 2013.

(8) sell bulk alcohol produced by the permit holder to holders of industrial permits in this state.

**NOTE:** Section 14.01, subsection 8 Senate Bill 642, 83<sup>rd</sup> Legislature, Regular Session, 2013, effective September 1, 2013.

~~(c) The holder of a distiller's and rectifier's permit may dispense distilled spirits for consumption on the permitted premises under Section 14.04.~~

(b) The privileges granted to a distiller and rectifier are confined strictly to distilled spirits and wines manufactured and rectified under his permit.

**NOTE:** Subsection (c), Section 14.01, repealed by Senate Bill 905, 83<sup>rd</sup> Legislature, Regular Session, 2013, effective September 1, 2013.

**Sec. 14.02. FEE.** The annual state fee for a distiller's and rectifier's permit is \$1,500.

**Sec. 14.03. CONTINUANCE OF OPERATION AFTER LOCAL OPTION ELECTION.** The right of a distiller's and rectifier's permittee to continue in operation after a prohibitory local option election is covered by Section 251.76 of this code.

**Sec. 14.04. DISTILLED SPIRITS SAMPLING.** (a) The holder of a distiller's and rectifier's permit may conduct distilled spirits samplings on the permitted premises. The permit holder may dispense free samples or collect a fee for the sampling.

(b) A sampling event authorized by this section may not be advertised except by on-site communication or by direct mail.

(c) A person other than the holder of a permit or the holder's agent or employee may not dispense or participate in the dispensing of distilled spirits under this section.

- (d) A person authorized to dispense distilled spirits under this section may not:
  - (1) serve a person more than one sample of each brand of distilled spirits being served at a sampling event; or
  - (2) serve a sample to a minor or to an obviously intoxicated person.
- (e) Sample portions served at a distilled spirits sampling event may not exceed one-half ounce.
- (f) A person who receives a sample may not remove the sample from the permitted premises.
- ~~(g) For the purposes of this code and any other law of this state or a political subdivision of this state, the holder of a permit, during the sampling of distilled spirits under this section, is:
 
  - ~~(1) not the holder of a permit authorizing the sale of alcoholic beverages for on-premises consumption; and~~
  - ~~(2) not considered to have received any revenue from the on-premises sale of alcoholic beverages.~~~~

NOTE: Subsection (g), Section 14.04 repealed by Senate Bill 905, 83<sup>rd</sup> Legislature, Regular Session, 2013, effective September 1, 2013.

**Sec. 14.05. SALES TO ULTIMATE CONSUMERS.** (a) The holder of a distiller's and rectifier's permit may sell to ultimate consumers for consumption on the permitted premises distilled spirits manufactured or rectified by the permit holder in an amount not to exceed 3,000 gallons annually.

(b) The holder of a distiller's and rectifier's permit may sell distilled spirits manufactured by the permit holder to ultimate consumers for off-premises consumption in unbroken packages containing not more than 750 milliliters of distilled spirits for off-premises consumption in an amount not to exceed 3,500 gallons annually.

(c) The holder of a distiller's and rectifier's permit may not under Subsection (b) sell more than two 750 milliliter bottles of distilled spirits or the equivalent to the same consumer within a 30-day period.

(d) A sale under Subsection (b):

(1) may be made only to an individual who is physically present at the permit holder's premises; and

(2) must be delivered to the purchaser in person during the purchaser's visit.

(e) A person may not make a purchase under Subsection (b) as an agent for another person.

(f) The permit holder must check a purchaser's identification and keep records of purchases in a manner that enables the permit holder to comply with this section.

(g) A bottle of distilled spirits sold on the permit holder's premises under Subsection (b) must bear a notice affixed to the bottle that:

(1) does not obscure the label approved by the Alcohol and Tobacco Tax and Trade Bureau;

(2) states that the bottle is commemorative;

(3) states the month and year the bottle is sold; and

(4) is signed by an agent of the permit holder.

NOTE: Section 14.05 added by Senate Bill 905, 83<sup>rd</sup> Legislature, Regular Session, 2013, effective September 1, 2013.

**Sec. 14.05. REPORT OF CERTAIN SALES.** A holder of a distiller's and rectifier's permit who sells distilled spirits to a holder of an industrial permit under Section 14.01(a)(8) shall keep records of those sales in a manner prescribed by the commission or administrator.

NOTE: Section 14.05 added by Senate Bill 642, 83<sup>rd</sup> Legislature, Regular Session, 2013, effective September 1, 2013.

**CHAPTER 15. DISTILLER'S AGENT'S PERMIT (DK)**

**Sec. 15.01. AUTHORIZED ACTIVITIES.** The holder of a distiller's agent's permit may:

- (1) represent the holder of a distiller's and rectifier's permit;
- (2) solicit and take orders from a holder of a wholesaler's permit for the sale of distilled spirits manufactured by the permit holder represented by the agent; and
- (3) conduct free distilled spirits tastings for consumers on the premises of the holder of a package store permit.

**Sec. 15.02. FEE.** The annual state fee for a distiller's agent's permit is \$10.

**Sec. 15.03. EVIDENCE OF AGENCY OR EMPLOYMENT REQUIRED.** A distiller's agent's permit may not be issued to a person until the person shows to the satisfaction of the commission that the person has been employed by or authorized to act as the agent of the permit holder the person proposes to represent.

**Sec. 15.04. SOLICITATION FROM HOLDER OF MIXED BEVERAGE OR PRIVATE CLUB PERMIT.** A holder of a distiller's agent's permit may not solicit business directly or indirectly from a holder of a mixed beverage permit or a private club registration permit unless the distiller's agent is accompanied by the holder of a wholesaler's permit or the wholesaler's agent.

**Sec. 15.05. UNAUTHORIZED REPRESENTATION.** A holder of a distiller's agent's permit in soliciting or taking orders for the sale of liquor may not represent that the permit holder is an agent of any person other than the person designated in the permit holder's application.

**Sec. 15.06. GRACE PERIOD.** A person may engage in the activities specified in Section 15.01 for an initial grace period of five days during which the person shall procure a distiller's agent's permit from the commission.

**CHAPTER 16. WINERY PERMIT (G)**

**Sec. 16.01. AUTHORIZED ACTIVITIES.** (a) Except as provided by Section 16.011, the holder of a winery permit may:

- (1) manufacture, bottle, label, and package wine containing not more than 24 percent alcohol by volume;
- (2) manufacture fruit brandy and:
  - (A) use that brandy on the winery permit holder's permitted premises for fortifying purposes only; or
  - (B) sell that brandy to other winery permit holders;
- (3) import or buy fruit brandy from a permit holder authorized to manufacture fruit brandy and use that brandy on the winery permit holder's permitted premises for fortifying purposes only;
- (4) sell wine in this state to or buy wine from permit holders authorized to purchase and sell wine, including holders of wholesaler's permits, winery permits, and wine bottler's permits;
- (5) sell wine to ultimate consumers:
  - (A) for consumption on the winery premises; or
  - (B) in unbroken packages for off-premises consumption in an amount not to exceed 35,000 gallons annually;
- (6) sell the wine outside this state to qualified persons;
- (7) blend wines; [and]
- (8) dispense free wine for consumption on the winery premises; and
- (9) purchase and import wine from the holder of a nonresident seller's permit.

**Section 42. Supplementary District Regulations****A. TEMPORARY USES:**

1. The following uses, which are classified as temporary uses, may be permitted by the City Council in any district not to exceed a period of thirty (30) days except for (g) which shall be issued for a period of one year or less, subject to compliance with all other applicable City Ordinances:
  - (a) Carnivals
  - (b) Circus
  - (c) Fairgrounds
  - (d) Religious assemblies
  - (e) Sport events
  - (f) Political rallies
  - (g) Concrete mixing or batching plant used temporarily by contractors during the construction of buildings or public improvements, and in such cases, the period of time for which the use is granted may be for a period of time provided in the contract for completion of such buildings or public improvement, providing such temporary use is renewed annually.
  - (h) Armed forces displays
  - (i) Educational displays
  - (j) Temporary sales of merchandise by nonprofit organizations
  - (k) Temporary shelter for the homeless occupied by more than three (3) persons unrelated by blood or marriage during periods of severe weather conditions as determined by the Grapevine Office of Emergency Management in all residential districts
2. A temporary use shall not be permitted nearer than two hundred fifty (250) feet to a residentially zoned district except for (g) which shall not be located closer than one thousand (1,000) feet to a developed residentially zoned district.
3. Use of a parcel of property for any of the above listed uses at any time on any day shall constitute a day's use. Use of a parcel of property for any of the above listed

uses for more than thirty (30) days except for concrete mixing or batching plants, during any one year shall constitute a permanent use and such parcel or property shall automatically again be subject to the district regulation of the zoning district in which such parcel of property is located.

4. Permission may be granted for a period not to exceed seven (7) days by the city Manager as a special privilege to civic organizations and other nonprofit organizations to allow temporary uses (a), (b), (c), (d), (e), (h), (i), and (j) which shall not be located closer than sixty (60) feet to a residentially zoned district.
5. Permission may be granted for a period not to exceed forty (40) days by the Director of Community Development, to allow Christmas tree sales lots in all non-residential zoning districts.
6. A building, electrical and/or plumbing permit, where determined applicable by the Director of Community Development, for any temporary use approved under this Section 42 shall be obtained from the Building Inspection Department prior to commencement of such use. Section 60 and all other provisions of the Ordinance determined to be applicable by the Director of Community Development shall be complied with prior to the commencement of any approved temporary use.
7. Temporary concrete mixing or batching plants for use during the construction of buildings or public improvements for thirty (30) days or less may be approved by the Director of Community Development.
8. Temporary outside display and sales of merchandise, and food service may be permitted on one occasion in any quarter of a calendar year for a period not to exceed fourteen (14) consecutive days, subject to the following conditions:
  - (a) A plan must be submitted for approval by the Development Services Director designating the area for outside display, sales and/or food service.
  - (b) The merchandise to be displayed or sold must be clearly related or incidental to the current Certificate of Occupancy at the site. Itinerant vendors shall not be permitted.
  - (c) Items for outside display within the festival area are to be approved by the City of Grapevine Festival Committee.
  - (d) A minimum four (4) feet of clear sidewalk width shall be maintained at all times and at no time shall required egress from the building be obstructed.
  - (e) Use of required parking areas for temporary outside display and sales shall not negatively impact the ability to provide adequate parking on the subject site nor shall it create a burden on surrounding properties or encourage

parking within the right-of-way. Approval for use of required parking areas shall be at the discretion of the Development Services Director.

- (f) An appropriate permit from the Health Department shall be required for any food sales.

**B. SALE OF ALCOHOLIC BEVERAGES:**

1. Notwithstanding any other provision of this Ordinance the storage, possession, sale, serving, or consumption of alcoholic beverages, except for the consumption of the occupants or owners of the premises and their guests at no charge, when permitted by the laws of the State of Texas, shall be regulated and governed by the following use regulations and requirements:

**DEFINITIONS:** For the purpose of this Ordinance, the following words and phrases shall have the meanings ascribed to them as follows:

- (a) **ALCOHOLIC BEVERAGE** means alcohol, or any beverage containing more than one-half of one percent of alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted.
  - (b) **RESTAURANT** shall mean a restaurant or eating establishment whose gross sales in Grapevine from food on an annual basis at the location represent at least fifty (50) percent of total sales with a Conditional Use as set out in Section 48.
2. The storage, possession, sale or serving of alcoholic beverages by any party for either on-premise or off-premise consumption, shall be illegal unless on property zoned specifically for that purpose as a Conditional Use in accordance with and pursuant to Section 48 of this Ordinance.
  3. With the exception of wineries, wine tasting rooms, and breweries, **and distilleries** no party shall sell or serve alcoholic beverages for on-premise consumption as the holder of a duly issued Texas Alcohol Beverage Commission permit allowing on-premise consumption except in a restaurant or on the premises of an entity whose principal business is transporting of the general public and is operating pursuant to a certificate of public convenience and necessity issued by a federal or state regulatory body with a Conditional Use Permit in accordance with and pursuant to Section 48.
  4. The party or entity operating a restaurant or private club that permits the sale of alcoholic beverages for on-premise consumption shall on an annual basis, no later than the thirtieth day of the month following each twelve (12) months of operation, file with the City Secretary an affidavit, on an officially approved form provided by

the City Secretary, that reflects gross sales for the preceding twelve (12) months breaking down the sales of food, alcoholic beverages and other items. The party shall also file on an annual basis; at the same time the affidavit is filed, a copy of the filing supplied to the State of Texas for sales tax and alcoholic beverage tax purposes.

5. The holder of a permit which allows for the sale of beer and/or wine only, shall not be permitted to offer any alcoholic beverage other than beer and/or wine on the subject property through any method, including but not limited to, catering.
6. Any party or entity within the "GV" Grapevine Vintage District or "CBD" Central Business District holding a State of Texas Alcohol Beverage Commission permit allowing for the off-premise consumption of wine shall be required to offer for sale, on the premises, wine by the bottle or case for purchase.
7. A Certificate of Occupancy shall be issued by the City's Building Inspection Department at such time as the party complies with all aspects of this Zoning Ordinance and all other applicable Ordinances. No Certificate of Occupancy may be assigned or transferred and same is valid only as to the recipient. No party may operate a restaurant or private club that is zoned pursuant to Section 42.B and 49 of this Ordinance without a valid and current Certificate of Occupancy.
8. (a) The City's Building Official, upon receipt of information from the City Secretary that the holder of a Certificate of Occupancy under Section 42.B of this Ordinance has failed to comply with one or more of the requirements, may cancel and terminate the party's Certificate of Occupancy by giving the party written notice that specifies the violation.

The notice requirement from the City shall be satisfied by placing said notice in the United States mail addressed to the last address provided in the City by the entity or party that holds a Certificate of Occupancy. The notice from the City shall state that the Certificate of Occupancy shall be canceled unless the party or entity corrects the violation within thirty (30) days of receipt of the notice except as hereinafter set out. However, a party or entity that submits an annual report pursuant to Section 42.B.4. that does not satisfy the fifty (50) percent requirement relating to food sales shall have the alternative of filing monthly reports for a period of six (6) months. The monthly reports shall contain the same information and be in the same form as the annual reports except that said monthly reports shall reflect an accumulation of total sales for the preceding twelve-month period reflected in the annual report added to the monthly sales.

- (b) The party or entity submitting the monthly reports shall be deemed to have satisfied the Section 42.B. requirements if the monthly reports on or before the final sixth month reports filing show total sales from food to be at least

DRAFT COPY

fifty (50) percent of total sales.

- (c) Failure to file the monthly reports or failure to satisfy the food sales requirements by the end of the six-month period shall result in cancellation of the certificate of occupancy without the necessity of further notice.

C. ACCESSORY BUILDINGS:

1. An accessory building not exceeding one story in height may occupy not more than sixty (60) percent of a minimum required rear yard.
2. An accessory building exceeding one story or more in height may occupy not more than forty (40) percent of a minimum required rear yard.
3. An accessory building attached to the main building shall be made structurally a part and have a common wall with the main building and shall comply in all respects with the requirements of this Ordinance applicable to the main building. Unless so attached, an accessory building in a residential district shall be located on the rear one-half of the lot and at least ten (10) feet from any dwelling or building existing or under construction on the same lot or any adjacent lot. In all residential districts, a building or structure attached to the principal building or structure by only a breezeway having a maximum width of six (6) feet shall be considered as being a detached accessory building or structure. No accessory building shall be located nearer than three (3) feet to any side or rear lot line. In the case of a corner lot, no accessory building shall be located within any side yard required on the street side. A garage, detached from the main building, may be located no nearer than six (6) feet to any rear lot line and shall be subject to the same side yard requirements as the principal structure.
4. No swimming pool shall be located nearer than six (6) feet to any rear lot line and shall be subject to the same side yard requirements as the principal structure. Below ground swimming pools may be located no nearer than six (6) feet to the side lot line adjacent to the street. On corner lots that require a side yard to be the same as required for the front yard, pools shall be located no nearer than fifteen (15) feet to the side lot line adjacent to the street. Swimming pools may be located nearer than ten (10) feet from any dwelling or building existing as long as the excavation of the swimming pool does not in any way harm or endanger the existing building or dwelling.

- D. CORNER LOTS: On corner lots, the side yard on the street side shall be the same as required for the front, except on corner lots adjacent to a segment of a side street upon which no property fronts, said segment being defined as that portion of a street between one street intersection and the next, the minimum side yard shall be fifteen (15) feet. This regulation shall not be so interpreted as to reduce the buildable width of a corner lot of twenty-eight (28) feet, nor to prohibit the erection of an accessory building on such lot

**Sec. 23A. GV Grapevine Vintage District Regulations**

**PURPOSE:** The GV District is established to provide locations to accommodate wineries, vineyards, wine tasting rooms, and associated low intensity retail/commercial uses which promote, enhance, and compliment the Texas Wine Industry. 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:**

1. Vineyard.

**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. 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.
7. 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.

8. 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 B. Accessory Uses, paragraph 6 above.
  9. Planned specialty shopping center defined as a combination of all the uses permitted in Section B. Accessory Uses, paragraphs 6-12. 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 B. Accessory Uses.
  10. Hospitality Centers which provide meeting facilities for, but not limited to civic clubs, lodges, fraternal organizations, receptions, and seminars.
  11. Dinner Theaters.
  12. 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. Restaurants adjacent or contiguous to any existing residential uses (excluding multi-family uses) shall only be allowed as an accessory use to the other conditional uses listed in this section.
  4. Inn (only as an accessory use in conjunction with a winery or wine tasting room).
  5. Any use allowed within this district with outdoor speakers and/or amplified sound.

D. LIMITATION ON USES:

1. 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.
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 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.1.1 (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.

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 an 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 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 Regular Session on this the 16<sup>th</sup> day of September 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
Monica Hotelling	Member
Jimmy Fechter	Member
Gary Martin	Member
Beth Tiggelaar	Member
Dennis Luers	Alternate
Theresa Mason	Alternate

constituting a quorum and the following City Staff:

Ron Stombaugh	Development Services Asst. Director
John Robertson	Engineering Manager
Albert Triplett, Jr.	Planner II
Susan Batte	Planning Technician

### CALL TO ORDER

Chairman Oliver called the meeting to order at 7:00 p.m.

### **BREIFING SESSION**

#### ITEM 1.

The Oath of Office was administered to Commissioner's Larry Oliver, Jimmy Fechter, Dennis Luers and Theresa Mason.

#### ITEM 2.

Chairman Oliver announced the Planning and Zoning Commission would conduct a work session relative to the following cases:

CU14-38	UMBRA WINERY
PD14-01	GLADE HILL

## JOINT MEETING

Mayor Tate called the meeting to order at 7:33 p.m. in the City Council Chambers. Items 3-5 of the Joint Public Hearings were held in the City Council Chambers. The Planning and Zoning Commission recessed to the Planning and Zoning Conference Room, Second Floor to consider published agenda items.

### PLANNING AND ZONING COMMISSION REGULAR SESSION

#### CALL TO ORDER

Chairman Oliver called the Planning and Zoning Commission regular session to order at 8:04 p.m.

#### NEW BUSINESS

#### ITEM 6. ELECTION OF OFFICERS

First for the Commission to consider was the Election of Officers for the Planning and Zoning Commission.

Monica Hotelling moved to elect Larry Oliver as Chairman by acclamation. Jimmy Fechter seconded the motion, and the motion prevailed by the following vote:

Ayes: Fry, Wilson, Hotelling, Fechter, Martin and Tiggelaar  
Nays: None  
Abstain: Oliver

Monica Hotelling moved to elect Herb Fry as Vice-Chairman by acclamation. Jimmy Fechter seconded the motion, and the motion prevailed by the following vote:

Ayes: Oliver, Wilson, Hotelling, Fechter, Martin and Tiggelaar  
Nays: None  
Abstain: Fry

#### ITEM 7. CONDITIONAL USE APPLICATION CU14-48 – UMBRA WINERY

Next for the Commission to consider and make recommendation to City Council was conditional use application CU14-48 submitted by Umbra Winery for property located at 415 South Main Street and platted as Lot 4, north 2.5 feet of Lot 3, Block 18, City of Grapevine. The applicant was requesting a conditional use permit to allow the possession, storage, retail sale and on- and off-premise consumption of alcoholic beverages (wine only) in conjunction with a winery.

The applicant proposed to establish a 1,444 square foot, 36-seat, winery (Umbrav Winery) within an existing space. No outdoor seating or outside speakers are proposed. Parking required for the winery is 26 parking spaces. Parking for the winery is proposed to be met by using both on-site and off-site parking. Two (2) parking spaces are available on the subject site. The balance of the required parking is proposed to be met by using available public parking in the immediate vicinity.

In the Commission's regular session, B J Wilson moved to approve conditional use application CU14-38. Herb Fry seconded the motion, which prevailed by the following vote:

Ayes: Oliver, Fry, Wilson, Hotelling, Fechter, Martin, and Tiggelaar  
Nays: None

ITEM 8. PLANNED DEVELOPMENT OVERLAY PD14-01 - GLADE HILL

Next for the Commission to consider and make recommendation to the City Council was planned development overlay PD14-01 submitted by Contrast Development for property located at 4800 Glade Hill Drive and platted as Lots 2A-8A, Block 1, Lots 11A-13A, Block 1, Lots 2A-6A, Block 2, Lots 9A-14A, Block 2, Lots 2A-8A, Block 3, Lots 11A-18A, Block 3, Lots 2A-5A, Block 4, Lots 1A-7A, Block 5 and Lots 11A-13A, Block 5, Glade Hill. The applicant requested a planned development overlay to include but not be limited to deviation from the building coverage requirements in the "R-5.0" Zero Lot Line District.

The applicant asked for a planned development overlay relative to maximum building coverage. The combined area occupied by all main and accessory buildings and structures shall not exceed 40 percent of the total lot area. The applicant proposes a maximum building coverage of 45 percent of the total lot area for 50 single family lots in order to accommodate an outdoor living area (covered patio) for the proposed homes.

In the Commission's regular session Jimmy Fechter moved to approve planned development overlay application PD14-01 with the condition that the extra 5% coverage is for outdoor living areas only, minimum 1,800 square foot house with one 3 inch caliber tree in front yard. Monica Hotelling seconded the motion, which prevailed by the following vote:

Ayes: Oliver, Fry, Wilson, Hotelling, Fechter, Martin, and Tiggelaar  
Nays: None

ITEM 9. FINAL PLAT OF LOTS 5R-A, 6R, 7R, 8R, 13R, 14R, 15R AND 16R, BLOCK 4, PLACID PENINSULA

Next for the Commission to consider and make recommendation to the City Council was the Statement of Findings and Final Plat Application of Lots 5R-A, 6R, 7R, 8R, 13R,

14R, 15R and 16R, Block 4, Placid Peninsula on property located north of Dove Pond Drive and west of Redbird Lane. The applicant was final platting 1.828 acres.

In the Commission's regular session Monica Hotelling moved to approve the Statement of Findings and Final Plat Application of Lots 5R-A, 6R, 7R, 8R, 13R, 14R, 15R and 16R, Block 4, Placid Peninsula. B J Wilson seconded the motion, which prevailed by the following vote:

Ayes: Oliver, Fry, Wilson, Hotelling, Fechter, Martin, and Tiggelaar  
Nays: None

ITEM 10. FINAL PLAT – LOT 1, BLOCK 1, COOLEY ADDITION

Next for the Commission to consider and make recommendation to the City Council was the Statement of Findings and Final Plat Application of Lot 1, Block 1, Cooley Addition on property located at 219 Blevins Street. The applicant was final platting 0.24 acres.

In the Commission's regular session B J Wilson moved to approve the Statement of Findings and Final Plat Application of Lot 1, Block 1, Cooley Addition. Monica Hotelling seconded the motion, which prevailed by the following vote:

Ayes: Oliver, Fry, Wilson, Hotelling, Fechter, Martin, and Tiggelaar  
Nays: None

ITEM 11. CONSIDERATION OF MINUTES

Next for the Commission to consider were the minutes of the August 19, 2014, Planning and Zoning Meeting.

Herb Fry moved to approve the Planning and Zoning Commission minutes of August 19, 2014 Planning and Zoning Meeting as written. Monica Hotelling seconded the motion, which prevailed by the following vote:

Ayes: Oliver, Fry, Wilson, Hotelling, Fechter and Martin  
Nays: None  
Abstain: Tiggelaar

ADJOURNMENT

With no further business to discuss, Jimmy Fechter moved to adjourn the meeting at 8:12 p.m. Monica Hotelling seconded the motion which prevailed by the following vote:

Ayes: Oliver, Fry, Wilson, Hotelling, Fechter, Martin, and Tiggelaar  
Nays: None

PASSED AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE

CITY OF GRAPEVINE, TEXAS ON THIS THE 21<sup>ST</sup> DAY OF OCTOBER 2014.

APPROVED:

\_\_\_\_\_  
CHAIRMAN

ATTEST:

\_\_\_\_\_  
PLANNING TECHNICIAN