



Wylie City Council

NOTICE OF MEETING

Regular Meeting Agenda February 9, 2016 – 6:00 pm Wylie Municipal Complex Council Chambers/Council Conference Room 300 Country Club Road, Building #100

Eric Hogue	Mayor
Keith Stephens	Mayor Pro Tem
Diane Culver	Place 2
Todd Winters	Place 3
Candy Arrington	Place 4
William Whitney III	Place 5
David Dahl	Place 6
Mindy Manson	City Manager
Richard Abernathy	City Attorney
Carole Ehrlich	City Secretary

In accordance with Section 551.042 of the Texas Government Code, this agenda has been posted at the Wylie Municipal Complex, distributed to the appropriate news media, and posted on the City website: www.wylietexas.gov within the required time frame. As a courtesy, the entire Agenda Packet has also been posted on the City of Wylie website: www.wylietexas.gov.

The Mayor and City Council request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to respond to a page or to conduct a phone conversation.

The Wylie Municipal Complex is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972.516.6020.

Hearing impaired devices are available from the City Secretary prior to each meeting.

CALL TO ORDER

Announce the presence of a Quorum

INVOCATION & PLEDGE OF ALLEGIANCE

PRESENTATIONS

- **Wylie Way Students** (Mayor E. Hogue)

- **Recognition of the judges in The American Legion High School Oratorical Scholarship Program “A Constitutional Speech Contest” – Mindy Manson, Mike Agnew, Tom Kollman, Diane Culver, Keith Stephens and Kevin Finnell.** *(American Legion Hale-Combest Post 315)*
- **1st Lt. Robert Welch Run for our Heroes Race and Vendor Fair and Food Drive** *(Diane Culver, Becky Welch, Charlie Waller, Jerry Barrera, and CSM. Delacruz)*

CITIZENS COMMENTS ON NON-AGENDA ITEMS

Residents may address Council regarding an item that is not listed on the Agenda. Residents must fill out a non-agenda form prior to the meeting in order to speak. Council requests that comments be limited to three (3) minutes. In addition, Council is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. **Consider and act upon, approval of the Minutes of January 26, 2016 Regular Meeting of the Wylie City Council.** *(C. Ehrlich, City Secretary)*
- B. **Consider and act upon, an Election Contract by and between the City of Wylie and the Collin County Elections Administrator for administration of the May 07, 2016 Wylie General Election for the City’s Voters residing in Collin County.** *(C. Ehrlich, City Secretary)*
- C. **Consider, and act upon, approval of a Final Plat for Covington Estates Phase Two consisting of 13.927 acres for 43 single family residential lots, generally located south of Alanis Drive, west of South Ballard Avenue, and north of Colonial Drive.** *(R. Ollie, Development Services Director)*
- D. **Consider, and act upon, approval of a Final Plat for Creekside Estates Phase IX, consisting of 11.076 acres for 31 single family residential lots, generally located on Lewis Drive north of McMillian Road.** *(R. Ollie, Development Services Director)*
- E. **Consider and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of December 31, 2015.** *(S. Satterwhite, WEDC Director)*
- F. **Review, and place on file, the 2015 Wylie Police Department Annual Traffic Contact Report.** *(A. Henderson, Police Chief)*

REGULAR AGENDA

- 1. **Hold a Public Hearing and consider, and act upon, approval of a Replat for Freddy’s Addition, creating three lots on 3.789 acres, generally located on the southeast corner of FM 544 and Regency Drive. RP2016-02** *(R. Ollie, Development Services Director)*

Executive Summary

The property totals 3.789 acres and will create three lots. Lot 1 will contain a Freddy's Custard Restaurant, Lots 2 and 3 are the remaining acreage that may be further subdivided and used as permitted under the Commercial Corridor zoning.

2. **Hold a Public Hearing and consider, and act upon, approval of a Replat for Railroad Addition, Lot 1R, Block 31; Being a Replat of Lots 1A, 2A, and 3A of Block 31, establishing one multi-family residential lot on 0.129 acres, generally located on the southwest corner of 2nd Street and Masters Avenue (200 South Second Street). RP 2016-01. (R. Ollie, Development Services Director)**

Executive Summary

The purpose of the Replat is to reconfigure three lots to establish one multi-family residential lot on 0.129 acres. The property is zoned Multi-Family (MF).

3. **Hold a Public Hearing and consider, and act upon, a change of zoning from Single-Family Residential to Neighborhood Service with Specific Use Permit to allow Assisted Living Facility on 3.126 acre tract of land situated in the D. Williams Survey, Abstract 1021. Property generally located northeast corner of West Brown Street and Westgate Way. ZC 2016-01 (R. Ollie, Development Services Director)**

Executive Summary

The applicant is requesting to develop a 64 unit Assisted Living complex. The complex will consist of 32 units designated for memory care, and 32 units designated for assisted living quarters. The proposed project consists of 4 buildings of 11, 800 s.f. each, with 16 units per building.

4. **Consider, act upon, Ordinance No. 2016- 03 authorizing the annexation of 1.207 mile segment of Pleasant Valley Road from Elm Grove to the Dallas County Line. 2016-01A (R. Ollie, Development Services Director)**

Executive Summary

This annexation is at the request of Dallas County and defined as Orphan Roads. Orphan Roads are all or part of a street or road right-of-way, which is outside the incorporated limits of a municipality (or municipalities) and the incorporated area of the municipality (or municipalities) abuts or extends into the right-of-way. These roadway segments have, in effect, been "orphaned" by the abutting city (or cities) that they serve in that they have been left unincorporated.

READING OF ORDINANCE

Title and caption approved by Council as required by Wylie City Charter, Article III, Section 13-D.

WORK SESSION

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- **Discussion of Building Code options related to smoking in restaurants**

RECONVENE INTO REGULAR SESSION

EXECUTIVE SESSION

Recess into Closed Session in compliance with Section 551.001, et.seq. Texas Government Code, to wit:

§§Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING.

A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on its negotiating position.

- **Discussion regarding property generally located near the intersection of Country Club and Brown St.**

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

ADJOURNMENT

If during the course of the meeting covered by this notice, the City Council should determine that a closed or executive meeting or session of the City Council or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the City Council at the date, hour and place given in this notice as the City Council may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

CERTIFICATION

I certify that this Notice of Meeting was posted on February , 2016 at 5:00 p.m. as required by law in accordance with Section 551.042 of the Texas Government Code and that the appropriate news media was contacted. As a courtesy, this agenda is also posted on the City of Wylie website: www.wylietexas.gov.

Carole Ehrlich, City Secretary

Date Notice Removed



Wylie City Council

Minutes

City Council Meeting
Tuesday, January 26, 2016 – 6:00 p.m.
Wylie Municipal Complex – Council Chambers
300 Country Club Road, Bldg. 100
Wylie, TX 75098

CALL TO ORDER

Announce the presence of a Quorum.

Mayor Eric Hogue called the meeting to order at 6:00 p.m. City Secretary Ehrlich took roll call with the following City Council members present: Mayor Eric Hogue, Mayor pro tem Keith Stephens, Councilman Todd Wintters, Councilman David Dahl, and Councilman William Whitney III. Councilwoman Candy Arrington and Councilwoman Diane Culver were absent.

Staff present were: City Manager, Mindy Manson; Assistant City Manager, Jeff Butters; Development Services Director, Renae Ollie; City Engineer, Chris Holsted; Assistant Finance Director, Melissa Beard; Public Services Director, Mike Sferra; WEDC Executive Director, Sam Satterwhite; Fire Chief, Brent Parker; Police Chief, Anthony Henderson; City Secretary, Carole Ehrlich; Public Information Officer, Craig Kelly; and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Former Mayor William Martin gave the Invocation and Former Mayor Jim Swartz led the Pledge of Allegiance.

PRESENTATIONS

- **Presentation to the City of a donation of \$13,370.49 from the Wylie Advocates for Senior Activities (WASA) as a contribution toward the purchase of an intercom system for the Wylie Senior Recreation Center.** (*R. Diaz, Parks and Recreation Superintendent*)

Members of the Wylie Senior Activities presented a check for \$13,379.49 as the final donation from the organization which will be closed. Treasurer Jim Swartz thanked the City Council and staff for assisting with the new Senior Center construction. Swartz noted that the organization would like the funds to be used toward the purchase of a sound system for the center.

- **Proclamation declaring the week of February 15th – Wylie ISD Education Foundation Week.**

Members of the Wylie ISD Education Foundation were present to receive a proclamation from Mayor Eric Hogue and members of the City Council designating the week of February 15th as Wylie ISD Education Foundation Week in the City of Wylie.

CITIZENS COMMENTS ON NON-AGENDA ITEMS

Residents may address Council regarding an item that is not listed on the Agenda. Residents must fill out a non-agenda form prior to the meeting in order to speak. Council requests that comments be limited to three (3) minutes. In addition, Council is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

Najib Gazi, representing the East Plano Islamic Center, invited members of the Council to the grand opening of the new Islamic Center to be held February 20, 2016.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. Consider, and act upon, approval of the Minutes of January 12, 2016 Regular Meeting of the Wylie City Council. (C. Ehrlich, City Secretary)**
- B. Consider, and act upon, Resolution No. 2016-02(R) of the City Council of the City of Wylie, Collin, Dallas and Rockwall Counties, Texas, ordering the General Election to be administered by the Collin County Elections Administrator and the City of Wylie on May 7, 2016, for the purpose of electing the positions of two (2) members (Place 1 and Place 3) of the Wylie City Council, to hold office for a period of three (3) years; Designating locations of polling places; Designating filing deadlines; Ordering Notices of Election to be given as prescribed by law in connection with such election. (C. Ehrlich, City Secretary)**
- C. Consider, and act upon, Resolution No. 2016-03(R) of the City Council of the City of Wylie, Collin, Dallas and Rockwall Counties, Texas, appointing election officials for the General Election on May 7, 2016, for the purpose of electing the positions of two (2) members (Place 1 and Place 3) of the Wylie City Council. (C. Ehrlich, City Secretary)**
- D. Consider, and act upon, approval of a Final Plat creating 57 single family residential lots and 3 open space lots on 28.019 acres for the Braddock Place Phase 5 Subdivision, generally located west of FM 544 at the Vinson/County Line road split. (R. Ollie, Development Services Director)**
- E. Consider, and act upon, a motion to approve Ordinance No. 2016-01 an Ordinance of the City Council of the City of Wylie, Texas, amending Wylie's Code of Ordinances, Ordinance No. 2005-07, as amended, adding article VII (Municipal Setting Designations) to chapter 42 (Environment); Providing for Municipal Setting Designations to prohibit the use of groundwater in designated areas; amending the Code of Ordinances to add Section XIII (MSD Application Fee) of Appendix C (Wylie Comprehensive Fee Schedule) for the purpose of establishing an MSD Application Fee; Providing a penalty clause, savings/repealing clause, severability clause and an effective date; and providing for the publication of the caption hereof. (J. Butters, Asst. City Manager)**

- F. Consider, and act upon, a motion to approve Resolution No. 2016-04(R) of the City Council of the City of Wylie, Texas, authorizing the Texas Coalition for Affordable Power, Inc. (TCAP) to negotiate an electric supply agreement for five years for deliveries of electricity effective January 1, 2018; authorizing TCAP to act as an agent on behalf of the City to enter into a contract for electricity: Authorizing Mindy Manson or Jeff Butters to execute an electric supply agreement for the deliveries of electricity effective January 1, 2018 and committing to budget for energy purchases in 2018 through 2022 and to honor the City's commitments to purchase power for its electrical needs in 2018 through 2022 through TCAP. (J. Butters, Asst. City Manager)**
- G. Consider, and place on file, the City of Wylie Monthly Investment Report for December 31, 2015. (L. Bantz, Finance Director)**
- H. Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for December 31, 2015. (L. Bantz, Finance Director)**
- I. Consider, and act upon, the request from the Run for Heroes Event for a vendor fair at Olde City Park on April 2, 2016, with rain date of April 9, 2016. (R. Diaz, Parks & Recreation Superintendent)**
- J. Consider, and act upon, approval of Ordinance No. 2016-02 establishing the maximum speed limits on East Brown Street proceeding from SH 78 to WA Allen Boulevard. (C. Holsted, City Engineer)**
- K. Consider, and place on file, the Animal Shelter Advisory Board report to City Council regarding the meeting held on January 13, 2016. (S. Patton, Animal Control Supervisor)**

Mayor Hogue announced staff had requested Consent Item E be pulled from the Consent Agenda and be considered individually. Councilman Dahl requested Item J be pulled from the Consent Agenda and be considered individually. Consensus of Council was to pull Consent Items E and J from consideration on the Consent Agenda.

Council Action

A motion was made by Councilman Wintters, seconded by Councilman Whitney to approve Consent Items A, B, C, D, F, G, H, I, and K as presented. A vote was taken and the motion passed 5-0 with Councilwoman Culver and Councilwoman Arrington absent.

REGULAR AGENDA

- E. Consider, and act upon, a motion to approve Ordinance No. 2016-01 an Ordinance of the City Council of the City of Wylie, Texas, amending Wylie's Code of Ordinances, Ordinance No. 2005-07, as amended, adding article VII (Municipal Setting Designations) to chapter 42 (Environment); Providing for Municipal Setting Designations to prohibit the use of groundwater in designated areas; amending the Code of Ordinances to add Section XIII (MSD Application Fee) of Appendix C (Wylie Comprehensive Fee Schedule) for the purpose of establishing an MSD Application Fee; Providing a penalty clause, savings/repealing clause, severability clause and an effective**

date; and providing for the publication of the caption hereof. (*J. Butters, Asst. City Manager*)

Staff Comments

Assistant City Manager Butters addressed Council stating that the ordinance presented in the packet for review did not include an application fee for Municipal Setting Designations. Butters reported staff was recommending a fee of \$100 to be included in the proposed ordinance on page 13.

Council Action

A motion was made by Councilman Whitney, seconded by Mayor pro tem Stephens to adopt Ordinance No. 2016-01 an Ordinance of the City Council of the City of Wylie, Texas, amending Wylie's Code of Ordinances, Ordinance No. 2005-07, as amended, adding article VII (Municipal Setting Designations) to chapter 42 (Environment); Providing for Municipal Setting Designations to prohibit the use of groundwater in designated areas; amending the Code of Ordinances to add Section XIII (MSD Application Fee) of Appendix C (Wylie Comprehensive Fee Schedule) for the purpose of establishing an MSD Application Fee of \$100; Providing a penalty clause, savings/repealing clause, severability clause and an effective date; and providing for the publication of the caption hereof. A vote was taken and the motion passed 5-0 with Councilwoman Culver and Councilwoman Arrington absent.

J. Consider, and act upon, approval of Ordinance No. 2016-02 establishing the maximum speed limits on East Brown Street proceeding from SH 78 to WA Allen Boulevard. (*C. Holsted, City Engineer*)

Staff Comments

City Engineer Holsted addressed Council stating that East Brown Street from SH 78 to W.A. Allen Boulevard is currently posted at 40 mph, and this 3,600 feet of roadway contains 5 street, 1 alley, and 6 driveway intersections on the south side. Two of the street intersections have reduced sight visibility due to the topography of Brown Street and the intersection location. Staff recommends reducing the speed to 30 mph which will also reduce the required stopping sight distance for the intersections and increase safety. Also, additional signs will be installed giving advance notice of the intersection.

Councilman Dahl reported some speed limit inconsistencies with other roadways in Wylie going east and west. He stated that when driving the road on the west section of Brown the speed limit is 35 miles; once crossing SH 78 it would become 30 miles. Dahl stated that he had concerns that drivers would not realize the change in speed and continue at a higher speed. He suggested leaving the speed at 35 mph crossing SH 78, until the dip in the road where West Brown intersects with Kreymer Estates and blind spots then reduce the speed to 30 mph at that point; also include dangerous entry sign. He noted his desire was to have an enforceable and comprehensive speed limit that drivers can project by basic rule.

Holsted replied the speed limit on Brown east and west was based on the design of the road. There are considerable differences in topography of east and west Brown which is the reasoning behind the difference in speed.

Councilman Whitney asked City Engineer Holsted if a traffic study had been done on the roadway. Holsted replied it had not. He asked Holsted if going from 40 mph to 30 mph would improve safety. Would it be better to place monitoring system or signage instead? Holsted stated that going 40 mph to 30 mph in stopping site distance is quite a bit different. The residents of Kreymer Estates brought this to our attention as did staff having concerns after driving the road.

Mayor pro tem Stephens noted he was pleased to see this item come on the agenda as he had concerns with the current speed and the hazards on that roadway. Councilman Wintters concurred requesting staff place some good signage to alert drivers to the change.

Council Action

A motion was made by Councilman Wintters, seconded by Councilman Dahl to approve Ordinance No. 2016-02 establishing the maximum speed limits on East Brown Street proceeding from SH 78 to WA Allen Boulevard. A vote was taken and the motion passed 4-1 with Mayor Hogue, Mayor pro tem Stephens, Councilman Wintters, and Councilman Dahl voting for, and Councilman Whitney voting against. Councilwoman Culver and Councilwoman Arrington were absent.

- 1. Hold the 2nd Public Hearing for the annexation of an approximate 1.207 mile segment of Pleasant Valley Road from Elm Grove to the Dallas County Line. 2016-01A.** *(R. Ollie, Development Services Director)*

Staff Comments

Development Services Director Ollie addressed Council stating that this annexation is at the request of Dallas County and defined as Orphan Roads. Orphan Roads are all, or part, of a street or road right-of-way, which is outside the incorporated limits of a municipality (or municipalities) and the incorporated area of the municipality (or municipalities) abuts or extends into the right-of-way. These roadway segments have, in effect, been "orphaned" by the abutting city (or cities) that they serve in that they have been left unincorporated.

Public Hearing

Mayor Hogue opened the second public hearing on the annexation (2016-01A) at 7:11 p.m. asking anyone present wishing to address Council to come forward.

Two persons were present wishing to address Council in opposition of the annexation.

Mayor Hogue closed the public hearing at 7:18 p.m.

Article 1, Section 3 of the Wylie City Charter authorizes the City Council to adjust boundaries. This annexation is being conducted in compliance with Sections 43.052(h)(2) and 43.063 of the Local Government Code.

Notice published for Public Hearings	December 23, 2015 and January 6, 2016
First Public Hearing	January 12, 2016
Second Public Hearing	January 26, 2016
Adoption of Ordinance	February 9, 2016

- 2. Hold a Public Hearing and consider, and act upon, approval of a Replat for Arbor Acres, Block A, Lot 1R-2, to create one commercial lot on 2.077 acres, located at 16 Steel Road.** *(R. Ollie, Development Services Director)*

Staff Comments

Development Services Director Ollie addressed Council stating that property totals 2.077 acres and will create one commercial lot. A portion of the subject property is zoned PD2011-10-1 while the remaining portion is zoned Light Industrial. Ollie commented the building would be constructed and providing its own green electricity.

Steve Houser, applicant, addressed Council stating that he had been a resident of the City for many years and was very proud to build a totally “green” building.

Public Hearing

Mayor Hogue opened the public hearing on the Re-plat for Arbor Acres at 7:25 p.m. asking anyone present wishing to address Council to come forward.

There were no citizens present wishing to address Council.

Mayor Hogue closed the public hearing at 7:26 p.m.

Council Action

A motion was made by Councilman Dahl, seconded by Mayor pro tem Stephens, to approve a Replat for Arbor Acres, Block A, Lot 1R-2, to create one commercial lot on 2.077 acres, located at 16 Steel Road. A vote was taken and the motion passed 5-0 with Councilwoman Culver and Councilwoman Arrington absent.

- 3. Consider, and act upon, the acceptance of the resignation of William Hiney and to appoint a new member to the Zoning Board of Adjustment for the unexpired term of June 2014 to June 2016.** (*R. Ollie, Development Services Director*)

Staff Comments

Development Services Director Ollie addressed Council stating that staff is requesting the appointment of a new Zoning Board of Adjustment member to replace Mr. William Hiney, who has recently resigned his position as of January 18, 2016. Ollie requested Council consider Alternate Zoning Board member Andres Gonzalez to move to the permanent position. She explained that with one alternate still remaining Council could wait until the Board and Commission Appointments in June to fill the other alternate position.

Council Action

A motion was made by Councilman Dahl, seconded by Councilman Winters to accept the resignation of William Hiney and to appoint Andres Gonzalez to the Zoning Board of Adjustment for the unexpired term of June 2014 to June 2016. A vote was taken and the motion passed 5-0 with Councilwoman Culver and Councilwoman Arrington absent.

- 4. Consider, and act upon, acceptance of the Comprehensive Annual Financial Report (CAFR) for FY 2014-2015 after a presentation by the audit firm of Weaver L.L.P.** (*L. Bantz, Finance Director*)

Staff Comments

Assistant Finance Director Melissa Beard addressed Council stating that the City Charter in Article VII, Municipal Finance, Section 13: Independent Audit requires that at the end of the fiscal year an independent audit be made of all accounts of the City by a certified public accountant. In compliance with the City Charter, our outside auditor, Weaver has performed an audit as of September 30, 2015. This is the second year for the audit to be performed by Weaver after their selection to continue as the City's independent auditors following an RFP process done during 2014. Prior to that Weaver had served as the City's auditors for six years.

Beard introduced Mr. John DeBurro, Senior Audit Manager with Weaver, who provided a brief presentation of the CAFR, including the Independent Auditors' Report. He reported that Weaver had found the audit to be an unmodified opinion. He explained that Weaver had issued the Independent Auditor's Report on Internal Control over Financial Reporting and on compliance and other matters based on an audit of financial statements performed in accordance with Government Auditing Standards. An unmodified report is the best reporting a city can receive where no deficiencies were found. Mr. DeBurro reviewed some of the highlights of FY 2014-2015 CAFR with council and those present. A complete copy of the FY 2014-2015 CAFR is on file for review.

Council Action

A motion was made by Mayor pro tem Stephens, seconded by Councilman Whitney to accept and place on file the Comprehensive Annual Financial Report (CAFR) for FY 2014-2015 by the audit firm of Weaver L.L.P. A vote was taken and the motion passed 5-0 with Councilwoman Culver and Councilwoman Arrington absent.

Presentation of the Wylie Economic Development Corporation Annual Report.

5. Consider, and place on file, the 2015 Wylie Economic Development Corporation Annual Report. (S. Satterwhite, WEDC Director)

WEDC Executive Director Sam Satterwhite delivered the 2015 Annual Report to the Wylie City Council. This report provided a financial overview and condition of the Corporation as well as an update on 2015 business activity and 2016 Goals & Objectives. The report noted that for the fifteenth consecutive fiscal year, sales tax collections increased over prior year figures with a 13.4% gain over 2014 and receipts totaling \$2,191,785.

The WEDC reported the following breakdown of expenditures: \$768,396 on grants and engineering services directly attributed to incentive packages, \$1,858,520 on the purchase of real property, \$272,191 on personnel services, \$131,855 on marketing and promotion, and debt service of \$795,654. In FY 2015-2016, the WEDC is contractually obligated to fund \$1,608,018 in direct incentive programs including sales tax rebate programs for infrastructure improvements executed with Direct Development, Clark Street, and B&B. The WEDC also had \$202,400 in income from the lease of WEDC facilities, and \$11,958 in income from a loan receivable. Finally, the WEDC ended the FY 2014-15 with a fund balance of \$1,367,391.

In addition to the Exco project, the WEDC finalized negotiations on seven commercial projects in 2015 totaling 107,000 square feet and \$16 mm in new investment

The WEDC acquired 10 properties that complement areas being targeted for redevelopment. In early 2016, the WEDC will finalize purchase of 398 S. Hwy 78 and relocate Mann Made to industrial site on Business Way. This purchase culminates a nine-year effort and completes the assembly of a five acre contiguous tract on Highway 78 between Starbucks and Wylie Printing. This redevelopment zone will be a primary focus for new business development in 2016.

Mr. Satterwhite also added that while the WEDC had very little to do with this project, the EPA has begun the clean-up of a Superfund site near the intersection of F.M. 544 and 78. Many staff members have worked on this project over the past twenty years with staff noting that it was not until Congressman Pete Sessions became involved in negotiations with the EPA that progress was made. Mayor Hogue inquired as to the status of City funding for the clean-up with staff responding that the EPA is bearing 100% of the cost.

In 2016, the WEDC will concentrate their efforts toward facilitating the development of the KCS property along Highway 78, working with a new investor which acquired the BARIX Hospital property, and continuing to address the issues surrounding the development of WEDC property on Jackson Street for mixed-use development that complements Wylie's Historic Downtown.

- 6. Consider, and act upon, approval of Resolution No. 2016-05(R) authorizing the City Manager to execute an Interlocal Agreement with the North Texas Municipal Water District concerning the reconstruction of Eubanks Lane from SH 78 to the NTMWD entrance.** (C. Holsted, City Engineer)

Executive Summary

City Engineer Holsted addressed Council stating that the North Texas Municipal Water District (NTMWD) has multiple entrances into their property and plant site with the main truck entrance being located on Eubanks Lane just north of the railroad crossing. The westbound SH 78 to northbound Eubanks turn is difficult for large trucks to navigate, and as a result, they are currently using Spring Creek and Centennial to access Eubanks and the main truck entrance. Also, due to the amount of trucks using Eubanks, the paving is in poor condition and requires constant maintenance by our public works department.

Holsted explained staff has been working with NTMWD to develop an agreement for the reconstruction of Eubanks from SH 78 to the NTMWD entrance. The interlocal agreement outlines the project responsibilities and cost participation for each entity. Engineering and right of way acquisition would be the responsibility of the City of Wylie at a projected cost of \$387,000. The construction of the project would be split with NTMWD paying 80% and the City of Wylie paying 20% of the cost as shown in the attached project cost share table. NTMWD would also pay 100% of a proposed westbound deceleration and turn lane on SH 78 at Eubanks (TxDOT approval is required).

Holsted noted the improvements to Eubanks Lane are included in the Thoroughfare Capital Improvements Plan and Impact Fee Calculation. Staff recommends using impact fee funds for the engineering and right of way acquisition. The current west zone thoroughfare impact fee balance is approximately \$950,000. A funding source for the construction of the project has not yet been identified.

Council Action

A motion was made by Councilman Wintters, seconded by Councilman Whitney to approve Resolution No. 2016-05(R) authorizing the City Manager to execute an Interlocal Agreement with the North Texas Municipal Water District concerning the reconstruction of Eubanks Lane from SH 78 to the NTMWD entrance. A vote was taken and the motion passed 5-0 with Councilwoman Culver and Councilwoman Arrington absent.

READING OF ORDINANCES

Title and caption approved by Council as required by Wylie City Charter, Article III, Section 13-D.

City Secretary Ehrlich read the captions to Ordinance No.'s 2016-01 and 2016-02 into the official record.

Mayor Hogue convened into Executive Session at 8:28 p.m. reading the captions below.

EXECUTIVE SESSION

Recess into Closed Session in compliance with Section 551.001, et.seq. Texas Government Code, to wit:

§Sec. 551.074. PERSONNEL MATTERS; CLOSED MEETING.

This chapter does not require a governmental body to conduct an open meeting:

- (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or
 - (2) to hear a complaint or charge against an officer or employee.
- (b) Subsection (a) does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

- **City Manager Evaluation.** (*M. Manson, City Manager*)

Mayor Hogue reconvened into Open Session at 9:43 p.m.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

There was no action taken as a result of Executive Session.

ADJOURNMENT

A motion was made by Mayor pro tem Stephens, seconded by Councilman Dahl, to adjourn the meeting at 9:45 p.m. A vote was taken and the motion passed 5-0 with Councilwoman Culver and Councilwoman Arrington absent.

Eric Hogue, Mayor

ATTEST:

Carole Ehrlich, City Secretary



Wylie City Council

AGENDA REPORT

Meeting Date: February 9, 2016
Department: City Secretary
Prepared By: C. Ehrlich
Date Prepared: January 27, 2016

Item Number: B
(City Secretary's Use Only)
Account Code: 100-5113-56070
Budgeted Amount: \$13,000
CCEA Contract/Cost Estimates
Exhibits: _____

Subject

Consider and act upon, an Election Contract by and between the City of Wylie and the Collin County Elections Administrator for administration of the May 07, 2016 Wylie General Election for the City's Voters residing in Collin County.

Recommendation

Motion to approve, , an Election Contract by and between the City of Wylie and the Collin County Elections Administrator for administration of the May 07, 2016 Wylie General Election for the City's Voters residing in Collin County.

Discussion

By the terms of this agreement, the City of Wylie agrees, pursuant to the provisions of the Texas Election Code, to hold its General Election on Saturday, May 07, 2016. Per Council direction, the City will contract with the Collin County Elections Administrator to perform various duties and responsibilities for Wylie's Collin County voters, on behalf of the City. The contract presented has specified duties for each party and estimated costs to administer the election. This agreement, once executed, will formalize the General Election for May 07, 2016 between the City of Wylie and the Collin County Elections Administrator and approve the estimated costs for this portion of the General Election. Under the terms of the contract, it is noted in the contract, if the City cancels their election, a charge of \$75.00 will be accessed as full cost for the election.

Article 2, Section 1 (c) of the Home Rule Charter allows the Council to cooperate with the government of any County for any lawful purpose for the advancement of the interests of its inhabitants and cost savings to the taxpayers. The Election Code allows and encourages cities and school districts to contract with any county within its incorporated city limits for the administration of local elections.

Collin County Elections Administrator Bruce Sherbet will administer the election for registered voters residing in the incorporated city limits of Wylie within Collin County. Per direction from Council, the City will administer the election for Wylie voters in Rockwall and Dallas Counties and provide administrative services. All Wylie voters will use the Smith Public Library as the Early Voting and Election Day polling place.



Wylie City Council

AGENDA REPORT

Meeting Date: February 9, 2016
Department: City Secretary
Prepared By: C. Ehrlich
Date Prepared: January 27, 2016

Item Number: B
(City Secretary's Use Only)
Account Code: 100-5113-56070
Budgeted Amount: \$13,000
CCEA Contract/Cost Estimates
Exhibits: _____

Subject

Consider and act upon, an Election Contract by and between the City of Wylie and the Collin County Elections Administrator for administration of the May 07, 2016 Wylie General Election for the City's Voters residing in Collin County.

Recommendation

Motion to approve, , an Election Contract by and between the City of Wylie and the Collin County Elections Administrator for administration of the May 07, 2016 Wylie General Election for the City's Voters residing in Collin County.

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May 7, 2016
General Election
Contract for Election Services
City of Wylie

May 7, 2016 General Election

Table of Contents

I.....Duties and Services of Contracting Officer
II.....Duties and Services of City
III.....Cost of Election
IV.....General Provisions

Exhibits

Exhibit A.....Early Voting Schedule and Locations
Exhibit B.....Election Day Vote Centers
Exhibit C.....Cost of Services

THE STATE OF TEXAS
COUNTY OF COLLIN
CITY OF WYLIE

§

CONTRACT FOR
ELECTION SERVICES

BY THE TERMS OF THIS CONTRACT made and entered into by and between the CITY OF WYLIE, hereinafter referred to as the "CITY," and BRUCE SHERBET, Elections Administrator of Collin County, Texas, hereinafter referred to as "Contracting Officer," pursuant to the authority in Subchapter D, Section 31.092, of Chapter 31, of the Texas Election Code, agree to the following particulars in regard to coordination, supervision and running of the City's May 7, 2016 General Election and a City Runoff Election, if necessary, on June 18, 2016. An additional cost estimate, early voting calendar, and Election Day polling place schedule will be prepared should a Runoff Election be necessary.

The terms of this Agreement apply to the Contracting Officer's administration of the City's May 7, 2016 General Election and June 18, 2016 Runoff Election, if necessary, for the City's voters residing in Collin County only. The City shall administer such elections for the City's voters residing in Dallas County and Rockwall County.

THIS AGREEMENT is entered into in consideration of the mutual covenants and promises hereinafter set out. IT IS AGREED AS FOLLOWS:

I. DUTIES AND SERVICES OF CONTRACTING OFFICER. The Contracting Officer shall be responsible for performing the following duties and shall furnish the following services and equipment:

A. The Contracting Officer shall arrange for appointment, notification (including writ of election), training and compensation of all presiding judges, alternate judges, the judge of the Central Counting Station and judge of the Early Voting Ballot Board.

a. The Contracting Officer shall be responsible for notification of each Election Day and Early Voting presiding judge and alternate judge of his or her appointment. The recommendations of the City will be the accepted guidelines for the number of clerks secured to work in each Vote Center. The presiding election judge of each Vote Center, however, will

use his/her discretion to determine when additional manpower is needed during peak voting hours. The Contracting Officer will determine the number of clerks to work in the Central Counting Station and the number of clerks to work on the Ballot Board.

Election judges shall be secured by the Contracting Officer with the approval of the City.

b. Election judges shall attend the Contracting Officer's school of instruction (Elections Seminar); calendar will be provided.

c. Election judges shall be responsible for picking up from and returning election supplies to the county election warehouse located at 2010 Redbud Blvd., Suite 102, McKinney. Compensation for this pickup and delivery of supplies will be \$25.00.

d. The Contracting Officer shall compensate each election judge and worker. Each judge shall receive \$12.00 per hour for services rendered. Each alternate judge and clerk shall receive \$10.00 per hour for services rendered. Overtime will be paid to each person working over 40 hours per week.

B. The Contracting Officer shall procure, prepare, and distribute voting machines, election kits and election supplies.

a. The Contracting Officer shall secure election kits which include the legal documentation required to hold an election and all supplies including locks, pens, magic markers, etc.

b. The Contracting Officer shall secure all tables, chairs, and legal documentation required to run the Central Counting Station.

c. The Contracting Officer shall provide all lists of registered voters required for use on Election Day and for the early voting period required by law.

d. The Contracting Officer shall procure and arrange for the distribution of all election equipment and supplies required to hold an election.

1. Equipment includes the rental of voting machines, ADA compliance headphones and keypads (1 per site), transfer cases, voting signs and election supply cabinets.

2. Supplies include smart cards, sample ballots, provisional forms, maps, labels, pens, tape, markers, etc.

C. The Contracting Officer, Bruce Sherbet, shall be appointed the Early Voting Clerk by the City.

a. The Contracting Officer shall supervise and conduct Early Voting by mail and in person and shall secure personnel to serve as Early Voting Deputies.

b. Early Voting by personal appearance for the City's May 7, 2016, General Election shall be conducted during the time period at the locations listed in Exhibit "A", attached and incorporated by reference into this contract.

c. All applications for an Early Voting mail ballot shall be received and processed by the Collin County Elections Administration Office, 2010 Redbud Blvd., Suite 102, McKinney, Texas 75069.

1. Application for mail ballots erroneously mailed to the City shall immediately be faxed to the Contracting Officer for timely processing. The original application shall then be forwarded to the Contracting Officer for proper retention.

2. All Federal Post Card Applicants (FPCA) will be sent a mail ballot. No postage is required.

d. All Early Voting ballots (those cast by mail and those cast by personal appearance) shall be prepared for count by the Early Voting Ballot Board in accordance with Section 87.000 of the Texas Election Code. The presiding judge of this Board shall be appointed by the Contracting Officer.

D. The Contracting Officer shall arrange for the use of all Election Day Vote Centers. The City shall assume the responsibility of remitting the cost of all employee services required to provide access, provide security or provide custodial services for the Vote Centers. The Election Day Vote Centers are listed in Exhibit "B", attached and incorporated by reference into this contract.

E. The Contracting Officer shall be responsible for establishing and operating the Central Counting Station to receive and tabulate the voted ballots in accordance with Section 127.001 of the Election Code and of this agreement. Counting Station Manager and Central Count Judge shall be Bruce Sherbet. The Tabulation Supervisor shall be Patty Seals.

a. The Tabulation Supervisor shall prepare, test and run the county's tabulation system in accordance with statutory requirements and county policies, under the auspices of the Contracting Officer.

b. The Public Logic and Accuracy Test of the electronic voting system shall be conducted.

c. Election night reports will be available to the City at the Central Counting Station on election night. Provisional ballots will be tabulated after election night in accordance with law.

d. The Contracting Officer shall prepare the unofficial canvass report after all precincts have been counted, and will provide a copy of the unofficial canvass to the City as soon as possible after all returns have been tallied.

e. The Contracting Officer shall be appointed the custodian of the voted ballots and shall retain all election material for a period of 22 months.

1. Pending no litigation and as prescribed by law, the voted ballots shall be shredded 22 months after the election.

2. The City can obtain the list of registered voters from the Elections Administration Office after this retention period. Pending no litigation and if the City does not request the lists, the Contracting Officer shall destroy them.

f. The Contracting Officer shall conduct a manual count as prescribed by Section 127.201 of the Texas Election Code and submit a written report to the City in a timely manner. The Secretary of State may waive this requirement. If applicable, a written report shall be submitted to the Secretary of State as required by Section 127.201(E) of the aforementioned code.

II. DUTIES AND SERVICES OF THE CITY. The City shall assume the following responsibilities:

A. The City shall prepare the election orders, resolutions, notices, official canvass and other pertinent documents for adoption by the appropriate office or body. The City assumes the responsibility of posting all notices and likewise promoting the schedules for Early Voting and Election Day.

B. The City shall provide the Contracting Officer with an updated map and street index of their jurisdiction in an electronic (shape file preferred) or printed format as soon as possible but no later than Friday, March 4, 2016.

C. The City shall procure and provide the Contracting Officer with the ballot layout and Spanish interpretation in an electronic format.

a. The City shall deliver to the Contracting Officer as soon as possible, but no later than 5:00 PM Thursday, February 25, 2016, the official wording for the City's May 7, 2016, General Election.

b. The City shall approve the "blue line" ballot format prior to the final printing.

D. The City shall post the publication of election notice by the proper methods with the proper media.

E. The City shall compensate the Contracting Officer for any additional verified cost incurred in the process of running this election or for a manual count this election may require, consistent with charges and hourly rates shown on Exhibit "C" for required services.

F. The City shall pay the Contracting Officer 90% of the estimated cost to run the said election prior to Friday, April 1, 2016. The Contracting Officer shall place the funds in a "contract fund" as prescribed by Section 31.100 of the Texas Election Code. The Deposit should be delivered within the mandatory time frame to:

**Collin County Treasury
2300 Bloomdale Rd. #3138
McKinney, Texas 75071**

Made payable to: "Collin County Treasury" with the note "for election services" included with check documentation.

G. The City shall pay the cost of conducting said election, less partial payment, including the 10% administrative fee, pursuant to the Texas Election Code, Section 31.100, within 30 days from the date of final billing.

III. COST OF SERVICES. See Exhibit "C."

IV. GENERAL PROVISIONS.

A. Nothing contained in this contract shall authorize or permit a change in the officer with whom or the place at which any document or record relating to the City's May 7, 2016, General Election is to be filed or the place at which any function is to be carried out, or any nontransferable functions specified under Section 31.096 of the Texas Election Code.

B. Upon request, the Contracting Officer will provide copies of all invoices and other charges received in the process of running said election for the City.

C. If the City cancels their election pursuant to Section 2.053 of the Texas Election Code, the Contracting Officer shall be paid a contract preparation fee of \$75. An entity canceling an election will not be liable for any further costs incurred by the Contracting Officer in conducting the May 7, 2016, General Election. All actual shared cost incurred in the conduct of the election will be divided by the actual number of entities contracting with the Contracting Officer **and** holding a May 7, 2016, General Election.

D. The Contracting Officer shall file copies of this contract with the County Judge and the County Auditor of Collin County, Texas.

WITNESS BY MY HAND THIS THE ___ DAY OF February, 2016.

Bruce Sherbet
Elections Administrator
Collin County, Texas

WITNESS BY MY HAND THIS THE 9th DAY OF February, 2016.

By: _____
Eric Hogue, Mayor
City of Wylie

Attest: _____
Carole Ehrlich, City Secretary
City of Wylie

Exhibit "A"

**MAY 7, 2016
GENERAL ELECTION**

**Early Voting Locations and Hours
City of Wylie***

Polling Place		Address			City	
Collin County Election Office (Main Early Voting Location)		2010 Redbud Blvd., #102			McKinney	
Smith Library		300 Country Club			Wylie	
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<i>April 24</i>	<i>April 25</i>	<i>April 26</i>	<i>April 27</i>	<i>April 28</i>	<i>April 29</i>	<i>April 30</i>
	8am – 5pm	8am – 5pm	8am – 5pm	8am - 7pm	8am - 5pm	8am - 5pm
<i>May 1</i>	<i>May 2</i>	<i>May 3</i>	<i>May 4</i>	<i>May 5</i>	<i>May 6</i>	<i>May 7</i>
	7am – 7pm	7am – 7pm				7am – 7pm Election Day

* City voters may vote at any of the additional Early Voting locations open under full contract services with the Collin County Elections Administration.

Exhibit “B”

MAY 7, 2016

GENERAL ELECTION

Election Day Vote Centers – City of Wylie

Precincts	Location	Address	City
“VOTE CENTERS”	Smith Library	300 Country Club	Wylie

*City voters may vote at any of the additional Election Day Vote Centers open under full contract services with the Collin County Elections Administration.

ESTIMATED COSTS FOR CITY OF WYLIE

May 7, 2016

Exhibit "C"

SUPPLY COST

Number of Early Voting Locations		1	
Number of Election Day Locations		1	
		Units	Cost Wylie
Sample Ballots	\$0.1866 each	750	\$139.95
Early Voting Mail Ballots	\$1.20 each	25	\$30.00
Precinct Ballot Setup	\$10.00 each	1	\$10.00
Precinct Ballots	\$0.4002 each	50	\$20.01
Early voting and election day kits	\$25.00 each	2	\$50.00
Central Counting kit and supplies	\$50.00 each	1	\$50.00
County Precinct Maps	\$12.00 each	2	\$24.00
Printer Labels	\$5.27 each	10	\$52.70
			<hr/>
Total			\$376.66
Number of Entities Sharing Costs			<hr/> 1
SubTotal			\$376.66
Grand Total	\$376.66		

EQUIPMENT RENTAL COST

Number of Early Voting Locations		1	
Number of Election Day Locations		1	
		Units	Cost Wylie
Voting Machines (7's)	\$150.00 each	4	\$600.00
Voting Machines (6's)	\$200.00 each	6	\$1,200.00
Transfer Cases	\$5.00 each	2	\$10.00
Metal Signs	\$1.00 each	4	\$4.00
Wood Signs	\$2.00 each	2	\$4.00
EV Security Cabinets	\$200.00 each	1	\$200.00
EV Computer Cabinet	\$50.00 each	1	\$50.00
ED Security Cabinets	\$200.00 each	1	\$200.00
EV/ED Cabinet Drayage	\$120.00 each	2	\$240.00
			<hr/>
Total			\$2,508.00
Number of Entities Sharing Costs			<hr/> 1
SubTotal			\$2,508.00
Grand Total	\$2,508.00		

EARLY VOTING

Number of Early Voting Locations 1
 Workers each location 4

		Units	Cost Wylie
Mailed Ballot Kits	\$1.00 each	25	\$25.00
Postage for Ballots	\$0.88 each	25	\$22.00
Assemble EV Location	\$50.00 each	1	\$50.00
Total Judge Hours	\$12.00 hour	66	\$792.00
Overtime Judge Hours	\$18.00 hour	22	\$396.00
Total Alt. Judge & Clerk Hours	\$10.00 hour	198	\$1,980.00
Overtime Alt. Judge & Clerk Hours	\$15.00 hour	66	\$990.00
Pickup & Delivery of Supplies	\$25.00 each	1	\$25.00

Total \$4,280.00
 Number of Entities Sharing Costs 1

SubTotal \$4,280.00

Grand Total \$4,280.00

ELECTION DAY

Number of Election Day Locations 1
 Workers each location 5

		Units	Cost Wylie
Total Judge Hours	\$12.00 hour	14	\$168.00
Total Alt. Judge & Clerk Hours	\$10.00 hour	56	\$560.00
Pickup & Delivery of Supplies	\$25.00 each	1	\$25.00

Total \$753.00
 Number of Entities Sharing Costs 1

SubTotal \$753.00

Grand Total \$753.00

ADMINISTRATIVE EXPENSES

Number of Early Voting Locations 1
 Number of Election Day Locations 1

		Units	Cost Wylie
Manual Recount Deposit	\$60.00 each	1	\$60.00
Process Pollworker Checks	\$1.50 each	8	\$12.00
Process Election Judge Notices	\$1.50 each	4	\$6.00

Total \$78.00
 Number of Entities Sharing Costs 1

SubTotal \$78.00

Grand Total \$78.00

TABULATION

Tabulation Network	\$4,000.00
Election Night Vendor Support	\$1,800.00
Notice of Inspection/Tabulation Test	<u>\$2,150.00</u>
Total	\$7,950.00
Number of Entities	<u>18</u>
Total	\$441.67

PROGRAMMING

Full Service Programming w/Audio	\$12,000.00
Number of Entities	<u>18</u>
Total	\$666.67

CENTRALIZED COSTS

Early Voting Ballot Board	\$1,500.00
Cost for Central Count Workers	\$750.00
FICA on Election Workers	\$4,000.00
Assemble EV Location	\$50.00
Early Voting Machines in McKinney (8)	\$1,450.00
Early Voting Personnel in McKinney	\$4,000.00
Warehouse Gas Mileage	\$1,500.00
County Overtime and Temporaries	\$30,000.00
FICA for County Employees	<u>\$1,500.00</u>
Total	\$44,750.00

Full Service Jurisdictions - 18 Entities, 421,765

City of Wylie - 23,059

5.46% of Total = \$2,443.35

SUMMARY OF COSTS FOR CITY OF WYLIE

SUPPLY COST	\$376.66
EQUIPMENT RENTAL COST	\$2,508.00
EARLY VOTING	\$4,280.00
ELECTION DAY	\$753.00
ADMINISTRATIVE EXPENSES	\$78.00
TABULATION/PROGRAMMING COSTS	\$1,108.34
CENTRALIZED COSTS	<u>\$2,443.35</u>
Total	\$11,547.35
10% Administrative Fee	<u>\$1,154.74</u>
Grand Total	\$12,702.09
90% Deposit due by 4/1/16	\$11,431.88



Wylie City Council

AGENDA REPORT

Meeting Date: February 9, 2016
Department: Planning
Prepared By: Renaë' Ollie
Date Prepared: January 27, 2016

Item Number: C
(City Secretary's Use Only)
Account Code: _____
Budgeted Amount: _____
Exhibits: 1

Subject

Consider, and act upon, approval of a Final Plat for Covington Estates Phase Two consisting of 13.927 acres for 43 single family residential lots, generally located south of Alanis Drive, west of South Ballard Avenue, and north of Colonial Drive.

Recommendation

Motion to approve a Final Plat for Covington Estates Phase Two consisting of 13.927 acres for 43 single family residential lots, generally located south of Alanis Drive, west of South Ballard Avenue, and north of Colonial Drive.

Discussion

OWNER: OAK NATIONAL HOLDINGS, LLC

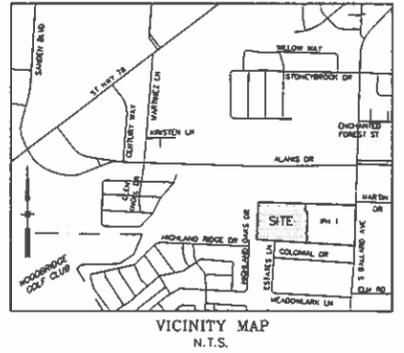
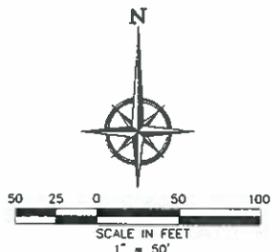
**APPLICANT: ENGINEERING CONCEPTS &
DESIGN, LP**

The property totals 13.927 acres and will create 43 single-family residential lots. The subject property is part of the overall 28 acres of the Covington Estates PD-SF approved by City Council in December of 2013. That PD allowed for houses under the 2,400 sq. ft. minimum, but kept the 10,000 sq. ft. lot requirement intact.

The plat will meet the two points of access requirement by using a temporary access easement that was approved in Phase 1 between lots three and four of Block B. This access will remain until Phase II is completed and Highland Oaks Drive is connected. At such time the T.A.E. will revert to the owners of lots three and four of Covington Estates Phase One.

P&Z Commission Discussion

The Commission recommends approval 6-0 subject to additions and/or alterations to the engineering plans as required by the Engineering Department.



LEGEND

- 5/8" I.R.S. W/CAP 1/2" IRON ROD SET WITH YELLOW CAP STAMPED "RPLS 3963"
- I.R.F. IRON ROD FOUND
- (CM) CONTROL MONUMENT
- U.E. UTILITY EASEMENT
- B.L. BUILDING SETBACK LINE
- D.R.C.C.T. DEED RECORDS, COLLIN COUNTY, TEXAS
- P.R.C.C.T. PLAT RECORDS, COLLIN COUNTY, TEXAS
- INDICATES STREET NAME CHANGE

LINE TABLE

NO.	DIRECTION	DISTANCE
L1	S 89°15'56" E	119.89'
L2	S 0°44'04" W	135.00'
L3	S 89°15'56" E	30.12'
L4	S 0°44'04" W	50.00'
L5	S 43°09'35" E	17.35'
L6	S 0°36'45" W	229.53'
L7	S 2°32'09" W	73.27'
L8	S 46°22'01" W	17.33'
L9	S 2°32'09" W	50.00'
L10	S 87°27'51" E	20.29'
L11	S 2°32'09" W	135.00'
L12	N 45°01'18" E	17.33'
L13	S 43°48'33" E	21.21'
L14	N 42°38'24" W	17.33'
L15	S 47°35'56" W	20.58'
L16	S 41°59'40" E	17.53'
L17	S 41°59'40" E	17.53'
L18	N 44°05'54" W	21.11'
L19	S 46°51'46" W	20.97'

NOTICE: Setting a portion of this section by meters and bounds is a violation of City Ordinance and State Law, and is subject to fines and withholding of utilities and building permits.

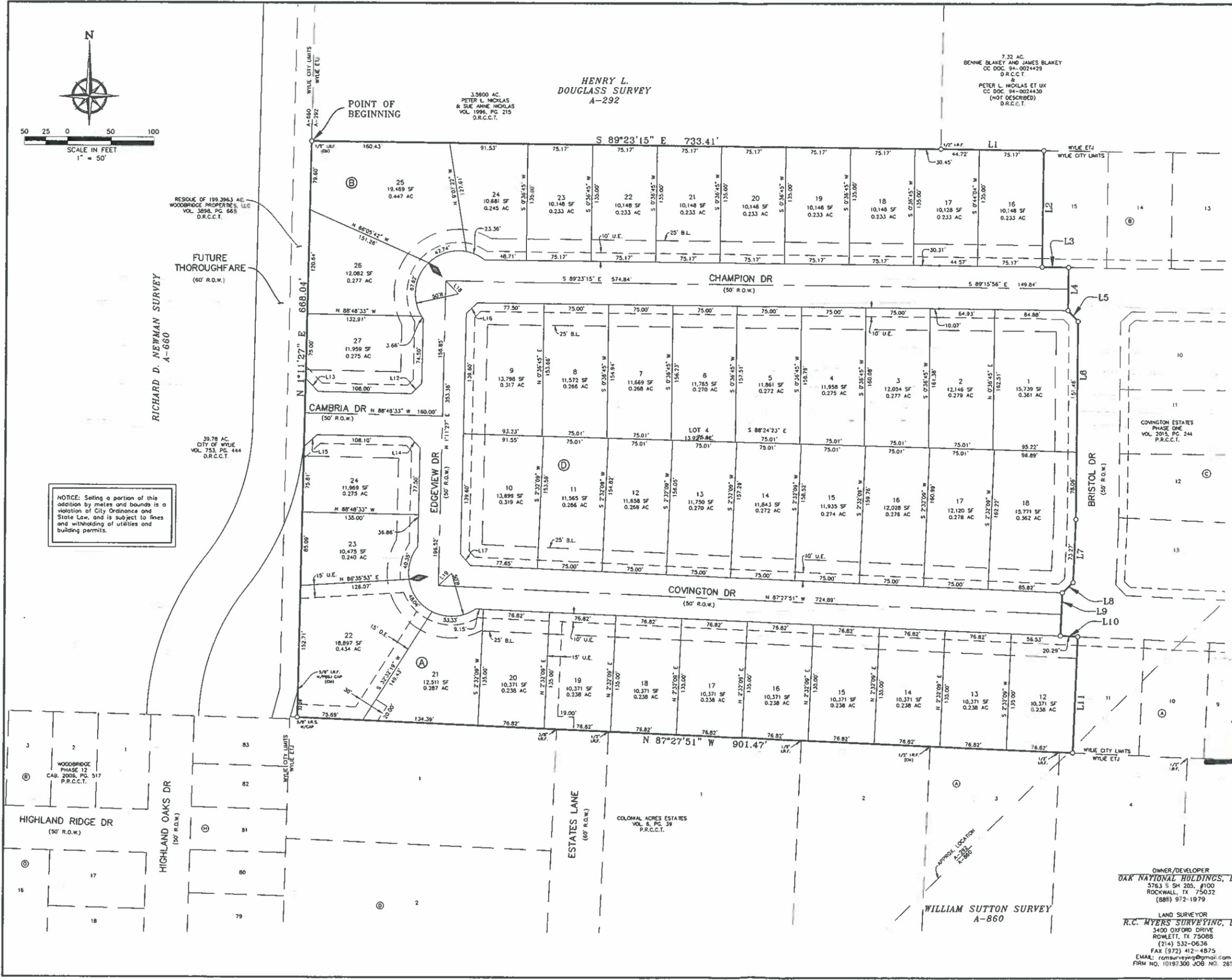
JAN 19 2016
 Atz
 Rec. MB

**FINAL PLAT
 COVINGTON ESTATES
 PHASE TWO**

43 RESIDENTIAL LOTS
 ZONED: SF 10/24
 BEING
 13.926 ACRES
 SITUATED IN THE
 HENRY L. DOUGLASS SURVEY, ABST. NO. 292
 CITY OF WYLIE, COLLIN COUNTY, TEXAS

OWNER/DEVELOPER
DAK NATIONAL HOLDINGS, LLC
 5783 S SH 205, #100
 ROCKWALL, TX 75087
 (888) 972-1979

LAND SURVEYOR
R.C. MYERS SURVEYING, LLC
 3400 OXFORD DRIVE
 ROWLETT, TX 75088
 (214) 532-0636
 FAX (972) 412-4875
 EMAIL: rmysersurveying@gmail.com
 FIRM NO. 10197300 JOB NO. 263



STATE OF TEXAS
COUNTY OF COLLIN

OWNER'S CERTIFICATE AND DEDICATION

WHEREAS OAK NATIONAL HOLDINGS, LLC, BEING THE OWNER of a 13.926 acre tract of land situated in the Henry L. Douglass Survey, Abstract 292, Collin County, Texas, and being part of that certain 28.235 acre tract of land described in deed to Oak National Holdings, LLC, as recorded in Instrument 20140304000197960, Deed Records, Collin County, Texas, said 13.926 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found for the northwest corner of said 28.235 acre tract and the southwest corner of a 3.5900 acre tract of land described in deed to Peter L. Nicklas and Sue Anne Nicklas, as recorded in Volume 1996, Page 215 of said Deed Records, said corner being in the east boundary line of a 199.3963 acre tract of land described in deed to Woodbridge Properties, LLC, as recorded in Volume 3898, Page 665 of said Deed Records;

THENCE South 89 degrees 23 minutes 15 seconds East, with the common boundary line of said 3.5900 acre tract and said 28.235 acre tract, a distance of 733.41 feet to a 1/2-inch iron rod found for the southeast corner of said 3.5900 acre tract and the southwest corner of a 7.32 acre tract of land described in deed to Bennie Blakey and James Blakey, as recorded in County Clerk Document 94-0024429 of said Deed Records;

THENCE South 89 degrees 15 minutes 56 seconds East, with the common boundary lines of said 7.32 acre tract and said 28.235 acre tract a distance of 119.89 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for the northwest corner of Covington Estates, Phase One, an addition to the City of Wylie, Texas, as recorded in Cabinet 2015, Page 244, Plat Records, Collin County, Texas;

THENCE Southerly, with the westerly boundary lines of said Phase One, the following courses:

- South 00 degrees 44 minutes 04 seconds West, a distance of 135.00 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;
- South 89 degrees 15 minutes 56 seconds East, a distance of 30.12 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;
- South 00 degrees 44 minutes 04 seconds West, a distance of 50.00 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;
- South 43 degrees 09 minutes 35 seconds East, a distance of 17.35 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;
- South 00 degrees 36 minutes 45 seconds West, a distance of 229.53 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;
- South 02 degrees 32 minutes 09 seconds West, a distance of 73.27 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;
- South 46 degrees 22 minutes 01 seconds West, a distance of 17.33 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;
- South 02 degrees 32 minutes 09 seconds West, a distance of 50.00 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;
- South 87 degrees 27 minutes 51 seconds East, a distance of 20.29 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;
- South 02 degrees 32 minutes 09 seconds West, a distance of 135.00 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner in the common boundary line of said 28.235 acre tract and Colonial Acres Estates, an addition to the City of Wylie, as recorded in Volume 6, Page 39, Plat Records, Collin County, Texas;

THENCE North 87 degrees 27 minutes 51 seconds West, with the common boundary line of said 28.235 and said Colonial Acres Estates, a distance of 901.47 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for the southwest corner of said 13.926 acre tract;

THENCE North 01 degrees 11 minutes 27 seconds East, along the west line of said 28.235 acre tract, passing a 5/8-inch iron rod with cap stamped "P85&J" found for an angle point of said 199.3963 acre tract at a distance of 32.28 feet and continuing with the common boundary line of said 28.235 and said 199.3963 acre tract, a total distance of 668.04 feet to the POINT OF BEGINNING AND CONTAINING 606,648 square feet or 13.926 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, OAK NATIONAL HOLDINGS, LLC, acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as COVINGTON ESTATES, PHASE TWO, an addition to the City of Wylie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, rights-of-way, and other public improvements shown thereon. The streets and alleys, if any, are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City Council of the City of Wylie. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Wylie's use thereof.

The City of Wylie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Wylie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of any time procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Wylie, Texas.

WITNESS, my hand, this the ____ day of _____, 2016.

FOR: OAK NATIONAL HOLDINGS, LLC

By:

Justin Webb, President

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this date personally appeared Justin Webb, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 2016.

NOTARY PUBLIC FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Robert C. Myers, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Wylie.

ROBERT C. MYERS
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 3963
STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this date personally appeared Justin Webb, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 2016.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document. This preliminary final plat is released on December 23, 2015 for review by the City and other parties for comments and progression to a final plat.

NOTARY PUBLIC FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES: _____



"RECOMMENDED FOR APPROVAL"

Chairman, Planning & Zoning Commission
City of Wylie, Texas _____ Date _____

"APPROVED FOR CONSTRUCTION"

Mayor, City of Wylie, Texas _____ Date _____

"ACCEPTED"

Mayor, City of Wylie, Texas _____ Date _____

"APPROVED AND ACCEPTED"

This plat is hereby approved in accordance with Section 2.11.B of the City of Wylie Subdivision Regulations (Ordinance No. 2003-03).

The undersigned, the City Secretary of the City of Wylie, Texas, hereby certifies that the foregoing plat of COVINGTON ESTATES, PHASE TWO, an addition to the City of Wylie was submitted to the City Council on the ____ day of _____, 20____ and the Council, by formal action, then and there accepted the dedication of streets, alleys, parks, easements, public places, and water and sewer lines as shown and set forth in and upon said plat and said Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this ____ day of _____, A.D. 2016.

City Secretary
City of Wylie, Texas

NOTES:

- Bearings are based on Texas State Plane Coordinates. Projection: State Plane NAD83 Texas North Central Zone 4202, Lambert Conformal Conic, Feet (TX83-NCF).
- By graphical plotting, the parcel described hereon does not lie within a Special Flood Hazard Area (SFHA) as delineated on the Collin County, Texas and Incorporated Areas, Flood Insurance Rate Map, Map Number 48085C0535, dated June 2, 2009, as published by the Federal Emergency Management Agency. The Surveyor utilized the above referenced floodplain information for this determination and the Surveyor does not certify that revised floodplain information has or has not been published by the Federal Emergency Management Agency or some other source. This statement shall not create liability on the part of the surveyor.
- A 5/8-inch iron rod with yellow cap stamped "RPLS 3963" will be set at all lot corners, points of curvature, points of tangency and angle points in public rights-of-way whenever possible unless otherwise shown or noted in this drawing.
- The Collin Central Appraisal District (CCAD) maps show the subject property entirely (100%) within the Henry L. Douglass Survey, Abstract No. 292. However, the Texas General Land Office (GLO) maps show that subject property is within both the Henry L. Douglass Survey, Abstract No. 292 and the William Sutton Survey, Abstract No. 860. The GLO uses a different spelling of Douglass than CCAD. This drawing uses the GLO spelling.

NOTICE: Selling a portion of this addition by metes and bounds is a violation of City Ordinance and State Law, and is subject to fines and withholding of utilities and building permits.

FINAL PLAT
COVINGTON ESTATES
PHASE TWO

43 RESIDENTIAL LOTS
ZONED: SF 10/24
BEING
13.926 ACRES

SITUATED IN THE

HENRY L. DOUGLASS SURVEY, ABST. NO. 292
CITY OF WYLIE, COLLIN COUNTY, TEXAS

OWNER/DEVELOPER
OAK NATIONAL HOLDINGS, LLC
5783 S 5th 205, #100
ROCKWALL, TX 75082
(888) 972-1979

LAND SURVEYOR
R.C. MYERS SURVEYING, LLC
3400 OXFORD DRIVE
ROWLETT, TX 75088
(214) 532-0636
FAX (972) 412-4875
EMAIL: rcmsurveying@gmail.com
FIRM NO. 10192300 JOB NO. 265



Wylie City Council

AGENDA REPORT

Meeting Date: February 9, 2016
Department: Planning
Prepared By: Renae' Ollie
Date Prepared: January 27, 2016

Item Number: D
(City Secretary's Use Only)
Account Code: _____
Budgeted Amount: _____
Exhibits: 1

Subject

Consider, and act upon, approval of a Final Plat for Creekside Estates Phase IX, consisting of 11.076 acres for 31 single family residential lots, generally located on Lewis Drive north of McMillian Road.

Recommendation

Motion to approve a Final Plat for Creekside Estates Phase IX, consisting of 11.076 acres for 31 single family residential lots, generally located on Lewis Drive north of McMillian Road.

Discussion

Engineer: Corwin Engineering, Inc.

Owner: Creekside Development, Inc.

The property totals 11.076 acres and will create 31 single-family residential lots and open space lot. The open space lot, mostly fronting McMillian Road will be owned and maintained by the HOA.

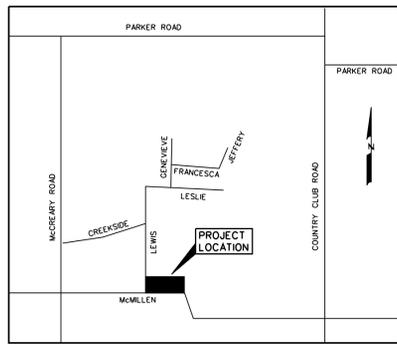
The subject property is part of the overall 296.441 acres of the Creekside Estates development approved in October 1999 as a Planned Development District.

The plat dedicates the necessary rights-of-way and utility easements.

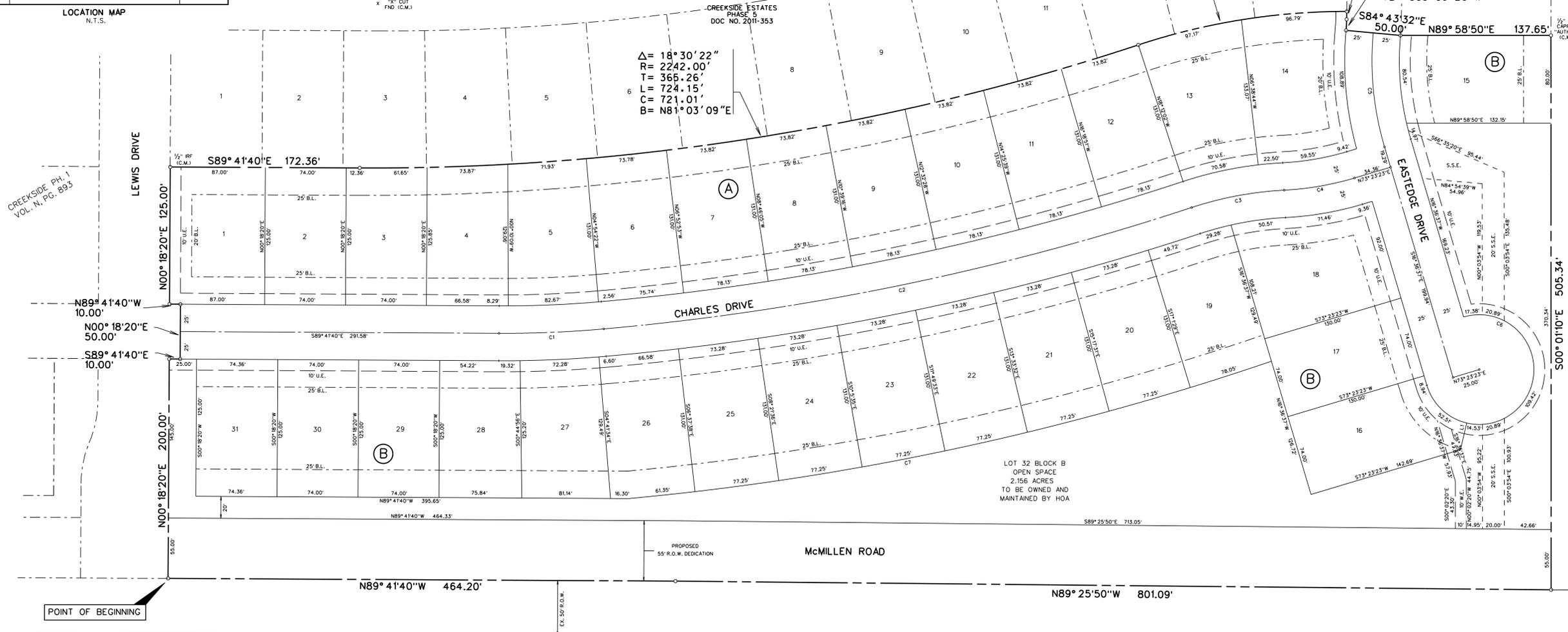
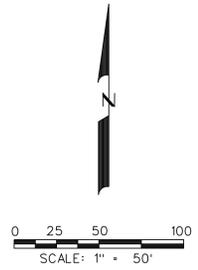
The Final Plat complies with the approved Development Plan, including lot sizes, setbacks, and density, which was approved with the PD and also served as a Preliminary Plat for all phases of the development.

P&Z Commission Discussion

The Commission recommends approval 6-0 subject to additions and/or alterations to the engineering plans as required by the Engineering Department.



LOCATION MAP
N.T.S.



1/2" IRF
CAPPED
AUTHOR
(C.M.)

PAMELA JOE THRONBURG
112.18 ACRES
DOC. NO. 20100416000373400

TOTAL LOTS 31
TOTAL ACRES 11.076

- NOTES**
- Bearings are referenced to a 209.3886 acre tract of land, as described in Clerks File No. 20121231001666860, in the Deed Records of Collin County, Texas.
 - All lot lines are radial or perpendicular to the street unless otherwise noted by bearing.
 - 1/2" iron rods with "CORWIN ENGR. INC." caps set at all boundary corners, block corners, points of curvature, points of tangency, and angle points in public right-of-way unless otherwise noted.
 - B.L. - Building Line
U.E. - Utility Easement
W.E. - Water Easement
S.S.E. - Sanitary Sewer Easement
C.M. - Controlling Monument
 - "Selling a portion of this addition by metes and bounds is a violation of City Ordinance and State Law and subject to fines and withholding of utilities and building permits."

LINE TABLE

LINE NO.	BEARING	DISTANCE
1.	S 13°13'19" W	25.00'

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	BEARING
1.	05°21'30"	1025.0'	95.86'	47.97'	95.83'	N87°37'35"E
2.	13°08'52"	2398.0'	550.27'	276.35'	549.06'	N78°22'24"E
3.	15°14'17"	325.00'	86.44'	43.47'	86.18'	N79°25'07"E
4.	13°38'52"	275.00'	65.50'	32.91'	65.35'	N80°12'49"E
5.	21°53'14"	275.00'	105.05'	53.17'	104.41'	N05°40'00"W
6.	90°00'00"	50.00'	235.62'	---	70.71'	N28°23'23"E
7.	13°31'30"	2554.0'	602.88'	302.85'	601.49'	N77°59'12"E

FINAL PLAT
OF
**CREEKSIDE ESTATES
PHASE IX**
OUT OF THE
J.W. MITCHELL SURVEY, ABSTRACT NO. 589
IN THE
CITY OF WYLIE
COLLIN COUNTY, TEXAS
OWNER
CREEKSIDE DEVELOPMENT, INC.
8750 N. CENTRAL EXPRESSWAY, SUITE 1735
DALLAS, TEXAS 75231
214-691-2556
PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

DECEMBER 2015 SCALE: 1"=50'

LEGAL DESCRIPTION

WHEREAS, CREEKSIDE DEVELOPMENT, INC., is the owner of a tract of land situated in the J.W. Mitchell Survey, Abstract No. 589, in the City of Wylie, Collin County, Texas, being part of a 209.3886 tract of land, as described in Clerks File No. 20121231001666860 in the Deed Records of Collin County, Texas and being more particularly described as follows:

BEGINNING, at a 1/2 inch iron rod set at the most southerly southeast corner of Creekside Estates Phase I, an addition to the City of Wylie, as described in Vol. N, Pg. 893, in the Plat Records of Collin County, Texas:

THENCE, North 00°18'20" East, along the east line of said Creekside Estates Phase I, for a distance of 200.00 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.":

THENCE, South 89°41'40" East, continuing along said east line, for a distance of 10.00 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.":

THENCE, North 00°18'20" East, continuing along said east line, for a distance of 50.00 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.":

THENCE, North 89°41'40" West, continuing along said east line, for a distance of 10.00 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.":

THENCE, North 00°18'20" East, continuing along said east line, for a distance of 125.00 feet, to a 1/2 inch iron rod found at the southwest corner of Creekside Estates Phase 5, an addition to the City of Wylie, as described in Doc. No. 2011-353 in said Plat Records:

THENCE, South 89°41'40" East, departing said east line and along the south line of said Creekside Estates Phase 5, for a distance of 172.36 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of curvature of a curve to the left, having a radius of 2242.00 feet, a central angle of 18°30'22", and a tangent of 365.26 feet:

THENCE, continuing along said south line and with said curve to the left for an arc distance of 724.15 feet (Chord Bearing North 81°03'09" East - 721.01 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of reverse curvature of a curve to the right, having a radius of 610.00 feet, a central angle of 18°13'07", and a tangent of 97.81 feet:

THENCE, continuing along said south line and with said curve to the right for an arc distance of 193.67 feet (Chord Bearing North 80°54'32" East - 193.15 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.":

THENCE, South 01°00'22" West, continuing along said south line, for a distance of 7.23 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of curvature of a curve to the right, having a radius of 135.00 feet, a central angle of 04°16'14" and a tangent of 5.03 feet:

THENCE, continuing along said south line and with said curve to the right for an arc distance of 10.06 feet (Chord Bearing South 03°08'29" West - 10.06 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.":

THENCE, South 84°43'32" East, continuing along said south line, for a distance of 50.00 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.":

THENCE, North 89°58'50" East, continuing along said south line, for a distance of 137.65 feet, to a 1/2 inch iron rod found with cap stamped "Authur" at the southeast corner of said Creekside Estates Phase 5, being in the east line of said 209.3886 acre tract:

THENCE, South 00°01'10" East, along the east line of said 209.3886 acre tract, for a distance of 505.34 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the southeast corner of said 209.3886 acre tract:

THENCE, North 89°25'50" West, along the south line of said 209.3886 acre tract, for a distance of 801.09 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.":

THENCE, North 89°41'40" West, continuing along said south line, for a distance of 464.20 feet, to the POINT OF BEGINNING and containing 11.076 acres of land.

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS that I, WARREN L. CORWIN, do hereby certify that I prepared this Final Plat and the field notes from an actual and accurate survey of the land, that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the subdivision Regulations of the City of Wylie, Texas.

WARREN L. CORWIN
R.P.L.S. No. 4621

THE STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared WARREN L. CORWIN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purpose and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office, this ___ day of _____, 2016.

NOTARY PUBLIC, STATE OF TEXAS

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That CREEKSIDE DEVELOPMENT, INC., acting herein by and through his (its) duly authorized officers, does hereby adopt this plat designating the herein above described property as CREEKSIDE ESTATES PHASE IX, an addition to the City of Wylie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, rights-of-way, and other public improvements shown thereon. The streets and alleys, if any, are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City Council of the City of Wylie. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Wylie's use thereof. The City of Wylie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Wylie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Wylie, Texas. WITNESS, my hand, this the ___ day of _____, 2016.

CREEKSIDE DEVELOPMENT, INC.

STATE OF TEXAS
COUNTY OF DALLAS

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed same for the purpose and consideration therein expressed.

Given under my hand and seal of office, this ___ day of _____, 2016.

Notary Public in and for the State of Texas

My commission expires: _____

"Recommended for Approval"

Chairman, Planning & Zoning Commission
City of Wylie, Texas

Date

Approved for Construction

Mayor, City of Wylie, Texas

Date

Accepted

Mayor, City of Wylie, Texas

Date

"The undersigned, the City Secretary of the City of Wylie, Texas, hereby certifies that the foregoing final plat of the CREEKSIDE ESTATES PHASE IX, subdivision or addition to the City of Wylie was submitted to the City Council on the ___ day of _____, 2016 and the Council, by formal action, then and there accepted the dedication of streets, alley, parks, easement, public places, and water and sewer lines as shown and set forth in and upon said plat and said Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this ___ day of _____, A.D., 2016.

City Secretary
City of Wylie, Texas

FINAL PLAT
OF
CREEKSIDE ESTATES
PHASE IX

OUT OF THE
J.W. MITCHELL SURVEY, ABSTRACT NO. 589

IN THE
CITY OF WYLIE
COLLIN COUNTY, TEXAS

OWNER
CREEKSIDE DEVELOPMENT, INC.

8750 N. CENTRAL EXPRESSWAY, SUITE 1735
DALLAS, TEXAS 75231
214-691-2556

PREPARED BY
CORWIN ENGINEERING, INC.

200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

DECEMBER 2015



Wylie City Council

AGENDA REPORT

Meeting Date: February 9, 2016
Department: WEDC
Prepared By: Angel Wygant
Date Prepared: January 25, 2016

Item Number: E
(City Secretary's Use Only)
Account Code: _____
Budgeted Amount: _____
Exhibits: 1

Subject

Consider and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of December 31, 2015.

Recommendation

Motion to approve, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of December 31, 2015.

Discussion

The Wylie Economic Development Corporation (WEDC) Board of Directors approved the attached financials on January 22, 2016.

111-WYLIE ECONOMIC DEVEL CORP

ACCOUNT#	TITLE	
ASSETS		
1000-10110	CLAIM ON CASH AND CASH EQUIV.	1,173,711.96
1000-10115	CASH - WEDC - INWOOD	0.00
1000-10135	ESCROW	0.00
1000-10180	DEPOSITS	7,000.00
1000-10198	OTHER - MISC CLEARING	0.00
1000-10341	TEXPOOL	0.00
1000-10343	LOGIC	0.00
1000-10481	INTEREST RECEIVABLE	0.00
1000-11511	ACCTS REC - MISC	100.00
1000-11517	ACCTS REC - SALES TAX	0.00
1000-12810	LEASE PAYMENTS RECEIVABLE	0.00
1000-12950	LOAN PROCEEDS RECEIVABLE	0.00
1000-12996	LOAN RECEIVABLE	69,800.35
1000-12997	ACCTS REC - JTM TECH	0.00
1000-12998	ACCTS REC - FORGIVEABLE LOANS	685,206.16
1000-14112	INVENTORY - MATERIAL/ SUPPLY	0.00
1000-14116	INVENTORY - LAND & BUILDINGS	6,818,663.46
1000-14118	INVENTORY - BAYCO/ SANDEN BLVD	0.00
1000-14310	PREPAID EXPENSES - MISC	0.00
1000-14410	DEFERRED OUTFLOWS	826,518.00
		9,580,999.93
TOTAL ASSETS		9,580,999.93

LIABILITIES		
2000-20110	FEDERAL INCOME TAX PAYABLE	0.00
2000-20111	MEDICARE PAYABLE	0.00
2000-20112	CHILD SUPPORT PAYABLE	0.00
200-20113	CREDIT UNION PAYABLE	0.00
00-20114	IRS LEVY PAYABLE	0.00
2000-20115	NATIONWIDE DEFERRED COMP	0.00
2000-20116	HEALTH INSUR PAY-EMPLOYEE	0.15
2000-20117	TMRS PAYABLE	1,086.65
2000-20118	ROTH IRA PAYABLE	0.00
2000-20119	WORKERS COMP PAYABLE	0.00
2000-20120	FICA PAYABLE	0.00
2000-20121	TEC PAYABLE	0.00
2000-20122	STUDENT LOAN LEVY PAYABLE	0.00
2000-20123	ALIMONY PAYABLE	0.00
2000-20124	BANKRUPTCY PAYABLE	0.00
2000-20125	VALIC DEFERRED COMP	0.00
2000-20126	ICMA PAYABLE	0.00
2000-20127	EMP. LEGAL SERVICES PAYABLE	0.00
2000-20130	FLEXIBLE SPENDING ACCOUNT	0.00
2000-20131	EDWARD JONES DEFERRED COMP	0.00
2000-20132	EMP CARE FLITE	12.00
2000-20151	ACCRUED WAGES PAYABLE	0.00
2000-20180	ADDIT EMPLOYEE INSUR PAY	0.00
2000-20199	MISC PAYROLL PAYABLE	0.00

CITY OF WYLIE
BALANCE SHEET
AS OF: DECEMBER 31ST, 2015

111-WYLIE ECONOMIC DEVEL CORP

ACCOUNT#	TITLE		
2000-20201	AP PENDING		0.00
2000-20210	ACCOUNTS PAYABLE	7,532.16	
2000-20530	PROPERTY TAXES PAYABLE		0.00
2000-20540	NOTES PAYABLE	826,518.00	
2000-20810	DUE TO GENERAL FUND		0.00
2000-22270	DEFERRED INFLOW	310,875.51	
2000-22275	DEF INFLOW - LEASE PRINCIPAL		0.00
2000-22280	DEFERRED INFLOW - LEASE INT		0.00
2000-22915	RENTAL DEPOSITS	2,500.00	
TOTAL LIABILITIES			1,148,524.47
EQUITY			
3000-34110	FUND BALANCE - RESERVED		0.00
3000-34590	FUND BALANCE-UNRESERV/UNDESIG	7,984,197.60	
TOTAL BEGINNING EQUITY			7,984,197.60
TOTAL REVENUE		1,141,309.20	
TOTAL EXPENSES		693,031.34	
REVENUE OVER/(UNDER) EXPENSES		448,277.86	
TOTAL EQUITY & OVER/(UNDER)			8,432,475.46
TOTAL LIABILITIES, EQUITY & OVER/(UNDER)			9,580,999.93

922-GEN LONG TERM DEBT (WEDC)

ACCOUNT#	TITLE		
ASSETS			
1000-10312	GOVERNMENT NOTES	0.00	
1000-18110	LOAN - WEDC	0.00	
1000-18120	LOAN - BIRMINGHAM	0.00	
1000-18210	AMOUNT TO BE PROVIDED	0.00	
1000-18220	BIRMINGHAM LOAN	0.00	
1000-19050	DEF OUTFLOW - CONTRIBUTIONS	23,447.00	
1000-19075	DEF OUTFLOW - INVESTMENT EXP	5,062.00	
1000-19100	DEF OUTFLOW - ACT EXP/ASSUMP	2,154.00	
			30,663.00
TOTAL ASSETS			30,663.00
LIABILITIES			
2000-20310	COMPENSATED ABSENCES PAYABLE	44,287.86	
2000-20311	COMP ABSENCES PAYABLE-CURRENT	0.00	
2000-21410	ACCRUED INTEREST PAYABLE	4,018.84	
2000-28205	WEDC LOANS - CURRENT	362,612.17	
2000-28220	BIRMINGHAM LOAN	0.00	
2000-28230	INWOOD LOAN	0.00	
2000-28232	ANB LOAN - EDGE	0.00	
2000-28233	ANB LOAN - PEDDICORD/WHITE	616,779.19	
2000-28234	ANB LOAN - RANDACK/HUGHES	138,838.31	
2000-28235	ANB LOAN	0.00	
2000-28236	ANB CONSTRUCTION LOAN	0.00	
2000-28237	ANB ROAD CONSTRUCTION LOAN	690,867.94	
2000-28238	ANB LOAN - BUCHANAN	242,652.56	
2000-28239	ANB LOAN - JONES/HOBART PAYOFF	296,438.73	
2000-28240	HUGHES LOAN	0.00	
00-28250	CITY OF WYLIE LOAN	0.00	
00-28260	PRIME KUTS LOAN	0.00	
2000-28270	BOWLAND/ANDERSON LOAN	0.00	
2000-28280	CAPITAL ONE CAZAD LOAN	0.00	
2000-28290	HOBART/COMMERCE LOAN	0.00	
2000-29150	NET PENSION LIABILITY	147,106.00	
TOTAL LIABILITIES			2,543,601.60
EQUITY			
3000-34590	FUND BALANCE-UNRESERV/UNDESIG(2,525,176.19)	
3000-35900	UNRESTRICTED NET POSITION	(114,969.00)	
TOTAL BEGINNING EQUITY			(2,640,145.19)
TOTAL REVENUE			0.00
TOTAL EXPENSES			(127,206.59)
REVENUE OVER/(UNDER) EXPENSES			127,206.59
TOTAL EQUITY & OVER/(UNDER)			(2,512,938.60)

CITY OF WYLIE
 REVENUE AND EXPENSE REPORT - (UNAUDITED)
 AS OF: DECEMBER 31ST, 2015

111-WYLIE ECONOMIC DEVEL CORP
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
REVENUE SUMMARY							
TAXES	2,257,829.00	166,418.48	0.00	166,418.48	0.00	2,091,410.52	7.37
INTERGOVERNMENTAL REV.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
INTEREST INCOME	12,958.00	996.49	0.00	3,154.72	0.00	9,803.28	24.35
MISCELLANEOUS INCOME	141,200.00	13,250.00	0.00	41,350.00	0.00	99,850.00	29.28
OTHER FINANCING SOURCES	0.00	0.00	0.00	930,386.00	0.00	(930,386.00)	0.00
TOTAL REVENUES	2,411,987.00	180,664.97	0.00	1,141,309.20	0.00	1,270,677.80	47.32
EXPENDITURE SUMMARY							
DEVELOPMENT CORP-WEBC	3,858,411.00	366,901.94	0.00	693,031.34	10,886.83	3,154,492.83	18.24
TOTAL EXPENDITURES	3,858,411.00	366,901.94	0.00	693,031.34	10,886.83	3,154,492.83	18.24
REVENUE OVER/(UNDER) EXPENDITURES	(1,446,424.00)	(186,236.97)	0.00	448,277.86	(10,886.83)	(1,003,815.03)	30.24-

CITY OF WYLIE
 REVENUE AND EXPENSE REPORT - (UNAUDITED)
 AS OF: DECEMBER 31ST, 2015

111-WYLIE ECONOMIC DEVEL CORP
 REVENUES

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
TAXES							
4000-40150 REV IN LEIU OF TAXES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4000-40210 SALES TAX	2,257,829.00	166,418.48	0.00	166,418.48	0.00	2,091,410.52	7.37
TOTAL TAXES	2,257,829.00	166,418.48	0.00	166,418.48	0.00	2,091,410.52	7.37
INTERGOVERNMENTAL REV.							
4000-49518 380 ECONOMIC AGREEMENTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL INTERGOVERNMENTAL REV.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
INTEREST INCOME							
4000-46050 CERTIFICATE OF DEPOSIT	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4000-46110 ALLOCATED INTEREST EARNINGS	1,000.00	0.00	0.00	165.25	0.00	834.75	16.53
4000-46140 TEXPOOL INTEREST	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4000-46143 LOGIC INTEREST	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4000-46150 INTEREST EARNINGS	3,817.00	293.76	0.00	890.02	0.00	2,926.98	23.32
4000-46160 LOAN REPAYMENT (PRINCIPAL)	8,141.00	702.73	0.00	2,099.45	0.00	6,041.55	25.79
4000-46210 BANK MONEY MARKET INTEREST	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL INTEREST INCOME	12,958.00	996.49	0.00	3,154.72	0.00	9,803.28	24.35
MISCELLANEOUS INCOME							
4000-48110 RENTAL INCOME	141,200.00	13,250.00	0.00	41,350.00	0.00	99,850.00	29.28
4000-48310 RECOVERY - PRIOR YEAR EXPEN	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4000-48410 MISCELLANEOUS INCOME	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4000-48430 GAIN/(LOSS) SALE OF CAP ASS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL MISCELLANEOUS INCOME	141,200.00	13,250.00	0.00	41,350.00	0.00	99,850.00	29.28
OTHER FINANCING SOURCES							
4000-49160 TRANSFER FROM GENERAL FUND	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4000-49325 BANK NOTE PROCEEDS	0.00	0.00	0.00	930,386.00	0.00	(930,386.00)	0.00
4000-49550 LEASE PRINCIPAL PAYMENTS (O	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL OTHER FINANCING SOURCES	0.00	0.00	0.00	930,386.00	0.00	(930,386.00)	0.00
TOTAL REVENUES							
	2,411,987.00	180,664.97	0.00	1,141,309.20	0.00	1,270,677.80	47.32

CITY OF WYLIE
REVENUE AND EXPENSE REPORT - (UNAUDITED)
AS OF: DECEMBER 31ST, 2015

111-WYLIE ECONOMIC DEVEL CORP
DEVELOPMENT CORP-WEDC
MENTAL EXPENDITURES

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>PERSONNEL SERVICES</u>							
5611-51110 SALARIES	238,052.00	14,465.40	0.00	41,783.31	0.00	196,268.69	17.55
5611-51130 OVERTIME	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-51140 LONGEVITY PAY	1,073.00	0.00	0.00	1,024.00	0.00	49.00	95.43
5611-51145 SICK LEAVE BUYBACK	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-51160 CERTIFICATION INCENTIVE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-51170 PARAMEDIC INCENTIVE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-51210 CAR ALLOWANCE	12,600.00	870.78	0.00	2,519.04	0.00	10,080.96	19.99
5611-51220 PHONE ALLOWANCE	4,656.00	0.00	0.00	864.00	0.00	3,792.00	18.56
5611-51230 CLOTHING ALLOWANCE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-51260 MOVING ALLOWANCE	5,000.00	0.00	0.00	0.00	0.00	5,000.00	0.00
5611-51310 TMRS	36,677.00	0.00	0.00	4,219.62	0.00	32,457.38	11.50
5611-51410 HOSPITAL & LIFE INSURANCE	38,107.00	3,747.74	0.00	5,621.61	0.00	32,485.39	14.75
5611-51415 EXECUTIVE HEALTH PLAN	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-51420 LONG-TERM DISABILITY	1,357.00	105.76	0.00	211.52	0.00	1,145.48	15.59
5611-51440 FICA	15,607.00	215.47	0.00	621.85	0.00	14,985.15	3.98
5611-51450 MEDICARE	3,650.00	216.99	0.00	640.58	0.00	3,009.42	17.55
5611-51470 WORKERS COMP PREMIUM	663.00	0.00	0.00	569.70	0.00	93.30	85.93
5611-51480 UNEMPLOYMENT COMP (TWC)	810.00	0.00	0.00	0.00	0.00	810.00	0.00
TOTAL PERSONNEL SERVICES	358,252.00	19,622.14	0.00	58,075.23	0.00	300,176.77	16.21
<u>SUPPLIES</u>							
5611-52010 OFFICE SUPPLIES	3,500.00	182.80	0.00	182.80	191.57	3,125.63	10.70
5611-52040 POSTAGE & FREIGHT	980.00	9.80	0.00	9.80	0.00	970.20	1.00
5611-52130 TOOLS/ EQUIP (NON-CAPITAL)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-52810 FOOD SUPPLIES	2,000.00	116.98	0.00	212.73	0.00	1,787.27	10.64
5611-52990 OTHER	5,000.00	0.00	0.00	0.00	0.00	5,000.00	0.00
TOTAL SUPPLIES	11,480.00	309.58	0.00	405.33	191.57	10,883.10	5.20
<u>MATERIALS FOR MAINTENANCE</u>							
5611-54630 TOOLS & EQUIPMENT	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-54810 COMPUTER HARD/SOFTWARE	3,000.00	450.00	0.00	450.00	0.00	2,550.00	15.00
5611-54990 OTHER	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL MATERIALS FOR MAINTENANCE	3,000.00	450.00	0.00	450.00	0.00	2,550.00	15.00
<u>CONTRACTUAL SERVICES</u>							
5611-56030 INCENTIVES	2,014,914.00	264,297.81	0.00	407,645.11	0.00	1,607,268.89	20.23
5611-56040 SPECIAL SERVICES	112,900.00	10,681.20	0.00	20,459.77	1,920.00	90,520.23	19.82
5611-56080 ADVERTISING	35,280.00	4,000.00	0.00	8,554.00	0.00	26,726.00	24.25
5611-56090 COMMUNITY DEVELOPMENT	47,250.00	1,649.00	0.00	9,192.32	0.00	38,057.68	19.45
5611-56110 COMMUNICATIONS	5,960.00	510.96	0.00	1,321.49	0.00	4,638.51	22.17
5611-56180 RENTAL	29,400.00	2,444.00	0.00	8,382.00	0.00	21,018.00	28.51
5611-56210 TRAVEL & TRAINING	29,450.00	812.59	0.00	1,905.42	0.00	27,544.58	6.47
5611-56250 DUES & SUBSCRIPTIONS	18,890.00	1,215.12	0.00	4,290.12	0.00	14,599.88	22.71
5611-56310 INSURANCE	4,310.00	1.56	0.00	5,684.51	0.00	1,374.51	131.89
5611-56510 AUDIT & LEGAL SERVICES	23,000.00	9,848.50	0.00	9,848.50	0.00	13,151.50	42.82
5611-56570 ENGINEERING/ARCHITECTURAL	20,000.00	0.00	0.00	0.00	8,642.21	11,357.79	43.21
5611-56610 UTILITIES-ELECTRIC	2,000.00	1,126.73	0.00	1,549.43	133.05	317.52	84.12
TOTAL CONTRACTUAL SERVICES	2,343,354.00	296,584.35	0.00	478,832.67	10,695.26	1,853,826.07	20.89

CITY OF WYLIE
 REVENUE AND EXPENSE REPORT - (UNAUDITED)
 AS OF: DECEMBER 31ST, 2015

111-WYLIE ECONOMIC DEVEL CORP
 DEVELOPMENT CORP-WEDC
 CAPITAL EXPENDITURES

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>DEBT SERVICE & CAP. REPL</u>							
5611-57110 DEBT SERVICE	686,825.00	0.00	0.00	0.00	0.00	686,825.00	0.00
5611-57410 PRINCIPAL PAYMENT	0.00	39,758.85	0.00	126,861.22	0.00	(126,861.22)	0.00
5611-57415 INTEREST EXPENSE	0.00	10,177.02	0.00	28,406.89	0.00	(28,406.89)	0.00
5611-57710 BAD DEBT EXPENSE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL DEBT SERVICE & CAP. REPL	686,825.00	49,935.87	0.00	155,268.11	0.00	531,556.89	22.61
<u>CAPITAL OUTLAY</u>							
5611-58110 LAND-PURCHASE PRICE	200,000.00	0.00	0.00	950,386.00	0.00	(750,386.00)	475.19
5611-58120 DEVELOPMENT FEES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-58150 LAND-BETTERMENTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-58210 STREETS & ALLEYS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-58410 SANITARY SEWER	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-58810 COMPUTER HARD/SOFTWARE	3,000.00	0.00	0.00	0.00	0.00	3,000.00	0.00
5611-58830 FURNITURE & FIXTURES	2,500.00	0.00	0.00	0.00	0.00	2,500.00	0.00
5611-58910 BUILDINGS	250,000.00	0.00	0.00	0.00	0.00	250,000.00	0.00
5611-58995 CONTRA CAPITAL OUTLAY	0.00	0.00	0.00	(950,386.00)	0.00	950,386.00	0.00
TOTAL CAPITAL OUTLAY	455,500.00	0.00	0.00	0.00	0.00	455,500.00	0.00
<u>OTHER FINANCING (USES)</u>							
5611-59111 TRANSFER TO GENERAL FUND	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-59190 TRANSFER TO THOROUGHFARE IMP	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-59430 TRANSFER TO CAPITAL FUND	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-59990 PROJECT ACCOUNTING	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL OTHER FINANCING (USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<hr/>							
TOTAL DEVELOPMENT CORP-WEDC	3,858,411.00	366,901.94	0.00	693,031.34	10,886.83	3,154,492.83	18.24
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TOTAL EXPENDITURES	3,858,411.00	366,901.94	0.00	693,031.34	10,886.83	3,154,492.83	18.24
<hr/>							
REVENUE OVER (UNDER) EXPENDITURES	(1,446,424.00)	(186,236.97)	0.00	448,277.86	(10,886.83)	(1,883,815.03)	30.24-

*** END OF REPORT ***

Wylie Economic Development Corporation
 Balance Sheet Sub Ledger
 December 31, 2015

Notes Payable

		Date of Purchase	Payment	Beginning Bal.	Principal	Interest	Rate of Interest	Principal Balance
December 1, 2015							*	3,318,258.00
ANBTX - 88130968	HUGHES/RANDACK(37 of 60)	10/23/12	10,107.00	233,376.27	9,330.77	776.23	3.99	224,045.50
ANBTX -88130976	WOODBRIIDGE PKWY (#16 of 60)	8/15/14	13,267.93	806,859.39	11,513.01	1,754.92	2.61	795,346.38
ANBTX -88148481	BUCHANAN (#16 of 60)	8/13/14	7,331.95	307,227.66	6,366.74	965.21	3.77	300,860.92
ANBTX - 88149711	PEDDICORD / WHITE (#12 OF 120	12/12/14	7,382.45	668,024.78	5,044.36	2,338.09	4.20	662,980.42
ANBTX - 88158043	K&M (3 of 48)	9/2/15	8,745.25	372,383.90	7,503.97	1,241.28	4.00	364,879.93
ANBTX - 88157334	LINDUFF (3 of 9 Interest only)	10/21/15	3,101.29	930,386.00	0.00	3,101.29	4.00	930,386.00
December 31, 2015					\$39,758.85	\$10,177.02		3,278,499.15

Note: Principal and Interest payments vary by date of payment.

* Balance adjusted \$514.68 at payoff of ANBTX - 88122627 (Martinez)

Monthly Payments: 46,834.58
 Annual Payments: 562,014.96

Wylie Economic Development Corporation
Inventory Subledger
December 31, 2015

Inventory - Land

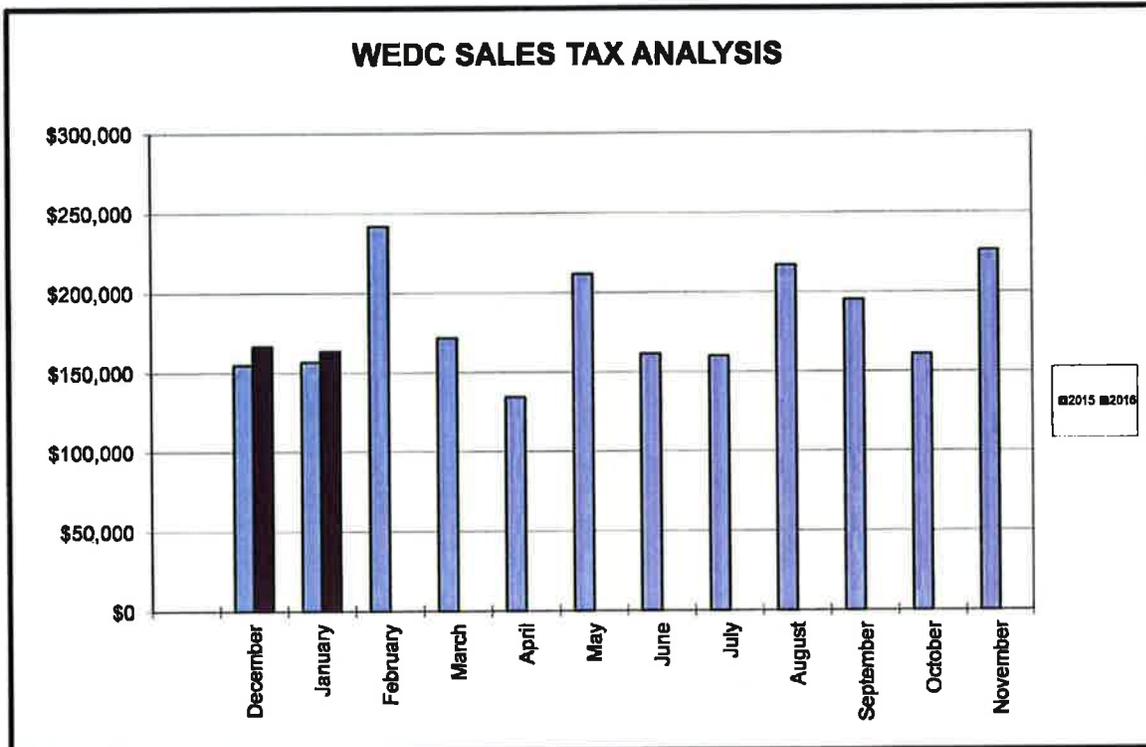
	Date of Pur.	Address	Acreage	Improvements	Cost Basis	Sub-totals
Cooper						
McMasters	7/12/05	709 Cooper	0.48	n/a	\$202,045	
Heath	12/28/05	706 Cooper	0.46	\$32,005	186,934	
Perry	9/13/06	707 Cooper	0.49	Demo	200,224	
Bowland/Anderson	10/9/07	Cooper Dr.	0.37	n/a	106,419	
KCS	8/1/08	Cooper Dr.	0.41	n/a	60,208	
Duel Products	9/7/12	704 Cooper Dr.	0.50	n/a	127,452	
Randack	10/23/12	711-713 Cooper Dr.	1.09	8,880	400,334	
Lot 2R3	7/24/14	Cooper Dr.	0.95	n/a	29,056	\$1,312,672
Industrial Ct.						
Hughes	7/25/06	211 - 212 Industrial R.O.W.	0.74	209,801	420,361	
Prime Kuts	10/8/07	207 Industrial R.O.W.	0.18	182,223	41,585	
Cazad	3/17/08	210 Industrial	0.20	128,083	229,284	
Buchanan	8/13/14	400 S. Hwy 78	0.11	n/a	77,380	
Glenn	4/24/15	209 Industrial Ct R.O.W.	0.27	69,426	200,782	
			1.25	12,750	503,233	
			0.18	2,900	326,773	
			0.12	n/a	1,799,398	
Regency						
Ferrell	9/29/05	2806 F.M. 544	1.09	Demo	239,372	
Sale of R.O.W.	2/14/07		-0.09	n/a	-20,094	
Crossroads	6/12/09	2804 F.M. 544	0.44	24,696	171,842	
Regency Pk.	6/4/10	25 Steel Road	0.65	n/a	25,171	416,290
Commerce						
Hobart Investments	11/12/13	Commerce	1.60	n/a	156,820	
Hobart	1/6/14	605 Commerce	1.07	396,263	386,380	543,200
Jackson						
Heath	3/17/14	104 N. Jackson	0.17	Demo	220,034	
Udoh	2/12/14	109 Marble	0.17	n/a	70,330	
Peddicord	12/12/14	108/110 Jackson	0.35	155,984	486,032	
City Lot	12/12/14	100 W. Oak St	0.35	n/a		
Jones (K&M)	9/3/15	106 N. Birmingham	0.21	42,314	190,596	966,992
Alanis						
White Property (Alanis)	12/12/14	Alanis	6.63	n/a	420,336	420,336
South Ballard						
Birmingham Trust	6/3/15	505 - 607 S. Ballard	0.95	Demo	409,390	409,390
Business Way						
Linduff Property	10/21/15	710 Business Way	2.11	649,716	950,386	950,386
Total			23.48	\$1,526,589	92,974	\$6,818,664

*A Journal entry was made by auditors to adjust the cost of the Hughes land by \$4,638.79. This amount was for taxes owed and not part of land value.

*Prime Kuts total purchase price was \$306,664.45. The distribution between 207 Industrial and R.O.W. purchased was developed by Seller for tax purposes.

**WYLIE ECONOMIC DEVELOPMENT CORPORATION
SALES TAX REVENUE
FOR THE MONTH OF JANUARY 2016**

MONTH	WEDC 2014	WEDC 2015	WEDC 2016	DIFF 15 VS 16	% DIFF 15 VS 16
DECEMBER	\$134,371	\$154,719	\$166,418	\$11,700	7.56%
JANUARY	128,968	156,685	163,463	6,778	4.33%
FEBRUARY	213,877	241,858			
MARCH	121,483	171,741			
APRIL	124,866	134,475			
MAY	200,476	211,645			
JUNE	145,137	161,426			
JULY	149,537	159,973			
AUGUST	193,751	216,962			
SEPTEMBER	154,328	195,347			
OCTOBER	152,545	160,876			
NOVEMBER	213,292	226,078			
Sub-Total	\$1,932,632	\$2,191,785	\$329,882	\$18,478	5.93%
AUDIT ADJ					
TOTAL	\$1,932,632	\$2,191,785	\$329,882	\$18,478	5.93%





Wylie City Council

AGENDA REPORT

Meeting Date: February 9, 2016
Department: Police
Prepared By: Chief Anthony Henderson
Date Prepared: January 29, 2016

Item Number: F
(City Secretary's Use Only)
Account Code: _____
Budgeted Amount: _____
Exhibits: Report by Dr. Alex Del Carmen

Subject

Review, and place on file, the 2015 Wylie Police Department Annual Traffic Contact Report.

Recommendation

A motion to place on file the 2015 Wylie Police Department Annual Traffic Contact Report.

Discussion

Texas Senate Bill (SB 1074) requires Police Departments to collect traffic-related contact data and to report the contact data to their governing body every year, no later than March of the following year. The 2015 Wylie Police Department Annual Traffic Contact Report meets all requirements of SB 1074.



Wylie City Council

AGENDA REPORT

Meeting Date: February 9, 2016
Department: Planning
Prepared By: Renae' Ollie
Date Prepared: January 27, 2016

Item Number: 1
(City Secretary's Use Only)
Account Code: _____
Budgeted Amount: _____
Exhibits: 1

Subject

Hold a Public Hearing and consider, and act upon, approval of a Replat for Freddy's Addition, creating three lots on 3.789 acres, generally located on the southeast corner of FM 544 and Regency Drive. **RP2016-02**

Recommendation

Motion to approve a Replat for Freddy's Addition, creating three lots on 3.789 acres, generally located on the southeast corner of FM 544 and Regency Drive. **RP2016-02**

Discussion

APPLICANT: Vasquez Engineering, LLC

OWNERS: Wylie EDC, Benjamin Collum Jacobs and Scott M. Goldenberg

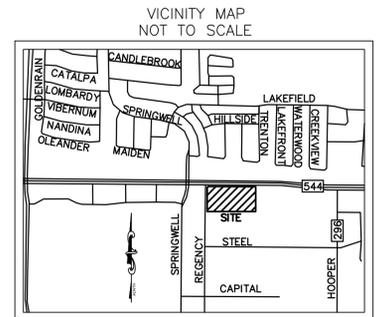
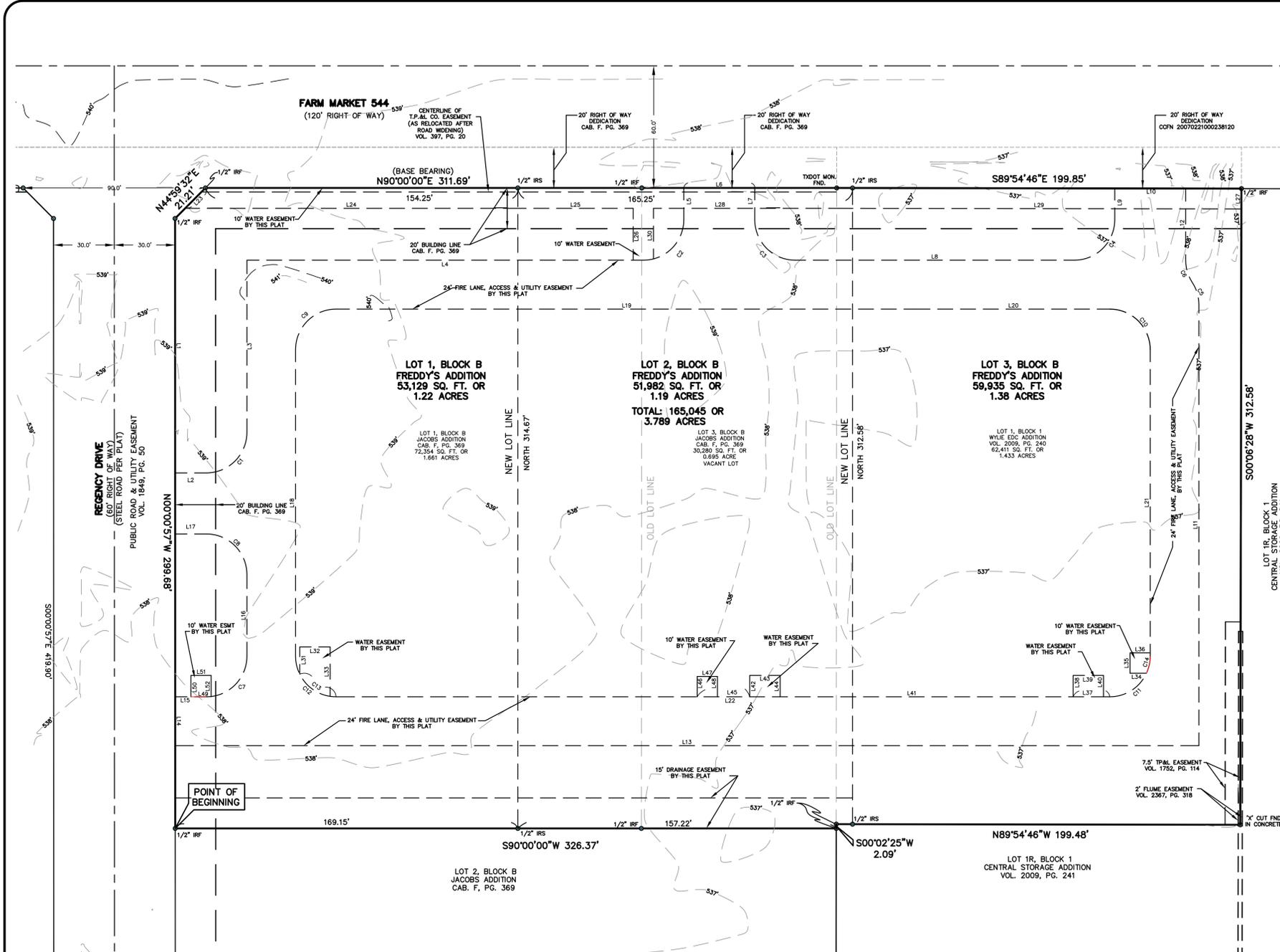
The property totals 3.789 acres and will create three lots. Lot 1 will contain a Freddy's Custard Restaurant, Lots 2 and 3 are the remaining acreage that may be further subdivided and used as permitted under the Commercial Corridor zoning.

The Replat shall also dedicate the necessary rights-of-way, fire lanes, utility, construction, and drainage easements.

This Replat complies with the applicable technical requirements of the City of Wylie.

PLANNING & ZONING COMMISSION DISCUSSION:

The Planning and Zoning Commission voted 6-0 to recommend approval subject to additions and/or alterations to the engineering plans as required by the Engineering Department.



Surveyor's Certificate

KNOW ALL MEN BY THESE PRESENTS:
That I, Timothy R. Mankin, do hereby certify that I prepared this plan from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Wylie.

Timothy R. Mankin
Registered Professional Land Surveyor No. 6122

STATE OF TEXAS
COUNTY OF DALLAS

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Timothy R. Mankin, Registered Professional Land Surveyor, known to me to be this person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office, this ____ day of _____, 201__.

Notary Public for
The State of Texas

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
That Jacobs Family Trust, acting herein by and through their duly authorized officers, do hereby adopt this plat designating the herein above described property as **Lot 2, Block B, Freddy's Addition**, an addition to the City of Wylie, Texas, and do hereby dedicate, in fee simple, to the public use forever, the streets, rights-of-way, and other public improvements shown thereon. The streets and alleys, if any, are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrub or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City Council of the City of Wylie. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easements limits the use to particularly utilities, said use by public utilities being subordinate to the public's and City of Wylie's use thereof.

The City of Wylie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growth which may in any ways endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Wylie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, adding to or removing all or parts of their respective systems without the necessity at anytime procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolution of the City of Wylie, Texas

WITNESS, my hand, this the ____ day of _____, 201__.

By: _____
Jacobs Family Trust
Representative

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
That Wylie Economic Development Corporation, acting herein by and through their duly authorized officers, do hereby adopt this plat designating the herein above described property as **Lot 3, Block B, Freddy's Addition**, an addition to the City of Wylie, Texas, and do hereby dedicate, in fee simple, to the public use forever, the streets, rights-of-way, and other public improvements shown thereon. The streets and alleys, if any, are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrub or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City Council of the City of Wylie. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easements limits the use to particularly utilities, said use by public utilities being subordinate to the public's and City of Wylie's use thereof.

The City of Wylie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growth which may in any ways endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Wylie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, adding to or removing all or parts of their respective systems without the necessity at anytime procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolution of the City of Wylie, Texas

WITNESS, my hand, this the ____ day of _____, 201__.

By: _____
Wylie Economic Development Corporation
Representative

WHEREAS, Scott M. Goldenberg, is the owner of Lot 1, Block B, Jacobs Addition, an addition to the City of Wylie by plat recorded in Cabinet F, Page 369, Map Records, Collin County, Texas, and Jacobs Family Trust, is the owner of Lot 3, Block B, said Jacobs Addition, and Wylie Economic Development Corporation is the owner of Lot 1, Block B, Wylie EDC Addition, an addition to the City of Wylie by plat recorded in Volume 2009, Page 240, said Map Records, and being situated in the William Sachse Survey, Abstract No. 835, Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found with "FEISER & MANKIN SURV." red plastic cap (hereinafter referred to as 1/2 inch iron rod found) for the southeast corner of the herein described tract, some being the southwest corner of said Lot 1, Block B, Jacobs Addition, some being the northeast corner of Lot 2, Block B, said Jacobs Addition, some being in the east right of way line of Regency Drive (60' right of way);

THENCE North 00 deg. 00 min. 57 sec. West, along the common line of said Lot 1, Block B, Jacobs Addition and said Regency Drive, a distance of 299.68 feet to a 1/2 inch iron rod found for the most westerly northwest corner of the herein described tract, some being the southern end of a corner clip, some being the most westerly northwest corner of said Lot 1, Block B, Jacobs Addition, some being in the southeast intersection of said Regency Drive, and Farm to Market 544 (120' right of way);

THENCE North 44 deg. 59 min. 32 sec. East, along the said corner clip, a distance of 21.21 feet to a 1/2 inch iron rod found for the most northerly northwest corner of the herein described tract, some being the north end of said corner clip;

THENCE North 90 deg. 00 min. 00 sec. East, along the common line of said Lot 1, Block B, Jacobs Addition, and said Farm to Market 544, passing a 1/2 inch iron rod found for the northwest corner of said Lot 3, said Jacobs Addition, and continuing along the common line of said Lot 3, and said Farm to Market 544, a total distance of 311.69 feet to a TxDOT Monument Found for the northeast corner of said Lot 3, some being the northwest corner of said Lot 1, Block B, Wylie EDC Addition;

THENCE South 86 deg. 54 min. 46 sec. East, along the common line of said Lot 1, Block 1, and said Farm to Market 544, a distance of 199.85 feet to a 1/2 inch iron rod found for the northeast of the herein described tract, some being the northeast corner of said Lot 1, Block 1, some being the northwest corner of Lot 1R, Block 1, Central Storage Addition, and addition to the City of Wylie by plat recorded in Volume 2009, Page 241, Map Records, Collin County, Texas;

THENCE South 00 deg. 06 min. 28 sec. West, along the common line of said Lot 1, Block 1, and said Lot 1R, Block 1, a distance of 312.58 feet to a "cut found" for the southeast corner of the herein described tract, some being the southeast corner of said Lot 1, Block 1, some being an internal corner of said Lot 1R, Block 1;

THENCE North 89 deg. 54 min. 46 sec. West, continuing along the common line of said Lot 1, Block 1, and said Lot 1R, Block 1, a distance of 199.48 feet to a 1/2 inch iron rod found for internal angle for the herein described tract, some being the southwest corner of said Lot 1, Block 1, some being the most westerly southwest corner of said Lot 1R, Block 1, some being in the east line of aforesaid Lot 3, Block B, said Jacobs Addition;

THENCE South 00 deg. 02 min. 25 sec. West, along the common line of said Lot 3, Block B and said Lot 1R, Block 1, a distance of 2.09 feet to a 1/2 inch iron rod found for corner of the herein described tract, some being the southeast corner of said Lot 3, Block B, some being the northeast corner of aforesaid Lot 2, Block B;

THENCE South 90 deg. 00 min. 00 sec. West, along the common line of said Lot 3, Block B, passing the southwest corner of said Lot 3, Block B, some being the southeast corner of said Lot 1, Block B, and continuing along the common line of said Lot 1, Block B, and said Lot 2, Block B, a total distance of 326.37 feet to the POINT OF BEGINNING, and containing 165,045 square feet or 3.789 acres of computed land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
That Scott M. Goldenberg, do hereby adopt this plat designating the herein above described property as **Lot 1, Block B, Freddy's Addition**, an addition to the City of Wylie, Texas, and do hereby dedicate, in fee simple, to the public use forever, the streets, rights-of-way, and other public improvements shown thereon. The streets and alleys, if any, are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrub or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City Council of the City of Wylie. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easements limits the use to particularly utilities, said use by public utilities being subordinate to the public's and City of Wylie's use thereof.

The City of Wylie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growth which may in any ways endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Wylie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, adding to or removing all or parts of their respective systems without the necessity at anytime procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolution of the City of Wylie, Texas

WITNESS, my hand, this the ____ day of _____, 201__.

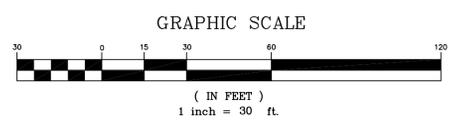
By: _____
Scott M. Goldenberg
Owner

The undersigned, the City Secretary of the City of Wylie, Texas, hereby certifies that the foregoing final plat of a subdivision or addition to the City of Wylie was submitted to the City Council on the ____ day of _____, 201__ and the Council, by formal action, then and there accepted the dedication of streets, alley, parks, easement, public places, and water and sewer lines as shown and set forth in and upon said plat and said Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

WITNESS my hand this day ____ of _____ A.D., 201__.

City Secretary
City of Wylie, Texas

CURVE	LENGTH	RADIUS	DELTA	CB	CD
C1	31.42	20.00	90°00'00"	N45°00'00"E	28.28'
C2	31.40	20.00	89°57'35"	N45°01'13"E	28.27'
C3	31.43	20.00	90°02'25"	S44°58'48"E	28.29'
C4	31.42	20.00	90°00'00"	N45°00'00"E	28.28'
C5	11.57	20.00	33°08'39"	N16°34'21"W	11.41'
C6	11.57	20.00	33°09'37"	S16°34'32"E	11.41'
C7	31.42	20.00	90°00'00"	N45°00'00"E	28.28'
C8	31.42	20.00	90°00'00"	N45°00'00"W	28.28'
C9	31.42	20.00	90°00'00"	S45°00'00"W	28.28'
C10	31.42	20.00	90°00'00"	N45°00'00"W	28.28'
C11	31.42	20.00	90°00'00"	N45°00'00"E	28.28'
C12	31.42	20.00	90°00'00"	S45°00'00"E	28.28'
C13	22.21	20.00	63°38'23"	S58°10'29"E	21.09'
C14	8.69	20.00	24°53'23"	N12°26'23"E	8.62'



GENERAL NOTES:

1. IRF - Iron Rod Found
2. IRS - Iron Rod Set w/ "FEISER & MANKIN SURV" red plastic cap
3. Basis of Bearing - Based on the East line (South 00 deg. 00 min. 57 sec. East) of Lot 1, Block B, Jacobs Addition, an Addition to the City of Wylie, Collin County, Texas, according to the plat thereof recorded in Cabinet F, Page 369, Plat Records of Collin County, Texas.
4. Selling a portion of this addition by metes and bounds is a violation of City Ordinance and State Law and is subject to fines and withholding of utilities and building permits.

FLOOD CERTIFICATE

As determined by the FLOOD INSURANCE RATE MAPS for Collin County, the subject property Does Not appear to lie within a Special Flood Hazard Area (100 Year Flood), Map date 06/02/2009 Community Panel No. 48085C0415J subject lot is located in Zone X.

If this site is not within an identified flood hazard area, this Flood Statement does not imply that the property and/or structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This Flood Statement shall not create liability on the part of the Surveyor.

Recommended for Approval _____ Date _____

Chairman, Planning & Zoning Commission

Approved for Construction _____ Date _____

Mayor, City of Wylie, Texas

Accepted _____ Date _____

Mayor, City of Wylie, Texas

———	BOUNDARY LINE
———	ADJOINER LINE
———	EASEMENT LINE
———	BUILDING LINE
———	STREET CENTERLINE

LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	125.01	S00°00'57"E	L27	10.00	S00°06'28"W
L2	15.45	S89°59'03"W	L28	90.47	N90°00'00"E
L3	84.50	NORTH	L29	199.84	S89°54'46"E
L4	195.71	WEST	L30	24.86	SOUTH
L5	15.51	NORTH	L31	13.38	NORTH
L6	36.00	EAST	L32	15.00	EAST
L7	15.49	NORTH	L33	24.29	NORTH
L8	137.78	WEST	L34	8.14	WEST
L9	15.29	NORTH	L35	10.00	SOUTH
L10	36.00	N89°58'01"E	L36	10.00	WEST
L11	216.63	NORTH	L37	18.09	WEST
L12	35.31	NORTH	L38	10.50	NORTH
L13	505.41	EAST	L39	15.00	EAST
L14	24.00	N00°00'57"W	L40	10.50	NORTH
L15	15.42	EAST	L41	159.66	WEST
L16	40.00	NORTH	L42	10.50	NORTH
L17	15.44	WEST	L43	15.00	EAST
L18	150.50	NORTH	L44	10.50	NORTH
L19	287.00	EAST	L45	19.92	WEST
L20	95.00	WEST	L46	10.00	NORTH
L21	150.50	NORTH	L47	10.00	WEST
L22	382.00	EAST	L48	10.00	WEST
L23	14.14	S44°59'32"W	L49	7.67	NORTH
L24	164.25	EAST	L50	10.50	NORTH
L25	56.96	EAST	L51	10.00	WEST
L26	25.50	SOUTH	L52	10.50	WEST

JOB NO.: 15-0917	DATE: 1/5/2016	PEISER & MANKIN SURVEYING, LLC www.peisersurveying.com		SHEET
FIELD DATE: 11/25/2015	SCALE: 1" = 30'	623 E. DALLAS ROAD GRAPEVINE, TEXAS 76051	COMMERCIAL RESIDENTIAL BOUNDARIES	1
FIELD: A.E.	DRAWN: J.L.B.	Suite 440, LB 44 Gorland, Texas 75042 Contact: Juan J. Vasquez, P.E. 972-278-2948	TOPOGRAPHY MORTGAGE	OF
CHECKED: T.R.M.	ENGINEER: Vasquez Engineering, L.L.C. 1919 S. Shiloh Road Dallas, TX 75380 Contact: Charles A. McClure 972-663-3722	FIRM NO 100999-00	Member Since 1977	1



Wylie City Council

AGENDA REPORT

Meeting Date: February 9, 2016
Department: Planning
Prepared By: Renaë Ollie
Date Prepared: January 27, 2016

Item Number: 2
(City Secretary's Use Only)
Account Code: _____
Budgeted Amount: _____
Exhibits: 5

Subject

Hold a Public Hearing and consider, and act upon, approval of a Replat for Railroad Addition, Lot 1R, Block 31; Being a Replat of Lots 1A, 2A, and 3A of Block 31, establishing one multi-family residential lot on 0.129 acres, generally located on the southwest corner of 2nd Street and Masters Avenue (200 South Second Street). **RP 2016-01.**

Recommendation

Motion to approve a Replat for Railroad Addition, Lot 1R, Block 31; Being a Replat of Lots 1A, 2A, and 3A of Block 31, establishing one multi-family residential lot on 0.129 acres, generally located on the southwest corner of 2nd Street and Masters Avenue (200 South Second Street). **RP 2016-01.**

Discussion

Owner: Robert Heath

Applicant: Roome Land Surveying, Inc

The purpose of the Replat is to reconfigure three lots to establish one multi-family residential lot on 0.129 acres. The property is zoned Multi-Family (MF).

At the time of application, the applicant had proposed building a single multi-family structure, either a duplex or townhouse as an investment property, on the combined replatted lot. However due to set backs and lot size a single structure multi-tenant apartment could not meet the MF zoning requirements. The property will therefore be developed according to townhome standards. A single-family attached use is allowed by right within the multi-family zoning district.

This Replat complies with applicable technical requirements of the City of Wylie.

Notification/Responses: Seventeen (17) notifications were mailed; with one (1) written response opposing the request and zero (0) responses favoring the request at the time of posting.

PLANNING & ZONING COMMISSION DISCUSSION:

The Planning and Zoning Commission voted 6-0 to recommend approval subject to additions and/or alterations to the engineering plans as required by the Engineering Department.

NOTIFICATION REPORT

APPLICANT: Robert Heath
205 Arborview Drive Wylie, Texas 75098

APPLICATION FILE #RP2016-01

#	BLK/ABST	LOT/TRACT	TAX I.D. #	PROPERTY OWNER NAME	ADDRESS
1				Applicant Robert Heath	205 Arborview Drive Wylie, Texas 75098
2	Blk 20	Railroad Addition Lots 3-4	R-1169-020-0030-1	Paige Ryan Properties, LLC	11761 Caddo Creek Drive Lavon, Texas 75166
3	Blk 20	Railroad Addition Lots 5-6	R-1169-020-0050-1	Kieu Tran	5516 Sabetha Way Plano, Texas 75094
4	Blk 20	Railroad Addition Lot 7R	R-1169-020-007R-1	Rajani Holdings, Ltd.	515 W. Main Street #114 Allen, Texas 75013
5	Blk 21	Railroad Addition Lots 9B, 10-12	R-1169-021-009B-1	Renato Torres	PO Box 1333 Wylie, Texas 75098
X 6	Blk 30	Railroad Addition Lot 5B	R-1169-030-001A-1	Robert Elliott	200 S. Third Street Wylie, Texas 75098
7	Blk 30	Railroad Addition Lots 6-9	R-1169-030-0060-1	City of Wylie	300 Country Club Road Wylie, Texas 75098
8	Blk 30	Railroad Addition Lot 10	R-1169-030-0100-1	Robert Willett	205 S. Second Street Wylie, Texas 75098
9	Blk 30	Railroad Addition Lot 11	R-1169-030-0110-1	Renato Torres	PO Box 1333 Wylie, Texas 75098
10	Blk 31	Railroad Addition Lots 1A-3A	R-1169-031-001A-1	Robert Heath	201 N. Ballard Avenue Wylie, Texas 75098
11	Blk 31	Railroad Addition Lots 1B-3B	R-1169-031-001B-1	Felipe Gomez	PO Box 267 Farmersville, Texas 75442
12	Blk 31	Railroad Addition Lots 4-6	R-1169-031-0040-1	Milford Founders, Ltd.	PO Box 56 Wylie, Texas 75098
13	Blk 31	Railroad Addition Lot 7	R-1169-031-0070-1	Tibbals Investments	PO Box 56 Wylie, Texas 75098
14	Blk 31	Railroad Addition Lots 8-9	R-1169-031-0080-1	Tibbals Investments	PO Box 56 Wylie, Texas 75098
15	Blk 31	Railroad Addition Lots 10-11	R-1169-031-0100-1	GTE Southwest	PO Box 152206 Irving, Texas 75015
16	Blk 31	Railroad Addition Lot 16	R-1169-031-0160-1	Watson Living Trust	PO Box 860576 Plano, Texas 75086
17	Blk 31	Railroad Addition Lot 17	R-1169-031-0170-1	First Baptist Church Wylie	100 N. First Street Wylie, Texas 75098
18					

Lot 7R, Block 20
Railroad Addition
V. 77, Pg. 494 PRCT

Lot 8, Block 20
Railroad Addition
V. 77, Pg. 494 PRCT

Lot 9, Block 20
Railroad Addition
V. 77, Pg. 494 PRCT

Lot 4, Block 20
Railroad Addition
V. 77, Pg. 494 PRCT

Lot 3, Block 20
Railroad Addition
V. 77, Pg. 494 PRCT

James Truett Survey
Abstract No. 920

Lot 1, Block 31
Railroad Addition
V. 77, Pg. 494 PRCT

Lot 2, Block 31
Railroad Addition
V. 77, Pg. 494 PRCT

OWNER'S DEDICATION AND ACKNOWLEDGEMENT

STATE OF TEXAS §
COUNTY OF COLLIN §

WHEREAS **Robert Heath** is the owner of a tract of land situated in the State of Texas, County of Collin and City of Wylie, being part of the James Truett Survey, Abstract No. 920, and being part of Lots 1, 2 & 3, Block 31 of Railroad Addition, an addition to the City of Wylie, Collin County, Texas, according to the plat thereof recorded in Volume 77, Page 494 of the Plat Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod capped "Roome" set for corner marking the intersection of the south right-of-way line of Masters Avenue (100' Right-of-Way) and the west right-of-way line of South Second Street (80' Right-of-Way) and the northeast corner of said Lot 1;

THENCE with the west right-of-way line of South Second Street and the east line of said Lot 1, South 00°11'43" East, 62.50 feet to a 1/2 inch iron rod capped "Roome" set for corner marking the northeast corner of a tract of land conveyed to Felipe A. Gomez by deed recorded in Volume 4403, Page 786 of the Deed Records of Collin County, Texas, from which a 1 inch iron pipe found for reference marking the northeast corner of Lot 17, Block 31 of said Railroad Addition bears South 00°11'43" East, 80.90 feet;

THENCE with the north line of said Gomez tract and crossing said Lot 1, 2 and 3, North 89°46'49" West, 90.00 feet to a 1/2 inch iron rod capped "Roome" set for corner in the east line of Lot 4, Block 31 of said Railroad Addition and in the west line of said Lot 3 and marking the northwest corner of said Gomez tract;

THENCE with the east line of said Lot 4 and the west line of said Lot 3, North 00°11'43" West, 62.50 feet to a 1/2 inch iron rod capped "Roome" set for corner in the south right-of-way of Masters Avenue and marking the northeast corner of said Lot 4 and the northwest corner of said Lot 3, from which a 1/2 inch capped iron rod found for reference marking the northeast corner of Lot 7, Block 31 of said Railroad Addition and the northwest corner of Lot 6, Block 31 of Railroad Addition bears North 89°46'49" West, 90.00 feet;

THENCE with the south right-of-way line of Masters Avenue, South 89°46'49" East, 90.00 feet to the Point of Beginning and containing 5,625 square feet or 0.129 acres of land.

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLIN §

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That, **Robert Heath** does hereby adopt this plat designated therein above described property as Final Plat of **Lot 1R, Block 31 of Railroad Addition**, an addition to the City of Wylie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, rights-of-way, and other public improvements shown thereon. The streets and alleys, if any, are dedicated for street purposes. The easements and public use areas, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City Council of the City of Wylie. In addition, utility easements may also be used for mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Wylie's use thereof.

The City of Wylie and public utilities entities shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Wylie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Wylie, Texas.

WITNESS, my hand, this the ____ day of _____, 2016.

Robert Heath

ACKNOWLEDGEMENT

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, on this day personally appeared **Robert Heath**, known to me to be the person whose name is subscribed to the foregoing instrument, who acknowledged to me that the same was executed for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the ____ day of _____, 2016.

Notary Public in and for
The State of Texas

SURVEYOR'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLIN §

KNOW ALL MEN BY THESE PRESENT:

THAT I, Michael Cuzzo, do hereby certify that I prepared this amending plat from an actual survey on the land and that the corner monuments shown thereon were found and/or properly placed under my supervision in accordance with the applicable codes and ordinances of the City of Wylie.

Michael Cuzzo
R.P.L.S. No. 5693

ACKNOWLEDGEMENT

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, on this day personally appeared **Michael Cuzzo**, known to me to be the person whose name is subscribed to the foregoing instrument, who acknowledged to me that the same was executed for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the ____ day of _____, 2016.

Notary Public in and for
The State of Texas

"Recommended for Approval"

Chairman, Planning and Zoning Commission _____ Date _____
City of Wylie, Texas

"Approved for Construction"

Mayor, City of Wylie, Texas _____ Date _____

"Accepted"

Mayor, City of Wylie, Texas _____ Date _____

The undersigned, the City Secretary of the City of Wylie, Texas, hereby certifies that the foregoing Final Plat of **Lot 1R, Block 31 of Railroad Addition** to the City of Wylie was submitted to the City Council on the ____ day of _____, 2015, and the Council, by formal action, then and there accepted the dedication of streets, alley, parks, easement, public places, and water and sewer lines as shown and set forth in and upon said plat and said Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this ____ day of _____, A.D., 2016.

City Secretary
City of Wylie, Texas

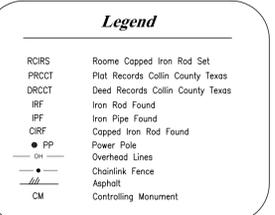
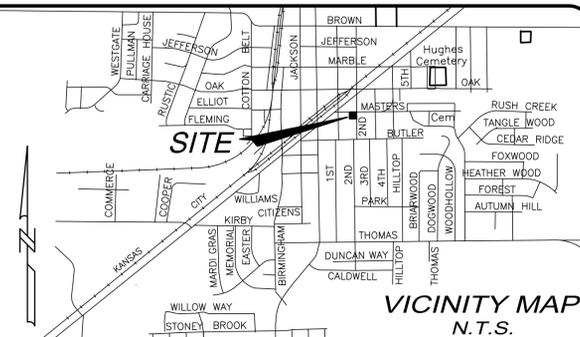
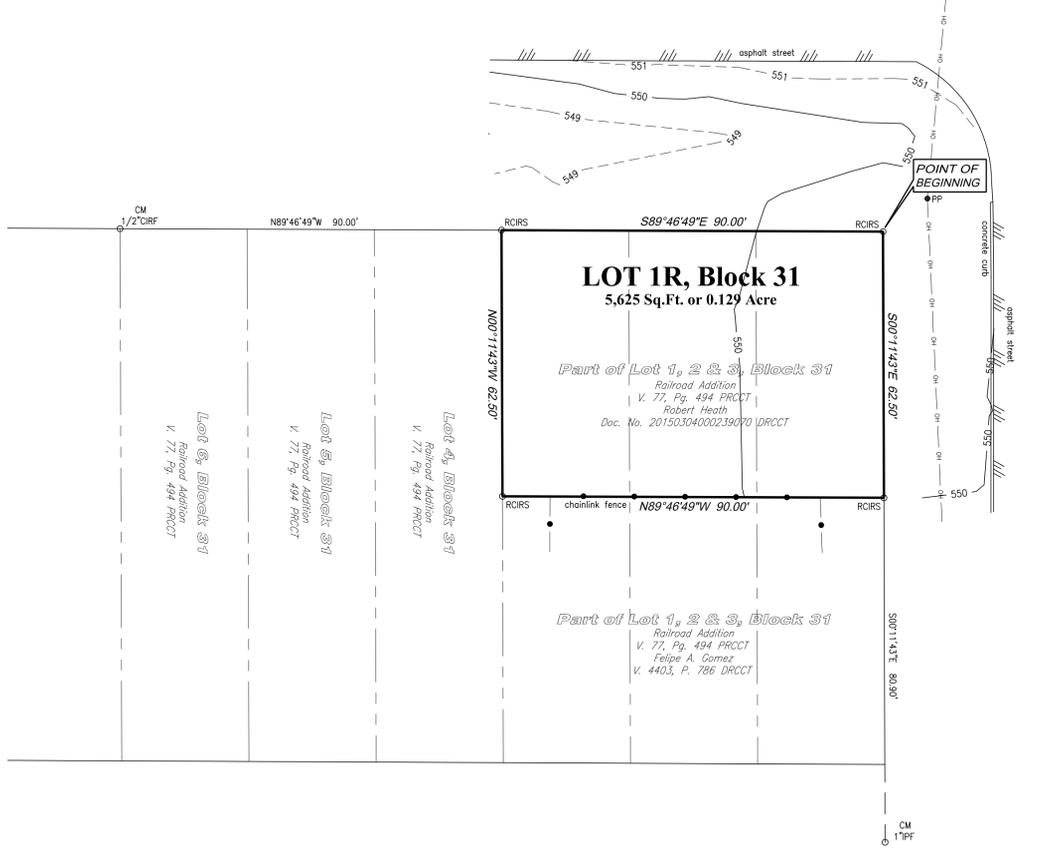
Masters Avenue
(100' Right-of-Way)

South Second Street
(80' Right-of-Way)

LOT 1R, Block 31
5,625 Sq.Ft. or 0.129 Acre

Part of Lot 1, 2 & 3, Block 31
Railroad Addition
V. 77, Pg. 494 PRCT
Robert Heath
Doc. No. 20150304000239070 DRCCT

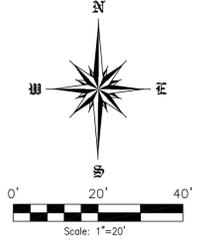
Part of Lot 1, 2 & 3, Block 31
Railroad Addition
V. 77, Pg. 494 PRCT
Felipe A. Gomez
V. 4403, P. 786 DRCCT



The purpose of this Final Plat is to combine the 3 portions of Lot 1, 2 & 3 into a single buildable lot.

Notice: Selling a portion of this addition by metes and bounds is a violation of city ordinance and state law and is subject to fines and withholding of utilities and building permits.

NOTES: (1) CM is controlling monument; (2) No part of subject property lies within a Special Flood Hazard Area inundated by 100-year flood per Flood Insurance Rate Map Number 48085C0420 J of F.E.M.A. Flood Insurance Rate Maps for Collin County, Texas and Incorporated Areas dated June 2, 2009 (Zone X); (3) Source bearing is per City of Wylie GPS Monument No. 2 and City of Wylie GPS Monument No. 3; (4) This plat has been performed without the benefit of a title commitment. Subject property is affected by any or all easements of record. Surveyor did not abstract or research records for easements. (5) The zoning for this property is MF - Multi-Family District.



Final Plat of
Lot 1R, Block 31
Railroad Addition
being a Replat of Parts of Lots 1, 2 & 3, Block 31
Railroad Addition
James Truett Survey, Abstract No. 920
City of Wylie, Collin County, Texas
September 10, 2015
Revised January 14, 2016

Owner:
Robert Heath
4506 East Parker Road
Allen, Texas 75002

Roome Land Surveying, Inc.
TRPLS Firm No. 10013100
2000 Avenue G, Suite 810
Plano, Texas 75074
Phone (972) 423-4372 / Fax (972) 423-7523
www.roome-surveying.com

P:/AC/201503/AC821767.DWG

PUBLIC COMMENT FORM

(Please type or use black ink)

Planning Department
300 Country Club Road
Building 100
Wylie, Texas 75098

I am **FOR** the requested Replat as explained on the attached public notice for Case #RP2016-01.



I am **AGAINST** the requested Replat as explained on the attached public notice for Case #RP2016-01.

RP2016-01

Date, Location & Time of
Planning & Zoning
Commission meeting:

Tuesday, January 19, 2016, 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location & Time of
City Council meeting:

Tuesday, February 9, 2016, 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name:

Amy Butscher
(please print)

Address:

200 S. 3RD ST
WYLIE 75098

Signature:

Amy C. Butscher

Date:

January 15, 2016

COMMENTS:

My neighborhood has plenty of multifamily housing-all
rental. I don't want an over ~~con~~ crowded neighborhood.
Multifamily housing means more people, more cars,
more dogs, people constantly moving in and out.

I want my neighborhood to stay calm and quiet.

I have lived here for 21 years.

I wish I could have stopped the MF housing on
Masters between 3RD & 4th.



Wylie City Council

AGENDA REPORT

Meeting Date: February 9, 2016
Department: Planning
Prepared By: Renaë' Ollie
Date Prepared: January 27, 2016

Item Number: 3
(City Secretary's Use Only)
Account Code: _____
Budgeted Amount: _____
Exhibits: 5

Subject

Hold a Public Hearing and consider, and act upon, a change of zoning from Single-Family Residential to Neighborhood Service with Specific Use Permit to allow Assisted Living Facility on 3.126 acre tract of land situated in the D. Williams Survey, Abstract 1021. Property generally located northeast corner of West Brown Street and Westgate Way. **ZC 2016-01**

Recommendation

Motion to approve a change in zoning from Single-Family Residential to Neighborhood Service with Specific Use Permit to allow Assisted Living Facility on 3.126 acre tract of land situated in the D. Williams Survey, Abstract 1021. Property generally located northeast corner of West Brown Street and Westgate Way. **ZC 2016-01**

Discussion

Owner: Birmingham Land LTD

Applicant: Global Senior Housing

The applicant is requesting to develop a 64 unit Assisted Living complex. The complex will consist of 32 units designated for memory care, and 32 units designated for assisted living quarters. The proposed project consists of 4 buildings of 11, 800 s.f. each, with 16 units per building.

The subject property shall be developed in accordance with attached special conditions (Exhibit "B") to accommodate a senior living community.

In accordance with current zoning regulations, the subject development would require 64 parking spaces. However, the developer is proposing a reduction based on industry standards and specified uses. Thirty-two of the 64 units are designated for memory care residents thereby requiring zero parking spaces. Section 2.1 of Exhibit "B" describes the industry standard that is being proposed to satisfy the parking need. Forty-four spaces are required per the operator. The plan is proposing a total of 47 parking spaces.

The applicant is proposing to install a 6' ornamental metal fencing along the northern and eastern property line. The wrought iron fence will also have landscaping along the fence to soften the appearance. The openness of the screening will provide an unconfined view for residents whose rooms have windows that face out to adjacent properties.

Notification/Responses: Eleven (11) notifications were mailed; with one (1) written responses returned opposing the request and zero (0) response favoring the request at the time of posting.

PLANNING & ZONING COMMISSION DISCUSSION:

The Commissioners questioned the number of handicapped parking spaces and the lack of access to Westgate.

Further discussion included providing a wrought iron fence along the west property line to discourage parking on Westgate. The applicant agreed to providing a wrought iron fence and providing additional handicap spaces. The Commissioners voted 5-1 to approve the request with stipulation of wrought iron fence along western property line, and provide minimum of two handicap parking spaces per cluster.

EXHIBIT 'A'

3.126 Acre Tract

Whereas, Birmingham Land Ltd., a Texas Limited Partnership is the sole owner of a 3.126 acre tract of land situated in the D. Williams Survey, Abstract No. 1021, in the City of Wylie, Collin County, Texas and being a portion of a tract of land described in deed to Birmingham Land Ltd., recorded in County Clerk's File No. (CC#) 94-0029675, Deed Records, Collin County, Texas (D.R.C.C.T.). Bearing basis is the South line of tract of land described in deed to RH of Texas Limited Partnership, recorded in CC# 2001-0046926 D.R.C.C.T. said 3.126 acre tract of land, being more particularly described by metes and bound as follows:

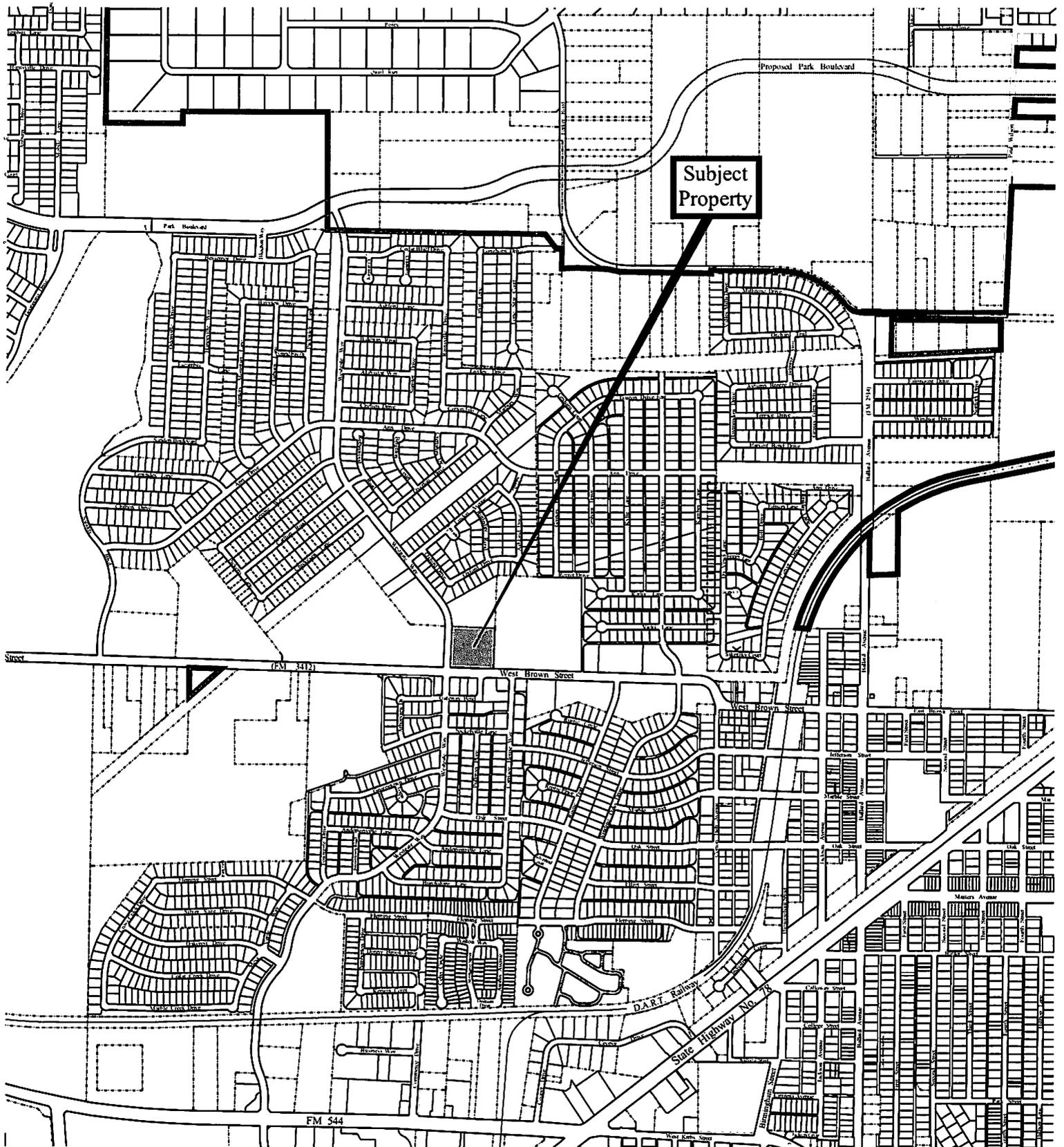
BEGINNING, at a wood monument found in the North right-of-way line of Brown Street (F.M. Hwy. No. 3412 - a variable width right of way), being the Southwest corner of a tract of land, described in deed to the Wylie Independent School District, recorded in Volume 930, Page 145, Deed Records, Collin County, Texas, and the common Southeast corner of said Birmingham Land Ltd., tract;

THENCE, North 87 degrees 22 minutes 14 seconds West, along the North right-of-way line of said Brown Street, a distance of 383.08 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "Carter Burgess" set for the Southeast corner of a tract of land described as tract 2B in deed to Centex Homes, a Nevada General Partnership, recorded in CC# 2001- 0042153, (D.R.C.C.T);

THENCE, North 02 degrees 37 minutes 46 seconds East, along the East line of said Tract 2B, a distance of 357.19 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "Carter Burgess" found for the Northeast corner of said Tract 2B and the common Southwest corner of a tract of land described in deed to R. H. of Texas, L.P., recorded in CC# 2001-0046926, D.R.C.C.T.;

THENCE, South 87 degrees 22 minutes 14 seconds East, along the South line of said R.H. of Texas Tract, a distance of 379.25 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "Carter Burgess" found in the West line of said Wylie Independent School District Tract;

THENCE, South 02 degrees 00 minutes 57 seconds West, along the West line of said Wylie Independent School District Tract, a distance of 357.21 feet to the POINT OF BEGINNING, and containing 3.126 acres of land, more or less.



LOCATION MAP
ZONING CASE #2016-01

Exhibit "B"
Special Conditions
(Zoning Case 2016-01)

1.0 GENERAL DESCRIPTION

Global Senior Assisted Living Residences, Summary of SUP Zoning Request

Developer requests Rezoning of the approximately 3.1 acre Site at the northeast corner of Brown Street and Westgate Way from SF 10/24 to Neighborhood Services with a SUP for Assisted Living Apartment as defined in the City Zoning Code.

The associated Concept Plan incorporates the developers building footprint and land plan, and requires two variances to work.

2.0 SPECIAL CONDITIONS

2.1 PARKING:

PARKING SHALL BE BASED ON THE FOLLOWING USES

- REQ. FOR MEMORY CARE UNITS (32 UNITS, 0 SPACES)
 - REQ. FOR ASSISTED LIVING UNITS (32 UNITS, 1/2 = 16)
 - REQ FOR VISITOR (64 UNITS, 1 PER 8 = 8)
 - REQ FOR EMPLOYEES (20 EMPLOYEES MAX SHIFT = 20)
- TOTAL REQUIRED BY OPERATOR 44, PROVIDED THIS SITE PLAN 48.
TOTAL HANDICAP SPACES REQUIRED, 2 PER BUILDING, (8 TOTAL, OF THE 48 PROVIDED)

2.2 SCREENING:

- a. ORNAMENTAL METAL FENCING (WROUGHT IRON STYLE) TO PROVIDE UNCONFINED VIEW FOR RESIDENTS, WHOSE ROOMS HAVE WINDOWS FACING OUT TO ADJACENT PROPERTIES.
- b. RESIDENTIAL APPEARANCE OF ALL BUILDING FACADES (NO BACKS OF BUILDINGS) SHOULD NOT BE OFFENSIVE TO PARK OR SCHOOL.
- c. PLANTINGS ALONG FENCE WILL SOFTEN APPEARANCE
- d. ACTUAL USES OF THE LAND BEING A CITY PARK TO THE NORTH AND AN ELEMENTARY SCHOOL TO THE EAST WOULD SUGGEST SCREENING OF THESE USES FROM THE RESIDENTIAL USE MANDATED BY THIS SUP COULD BE DEEMED NOT NECESSARY.

2.3 FENCING:

A FENCE OF LIKE MATERIAL TO FENCE IN 2.2a SHALL BE PLACED ALONG WESTGATE WAY FRONTAGE BOTH TO DISSUADE STREET PARKING ON WESTGATE WAY AND TO PROVIDE A SECURED OUTDOOR SPACE FOR THE MEMORY CARE RESIDENTS.

64 unit project - max employees (9am shift)

Care aides - AL	4
Care aides - MC	4
Administrators	4
Admin. Assistant	1
Cooks	2
Nurse	1
Activity Director	1
Activity Assistant	1
Housekeeper	1
Maintenance	1
	<hr/>
	20





CLOCK TOWER
SIGN FEATURE

PHOTOS – NEW HAVEN OF SCHERTZ, TEXAS

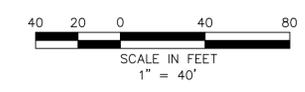


PHOTOS – NEW HAVEN OF SCHERTZ, TEXAS



PHOTOS – NEW HAVEN OF SCHERTZ, TEXAS





SF 10-24

CITY OF WYLIE
PARK

D. WILLIAMS SURVEY A-1021

WALKWAY AND GATE
TO PARK

6' ORNAMENTAL METAL
FENCE WITH LANDSCAPE
PLANTINGS.

BENCHES
TYP.

GAZEBO

6' ORNAMENTAL METAL
FENCE WITH LANDSCAPE
PLANTINGS.

6' ORNAMENTAL METAL
FENCE

REMAINDER.
BIRMINGHAM LAND LTD.
CC# 94-0029675
D.R.C.C.T.

WESTGATE WAY
60' R.O.W.

WYLIE ISD
VOL. 530 PG. 445
D.R.C.C.T.

CLOCK TOWER FEATURE

W. BROWN STREET
90' R.O.W.

SF 10-24

SITE DATA

BUILDINGS 4

BUILDING SF 11,800 EA., 47,200 TOTAL
BUILDING COVERAGE: 34.7%
BUILDING HEIGHT 34 FT. MAX. (ROOF PEAK)

LANDSCAPING REQUIRED: 20% OF SITE (NS)
LANDSCAPING PROVIDED: 47,400 sf (32.0%)

UNITS: 16 PER BUILDING, 64 TOTAL

PARKING REQUIRED BY USE 1 PER ROOM (64)

PARKING PROVIDED 48 (8 HANDICAP SPACES)

PARKING SPECIAL CONDITIONS REQUESTED: :

- REQ. FOR MEMORY CARE UNITS (32 UNITS, 0 SPACES)
- REQ. FOR ASSISTED LIVING UNITS (32 UNITS, 1/2 = 16)
- REQ. FOR VISITOR (64 UNITS, 1 PER 8 = 8)
- REQ. FOR EMPLOYEES (20 EMPLOYEES MAX SHIFT = 20)
- REQ. HANDICAP PARKING 2 PER BUILDING (8 OF TOTAL)
- REQUIRED BY OPERATOR 44, PROVIDED 48, (8 HC)

SCREENING: ORNAMENTAL METAL FENCING (WROUGHT IRON STYLE) TO PROVIDE UNCONFINED VIEW FOR RESIDENTS. RESIDENTIAL APPEARANCE OF ALL BUILDING FACADES (NO BACKS OF BUILDINGS) SHOULD NOT BE OFFENSIVE TO PARK OR SCHOOL. PLANTINGS ALONG FENCE WILL SOFTEN APPEARANCE.

FENCING: ORNAMENTAL METAL FENCING REQUIRED ALONG WESTGATE WAY TO DISCOURAGE STREET PARKING AND TO PROVIDE SECURED OUTDOOR SPACE FOR MEMORY CARE UNITS.

DESIGN

DESIGN STANDARDS POINT TABULATION FOR SITE:

SITE DESIGN DESIRABLE ELEMENTS (4 of 8 required):

1. Building At front Building Line.
2. Front Facade Oriented to the Street.
3. Site Plan with no more than 50% of parking in front of building.
4. Building with no more than one row of parking front.

LANDSCAPE DESIGN DESIRABLE (4 of 8 required):

1. Landscaping that exceeds the minimum by 10%.
2. Landscaping in side and rear yard not otherwise required.
3. Landscaping 10% or more in excess of 50 sf/space.
4. Landscaped Pedestrian connection to main entrance.

ARCHITECTURAL DESIGN DESIRABLE (3 OF 6 Required):

1. USE OF 2 COMPLEMENTARY PRIMARY FACADE MATERIALS TO HELP ACHIEVE FACADE ARTICULATION, VISUAL VARIETY AND/OR ARCHITECTURAL DETAILING.
2. USE OF ARCHITECTURAL DETAILING AND/OR MATERIALS TO PROVIDE VARIETY IN VISUAL APPEARANCE.
3. BUILDINGS WITH PITCH ROOFS MEETING MINIMUM REQUIREMENT OF RESIDENTIAL DEVELOPMENT. (6/12)
4. BUILDINGS WITH HIP ROOF SECTIONS, DORMERS OR 2 OR MORE GABLE ROOF SECTIONS AT RIGHT ANGLES TO EACH OTHER.

EXHIBIT "C"

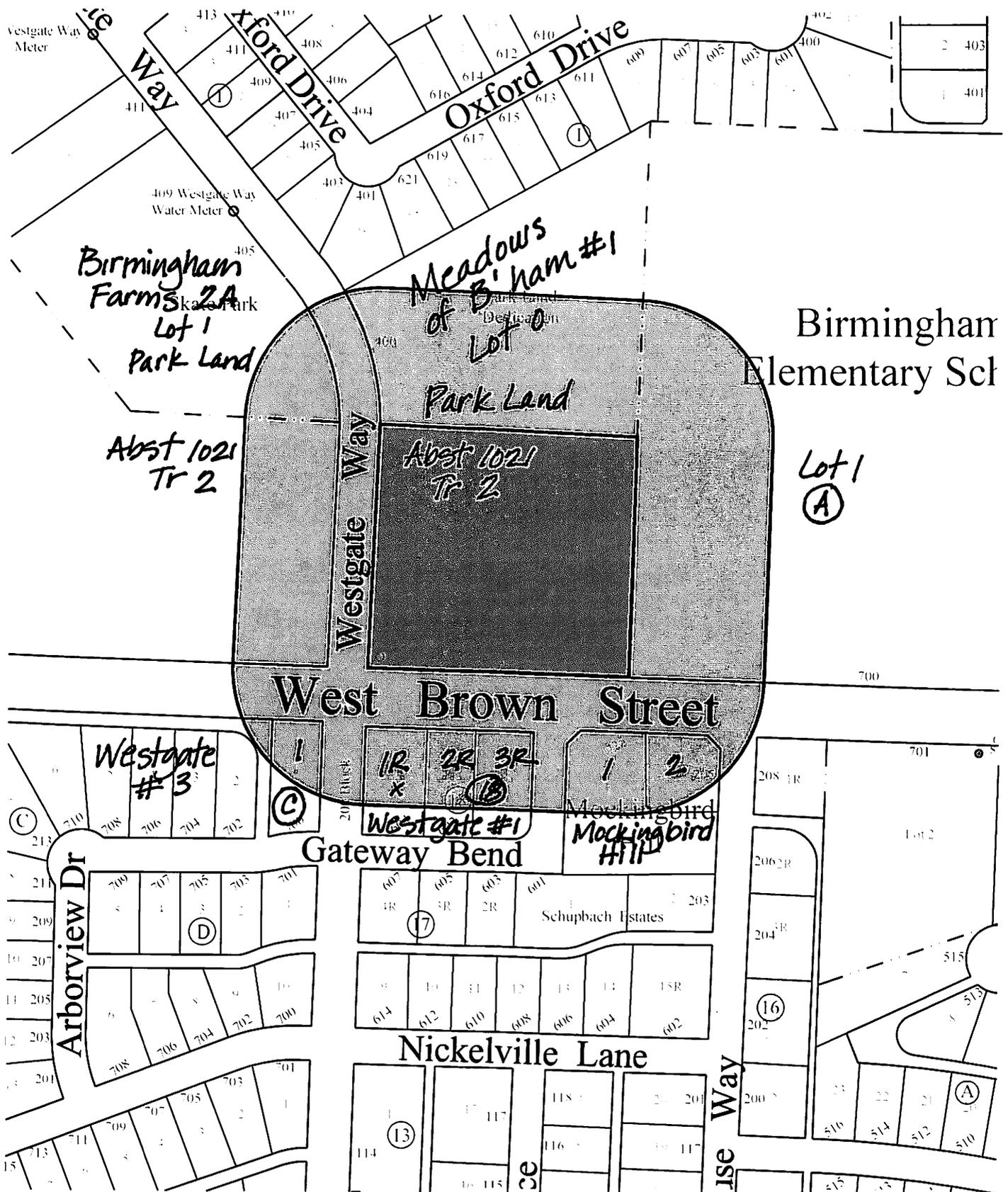
CONCEPT PLAN

GLOBAL SENIOR HOUSING
3.1 ACRES, 64 UNITS, 4 BUILDINGS
NE CORNER OF BROWN AND WESTGATE
CITY OF WYLIE, COLLIN COUNTY, TEXAS

DEVELOPER
GLOBAL SENIOR HOUSING, LLC.
P.O. BOX 1297
EAGLE ID, 83616

OWNER
BIRMINGHAM LAND LTD.
613 N.W. LOOP 410, STE 510
SAN ANTONIO TX, 78216

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLIE TEXAS 75098
(972) 941-8400 FAX (972) 941-8401



**OWNER NOTIFICATION MAP
ZONING CASE #2016-01**

NOTIFICATION REPORT

APPLICANT: Ron Walsh with Global Senior Housing
PO Box 1297 Eagle, ID 83616

APPLICATION FILE #2016-01

#	BLK/ABST	LOT/TRACT	TAX I.D. #	PROPERTY OWNER NAME	ADDRESS
1				Applicant - Ron Walsh Global Senior Housing	PO Box 1297 Eagle, Idaho 83616
2	Abst 1021	Tract 2	R-7021-000-0020-1	Birmingham Land Ltd.	613 NW Loop 410 #510 San Antonio, Texas 78216
3	---	Mockingbird Hill Lot 1	R-10239-000-0010-1	Edward Dowden	6979 Freda Lane Wylie, Texas 75098
4	---	Mockingbird Hill Lot 2	R-10239-000-0020-1	Kathryn Robertson	205 N. Carriage House Way Wylie, Texas 75098
5	---	Birmingham Farms 2A Lot 1	R-5122-000-0001-1	City of Wylie	300 Country Club Road Wylie, Texas 75098
6	---	Meadows of B'ham #1 Lot 0	R-5131-000-0000-1	City of Wylie	300 Country Club Road Wylie, Texas 75098
X 7	Blk 18	Westgate #1 Lot 1R	R-2151-018-001R-1	Charles Shoecraft	PO Box 2525 Wylie, Texas 75098
8	Blk 18	Westgate #1 Lot 2R	R-2151-018-002R-1	Dwight Cole	602 Gateway Bend Wylie, Texas 75098
9	Blk 18	Westgate #1 Lot 3R	R-2151-018-003R-1	Fidelmar Miralrio	600 Gateway Bend Wylie, Texas 75098
10	Blk C	Westgate #3 Lot 1	R-3952-00C-0010-1	Aretha Harris	700 Gateway Bend Wylie, Texas 75098
11	Blk A	Birmingham Elem School Lot 1	R-10134-00A-0010-1	Wylie ISD	951 S. Ballard Avenue Wylie, Texas 75098
12					
13					
14					
15					
16					

PUBLIC COMMENT FORM

(Please type or use black ink)

Department of Planning
300 Country Club Road
Building 100
Wylie, Texas 75098

I am **FOR** the requested zoning as explained on the attached public notice for Zoning Case #2016-01.

I am **AGAINST** the requested zoning as explained on the attached public notice for Zoning Case #2016-01.

Date, Location & Time of
Planning & Zoning
Commission meeting:

Tuesday, January 19, 2016, 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location & Time of
City Council meeting:

Tuesday, February 9, 2016, 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: Charles F. SHOBCRAFT
(please print)

Address: GATEWAY BEND PO Box 2525
Wylie, TX 75098

Signature: Charles F. Shoecraft

Date: Jan 4, 2016

COMMENTS:

"Too" Much Noise, AND 24 hour AMBULANCE NOISE
AND RESIDENCE NOISE AND LIGHTS ON 24hr 7 DAYS-

Homes would be superior for our neighborhood.
Keep it to Present zoning for Single-Family only!!
=====
=====
=====



Wylie City Council

AGENDA REPORT

Meeting Date: February 9, 2016
Department: Planning
Prepared By: Renaë Ollie
Date Prepared: January 27, 2016

Item Number: 4
(City Secretary's Use Only)
Account Code: _____
Budgeted Amount: _____
Exhibits: 3

Subject

Consider, act upon, Ordinance No. 2016- 03 authorizing the annexation of 1.207 mile segment of Pleasant Valley Road from Elm Grove to the Dallas County Line. **2016-01A**

Recommendation

Motion to adopt Ordinance No. 2016-03 authorizing the annexation of 1.207 mile segment of Pleasant Valley Road from Elm Grove to the Dallas County Line. **2016-01A**

Discussion

This annexation is at the request of Dallas County and defined as Orphan Roads. Orphan Roads are all or part of a street or road right-of-way, which is outside the incorporated limits of a municipality (or municipalities) and the incorporated area of the municipality (or municipalities) abuts or extends into the right-of-way. These roadway segments have, in effect, been "orphaned" by the abutting city (or cities) that they serve in that they have been left unincorporated.

Exhibits attached and made part of this Ordinance are Exhibit "A" Survey; Exhibit "B" Service Plan

Before a municipality may begin annexation proceedings, the governing body of the municipality must conduct two (2) public hearings at which persons interested in the annexation are given the opportunity to be heard. The notice for each hearing must be published at least once on or after the 20th day but before the 10th day before the date of the hearing and must remain posted on the municipality's website until the date of the hearing. In compliance with state law, the following schedule has been adhered to:

Notice published for Public Hearings	December 23, 2015 and January 6, 2016
First Public Hearing	January 12, 2016
Second Public Hearing	January 26, 2016
Adoption of Ordinance	February 9, 2016

Article 1, Section 3 of the Wylie City Charter authorizes the City Council to adjust boundaries. This annexation is being conducted in compliance with Sections 43.052 (h) (2) and 43.063 of the Local Government Code.

ORDINANCE NO. 2016-03

AN ORDINANCE ANNEXING A CERTAIN 1.207 MILE SEGMENT OF PLEASANT VALLEY ROAD FROM ELM GROVE ROAD TO THE DALLAS COUNTY LINE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Wylie, Texas (“City Council”) under the authority of Section 43.021, Local Government Code and the City of Wylie, Texas’ (Wylie) Home Rule Charter, investigated and determined that it would be advantageous and beneficial to Wylie and its inhabitants to annex the below-described property (the “Property”) to Wylie; and;

WHEREAS, prior to conducting the public hearings required under Section 43.063, Local Government Code, the City Council also investigated and determined that the Property within the extraterritorial jurisdiction of Wylie and defined as an Orphan Road by Dallas County; and

WHEREAS, before the publication of the notice of the first public hearing regarding the annexation of the Property, the City Council directed the appropriate persons to prepare a service plan that provides for the extension of full municipal services to the Property to be annexed; and

WHEREAS, the City Council finds that the service plan has been prepared in full compliance with Section 43.056, Local Government Code, and has been made available for public inspection and was available for explanation at the public hearings; and

WHEREAS, the City Council has conducted at least two (2) public hearings at which persons interested in the annexation were given an opportunity to be heard regarding the proposed annexation and the proposed service plan; and

WHEREAS, the City Council finds that the public hearings were conducted on or after the fortieth (40th) day but before the twentieth (20th) day before the date of institution of the annexation proceedings; and

WHEREAS, the City Council finds it has completed the annexation process within ninety (90) days after the City instituted the annexation proceedings; and

WHEREAS, the City Council finds that all legal notices, hearings, procedures and publishing requirements for annexation have been performed and completed in the manner and form set forth by law.

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

SECTION 1: That the Comprehensive Zoning Ordinance of the City of Wylie, Texas, be, and the same is hereby amended by amending the Zoning Map of the City of Wylie that the said Property being described in Exhibit "A" (Survey Map) attached hereto and made a part hereof for all purposes is hereby annexed to Wylie.

SECTION 2: That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3: That the above described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.

SECTION 4: Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, commits an unlawful act and shall be subject to the general penalty provisions of Section 1.5 of the Zoning Ordinance, as the same now exists or is hereafter amended.

SECTION 5: Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6: This ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law and the City Charter provide in such cases.

SECTION 7: The repeal of any ordinance, or parts thereof, by the enactment of this Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue, nor as effecting any rights of the municipality under any section or provisions of any ordinances at the time of passage of this ordinance.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 9th day of February, 2016.

Eric Hogue, Mayor

ATTEST:

Carole Ehrlich, City Secretary

DATE OF PUBLICATION: _____, *in the* _____

EXHIBIT "B"

**CITY OF WYLIE, TEXAS
SERVICE PLAN FOR ANNEXED AREA
Orphan Road**

ANNEXATION ORDINANCE NO. 2016-03

DATE OF ANNEXATION ORDINANCE: 02-09-2016

ACREAGE ANNEXED: 1.207 acres

SURVEY, ABSTRACT & COUNTY: Public Street Right-of-Way for a 1.207 mile segment of Pleasant Valley Road from Elm Grove to the Dallas County Line.

Municipal Services to the acreage described above shall be furnished by or on behalf of the City of Wylie, Texas (the "City"), at the following levels and in accordance with the following schedule:

A. POLICE SERVICE

1. Patrolling, responses to calls and other routine police services, within the limits of existing personnel and equipment and in a manner consistent with any of the methods of the City, extends police service to any other area of the municipality, will be provided within sixty (60) days of the effective date of the annexation ordinance.
2. As development and construction commence in this area, sufficient police personnel and equipment will be provided to furnish this area the maximum level of police services consistent with the characteristics of topography, land utilization and population density within the area as determined by the City Council within four and one-half (4-1/2) years from the effective date of the annexation ordinance, or upon commencement of development within the area, whichever occurs later.
3. Upon ultimate development of the area, the same level of police services will be provided to this area as are furnished throughout the City.

FIRE SERVICES

1. Fire protection by the present personnel and the present equipment of the Fire Department, within the limitations of available water and distances from existing fire stations, and in a manner consistent with any of the methods of the City, extends fire service to any other area of the municipality, will be provided to this area within sixty (60) days of the effective date of the annexation ordinance.
2. As development and construction commence in this area, sufficient fire and emergency ambulance equipment will be provided to furnish this area

EXHIBIT "B"

the maximum level of fire services consistent with the characteristics of topography, land utilization and population density within the area as determined by the City Council within four and one-half (4-1/2) years from the effective date of the annexation ordinance, or upon commencement of development within the area, whichever occurs later.

3. Upon ultimate development of the area, the same level of fire and emergency ambulance services will be provided to this area as are furnished throughout the City.

C. ENVIRONMENTAL HEALTH AND CODE ENFORCEMENT SERVICES

1. Enforcement of the City's environmental health ordinances and regulations, including but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances and animal control ordinances, shall be provided within this area sixty (60) days of the effective date of the annexation ordinance. These ordinances and regulations will be enforced through the use of existing personnel.
2. Complaints of ordinance or regulation violations within this area will be answered and investigated within sixty (60) days of the effective date of the annexation ordinance.
3. Inspection services, including the review of building plans, the issuance of permits and the inspection of all buildings, plumbing, mechanical and electrical work to ensure compliance with City codes and ordinances will be provided within sixty (60) days of the effective date of the annexation ordinance. Existing personnel will be used to provide these services.
4. The City's zoning, subdivision, sign and other ordinances shall be enforced in this area beginning within sixty (60) days of the effective date of the annexation ordinance.
5. All inspection services furnished by the City, but not mentioned above, will be provided to this area beginning within sixty (60) days of the effective date of the annexed ordinance.
6. As development and construction commence in this area, sufficient personnel will be provided to furnish this area the same level of Environmental Health and Code Enforcement Services as are furnished throughout the City.

D. PLANNING AND ZONING SERVICES

The planning and zoning jurisdiction of the City will extend to this area within sixty (60) days of the effective date of the annexation ordinance. City planning will thereafter encompass this property, and it shall be entitled to consideration for zoning in accordance with the City's Comprehensive Zoning Ordinance and Comprehensive Plan.

EXHIBIT "B"

E. PARK AND RECREATION SERVICES

1. Residents of this property may utilize all existing park and recreational services, facilities and sites throughout the City, beginning within sixty (60) days of the effective date of the annexation ordinance.
2. Additional facilities and sites to serve this property and its residents will be acquired, developed and maintained at locations and times provided by applicable plans for providing parks and recreation services to the City.
3. Existing parks, playgrounds, swimming pools and other recreational facilities within this property shall, upon dedication to and acceptance by the City, be maintained and operated by the City of Wylie, but not otherwise.

F. SOLID WASTE COLLECTION

1. Solid waste collection shall be provided to the property in accordance with existing City policies, beginning within sixty (60) days of the effective date of the annexation ordinance. Residents of this property utilizing private collection services at the time of annexation shall continue to do so until it becomes feasible because of increased density of population to serve the property municipally. Commercial refuse collection services will be provided to any business located in the annexed area at the same price as presently provided for any business customer within the City, upon request.
2. As development and construction commence in this property and population density increases to the property level, solid waste collection shall be provided to this property in accordance with the current policies of the City as to frequency, changes and so forth.
3. Solid waste collection shall begin within sixty (60) days of the effective date of the annexation ordinance.

G. STREETS

1. The City's existing policies with regard to street maintenance, applicable throughout the entire City, shall apply to this property beginning within sixty (60) days of the effective date of the annexation ordinance. Unless a street within this property has been constructed or is improved to the City's standards and specifications, that street will not be maintained by the City.
2. As development, improvement or construction of streets to City standards commences within this property, the policies of the City with regard to participation in the costs thereof, acceptance upon completion and maintenance after completion, shall apply.

EXHIBIT "B"

3. The same level of maintenance shall be provided to streets within this property which have been accepted by the City as is provided to City streets throughout the City.
4. Street lighting installed on streets improved to City standards shall be maintained in accordance with current City policies.

H. WATER SERVICES

1. Connection to existing City water mains for water service for domestic, commercial and industrial use within this property will be provided in accordance with existing City policies. Upon connection to existing mains, water will be provided at rates established by City ordinances for such service throughout the City.
2. As development and construction commence in this property, water mains of the City will be extended in accordance with provisions of the Subdivision Regulations and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with the applicable City ordinances and regulations. Such extensions will be commenced within two (2) years from the effective date of the annexation ordinance and substantially completed with four and one-half (4 1/2) years after that date.
3. Water mains installed or improved to City standards which are within the annexed area and are within dedicated easements shall be maintained by the City of Wylie beginning within sixty (60) days of the effective date of the annexation ordinance.
4. Private water lines within this property shall be maintained by their owners in accordance with existing policies applicable throughout the City.

I. SANITARY SEWER SERVICES

1. Connections to existing City sanitary sewer mains for sanitary sewage service in this area will be provided in accordance with existing City policies. Upon connection, sanitary sewage service will be provided at rates established by City ordinances for such service throughout the City.
2. Sanitary sewage mains and/or lift stations installed or improved to City standards, located in dedicated easements, and which are within the annexed area and are connected to City mains will be maintained by the City of Wylie beginning within sixty (60) days of the effective date of the annexation ordinance.
3. As development and construction commence in this area, sanitary sewer mains of the City will be extended in accordance with provisions of the Subdivision Regulations and other applicable City ordinances and regulations. Such extensions will be commenced within two (2) years

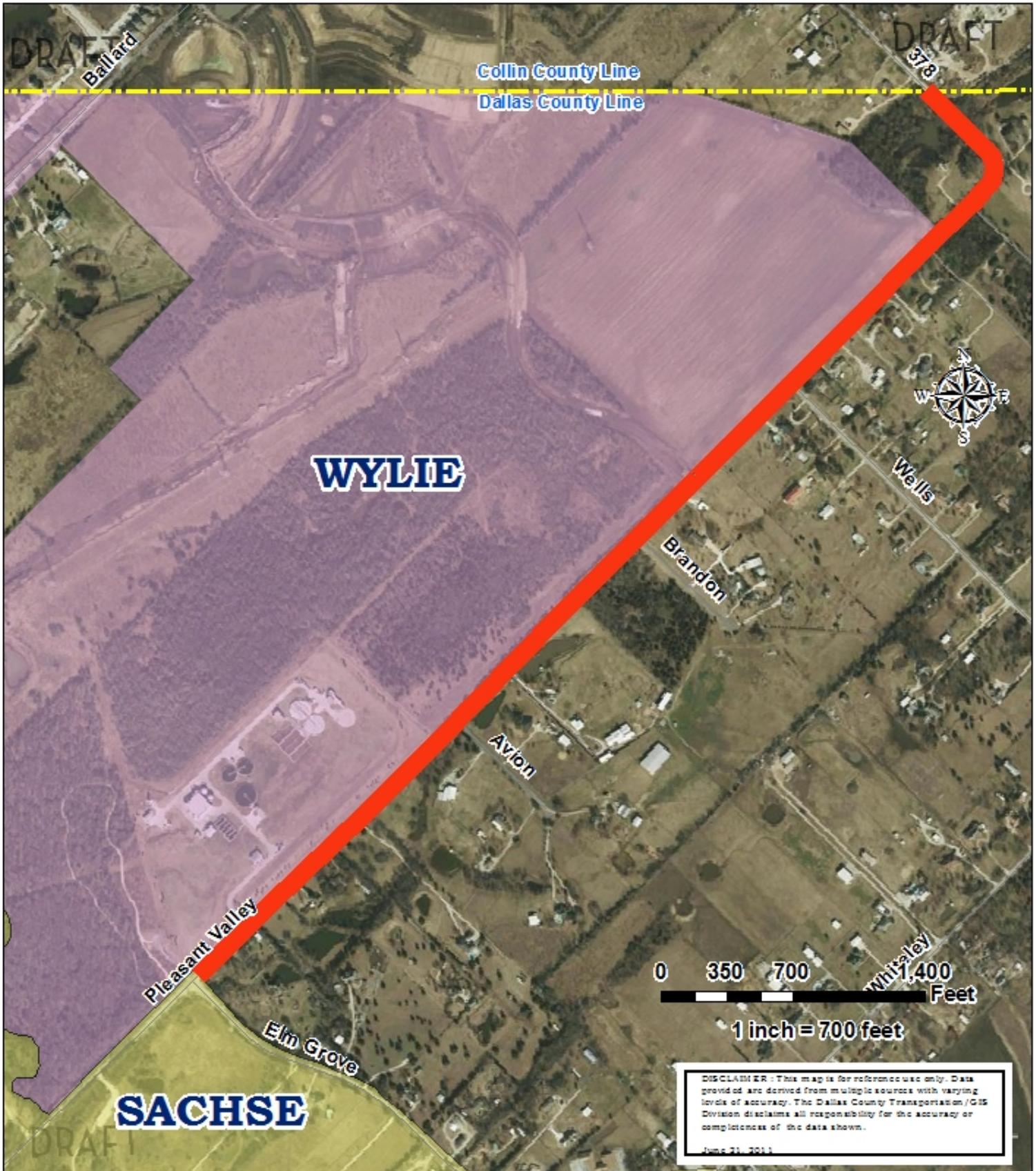
EXHIBIT "B"

from the effective date of the annexation ordinance and substantially completed within four and one-half (4 1/2) years after that date.

J. MISCELLANEOUS

1. Any facility or building located within the annexed area and utilized by the City in providing services to the area will be maintained by the City commencing upon the date of use or within sixty (60) days of the effective date of the annexation ordinance, whichever occurs later.
2. General municipal administrative services of the City shall be available to the annexed area beginning within sixty (60) days of the effective date of the annexation ordinance.
3. Notwithstanding, anything set forth above, this Service Plan does not require all municipal services be provided as set forth above if different characteristics of topography, land use and population density are considered a sufficient basis for providing different levels of service.
4. The Service Plan is valid for ten (10) years from the effective date of this Ordinance.

DALLAS COUNTY UNINCORPORATED AREA LOCATION MAP



PROPERTY LOCATION : Pleasant Valley Road

APPLICANT NAME :

MAILING ADDRESS :

CONTACT PHONE :

EXHIBIT "A"



NOTICE THIS MAP IS FOR
REFERENCE USE ONLY

DCAD # :

PERMIT # : 2015-

DATE FILED :

MAPSCO PG : 89A



Wylie City Council

AGENDA REPORT

Meeting Date: February 2, 2016
Department: Building
Prepared By: Renaë' Ollie
Date Prepared: February 2, 2016

Item Number: WS
(City Secretary's Use Only)
Account Code: _____
Budgeted Amount: _____
Exhibits: 3

Subject

Discussion of Building Code options related to smoking in restaurants.

Recommendation

Direction

Discussion

The 2012 International Building Code as adopted and amended by the City of Wylie addresses ventilation for commercial buildings within Chapter 4.

SECTION 401 GENERAL

401.1 Scope.

This chapter shall govern the ventilation of spaces within a building intended to be occupied. Mechanical exhaust systems, including exhaust systems serving clothes dryers and cooking appliances; hazardous exhaust systems; dust, stock and refuse conveyor systems; subslab soil exhaust systems; smoke control systems; energy recovery ventilation systems and other systems specified in Section 502 shall comply with Chapter 5.

401.2 Ventilation required.

Every occupied space shall be ventilated by natural means in accordance with Section 402 or by mechanical means in accordance with Section 403. Where the air infiltration rate in a dwelling unit is less than 5 air changes per hour when tested with a blower door at a pressure of 0.2-inch water column (50 Pa) in accordance with Section 402.4.1.2 of the International Energy Conservation Code, the dwelling unit shall be ventilated by mechanical means in accordance with Section 403.

401.3 When required.

Ventilation shall be provided during the periods that the room or space is occupied.

SECTION 403 MECHANICAL VENTILATION

403.1 Ventilation system.

Mechanical ventilation shall be provided by a method of supply air and return or exhaust air. The amount of supply air shall be approximately equal to the amount of return and exhaust air. The system shall not be prohibited from producing negative or positive pressure. The system to convey ventilation air shall be designed and installed in accordance with Chapter 6.

Some establishments have installed Designated Smoking Area Independent Ventilation systems (DSAIV) as a method to prevent the movement of smoke from designated areas to nonsmoking areas.

The City of Longview implemented DSAIV guidelines that would require an HVAC to have negative pressure within the smoking area that prevents smoke from escaping (attached).

In 2003 the City of Allen adopted a similar ordinance that if a facility provides both dedicated smoking and non-smoking areas the non-smoking area must be ventilated with a separate ventilation system from the smoking area so that smoke from the smoking area is not drawn into, across, or mixed with non-smoking areas (attached).

The Independent Ventilation systems have been proven to improve air quality, but they are not 100% effective. A fact sheet generated by the Centers for Disease and Control and Prevention (attached) indicates some conclusions on ventilation.

1. **U.S. Surgeon General** concludes that conventional air cleaning systems can remove large particles but not the smaller particles or the gases found in secondhand smoke. Current heating, ventilating, and air conditioning systems alone do not control secondhand smoke exposure. Even separately enclosed, separately exhausted, negative-pressure smoking rooms do not keep secondhand smoke from spilling into adjacent areas.
2. **World Health Organization (WHO)** concludes that in light of the available scientific evidence on ventilation, the report made the following recommendation to protect workers and the public from exposure to secondhand smoke: Ventilation and smoking areas, whether separately ventilated from nonsmoking areas or not, do not reduce exposure to a safe level of risk and are not recommended.
3. **The American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE)** concludes that no other engineering approaches, including current and advanced dilution ventilation or air cleaning technologies, have been demonstrated or should be relied upon to control health risks.

Designated Smoking Area Independent Ventilation Requirements

In order to comply with the independent ventilation requirements of the City of Longview Smoking Ordinance the HVAC system must:

1. Designed by a professional engineer
2. Serve only the smoking area of an establishment
3. Have a negative pressure within the smoking area that prevents smoke from escaping
4. Exchange the air within the smoking area every 15 minutes, and
5. Exhaust the exchanged air to the exterior of the establishment.

A mechanical permit is required when any HVAC system is installed or modified.

Design Requirements For Designated Smoking Areas

1. Area must be separated from any nonsmoking area of that establishment by impermeable walls and ceilings,
2. Area must be independently ventilated,
3. All entrances and exits from the smoking area must be equipped with impermeable doors that are not allowed to remain open and are outfitted with automatic closing devices.
4. Designated smoking area must not exceed 50% of the establishment's total square footage,
5. No one under the age of 18 is allowed to enter or remain in the area including guests, patrons, family members, or employees, and
6. Proper signs must be posted at the entrance to the designated smoking area.

A building permit will be required for any construction.

Design Requirements For Establishment That Excludes Minors

1. The establishment must be located in a separate building from any public place, or the establishment must be independently ventilated and completely separated from any other public place by impermeable walls and ceilings
2. No one under the age of 18 may be allowed to enter or remain in the establishment
3. including guests, patrons, family members or employees,
4. The establishment must prominently displays signs in both English and Spanish
5. stating that persons under the age of 18 are prohibited from entering the establishment.

Only restaurants, bars, bowling establishments, or bingo establishment have the options listed above that would allow smoking.

FAQ:

Q. What do I need to do to be able to provide a designated smoking area?

A. Designated smoking areas can be up to 50% of the total square footage of a tobacco shop, bar, restaurant, bowling establishment or bingo establishment. No other business can have a designated smoking area within the public space of that establishment. In addition, the area must meet all of the design requirements.

Q. How must a designated smoking area be designed?

A. Designated smoking areas must: be physically separated from nonsmoking areas of that establishment by impermeable walls and ceilings, be independently ventilated, have entrances and exits from the smoking area equipped with impermeable doors that are not allowed to remain open and are outfitted with automatic closing devices, not exceed 50% of the establishment's total square footage, not allow any one under the age of 18 to enter or remain in the area including guests, patrons, family members, or employees, and have the proper signage posted at the entrance to the designated smoking area.

Q. What is considered to be an independent ventilation system?

A. An independent ventilation system is an HVAC system designed by a professional engineer to: Serve only the smoking area of an establishment, create a negative pressure within the smoking area that prevents smoke from escaping, exchange the air within the smoking area every 15 minutes, and exhaust the exchanged air to the exterior of the establishment.

Sec. 10-35. - Food service establishments.

A food service establishment that has indoor or enclosed dining areas shall, at the time an application for a building permit is submitted, notify the building official in writing on a form provided by the city whether such food service establishment will be operated as a smoking facility, or a non-smoking facility, or provide designated smoking and non-smoking areas for patrons in compliance with (c) below.

- (a) In a smoking facility, smoking is permitted in all common and dining areas in an establishment, including, but not limited to, food order, pickup, and cashier areas and restrooms. Designated non-smoking areas will not be available. Smoking will be prohibited in food preparation areas.
- (b) In a smoking free facility, smoking is not permitted in any common or dining areas in an establishment. Designated smoking areas will not be available.
- (c) A facility that provides both dedicated smoking and non-smoking areas must comply with the following provisions:
 - (1) A non-smoking area must:
 - a. Be separated from the designated smoking area by a wall with a minimum height of eight (8) feet, or a barrier system, that hinders or prevents the movement of smoke from the designated smoking area into a non-smoking area that has been approved by the building official or designee, except for food service establishments that have been issued a building permit prior to July 1, 2003;
 - b. Be ventilated with a separate ventilation system from the smoking area so that smoke from the smoking area is not drawn into, across, or mixed with non-smoking areas, except for food service establishments that have been issued a building permit prior to July 1, 2003;
 - c. Existing food service establishments not in compliance with section 10-35(c)(1)a. or b. that undergo renovations or alterations exceeding more than fifty (50) percent of the original valuation of the establishment as designated in the building permit shall comply with the ventilation and barrier requirement herein upon completion of such renovation or alteration; and
 - d. Be designated with appropriate signs visible to the patrons in the dining area.
 - (2) A smoking area must:
 - a. Have ashtrays or other suitable containers for extinguishing lit tobacco products placed at the perimeters of the smoking area; and
 - b. Ventilation systems serving smoking areas in food service establishments shall be designed to filter tobacco particulate and odors to minimize the re-circulation of smoking byproducts into the occupied space.
 - (3) Have and implement a written policy on smoking on its premises that conforms to this article and which is available for employee and city examination;
 - (4) Designate as non-smoking areas any non-dining areas of any food service establishment to which patrons have general access, including, but not limited to, food order areas, food service areas, restrooms and cashier areas.
- (d) All facilities must have signs placed outside the establishment that clearly indicate whether the facility is entirely smoking, entirely non-smoking, or that smoking is allowed in designated areas.

Overview

Secondhand smoke is the combination of smoke from the burning end of a tobacco product and the smoke breathed out by the user. Secondhand smoke contains more than 7,000 chemicals; hundreds are toxic, and about 70 can cause cancer.^{1,2} There is no risk-free level of secondhand smoke, and even brief exposure can cause immediate harm.² Establishing a 100% smokefree environment is the only effective way to fully protect nonsmokers from secondhand smoke.^{2,3,4}

Expert Conclusions on Ventilation

U.S. Surgeon General

In 2006, the U.S. Surgeon General released a report entitled *The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General*.² The report stated that the scientific evidence now supports the following major conclusion:

“Eliminating smoking in indoor spaces fully protects nonsmokers from exposure to secondhand smoke. Separating smokers from nonsmokers, cleaning the air, and ventilating buildings cannot eliminate exposures of nonsmokers to secondhand smoke.”²

This conclusion was substantiated, in part, by the following facts:

- Conventional air cleaning systems can remove large particles but not the smaller particles or the gases found in secondhand smoke.
- Current heating, ventilating, and air conditioning systems alone do not control secondhand smoke exposure. In fact, these systems may distribute secondhand smoke throughout a building.
- Even separately enclosed, separately exhausted, negative-pressure smoking rooms do not keep secondhand smoke from spilling into adjacent areas.

World Health Organization (WHO)

In 2007, WHO released a report entitled *Protection from Exposure to Secondhand Tobacco Smoke: Policy Recommendations*.³ In light of the available scientific evidence on ventilation, the report made

http://www.cdc.gov/tobacco/data_statistics/fact_sheets/secondhand_smoke/protection/ventilation/

the following recommendation to protect workers and the public from exposure to secondhand smoke:

"Remove the pollutant—tobacco smoke—by implementing 100% smokefree environments. This is the only effective strategy to reduce exposure to tobacco smoke to safe levels in indoor environments and to provide an acceptable level of protection from the dangers of secondhand smoke exposure. Ventilation and smoking areas, whether separately ventilated from nonsmoking areas or not, do not reduce exposure to a safe level of risk and are not recommended."

The American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE)

ASHRAE is the national standard-setting body for indoor air quality, including ventilation issues. In 2010, ASHRAE released a report entitled *ASHRAE Position Document on Environmental Tobacco Smoke*.⁴ The report included the following major conclusions:

"At present, the only means of effectively eliminating health risks associated with indoor exposure is to ban smoking activity."

"No other engineering approaches, including current and advanced dilution ventilation or air cleaning technologies, have been demonstrated or should be relied upon to control health risks from environmental tobacco smoke exposure in spaces where smoking occurs."

"Because of ASHRAE's mission to act for the benefit of the public, it encourages elimination of smoking in the indoor environment as the optimal way to minimize environmental tobacco smoke exposure."

References

1. U.S. Department of Health and Human Services. [A Report of the Surgeon General: How Tobacco Smoke Causes Disease: What It Means to You](#). Atlanta: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2010 [accessed 2014 Apr 25].

http://www.cdc.gov/tobacco/data_statistics/fact_sheets/secondhand_smoke/protection/ventilation/

2. U.S. Department of Health and Human Services. [The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General](#). Atlanta: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006 [accessed 2014 Apr 25].
3. World Health Organization (WHO). [Protection from Exposure to Secondhand Tobacco Smoke: Policy Recommendations](#). WHO Press, 2007 [accessed 2014 Apr 25].
4. American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE). [ASHRAE Position Document on Environmental Tobacco Smoke](#). Atlanta: ASHRAE, 2010 [accessed 2014 Apr 25].