



# Wylie City Council

## NOTICE OF MEETING

### Regular Meeting Agenda February 23, 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 Wintters .....	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](http://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](http://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

- **Recognition of WHS student, Nikki Osborne, for her selection to the Naval Academy. (E. Hogue, Mayor)**

- **Proclamation Designating February as Black History Month** (*E. Hogue, Mayor*)
- **CWD Annual Report** (*J. Butters, Asst. City Manager*)
- **Presentation to Recognize the Participants of the Recent Active Shooter Drills in the City of Wylie.** (*B. Parker, Fire Chief and B. Blythe, Asst. Fire Chief*)

#### 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 February 9, 2016 Regular Meeting of the Wylie City Council.** (*C. Ehrlich, City Secretary*)
- B. Consider, and act upon, Resolution No. 2016-06(R) authorizing the appointment of Art Maldonado as Municipal Court Judge for the City of Wylie effective April 1, 2016 setting terms and stipend of service.** (*L. Bantz, Finance Director*)
- C. Consider, and place on file, the City of Wylie Monthly Investment Report for January 31, 2016.** (*L. Bantz, Finance Director*)
- D. Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for January 31, 2016.** (*L. Bantz, Finance Director*)
- E. Consider, and act upon, adoption of Resolution No. 2016-07(R) determining a public necessity to acquire certain property for public use by eminent domain for the purpose of, among other things, the construction, access, repair, maintenance and replacement of rights-of-way (in fee simple), drainage easements, temporary construction easements and related improvements necessary for the Woodbridge Parkway Project; giving notice of an official determination to acquire property for said rights-of-way and easements; authorizing the City Manager to establish procedures for acquiring the rights-of-way and easements on said property, offering to acquire the rights-of-way and easements voluntarily from the landowner through the making of bona fide offers; authorizing the use of eminent domain to condemn, appropriating funds; providing for repealing, savings and severability clauses; and providing for an effective date.** (*C. Holsted, City Engineer*)

#### REGULAR AGENDA

---

**Tabled Item from 02-09-2016**

*Remove from the Table and Consider:*

- 1. Continue 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.

- 2. Hold a Public Hearing and consider, and act upon, an amendment to PD 2006-01 to allow R5.5 and R8.5 zoning categories for single-family residential development on approximately 104.82 acres, generally located between McCreary Road and Springwell Parkway approximately 1200 feet south of FM544. ZC 2016-02 (R. Ollie, Development Services Director)**

**Executive Summary**

The applicant is requesting to table at this time as this item has been scheduled for the February 8, 2016 Park Board meeting. Therefore the applicant would like to request the item be tabled until the March 1, 2016 P&Z meeting.

- 3. Hold a Public Hearing and consider, and act upon, a change in zoning from Commercial Corridor (CC) and Light Industrial (LI) to Planned Development-Light Industrial (PD-LI) to allow for proposed Mixed Use Development for retail and self-storage use on 6.25 acres, generally located southeast of SH 78 between Century Way and old Alanis Drive. ZC 2016-03 (R. Ollie, Development Services Director)**

**Executive Summary**

The applicant is requesting to table the item until the second meeting in March to address the recommendations posed by the Planning Commission.

- 4. Hold a Public Hearing and consider, and act upon, amending PD 2014-42 & Concept Plan of the Kingsbridge subdivision to decrease the front yard setback a maximum of five feet for floor plans with an in-side or outside swing garage, provided the garages for the dwellings are in a swing configuration and any garages that does face the street is not less than the minimum front yard setback of 20 feet in Tract A and 25 feet in Tract B. Generally located south of Parker Road and approximately ½ mile west of Country Club Road. ZC 2016-04 (R. Ollie, Development Services Director)**

**Executive Summary**

The subject tract was part of a Planned Development approved on March 27, 2001 in order to develop a master planned residential community. A Final Plat was approved in 2012 and created 63 single-family residential lots and three open space lots.

- 5. **Consider, and act upon, the acceptance of the resignation of Lauren Howard and the appointment of \_\_\_\_\_ to the Public Arts Advisory Board for the unexpired term of July 2015 to June 2017. (C. Ehrlich, City Secretary)**

**Executive Summary**

Staff is requesting the appointment of a new Public Arts Advisory Board member to replace Lauren Howard, who has recently resigned her position (letter attached).

**WORK SESSION**

---

- **Discussion regarding possible City of Wylie Charter Amendments. (C. Ehrlich, City Secretary)**

**RECONVENE INTO REGULAR 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 19, 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](http://www.wylietexas.gov).*

---

**Carole Ehrlich, City Secretary**

---

**Date Notice Removed**



# Wylie City Council

---

## Minutes

### City Council Meeting

**Tuesday, February 9, 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 David Dahl, Councilwoman Candy Arrington, and Councilwoman Diane Culver. Councilman Todd Wintters and Councilman William Whitney III were absent.

Staff present were: City Manager, Mindy Manson; Assistant City Manager, Jeff Butters; Development Services Director, Renae Ollie; Finance Director, Linda Bantz; WEDC Executive Director, Sam Satterwhite; Fire Chief, Brent Parker; City Secretary, Carole Ehrlich; Public Information Officer, Craig Kelly; and various support staff.

---

#### INVOCATION & PLEDGE OF ALLEGIANCE

Mayor pro tem Stephens gave the Invocation and Councilwoman Arrington led the Pledge of Allegiance.

---

#### PRESENTATIONS

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

Mayor Hogue and Mayor pro tem Stephens presented medallions to students demonstrating “Shining the Wylie Way.” Each nine weeks one student from each WISD campus is chosen as the “Wylie Way Student.”

- **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)*

Mary Lange, representing the American Legion Hale-Combest Post 315, presented certificates of recognition to Mindy Manson, Tom Kollman, Diane Culver, Keith Stephens, and Kevin Finnell. Mike Agnew was unable to attend. Lange thanked them for their service in judging the student speech contest.

- **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)*

Becky Welch invited those present to participate in the 5<sup>th</sup> Annual 1LT Robert F. Welch III Run for Our Heroes to be held April 2, 2016 in Olde City Park. Also present were Jerry Barrera, Charlie Waller, Diane Culver, and CSM Delacruz. Culver asked for food drive donations during the event to benefit the local Wylie National Guard Armory. The food drive is sponsored by the East Fork Lodge, Wylie American Legion Auxiliary, Wylie Rotary Club, and Joining Forces.

Council was in favor of supporting the food drive event scheduled for April 2, 2016.

#### 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.*

Councilwoman Culver thanked staff and council for the letters, cards, and e-mails received during her recent illness. She also thanked the Wylie Fire Rescue.

#### 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)*

### **Council Action**

A motion was made by Councilwoman Culver, seconded by Councilman Dahl to approve the Consent Agenda as presented. A vote was taken and the motion passed 5-0 with Councilmen Wintters and Whitney absent.

### 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)*

### **Staff Comments**

Development Services Director Ollie addressed Council stating that 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 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.

### **Public Hearing**

Mayor Hogue opened the public hearing on RP2016-02 at 6:45 p.m. asking anyone present wishing to address Council to come forward.

No one was present wishing to address Council.

Mayor Hogue closed the public hearing at 6:46 p.m.

Applicant Juan Vasquez, representing Vasquez Engineering, addressed Council stating that the site plan has been submitted and once approved by P&Z the company plans to begin construction.

### **Council Action**

A motion was made by Councilman Dahl, seconded by Mayor pro tem Stephens 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. A vote was taken and the motion passed 5-0 with Councilmen Wintters and Whitney absent.

- 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**

Development Services Director Ollie addressed Council stating that 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).

Applicant Bobby Heath addressed Council stating there would be two duplexes on the property. Mayor Hogue asked when construction would start. Heath reported construction would begin in 60 to 90 days.

### **Public Hearing**

Mayor Hogue opened the public hearing on RP2016-01 at 6:50 p.m. asking anyone present wishing to address Council to come forward.

No one was present wishing to address Council.

Mayor Hogue closed the public hearing at 6:51 p.m.

### **Council Action**

A motion was made by Councilwoman Culver, seconded by Councilman Dahl 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. A vote was taken and the motion passed 5-0 with Councilmen Winters and Whitney absent.

- 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)

### **Staff Comments**

Development Services Director Ollie addressed Council stating that 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.

Ollie reported that 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.

Ollie noted, 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.

Mayor Hogue had some concerns with the entrance off Brown Street being close to the school campus. Ollie explained the applicant had noted there would not be many vehicles entering the facility during school hours. Mayor pro tem Stephens had concerns with parking, stating that if there were 17 to 20 employees parking at one time, this would take up half the proposed parking spaces. He asked if staff and Council were comfortable with a maximum of 47 spaces. Ollie replied that the number of parking spaces was, in part, dependent upon the applicant's information. This number of spaces could be a gamble.

Councilman Dahl stated that he had parking concerns as well during peak times.

### **Applicant Comments**

Applicants Ron Walsh, Global Senior Housing, and Bill Thomas, Engineering Concepts, addressed Council stating that the parking, based on other facilities the applicant owns, would have the majority of parking for staff and visitors. The residents would not have vehicles and would not utilize the parking area. No more than 17 staff members would be on duty during the busiest part of each day; leaving the remainder of parking for visitors. Most of the visitor parking would take place in the evenings and on weekends, not during week days. He suggested if overflow was needed on weekends and evenings the overflow could park at the school parking lot. Mayor Hogue asked if the applicants had requested the use of the parking lot from WISD.

### **Public Hearing**

Mayor Hogue opened the public hearing on ZC2016-01 at 7:14 p.m. asking anyone present wishing to address Council to come forward.

Mary Lange addressed Council stating that she had some experience with a family member in an assisted living facility and it was always difficult to find parking.

Mayor Hogue closed the public hearing.

Mayor Hogue asked Development Services Director Ollie how many parking spaces were required for this facility. Ollie replied 64 parking spaces were required. She noted that the applicant was requesting a total of 48 spaces.

Councilwoman Arrington and Councilwoman Culver reiterated their concerns with the proposed parking.

Mayor Hogue addressed Mr. Walsh stating that he could see the concerns Council had with regard to parking space. He explained everyone on Council recognizes the need for senior housing. He asked if Mr. Walsh wanted to have Council table the item and review the proposed zoning or if he wished to move forward with a vote.

Mr. Welch requested the item be tabled so his staff could revisit the proposed zoning.

### **Council Action**

A motion was made by Mayor pro tem Stephens, seconded by Councilman Dahl to table 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 to allow the applicant to review and revise the concerns addressed during the discussion of this item. A vote was taken and the motion passed 5-0 with Councilmen Wintters and Whitney absent.

4. **Consider, and 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)*

**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.

Mayor Hogue noted that the annexation was for a portion of Pleasant Valley Road and not for any residential property and was at the request of Dallas County.

**Council Action**

A motion was made by Mayor pro tem Stephens, seconded by Councilwoman Arrington to approve Ordinance No. 2016-03 authorizing the annexation of 1.207 mile segment of Pleasant Valley Road from Elm Grove to the Dallas County Line. 2016-01. A vote was taken and the motion passed 5-0 with Councilmen Wintters and Whitney absent.

READING OF ORDINANCE

---

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

City Secretary Ehrlich read the caption to Ordinance No. 2016-03 into the official record.

WORK SESSION

---

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

Development Services Director Ollie and Interim Building Official Bret McCullough addressed Council stating that the City of Wylie is governed by the 2012 Mechanical Code as it relates to ventilation of occupied spaces. Cities have adopted ordinances that regulate the movement of smoke in an effort to separate smoking areas from non-smoking areas with Independent Ventilation Systems and other regulations. Although Independent Ventilation Systems have been proven to improve air quality, they are not 100% effective.

Councilman Dahl stated that he had years of experience in HAVC units and air ventilation and quality. He stated that in his opinion, the smell of smoke could be eliminated with separate ventilation units and separate areas for smokers and non-smokers but could not remove gases and other small particles.

Mayor Hogue commented that he did not frequent restaurants that allowed smoking due to the smell. He asked if these systems would take the smell of the smoke away. Ollie replied not 100% but close.

Council directed staff to draft an ordinance for Council consideration to put in place requirements that govern the circulation of air flow in restaurants that choose to allow smoking.

Smoking and non-smoking areas must be separated by Independent Ventilation Systems and would not affect existing businesses.

#### RECONVENE INTO REGULAR SESSION

---

Mayor Hogue reconvened into Regular Session.

Mayor Hogue convened into Executive Session at 7:57 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. 551.072. 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.*

Mayor Hogue reconvened into Open Session at 8:17 p.m.

#### ADJOURNMENT

---

A motion was made by Mayor pro tem Stephens, seconded by Councilman Dahl, to adjourn the meeting at 8:22 p.m. A vote was taken and the motion passed 5-0 with Councilman Winters and Councilman Whitney absent.

---

**Eric Hogue, Mayor**

**ATTEST:**

---

**Carole Ehrlich, City Secretary**



# Wylie City Council

---

## AGENDA REPORT

**Meeting Date:** February 23, 2016  
**Department:** Municipal Court  
**Prepared By:** Lisa Davis  
**Date Prepared:** January 27, 2016

**Item Number:** B  
*(City Secretary's Use Only)*  
**Account Code:** \_\_\_\_\_  
**Budgeted Amount:** \_\_\_\_\_  
**Exhibits:** \_\_\_\_\_

### Subject

Consider, and act upon, Resolution No. 2016-06(R) authorizing the appointment of Art Maldonado as Municipal Court Judge for the City of Wylie effective April 1, 2016, setting terms and stipend of service.

### Recommendation

Motion to approve Resolution No. 2016-06(R) authorizing the appointment of Art Maldonado as Municipal Court Judge for the City of Wylie effective April 1, 2016, setting terms and stipend of service.

### Discussion

Article IV, Section 3b of the City of Wylie Charter states *“the city council shall appoint a judge of the municipal court, who shall be a competent, duly qualified, licensed attorney in the State of Texas. The judge of the municipal court shall be appointed to a term of two years, and may be appointed to additional and consecutive terms, upon completion of his term of office. The appointment of the judge may be terminated by a majority vote of the city council. The judge shall receive compensation as maybe determined by the city council. This compensation shall be fixed, and commensurate with the duties performed by the judge...”*

The current two year term of the City of Wylie Municipal Court Judge expires March 31, 2016 and is renewable for subsequent two (2) year terms.

The appointment of the Municipal Court Judge is for a two year term effective April 1, 2016 through March 31, 2018 and may be renewed for another two (2) year term. Compensation for services provided by the Municipal Court Judge is a set monthly rate of \$2000.00. This reflects an increase in his monthly rate of \$582.00. The increase includes payment of issuing warrants after hours that were previously paid separately from the monthly stipend. The average monthly cost of the after-hours warrants is \$375. Municipal Court Judge Art Maldonado (part-time) works approximately 30 hours per month (signs warrants, does prisoner arraignments, and has four court dockets per month). With the addition of the Commercial Vehicle Inspection Violations Unit, our dockets have increased. In addition, the Police Department (PD) calls him to do phone or video arraignments, and to sign warrants after hours. Judge Art Maldonado has served the City for 9 years as the Municipal Court Judge and has not had an increase in pay since 2008.

It is recommended that Judge Maldonado continue to provide service to the City as the City of Wylie Municipal Court Judge.

**RESOLUTION NO. 2016-06(R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, AUTHORIZING THE APPOINTMENT OF ARTHUR MALDONADO AS CITY OF WYLIE MUNICIPAL COURT JUDGE.**

**WHEREAS**, the City of Wylie has determined that a Municipal Judge is necessary to perform the judicial functions of the Municipal Court of the City of Wylie; and

**WHEREAS**, the City desires to appoint Arthur Maldonado as the Municipal Court Judge for the City of Wylie; and

**WHEREAS**, the effective term of service for the Municipal Court Judge shall be April 1, 2016-March 31, 2018 with subsequent two year term; and

**WHEREAS**, reimbursable services of the Municipal Court Judge by the City of Wylie shall constitute all time spent on any matters assigned including conference, telephone calls, investigation, drafting of documents, correspondence, negotiations, legal research, issuing warrants, and travel to conduct City of Wylie municipal court business; and

**WHEREAS**, a monthly stipend of \$2000.00 will be provided by the City of Wylie for such services;

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

Section 1. That the City Council authorizes the appointment of Arthur Maldonado as City of Wylie Municipal Court Judge for a two year term effective April 1, 2016-March 31, 2018 with a monthly stipend of \$2000.00 for services as the City of Wylie Municipal Court Judge with subsequent two year terms provided.

**DULY PASSED AND ADOPTED** by the City Council of the City of Wylie, Texas this 23<sup>rd</sup> day of February, 2016.

\_\_\_\_\_  
Eric Hogue, Mayor

ATTEST:

\_\_\_\_\_  
Carole Ehrlich, City Secretary



# Wylie City Council

---

## AGENDA REPORT

Meeting Date: February 23, 2016  
Department: Finance  
Prepared By: Finance  
Date Prepared: February 11, 2016

Item Number: C  
*(City Secretary's Use Only)*  
Account Code: \_\_\_\_\_  
Budgeted Amount: \_\_\_\_\_  
Exhibits: Investment Report

### Subject

Consider, and place on file, the City of Wylie Monthly Investment Report for January 31, 2016.

### Recommendation

Motion to accept and place on file, the City of Wylie Monthly Investment Report for January 31, 2016.

### Discussion

The Finance Department has prepared the attached reports for the City Council as required by the City Charter.

# City Of Wylie

## 2015-2016 Investment Report January 31, 2016

**Money Market Accounts:**  
**Certificates of Deposit:**  
**Treasury Bills:**  
**Treasury Notes:**  
**Government Agency Notes:**

MMA
CCD
T-Bills
T-Notes
AN

Invest. Number	Principal Amount	Type Of Security	Interest Rate	Issuer	Purchase Date	Maturity Date
1	\$14,543,669.15	MMA	0.2674%	Texpool	12/31/2006	NA
2	\$15,063,469.28	MMA	0.2713%	TexStar	3/15/2011	NA
	\$29,607,138.43					

**Total**

**Weighted Average Coupon:**  
**Weighted Average Maturity (Days):**

0.2694%
1.00

**Money Markets:**  
**Certificates of Deposits:**

\$29,607,138.43
\$0.00
\$29,607,138.43



# Wylie City Council

---

## AGENDA REPORT

**Meeting Date:** February 23, 2016  
**Department:** Finance  
**Prepared By:** Finance  
**Date Prepared:** February 11, 2016

**Item Number:** D  
*(City Secretary's Use Only)*  
**Account Code:** \_\_\_\_\_  
**Budgeted Amount:** \_\_\_\_\_  
**Exhibits:** Revenue and Expenditure  
Monthly Report

### Subject

Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for January 31, 2016.

### Recommendation

Motion to accept and place on file, the City of Wylie Monthly Revenue and Expenditure Report for January 31, 2016.

### Discussion

The Finance Department has prepared the attached reports for the City Council as required by the City Charter.

# CITY OF WYLIE

## MONTHLY FINANCIAL REPORT

January 31, 2016

ACCOUNT DESCRIPTION	ANNUAL BUDGET 2015-2016	CURRENT MONTH ACTUAL 2015-2016	YTD ACTUAL 2015-2016	YTD ACTUAL AS A PERCENT OF BUDGET	Benchmark 33.33%
<b>GENERAL FUND REVENUE SUMMARY</b>					
TAXES	23,439,014	4,538,116	17,420,870	74.32%	A
FRANCHISE FEES	2,671,000	5,453	19,640	0.74%	B
LICENSES AND PERMITS	746,000	56,870	263,864	35.37%	
INTERGOVERNMENTAL REV.	725,920	31,756	255,298	35.17%	
SERVICE FEES	3,225,000	290,654	926,905	28.74%	C
FINES AND FORFEITURES	660,832	38,431	153,608	23.24%	D
INTEREST INCOME	5,000	2,500	5,543	110.87%	
MISCELLANEOUS INCOME	166,000	15,648	36,233	21.83%	
OTHER FINANCING SOURCES	2,054,050	0	2,054,050	100.00%	E
<b>REVENUES</b>	<b>33,692,816</b>	<b>4,979,428</b>	<b>21,136,011</b>	<b>62.73%</b>	
USE OF FUND BALANCE	972,783	NA	NA	NA	F
USE OF CARRY-FORWARD FUNDS	58,907	NA	NA	NA	
<b>TOTAL REVENUES</b>	<b>34,724,506</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	
<b>GENERAL FUND EXPENDITURE SUMMARY</b>					
CITY COUNCIL	90,796	8,270	30,425	33.51%	
CITY MANAGER	841,241	60,779	234,418	27.87%	
CITY SECRETARY	276,680	18,610	73,889	26.71%	
CITY ATTORNEY	147,000	12,397	20,801	14.15%	
FINANCE	1,032,813	58,425	332,622	32.21%	
FACILITIES	729,460	26,279	152,245	20.87%	
MUNICIPAL COURT	365,036	19,553	100,910	27.64%	
HUMAN RESOURCES	306,936	17,427	76,829	25.03%	
PURCHASING	162,501	7,826	28,359	17.45%	
INFORMATION TECHNOLOGY	1,254,236	58,797	428,299	34.15%	G
POLICE	8,362,316	636,329	2,458,523	29.40%	
FIRE	7,161,256	552,841	1,976,165	27.60%	
EMERGENCY COMMUNICATIONS	1,409,706	118,587	424,479	30.11%	
ANIMAL CONTROL	671,946	34,563	169,262	25.19%	
PLANNING	582,075	39,589	136,182	23.40%	
BUILDING INSPECTION	485,270	28,375	100,080	20.62%	
CODE ENFORCEMENT	236,744	14,298	59,838	25.28%	
STREETS	2,367,884	81,160	418,909	17.69%	
PARKS	2,417,139	170,268	552,399	22.85%	
LIBRARY	1,770,773	121,432	499,318	28.20%	
COMBINED SERVICES	4,052,699	216,056	1,260,215	31.10%	
<b>TOTAL EXPENDITURES</b>	<b>34,724,506</b>	<b>2,301,861</b>	<b>9,534,167</b>	<b>27.46%</b>	
<b>REVENUES OVER/(UNDER) EXPENDITURES</b>	<b>0</b>	<b>2,677,567</b>	<b>11,601,845</b>	<b>35.27%</b>	
<p>A. Property Tax Collections for FY15-16 as of January 31 are 88.64%, in comparison to FY14-15 for the same time period of 86.12%.</p> <p>B. Franchise Fees: The majority of franchise fees are recognized in the third and fourth quarter with electric fees making up the majority.</p> <p>C. Service Fees: Trash fees billed in October are applicable towards FY 2014-15 revenue with the remaining fees coming from other seasonal fees.</p> <p>D. Fines and Forfeitures: The Court Fines budget was significantly increased for FY15-16. Actual revenues are up 39% compared to this time last year.</p> <p>E. Other Financing Sources includes the annual transfer from the Utility Fund.</p> <p>F. Use of Fund Balance: For Replacement/New Fleet &amp; Equipment and Transfer to Debt Service.</p> <p>G. Due to one-time expenditures including annual maintenance contract renewals. This will level out over the remainder of the fiscal year.</p>					

# CITY OF WYLIE

## MONTHLY FINANCIAL REPORT

January 31, 2016

ACCOUNT DESCRIPTION	ANNUAL BUDGET 2015-2016	CURRENT MONTH ACTUAL 2015-2016	YTD ACTUAL 2015-2016	YTD ACTUAL AS A PERCENT OF BUDGET	Benchmark 33.33%
<b>UTILITY FUND REVENUES SUMMARY</b>					
SERVICE FEES	12,690,000	1,041,376	3,583,923	28.24%	H
INTEREST INCOME	1,500	865	2,441	162.71%	
MISCELLANEOUS INCOME	57,000	5,404	15,109	26.51%	
OTHER FINANCING SOURCES	101,200	0	101,200	100.00%	I
<b>REVENUES</b>	<b>12,849,700</b>	<b>1,047,645</b>	<b>3,702,673</b>	<b>28.82%</b>	
USE OF FUND BALANCE	113,100	NA	NA	NA	J
USE OF CARRY-FORWARD FUNDS	235,000	NA	NA	NA	
<b>TOTAL REVENUES</b>	<b>13,197,800</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	
<b>UTILITY FUND EXPENDITURE SUMMARY</b>					
UTILITY ADMINISTRATION	480,006	20,089	110,914	23.11%	
UTILITIES - WATER	1,837,773	185,759	494,346	26.90%	
CITY ENGINEER	564,635	36,449	128,492	22.76%	
UTILITIES - SEWER	720,733	46,884	183,968	25.53%	
UTILITY BILLING	301,144	42,493	105,713	35.10%	K
COMBINED SERVICES	11,954,742	1,367,761	4,876,747	40.79%	L
<b>TOTAL EXPENDITURES</b>	<b>15,859,033</b>	<b>1,699,435</b>	<b>5,900,180</b>	<b>37.20%</b>	
<b>REVENUES OVER/(UNDER) EXPENDITURES</b>	<b>-2,661,233</b>	<b>-651,790</b>	<b>-2,197,508</b>	<b>-8.39%</b>	
<p>H. Most Utility Fund Revenue billed in October was applicable to FY 2014-15.</p> <p>I. One-time transfer from General Fund in October to cover the cost of replacement vehicles.</p> <p>J. Use of Fund Balance: Includes Hardware/Software to implement the GIS program.</p> <p>K. Due to one-time payout of retiree accumulated time. This will level out over the remainder of the fiscal year.</p> <p>L. Due to annual transfer to the General Fund. This will level out over the remainder of the fiscal year.</p>					



# Wylie City Council

---

## AGENDA REPORT

**Meeting Date:** February 23, 2016  
**Department:** Engineering  
**Prepared By:** Engineering  
**Date Prepared:** February 15, 2016

**Item Number:** E  
*(City Secretary's Use Only)*  
**Account Code:** N/A  
**Budgeted Amount:** N/A  
**Exhibits:** Resolution

### Subject

Consider and act upon adoption of Resolution No. 2016-07(R) determining a public necessity to acquire certain property for public use by eminent domain for the purpose of, among other things, the construction, access, repair, maintenance and replacement of rights-of-way (in fee simple), drainage easements, temporary construction easements and related improvements necessary for the Woodbridge Parkway Project; giving notice of an official determination to acquire property for said rights-of-way and easements; authorizing the City Manager to establish procedures for acquiring the rights-of-way and easements on said property, offering to acquire the rights-of-way and easements voluntarily from the landowner through the making of bona fide offers; authorizing the use of eminent domain to condemn, appropriating funds; providing for repealing, savings and severability clauses; and providing for an effective date.

### Recommendation

Motion that the City of Wylie, Texas, City Council adopt Resolution No. 2016-07(R), authorizing the use of the power of eminent domain to acquire for public use the right-of-way (in fee simple), drainage easements, temporary construction easements and related improvements on the property described by metes and bounds and attached as Exhibits "1" to said Resolution, said descriptions being incorporated into this motion for all purposes, for the construction, access, repair, maintenance and replacement of the Woodbridge Parkway Project.

### Discussion

On October 13, 2015, council accepted the improvements to Woodbridge Parkway from Hooper Road to Cody Lane. Funding for the project was provided by Collin County, the City of Wylie, the Wylie Economic Development Corporation, and the City of Sachse. The City of Wylie was the lead agency for the project.

The City of Wylie and the City of Sachse acquired right of way and easements necessary for the expansion of the roadway. A permit was also obtained from the Corps of Engineers for the placement of fill material into the waters of the U.S., and fill material was also placed within the easement for the Collin County Soil Conservation District Flood Prevention Dam No. 7. As a result, dirt had to be removed from within the easement area to maintain the floodwater detention capacity of the reservoir.

The attached display shows the limits of the grading, and the additional 3.53 acres that was excavated to mitigate the fill that was placed. A drainage easement is required because this property is now within the 100-year floodplain and is no longer suitable for development. The purchase of a mitigation area was included in the project budget (attached) and funds from Collin County are available for the purchase.

**RESOLUTION NO. 2016-07(R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, DETERMINING A PUBLIC NECESSITY TO ACQUIRE CERTAIN PROPERTIES FOR PUBLIC USE BY EMINENT DOMAIN FOR RIGHT-OF-WAY (IN FEE SIMPLE) AND EASEMENTS FOR THE CONSTRUCTION, ACCESS AND MAINTENANCE OF AND/OR IMPROVEMENTS TO THE WOODBRIDGE PARKWAY PROJECT; GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE PROPERTIES FOR RIGHT-OF-WAY (IN FEE SIMPLE) AND EASEMENTS FOR THE WOODBRIDGE PARKWAY PROJECT; AUTHORIZING THE CITY MANAGER OF THE CITY OF WYLIE, TEXAS TO ESTABLISH PROCEDURES FOR ACQUIRING THE PROPERTIES, OFFERING TO ACQUIRE THE RIGHT OF WAY (IN FEE SIMPLE) AND EASEMENTS VOLUNTARILY FROM THE LANDOWNERS THROUGH THE MAKING OF BONA FIDE OFFERS; APPROPRIATING FUNDS; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Wylie, Texas (“City Council”), investigated and determined that there is a public necessity for the acquisition, by eminent domain, of right of way (in fee simple) (“ROW”) and easements (“Easements”) on the properties described in **Exhibit “1”**, attached hereto and incorporated herein for all purposes (“Properties”), and it is the City of Wylie, Texas’ (“Wylie”) intent to acquire the necessary ROW and Easements on the Properties for the purpose of, among other things, the construction, access, repair, maintenance and replacement of public facilities, specifically, the ROW and Easements for the construction of and/or improvements to Woodbridge Parkway (hereinafter referred to as the “Project”) for the purposes of, among other things, paving and drainage improvements; and

**WHEREAS**, the City Council has investigated and determined that the Project is necessary for public use; and

**WHEREAS**, it is necessary to establish procedures for determining the establishment and approval of just compensation for the ROW and Easements to be acquired by eminent domain for the Project; and

**WHEREAS**, there may be improvements located on some of the Properties acquired for this Project and such improvements may be required to be moved prior to the beginning of this Project; and

**WHEREAS**, the City Manager, or her designee, (“City Manager”) is required to make a bona fide offer, as defined by and in compliance with §21.0113, Texas Property Code,

(individually and collectively, “Bona Fide Offer(s)”) to acquire the ROW and Easements on the Properties for public use voluntarily from the subject landowners prior to moving forward with acquisition by eminent domain; and

**WHEREAS**, the City Council has investigated and determined that the passage of this Resolution complies with S.B. 18, enacted by the 82<sup>nd</sup> Legislature, which became effective on September 1, 2011.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Resolution as if fully set forth herein.

SECTION 2: Acquisition of Properties. The City Council hereby officially determines that there is a public necessity for, and the public welfare and convenience will be served by, the acquisition, by eminent domain, of the ROW and Easements on the Properties, and it is Wylie’s intent to acquire the ROW and Easements for public use as more specifically described in and depicted on **Exhibit “1”**, attached hereto, specifically for the purpose of, among other things, the construction, access, repair, maintenance and replacement of the Project.

SECTION 3: Authority of the City Manager/Bona Fide Offer. The City Manager is hereby authorized to contract, on behalf of the City Council, with professional appraisers for appraisal services and with attorneys for preparation of title opinions needed by Wylie from time to time in connection with the acquisition of the ROW and Easements on the Properties for the construction of, access to, repair of, maintenance of, replacements of and/or improvements to the Project. The City Council hereby ratifies any contracts entered into, prior to the effective date of this Resolution, by the City Manager with professional appraisers for appraisal services and with attorneys for preparation of title opinions needed for the acquisition of the ROW and Easements on the Properties. To this end, the City Manager shall first make a Bona Fide Offer to acquire the ROW and Easements on the Properties from the subject landowners voluntarily. Should the landowners fail to provide the ROW and Easements voluntarily through said Bona Fide Offer, the City Manager is authorized to move forward with acquiring the ROW and Easements on the Properties by eminent domain.

SECTION 4: Determination of Just Compensation. The City Manager is hereby authorized and directed to examine and rely on the independent appraisal reports, and other information, to make a determination as to the establishment and approval of a fair market value

offer and the just compensation for the ROW and Easements on the Properties for the purpose of making Bona Fide Offers. After consideration of said information, the City Manager shall establish and approve the amount determined to be just compensation for acquisition of the ROW and Easements, and shall have the authority to execute any and all documents necessary to complete the acquisition of same.

SECTION 5: Authority to Make an Offer. Upon establishment and approval by the City Manager of the amount of just compensation for the acquisition of the ROW and Easements on the Properties, the City Manager, or her designee, is authorized to send written Bona Fide Offers to the landowner(s) of said Properties for acquisition of said ROW and Easements at the full amount determined and established to be just compensation for each parcel, and to negotiate with said owner(s) on behalf of Wylie to acquire the ROW and Easements voluntarily from said landowners.

SECTION 6: Authority to Execute Documents. The City Manager is hereby authorized, on behalf of Wylie, to execute all documents necessary to acquire each of the ROW and Easements on the Properties needed for the Project, on behalf of Wylie, whether by purchase or eminent domain. The City Council hereby ratifies any documents executed, prior to the effective date of this Resolution, by the City Manager which were necessary for the acquisition of any ROW and Easements on the Properties for the Project.

SECTION 7: Disposal of Improvements. The City Manager is hereby authorized to sell such surplus improvements, if any, located on the ROW and Easements acquired in connection with this Project, should they interfere with use and enjoyment of said ROW and Easements.

SECTION 8: Eminent Domain Authorized. Should the City Manager be unable to acquire the ROW and Easements voluntarily from the landowners through the making of Bona Fide Offers, the City Manager is authorized to instruct the law firm of Abernathy, Roeder, Boyd, & Joplin, P.C. to commence eminent domain proceedings for the acquisition of the ROW and Easements on the Properties for the Project.

SECTION 9: Source of Funds. The amount to be paid, if any, for acquiring the ROW and Easements on the Properties for the Project will be appropriated from any lawful source.

SECTION 10: Savings/Repealing Clause. All provisions of any resolution in conflict with this Resolution are hereby repealed; but such repeal shall not abate any pending matters of the repealed resolution. Any remaining portions of conflicting resolutions shall remain in full force and effect.

SECTION 11: Severability. Should any section, subsection, sentence, clause or phrase of this Resolution be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Resolution shall remain in full force and effect. Wylie hereby declares that it would have passed this Resolution, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

SECTION 12: Effective Date. This Resolution shall take effect immediately from and after its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, on this 23<sup>rd</sup> day of February, 2016.**

\_\_\_\_\_  
Eric Hogue, Mayor

**ATTESTED TO AND  
CORRECTLY RECORDED BY:**

\_\_\_\_\_  
Carole Ehrlich, City Secretary

**DATE(S) OF PUBLICATION:** \_\_\_\_\_

**Exhibit “1”  
(following 4 pages)**

**LEGAL DESCRIPTION**

47.459 ACRES

**BEING** a tract of land situated in the R.D. Newman Survey, Abstract No. 660 and the N.J. Harding Survey, Abstract No. 438, City of Sachse, Collin County, Texas and being part of a tract of land described in General Warranty Deed to Woodbridge Properties, LLC recorded in Volume 5065, Page 4376, Land Records of Collin County, Texas and being more particularly described as follows:

**COMMENCING** at a 5/8-inch iron rod with plastic cap stamped "KHA" found in the north right-of-way line of Woodbridge Parkway (a 100-foot right-of-way); said point being at the southwest corner of Lot 1, Block A, Woodbridge Commons, Phase Three, an addition to the City of Sachse according to the plat recorded in Cabinet 2014, Page 257 of the Map Records of Collin County, Texas; and the beginning of a curve to the left having a central angle of 19°27'46", a radius of 1050.00 feet, a chord bearing and distance of North 70°43'17" West, 354.96 feet;

**THENCE** with said north right-of-way line of Woodbridge Parkway, the following courses and distances, to wit:

In a northwesterly direction, with said curve to the left, an arc distance of 356.68 feet to a point for corner; North 80°27'10" West, a distance of 163.72 feet to the **POINT OF BEGINNING**;

**THENCE** continuing with said north right-of-way line of Woodbridge Parkway, the following courses and distances, to wit:

North 80°27'10" West, a distance of 485.41 feet to a point at the beginning of a tangent curve to the right having a central angle of 59°18'44", a radius of 700.00 feet, a chord bearing and distance of North 50°47'48" West, 692.71 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 724.64 feet to a point at the beginning of a reverse curve to the left having a central angle of 1°16'38", a radius of 751.00 feet, a chord bearing and distance of North 21°46'44" West, 16.74 feet;

In a northwesterly direction, with said curve to the left, an arc distance of 16.74 feet to a point at the beginning of a reverse curve to the right having a central angle of 14°07'47", a radius of 700.00 feet, a chord bearing and distance of North 15°21'10" West, 172.19 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 172.63 feet to a point for corner; North 8°17'16" West, a distance of 85.28 feet to a point for corner;

North 0°03'48" West, a distance of 243.60 feet to a point in the north line of said Woodbridge Properties tract at the southwest corner of a tract of land described in Warranty Deed with Vendor's Lien to Wayne Rich recorded in Volume 1730, Page 888, of said Land Records;

**THENCE** South 89°17'40" East, a distance of 2,680.57 feet to a point the northeast corner of said Woodbridge Properties tract;

**THENCE** with the east line of said Woodbridge tract, South 33°42'08" West, a distance of 1,122.51 feet to a 5/8-inch iron rod found in the north line of Lot 3, Block A, Woodbridge Commons, Phase Three, an addition to the City of Sachse, Texas, according to the plat recorded in Cabinet 2014, Page 257, of the said Map Records;

DANA BROWN  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5336  
12750 MERIT DRIVE, SUITE 1000  
DALLAS, TEXAS 75251  
PH. 972-770-1300  
dana.brown@kimley-horn.com



**DRAINAGE EASEMENT**  
R.D. NEWMAN SURVEY, ABSTRACT NO. 660 &  
N.J. HARDING SURVEY, ABSTRACT NO. 438  
CITY OF SACHSE, COLLIN COUNTY, TEXAS

**Kimley»Horn**

12750 Merit Drive, Suite 1000  
Dallas, Texas 75251

FIRM # 10115500

Tel. No. (972) 770-1300  
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	CJG	SRD	NOV. 2015	063564206	1 OF 3

**LEGAL DESCRIPTION  
(CONT.)**

**THENCE** with said north line, North 37°41'16" West, a distance of 23.83 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" found at the northernmost corner of said Lot 3, Block A; and being the northeast corner of a tract of land;

**THENCE**, over and across said Woodbridge Properties tract, the following courses and distances, to wit:

- North 75°03'06" West, a distance of 308.53 feet to a point for corner;
- North 79°10'13" West, a distance of 333.86 feet to a point for corner;
- South 57°11'27" West, a distance of 399.99 feet to a point for corner;
- South 9°32'50" West, a distance of 5.58 feet to the **POINT OF BEGINNING** and containing 47.459 acres or 2,067,319 square feet of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

**DRAINAGE EASEMENT**  
R.D. NEWMAN SURVEY, ABSTRACT NO. 660 &  
N.J. HARDING SURVEY, ABSTRACT NO. 438  
CITY OF SACHSE, COLLIN COUNTY, TEXAS

<b>Kimley»Horn</b>					
12750 Merit Drive, Suite 1000 Dallas, Texas 75251		FIRM # 10115500		Tel. No. (972) 770-1300 Fax No. (972) 239-3820	
<u>Scale</u>	<u>Drawn by</u>	<u>Checked by</u>	<u>Date</u>	<u>Project No.</u>	<u>Sheet No.</u>
N/A	CJG	SRD	NOV. 2015	063564206	2 OF 3

WAYNE RICH  
VOL. 1730, PG. 888  
L.R.C.C.T.

TRACT 3  
NORLAN VAN CLEAVE  
VOL. 5364, PG. 1194  
L.R.C.C.T.

TRACT 4  
SUSAN SPEED POWERS  
INST. NO. 20140407000327750  
O.P.R.C.C.T.

TRACT 5  
RONALD F. MILLER  
VOL. 1383, PG. 136  
D.R.C.C.T.

TRACT 6  
SHOUKA ZANDEVAKILI  
INST. NO. 20151005001265210  
O.P.R.C.C.T.

TRACT 7  
CHESHIRE  
CHARLES JR  
INST. NO. 2000-137814  
O.P.R.C.C.T.

**47.459 ACRES**  
**2,067,319 SQ. FT.**

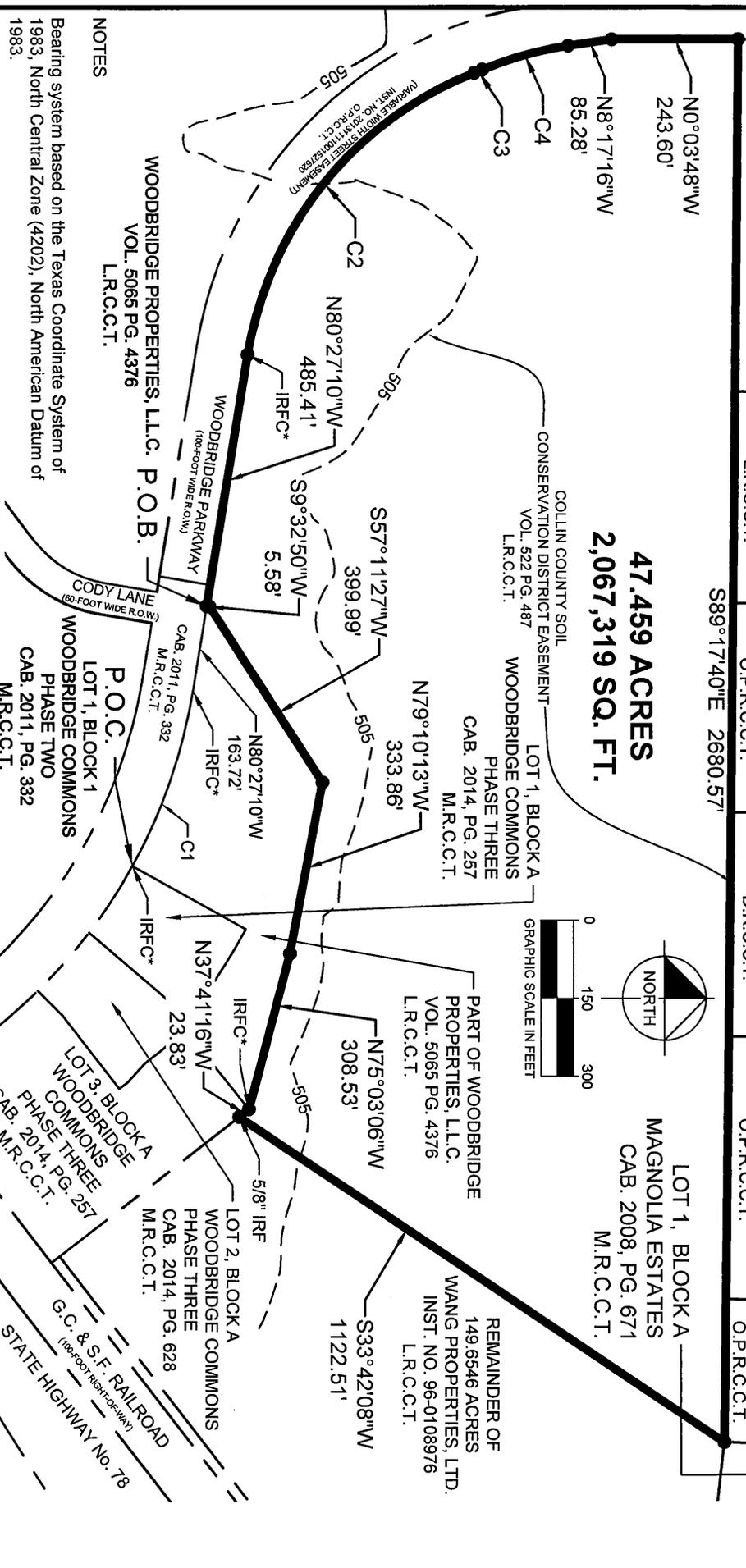
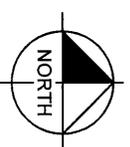
COLLIN COUNTY SOIL  
CONSERVATION DISTRICT EASEMENT  
VOL. 522 PG. 487  
L.R.C.C.T.

LOT 1, BLOCK A  
WOODBRIDGE COMMONS  
PHASE THREE  
CAB. 2014, PG. 257  
M.R.C.C.T.

PART OF WOODBRIDGE  
PROPERTIES, L.L.C.  
VOL. 5065 PG. 4376  
L.R.C.C.T.

REMAINDER OF  
149.6546 ACRES  
WANG PROPERTIES, LTD.  
INST. NO. 96-0108976  
L.R.C.C.T.

LOT 1, BLOCK A  
MAGNOLIA ESTATES  
CAB. 2008, PG. 671  
M.R.C.C.T.



NOTES

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	19°27'46"	1,050.00	356.68'	N70°43'17"W	354.96'
C2	59°18'44"	700.00	724.64'	N50°47'48"W	692.71'
C3	1°16'38"	751.00	16.74'	N21°46'44"W	16.74'
C4	14°07'47"	700.00	172.63'	N15°21'10"W	172.19'

**LEGEND**

P.O.B. = POINT OF BEGINNING  
P.O.C. = POINT OF COMMENCING  
IRFC\* = 5/8" IRON ROD W/ "KHA" CAP FOUND  
D.R.C.C.T. = DEED RECORDS OF COLLIN COUNTY, TEXAS  
M.R.C.C.T. = MAP RECORDS OF COLLIN COUNTY, TEXAS  
L.R.C.C.T. = LAND RECORDS OF COLLIN COUNTY, TEXAS  
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS

**DRAINAGE EASEMENT**

R.D. NEWMAN SURVEY, ABSTRACT NO. 660 & N.J. HARDING SURVEY, ABSTRACT NO. 438 CITY OF SACHSE, COLLIN COUNTY, TEXAS

**Kimley»Horn**

12750 Meert Drive, Suite 1000 FIRM # 10115500  
Dallas, Texas 75251 Fax No. (972) 239-3820  
Tel. No. (972) 770-1300

Scale	1" = 300'	Drawn by	CJG	Checked by	SRD	Date	NOV. 2015	Project No.	065564206	Sheet No.	3 OF 3
-------	-----------	----------	-----	------------	-----	------	-----------	-------------	-----------	-----------	--------



**OPINION OF PROBABLE BRIDGE CONSTRUCTION COSTS**

**Project:** Woodbridge Parkway - Maxwell Creek Bridge  
 Cities of Sachse & Wylie, Collin County, Texas

**Job Number:** 063564113

**Client:** Cities of Wylie and Sachse

**File:** OPCC-Bridge-20110713.xls

**Prepared By:** Kimley-Horn and Associates, Inc.

**Date:** 10/7/2011

**Notes:**

1. Unit prices are based on TxDOT - Dallas District Average Low Bid Unit Prices.
2. Total cost includes quantities from back of north approach slab (STA 11+68.00) to back of south approach slab (STA 14+88.00).  
 Out-to-out bridge limits = 320 Linear Feet
3. City Boundary Line determined to be located at STA 12+55.30 resulting in City of Wylie portion = 87.3-feet (27.3%) &  
 City of Sachse portion = 232.7-feet (72.7%).
4. The bridge is assumed to be 58 feet wide: 50-ft roadway (four 12-ft lanes and two 1-ft offsets), 6-ft sidewalk and two 1-ft rails.
5. The bridge will be 4-spans and 280-feet long. The abutments are ± 20-feet tall with a 1.5:1 slope.
6. The drill shaft quantity is estimated and is subject to change per geotechnical borings and design recommendations.  
 The current quantity shown is based upon the assumption of 35 LF per abutment shaft & 25 LF per bent column shaft.
7. The Class S Concrete (Approach Slab) quantity includes the sidewalk concrete on the approach slabs.
8. The Riprap quantity includes concrete placed in front of abutment cap, wingwall, and adjacent to approach slabs.
9. The TL2 guard fence transition includes 11'-6" of guard fence measured from back of bridge rail.
10. The guard fence quantity includes four 25-foot standard sections.

**BRIDGE CONSTRUCTION COSTS:**

DESCRIPTION	QUANTITY	UNIT	COST / UNIT	TOTAL COST
132 - Embankment (Final) (Dens Cont) (Ty C)	4,370	CY	\$ 5.50	\$ 24,035.00
416 - Drill Shaft (30 in)	650	LF	\$ 82.00	\$ 53,300.00
420 - Class C Concrete (Abutment)	49.2	CY	\$ 591.00	\$ 29,077.20
420 - Class C Concrete (Bent)	96.3	CY	\$ 661.00	\$ 63,654.30
420 - Class S Concrete (Approach Slab)	111.6	CY	\$ 349.00	\$ 38,948.40
420 - Class S Concrete (Bridge Sidewalk)	42.3	CY	\$ 327.00	\$ 13,832.10
422 - Reinforced Concrete Slab	16,240	SF	\$ 13.00	\$ 211,120.00
425 - Prestressed Concrete Girder (Tx28)	2,240	LF	\$ 134.00	\$ 300,160.00
428 - Concrete Surface Treatments (Class II)	2,189	SY	\$ 3.00	\$ 6,567.00
432 - Riprap Concrete (5 in)	182	CY	\$ 286.00	\$ 52,052.00
442 - Structural Steel (Misc Bridge)	231	LB	\$ 8.00	\$ 1,848.00
450 - Rail (Type T551)	292.0	LF	\$ 45.00	\$ 13,140.00
450 - Rail (Type C221)	292.0	LF	\$ 63.00	\$ 18,396.00
454 - Armor Joint	162.0	LF	\$ 128.00	\$ 20,736.00
540 - Metal Beam Guard Fence Transition (TL2)	4	EA	\$ 587.00	\$ 2,348.00
540 - Metal W-Beam Guard Fence (Timber Post)	100	LF	\$ 16.00	\$ 1,600.00
Bridge Item Contingency	20%			\$ 170,162.80
<b>TOTAL BRIDGE CONSTRUCTION COST</b>				<b>\$ 1,020,977</b>

**Assumptions:**

1. This Opinion of Probable Construction Cost (OPC) is based on the bridge layout presented to the City of Sachse and Wylie on 2/8/2011.
2. This OPC is based on current opinion of pricing. Inflation is not accounted for.
3. This OPC is not intended to serve as a comprehensive and complete analysis of development and construction costs.
4. This OPC assumes that relocation of any existing utility lines on or adjacent to the site is not necessary, unless noted.
5. This OPC assumes that no rock or similar material will be encountered during construction.
6. Drainage, utility, grading and construction easements/agreements may be required to develop this site.
7. Construction management and SWPPP inspection fees are not included.
8. The contractor will be required to pay Maintenance, Payment, and Performance Bonds (2.5% of Constr. Costs) after all City improvements have been accepted by the City.
9. This site contains waters of the US and permitting is required.
10. Any items not specifically noted in this OPC shall be added by the Client.

**Additional Notes:**

**Review all notes and assumptions . Kimley-Horn & Associates, Inc. has not prepared engineered construction drawings for this site; therefore, the final quantities are subject to change. These OPC's are not intended for basing financial decisions, or securing funding.**

**OPINION OF PROBABLE BRIDGE CONSTRUCTION COSTS**

**Project:** Woodbridge Parkway - Maxwell Creek Bridge  
 Cities of Sachse & Wylie, Collin County, Texas

**Job No:** 063564113

**Client:** Cities of Sachse and Wylie

**File:** OPCC(Soft)-Bridge-20110712.xls

**Date:** 10/7/2011

**BRIDGE SOFT COSTS:**

DESCRIPTION	QUANTITY	UNIT	COST / UNIT	TOTAL COST
KHA Engineering Design Fee	1	LS	\$ 275,000.00	\$ 275,000.00
Geotechnical Design Fee	1	LS	\$ 3,500.00	\$ 3,500.00
Wetlands Mitigation	6.6	EA	\$ 30,000.00	\$ 198,000.00
Materials Testing	1	LS	\$ 80,000.00	\$ 80,000.00
SWPPP Inspection/TCEQ Notice of Intent Fee	1	LS	\$ 20,000.00	\$ 20,000.00
Right-of-Way Acquisition (approx. 69 LF along Wayne Rich's property)	1	LS	\$ 12,500.00	\$ 12,500.00
Franchise Utility Relocation	1	LS	\$ 50,000.00	\$ 50,000.00
Retail Land lost due to Compensatory Grading (approximately 1.8-acres)	78,400	SF	\$ 4.50	\$ 352,800.00
Bridge Item Contingency	20%			\$ 198,360.00
<b>TOTAL BRIDGE SOFT COST</b>				<b>\$ 1,190,160.00</b>

**Notes & Assumptions:**

1. This Opinion of Probable Construction Cost (OPC) includes only the bridge soft costs (i.e. - design fees, materials testing, etc.).
2. This OPC is based on current opinion of pricing. Inflation is not accounted for.
3. Any items not specifically noted in this OPC shall be added by the Client.
4. This OPC assumes the relocation of any existing utility lines on or adjacent to the site will not be more than \$50,000.
5. This OPC assumes right-of-way acquisition is required. The cost noted above is based on the City of Wylie's past experience.
6. Drainage, utility, grading and construction easements/agreements may be required to develop this site.
7. Construction materials testing and SWPPP inspection fees are based on the City's past experience with a similar project.
8. This site contains waters of the US and permitting is required. The wetlands mitigation fee stated above is based on a current estimate from a mitigation bank. This cost is subject to change.
9. The cost of the retail land is based on information provided by the land owner (Woodbridge Properties, LLC). This is the acreage needed for the compensatory grading that was developable and previously outside of the 100-year FEMA floodplain.

**Additional Notes:**

**Review all notes and assumptions . Kimley-Horn & Associates, Inc. has not prepared engineered construction drawings for this site; therefore, the final quantities are subject to change.**  
**These OPC's are not intended for basing financial decisions, or securing funding.**



# Wylie City Council

---

## AGENDA REPORT

Meeting Date: February 23, 2016  
Department: Planning  
Prepared By: Renaë' Ollie  
Date Prepared: February 17, 2016

Item Number: 1  
*(City Secretary's Use Only)*  
Account Code: \_\_\_\_\_  
Budgeted Amount: \_\_\_\_\_  
Exhibits: 7

### Subject

Continue 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**

#### **REQUEST TO REMOVE FROM TABLE**

At its February meeting the Council tabled the subject request to allow the applicant time to revisit the parking count.

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.

Section 2.1 of Exhibit "B" describes the proposed parking need. The parking needs are based on 32 units designated for memory care residents thereby requiring zero parking spaces and 32 units dedicated for Assisted living requiring 16 spaces; 1 per 6 for visitors for a total of 11 spaces; and a total of 17 spaces required for employees with a max shift count of 17 employees. This would result in an overall total of 44 parking spaces required. However, the applicant will provide a total of 60 spaces if 9x18 parking stalls are utilized. If 10x20 parking stalls are required, then the total count reduces to 51 spaces.

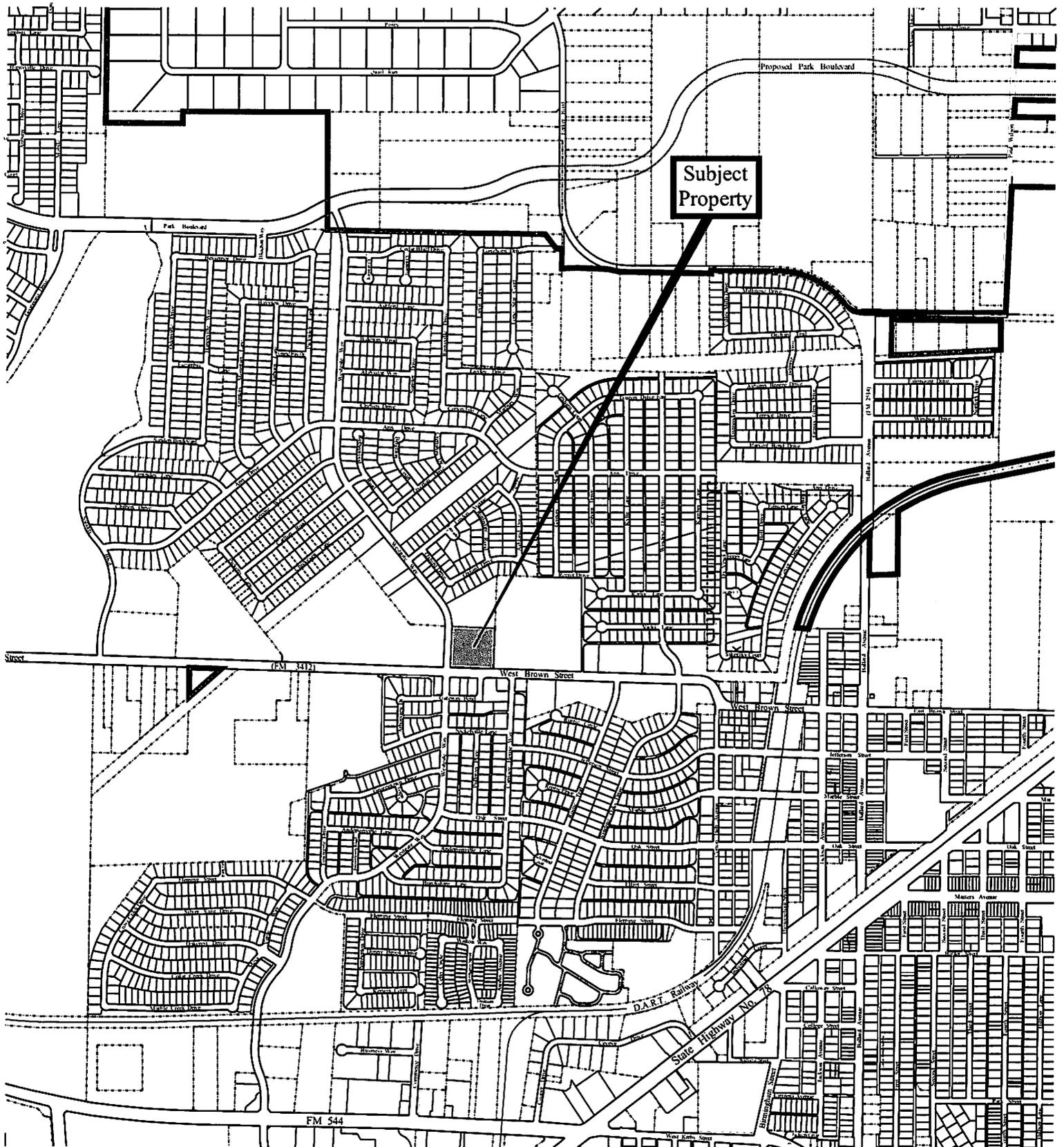
The applicant is proposing to install a 6' ornamental metal fencing along the northern and eastern property line. The wrought iron fence will also have landscaping along the fence to soften the appearance. The openness of the screening

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.



LOCATION MAP  
ZONING CASE #2016-01

## 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.

**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 6 = 11)

-REQ FOR EMPLOYEES (17 EMPLOYEES MAX SHIFT = 17)

TOTAL REQUIRED BY OPERATOR 44, PROVIDED THIS SITE PLAN 51. (60 with 9'X18' parking)

TOTAL HANDICAP SPACES REQUIRED, 2 PER BUILDING, (8 TOTAL, OF THE 51 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.





CLOCK TOWER  
SIGN FEATURE

PHOTOS – NEW HAVEN OF SCHERTZ, TEXAS

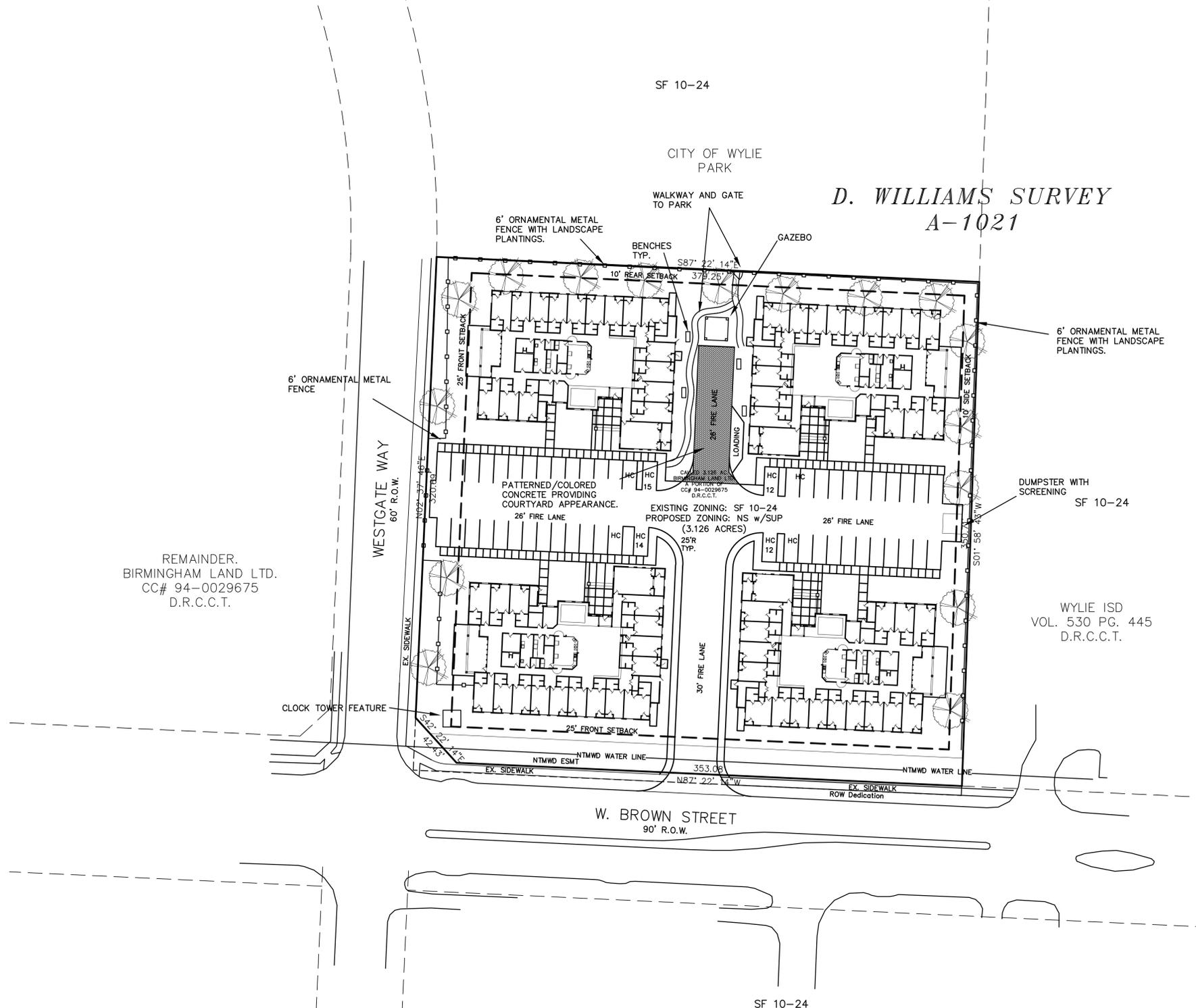
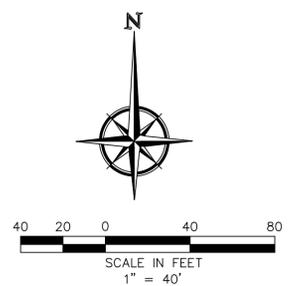


PHOTOS – NEW HAVEN OF SCHERTZ, TEXAS



## PHOTOS – NEW HAVEN OF SCHERTZ, TEXAS





**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 51 (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 51, (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 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.

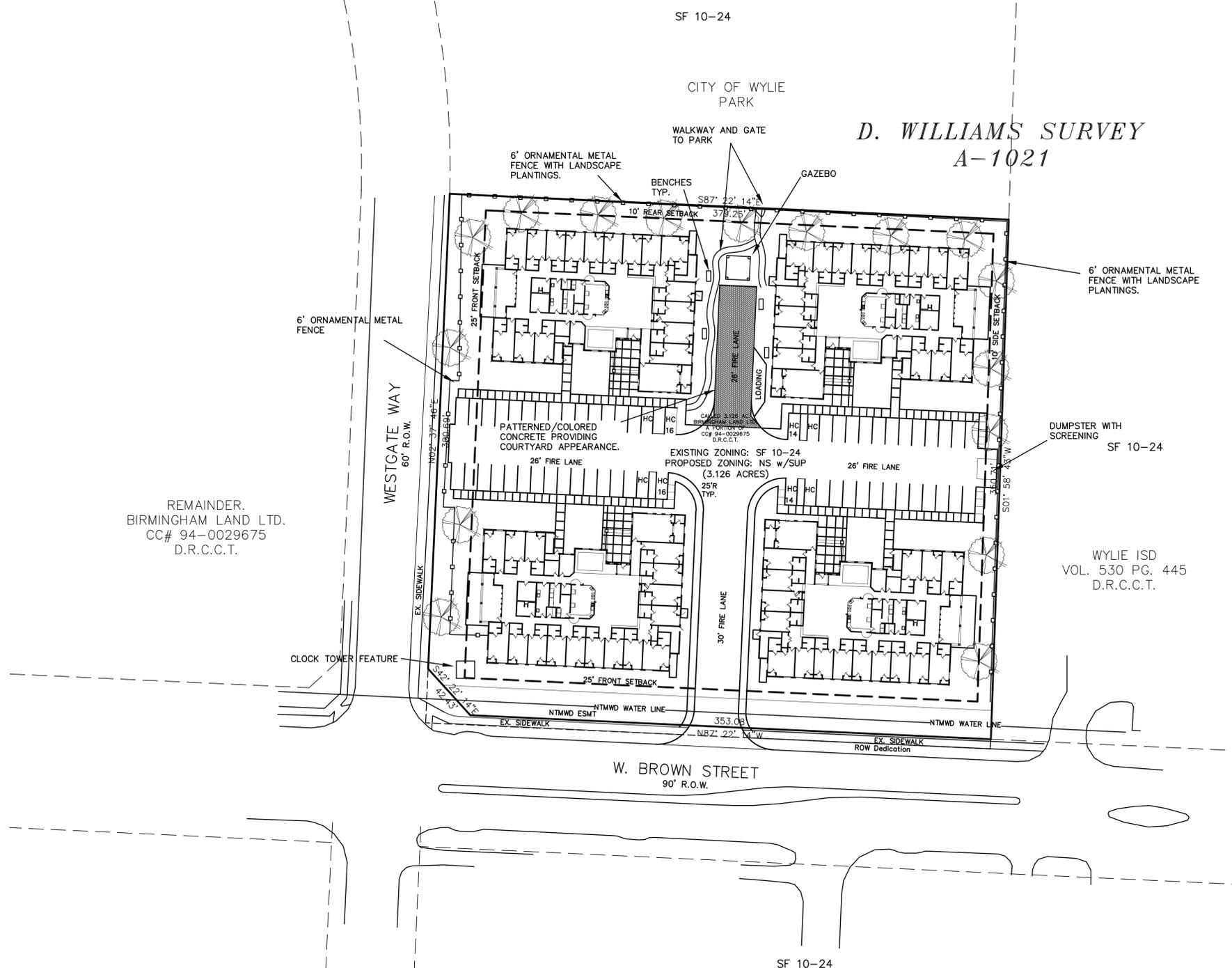
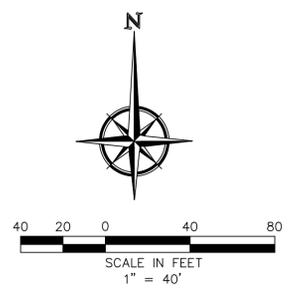
**ARCHITECTURAL DESIGN DESIRABLE (3 OF 6 Required):**  
 1. USE OF 2 COMPLEMENTARY PRIMARY FACADE MATERIALS TO HELP ACHIEVE FACADE ARTICULATION, VISUAL VARIETY AND/OR ARCHITECTURAL DETAILING.  
 2. USE OF ARCHITECTURAL DETAILING AND/OR MATERIALS TO PROVIDE VARIETY IN VISUAL APPEARANCE.  
 3. BUILDINGS 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.

51 Spaces @ 10 x 20

CC 02-23-16

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

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



**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 60 (9'x18' spaces) (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 60, (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 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.

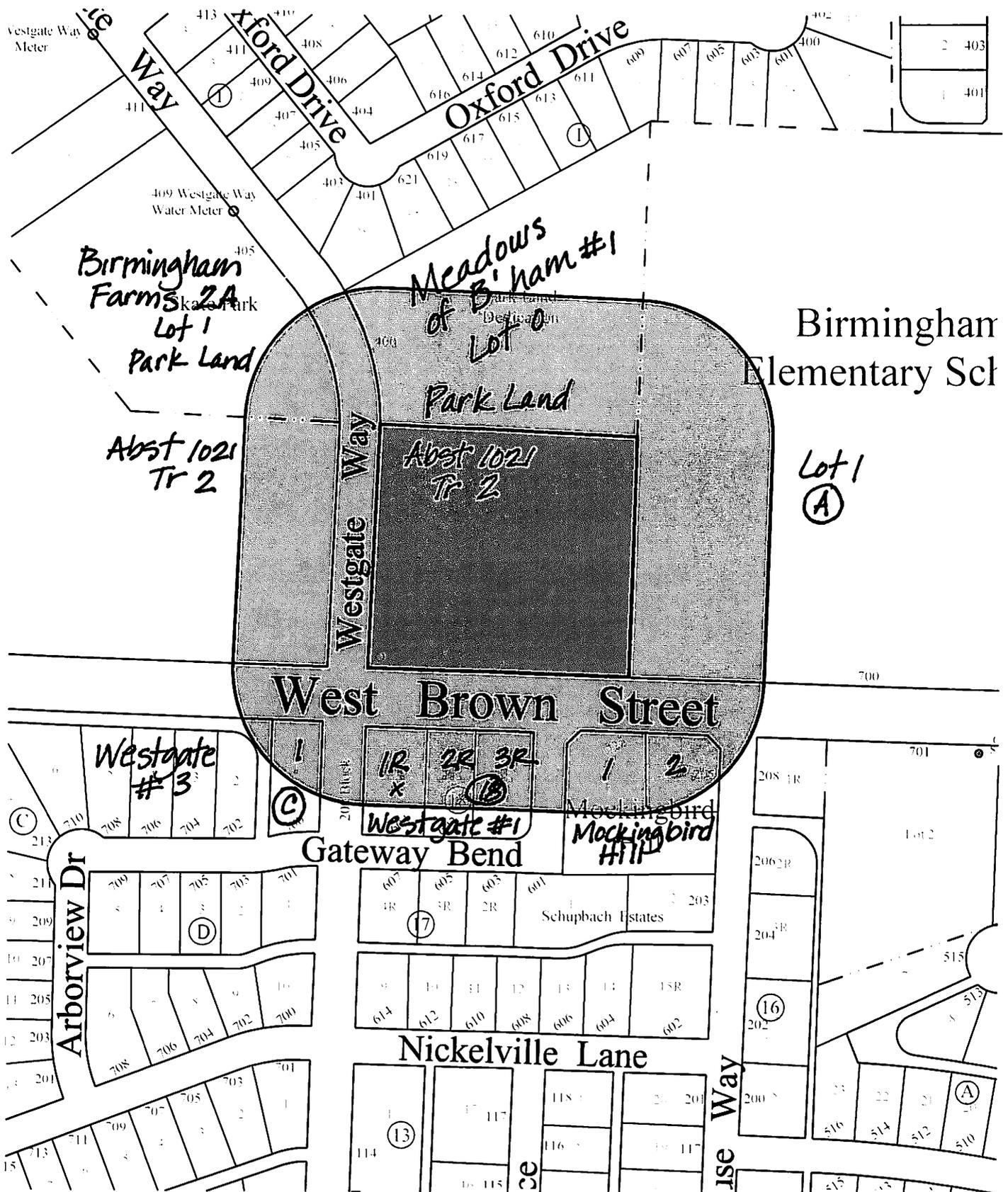
60 Spaces @ 9 x 18

CC 02-23-16

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

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

# EXHIBIT "E"

## (Zoning Case 2016-01)

### CODE COMPARISON OF OTHER CITIES PARKING REQUIREMENTS TO SUPPORT REEQUESTED REDUCTION

<u>CITY</u>	<u>PARKING REQUIREMENT-ASSISTED LIVING APARTMENT</u>	<u>TOTAL # REQUIRED FOR THIS PROJECT</u>
PLANO TX.	One space per every 2 rooms OR beds (whichever is greater)	(assume 16 double rooms) 40 Required
FRISCO TX.	One space per 5 beds and 1 space for each 1000 SF of lot area dedicated for outdoor uses.	(assume 16 double rooms with 10,000 sf outside area) 26 Required
MURPHY TX.	One space per 3 units plus one per ea day shift member and an additional one per 20 units for guest.	(64/3 = 21.3 + 17 + 3.1 for guest) 42 Required with roundup
SACHSE TX.	1/3 Units + 1/Day Staff + 1/20 Units Guest	(64/3 = 21.3 + 17 + 3.1 for guest) 42 Required with roundup

### OTHER LOCAL PROJECTS

Orchard Park of Murphy  
90 units - 63 assisted / 27 memory care  
65 parking spaces (0.72 per unit) (9'x18' TYP)  
8 of those handicapped

Oxford Glen of Sachse  
42 units - 0 assisted / 42 memory care  
31 parking spaces (0.74 per unit) (9'x18' TYP)  
6 of those handicapped

Our project - New Haven of Wylie  
64 units - 32 assisted / 32 memory care  
51 parking spaces (0.80 per unit) (10'x20' TYP)  
8 of those handicapped  
60 parking space (With 9'x18' Variance) (0.94 per unit)



# Wylie City Council

---

## AGENDA REPORT

**Meeting Date:** February 23, 2016  
**Department:** Planning  
**Prepared By:** Renaë Ollie  
**Date Prepared:** February 9, 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, an amendment to PD 2006-01 to allow R5.5 and R8.5 zoning categories for single-family residential development on approximately 104.82 acres, generally located between McCreary Road and Springwell Parkway approximately 1200 feet south of FM544. **ZC 2016-02**

### Recommendation

Motion to table to the March 22, 2016 meeting and continue the Public Hearing.

### Discussion

**Owner:** Woodbridge North Commercial I, Ltd.

**Applicant:** Herzog Development Corp.

The applicant is requesting to table at this time as this item has been scheduled for the February 8, 2016 Park Board meeting. Therefore the applicant would like to request the item be tabled until the March 1, 2016 P&Z meeting.

The applicant is requesting to amend PD 2006-01 to allow R5.5 and R8.5 zoning categories on approximately 105 acres of land. The land is generally located south of FM 544 between McCreary Road and Springwell Parkway, directly south of the Direct Development property that includes Target and Kohl's.

As a brief overview, the PD currently specifies minimum lot sizes of 5,500 square feet with single family houses starting at 2,000 square feet and 8,500 square feet lots with houses starting at 2,200 square feet with the maximum number of lots not to exceed 436 lots. Set backs are typical except j-swing garages with a proposed 15 foot setback and side yards, except corner lots, of 5 feet.

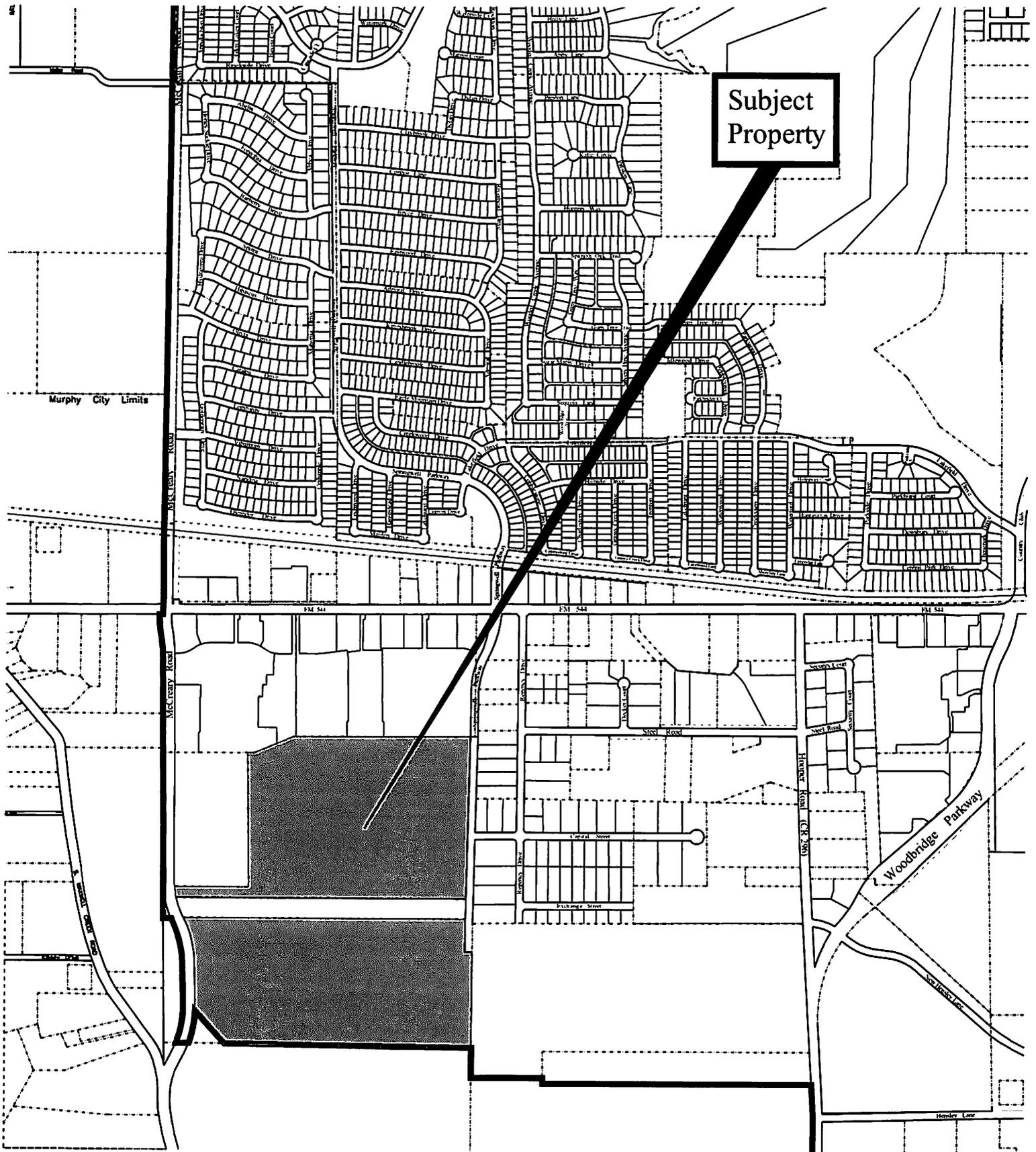
Properties to the north are developed as retail and to the west as age restricted multi family.

The Parks Board will consider the dedication and park improvements at their February 8, 2016 meeting including the possibility of constructing a hike and bike trail within the Oncor property that runs east-west through the proposed subdivision. This trail could lead to a connection to the City of Murphy trail that ultimately lead, unbroken, to Breckenridge Park in Richardson.

Notification/Responses: Twenty-Three (23) notifications were mailed; with no responses returned at the time of posting.

### **PLANNING & ZONING COMMISSION DISCUSSION:**

The Commissioners voted 5-0 to table the item to the March 1, 2016 meeting



LOCATION MAP  
ZONING CASE #2016-02

Amendment To  
Exhibit "B"  
PLANNED DEVELOPMENT DISTRICT  
DEVELOPMENT STANDARDS  
(Zoning Case \_\_\_\_-\_\_)

**1.2** **Zoning Classifications:** Tract 2 may be developed in accordance with the standards defined in Retirement Housing District (RH), Corridor Commercial District (CC), Business Center (BC), R-5.5 Single Family or R-8.4 Single Family.

**4.2** **Procedures of the Planned Development District:**  
d. A preliminary plat will be required for all single family development.

**4.4** **Street Requirements:** The street shown on the Conceptual Site Plan as Exhibit "D" attached hereto as an East/West Collector between McCreary Road and Springwell shall be developed with a 60 foot right-of-way and with a pavement width of 38 feet back to back of curb.

**4.5** **Secondary Collector and Collector Landscaping Requirements:** Landscaping shall be equal to the landscaping along Creek Crossing Lane and Lost Highlands Lane in Woodbridge Phase 9.

**4.6** **Secondary Collector and Collector Sidewalk Requirements:**  
All sidewalks along the Secondary Collector or Collector Streets shall be 6 foot wide.

A sidewalk shall be required to be constructed on one side of the East/West Collector.

**5.0 PLANNED DEVELOPMENT – SINGLE FAMILY RESIDENTIAL**

**5.1** **General Description:**  
The residential development within this Planned Development District is intended to accommodate two single family residential uses. The residential units will be comprised of R-8.4 Single Family and R-5.5 Single Family. Development standards for each of the aforementioned housing types are outlined within these development standards.

**5.2** **Permitted Uses:**

- a. Residential units as described herein.
- b. Private or public recreation facilities.
- c. Utility distribution lines and facilities.
- d. Parks, linear greenbelt areas, trails and walkways, playgrounds and neighborhood recreation facilities including swimming pools.

- e. Real estate sales offices and model homes during the development and marketing of the residential areas.
- f. Electronic security facilities including control counter.
- g. Directional signs pertaining to the development.
- h. Temporary buildings, advertising signs, and uses incidental to construction work on the premises, which shall be removed upon completion.
- i. Concrete batch plant, temporary during construction when approved by the TCEQ and permitted by code enforcement.

**5.3 Density:**

The overall maximum allowed residential units shall not exceed 436 units.

**5.4 Garage, Parking and Drive way Requirements:** Garage, parking and driveway requirements for single family development areas shall be as follows:

- a. Two (2) off-street parking spaces shall be provided on the same lot as the main structure. In conjunction with this requirement, a two (2) car enclosed garage shall be provided for each unit. Garage parking shall be behind the front building line. The entrance to any attached or detached garage shall be allowed to face any street subject to paragraph 2. 04(c) below.
- b. All homes constructed on R-8.4 Lots shall have a two (2) car swing entry garages. A third single car garage door may face the street as long as there is a thirty (30) foot setback from the front of the garage door to the front property line.
- c. No parking space, garage or other automobile storage space or structure shall be used for storage of any commercial vehicle with the exception that a recreation vehicle, travel trailer, boat or similar equipment may be stored off-street and behind the front building line by the owner or occupant of the residential premises in accordance with the screening portion of this ordinance.
- d. No driveway entrances shall be allowed to be constructed on the side or rear lot line adjacent to any Secondary Collector or Collector.
- e. Parking lots required to serve the uses permitted in this district shall have concrete surface pavement required for all applications.

**5.5 Building Materials:** The building materials requirements shall be as follows:

- a. A minimum of seventy-five (75) percent of the total exterior wall surfaces of all main buildings shall have an exterior finish of stone, brick, or other masonry veneer as otherwise approved by the Building Official. If there is a window or door, including garage doors that is on a wall with masonry on both sides, then it can count as part of the masonry requirement. If there is wood siding around the window, door or garage door, it counts as wood siding. Regarding gables, if in front of an attic space, the

gable is exempt from masonry requirement. If the gable is in front of a living space, it is considered into the calculation of masonry.

- b. Detached, free-standing garages, whether attached to the main building by a covered walkway or not, must be clad in one of the materials of the main structure.
- c. If a detached garage is constructed on a corner lot or has sides adjacent to any street or thoroughfare that is not screened by a masonry screening wall, then seventy-five (75) percent of the garage structure must be of same masonry material as the residence.

**5.5** **R-8.4 Single Family:** R-8.4 Single Family units are another form of single family, detached housing units, having access and frontage on a public or private road. Building and area requirements are as follows:

- a. **Minimum Dwelling Size:** The minimum area of the main building exclusive of garages, breezeways and porticos is as follows:

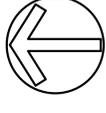
25% of the dwellings	2,200 square feet
50% of the dwellings	2,600 square feet
25% of the dwellings	3,000 square feet
- b. **Lot Area:** The minimum area of any lot shall be eight thousand four hundred (8,400) square feet.
- c. **Lot Coverage:** In no case shall more than fifty-five (55) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings. Swimming pools, spas, decks, patios, driveways, walks and other paved areas shall not be included in determining maximum lot coverage.
- d. **Lot Width:** The minimum width of any lot shall be seventy (70) feet at the front building line, except that lots at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum width of sixty (60) feet at the building line; provided all other requirements of this section are fulfilled.
- e. **Lot Depth:** The minimum depth of any lot shall be one hundred ten (110) feet, except that a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum lot depth, measured at mid-points on front and rear lot lines, of one hundred (100) feet; provided all other requirements of this section are fulfilled.
- f. **Front Yard:** The minimum depth of the front yard shall be twenty (20) feet, except for side entry garages which shall have a minimum depth of the front yard of fifteen (15) feet.
- g. **Side Yard:** The minimum side yard on each side of the lot shall be five (5) feet. A side yard adjacent to a street shall be a minimum of fifteen (15) feet.

- h. Rear Yard: The minimum depth of the rear yard shall be twenty (20) feet, if the rear yard is adjacent to another residential lot, and fifteen (15) feet if adjacent to open space or parks.
- i. Maximum Building Height: Buildings shall be a maximum of two and one-half (2 ½) stories, or thirty five (35) feet.

**5.6** **R-5.5 Single Family:** R-8.4 Single Family units are another form of single family, detached housing units, having access and frontage on a public or private road. Building and area requirements are as follows:

- a. Minimum Dwelling Size: The minimum area of the main building exclusive of garages, breezeways and porticos is as follows:
 

25% of the dwellings	2,000 square feet
50% of the dwellings	2,400 square feet
25% of the dwellings	2,800 square feet
- b. Lot Area: The minimum area of any lot shall be five thousand five hundred (5,500) square feet.
- c. Lot Coverage: In no case shall more than fifty-five (55) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings. Swimming pools, spas, decks, patios, driveways, walks and other paved areas shall not be included in determining maximum lot coverage.
- d. Lot Width: The minimum width of any lot shall be fifty (50) feet at the front building line, except that lots at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum width of forty (40) feet at the building line; provided all other requirements of this section are fulfilled.
- e. Lot Depth: The minimum depth of any lot shall be one hundred ten (110) feet, except that a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum lot depth, measured at mid-points on front and rear lot lines, of one hundred (100) feet; provided all other requirements of this section are fulfilled.
- f. Front Yard: The minimum depth of the front yard shall be twenty (20) feet.
- g. Side Yard: The minimum side yard on each side of the lot shall be five (5) feet. A side yard adjacent to a street shall be a minimum of fifteen (15) feet.
- h. Rear Yard: The minimum depth of the rear yard shall be twenty (20) feet, if the rear yard is adjacent to another residential lot, and fifteen (15) feet if adjacent to open space or parks.
- i. Maximum Building Height: Buildings shall be a maximum of two and one-half (2 ½) stories, or thirty five (35) feet.



SECTION	LOT COUNT	AREA (AC)	DENSITY	OPEN SPACE (AC)	OPEN SPACE (PCT)
SF-5.5 (50's)	276	50.83	5.4	1.79	3.5%
SF-8.4 (70's)	160	50.5	3.2	3.16	6.3%
AMENITY CENTER	N/A	3.5	N/A	3.50	100.0%
<b>TOTAL</b>	<b>436</b>	<b>104.83</b>	<b>4.2</b>	<b>8.45</b>	<b>8.1%</b>

# CONCEPT PLAN

## WOODBIDGE NORTH

104.82 ACRES  
WYLIE, TEXAS



**J. VOLK**  
consulting

830 Central Parkway East, Suite 300  
Plano, Texas 75074  
972.201.3100 Texas Registration No. F-11962

HELLEN PICKARD  
11.176 ACRES  
C.C.F. No. 96-0043722  
D.R.C.C.T.

HARRY M. BREEN & JOYCE E. BREEN  
5.955 ACRES  
VOL. 1692 PG. 0804  
D.R.C.C.T.

HAROLD W. CRISWELL  
4.983 ACRES (FIRST TRACT)  
VOL. 4005 PG. 2258  
D.R.C.C.T.

CITY OF SACHSE  
TRACT U 1.417 ACRES  
VOL. 2344 PG. 375  
D.R.C.C.T.

HAROLD W. CRISWELL  
9.863 ACRES (SECOND TRACT)  
VOL. 4005 PG. 2258  
D.R.C.C.T.

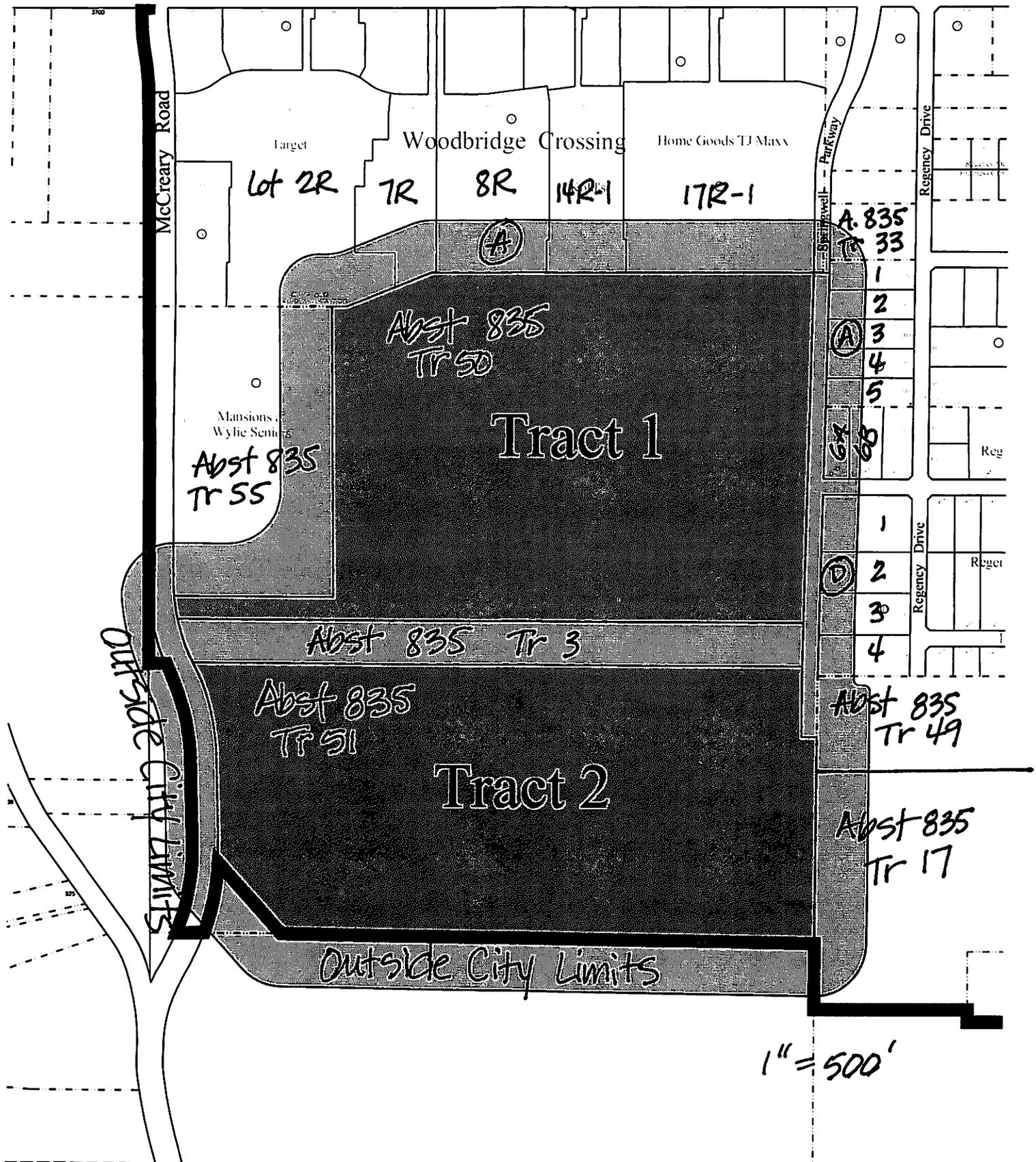
CITY OF SACHSE  
0.5436 ACRES  
VOL. 1974 PG. 971  
D.R.C.C.T.

CITY OF SACHSE  
5.5445 ACRES  
VOL. 2344 PG. 375  
D.R.C.C.T.

NORTH TEXAS MUNICIPAL WATER DISTRICT  
99.694 ACRES  
VOL. 2281 PG. 358  
D.R.C.C.T.

M-TEX INDUSTRIAL  
SUPPLY CO. INC.  
2.000 ACRES  
VOL. 3150 PG. 991  
D.R.C.C.T.

REGENCY BUSINESS PARK  
PHASE TWO  
CAB. G. PG. 92  
M.R.C.C.T.



OWNER NOTIFICATION MAP  
 ZONING CASE #2016-02

# NOTIFICATION REPORT

APPLICANT: Don Herzog with Herzog Development Corpora  
800 E. Campbell Rd #130 Richardson, Tx 75081

APPLICATION FILE #2016-02

#	BLK/ABST	LOT/TRACT	TAX I.D. #	PROPERTY OWNER NAME	ADDRESS
1				Applicant - Don Herzog Herzog Development Corporation	800 E. Campbell Road #130 Richardson, Texas 75081
2	Abst 835	Tract 3	R-6835-000-0030-1	Oncor Electric Delivery Co.	PO Box 219071 Dallas, Texas 75221
3	Abst 835	Tract 17	R-6835-000-0170-1	Woodbridge North Commerical 1 Ltd.	800 E. Campbell Road #130 Richardson, Texas 75081
4	Abst 835	Tract 33	R-6835-000-0330-1	Emerson Leasing, LLC	2720 Safari Circle Plano, Texas 75025
5	Abst 835	Tract 49	R-6835-000-0490-1	Woodbridge North Commerical 1 Ltd.	800 E. Campbell Road #130 Richardson, Texas 75081
6	Abst 835	Tract 50	R-6835-000-0500-1	Woodbridge North Commerical 1 Ltd.	800 E. Campbell Road #130 Richardson, Texas 75081
7	Abst 835	Tract 51	R-6835-000-0510-1	Woodbridge North Commerical 1 Ltd.	800 E. Campbell Road #130 Richardson, Texas 75081
8	Blk A	Woodbridge Crossing Lot 2R	R-9638-00A-002R-1	Target Corporation	1000 Nicollet Mall Minneapolis, MN 55403
9	Blk A	Woodbridge Crossing Lot 7R	R-9638-00A-007R-1	Woodbridge Crossing, LP	PO Box 9271 Oakbrook, IL 60522
10	Blk A	Woodbridge Crossing Lot 8R	R-9638-00A-008R-1	Woodbridge Crossing, LP	PO Box 9271 Oakbrook, IL 60522
11	Blk A	Woodbridge Crossing Lot 14R-1	R-9638-00A-14R1-1	Kohl's Illinois, Inc.	4340 Fox Valley Center Drive Aurora, IL 60504
12	Blk A	Woodbridge Crossing Lot 17R-1	R-9638-00A-17R1-1	Woodbridge Crossing, LP	PO Box 9271 Oakbrook, IL 60522
13	Blk A	Regency Business Pk #1 Lot 1	R-1949-00A-0010-1	Austin Realty, Ltd	110 Regency Drive Wylie, Texas 75098
14	Blk A	Regency Business Pk #1 Lot 2	R-1949-00A-0020-1	JBE Leasing, LLC	1033 Fireside Drive Allen, Texas 75002
15	Blk A	Regency Business Pk #1 Lot 3	R-1949-00A-0030-1	Mann Alliance, Ltd	6612 Jupiter Road Plano, Texas 75074
16	Blk A	Regency Business Pk #1 Lot 4	R-1949-00A-0040-1	Jerome Smith	401 Saint Michaels Way Rockwall, Texas 75032
17	Blk A	Regency Business Pk #1 Lot 5	R-1949-00A-0050-1	Jerry Stiller	920 Alfred Drive Wylie, Texas 75098
18	Blk A	Regency Business Pk #2 Lot 6A	R-2208-00A-006A-1	Higley Specialty Holdings LLC	3704 Windmill Court Plano, Texas 75074

19	Blk A	Regency Business Pk #2 Lot 6B	R-2208-00A-006B-1	James Hilborn	2903 Capitol Street Wylie, Texas 75098
20	Blk D	Regency Business Pk #2 Lot 1	R-2208-00D-0010-1	Farmers Electric Coop Inc	2000 I-30 E Greenville, Texas 75402
21	Blk D	Regency Business Pk #2 Lot 2	R-2208-00D-0020-1	Farmers Electric Coop Inc	2000 I-30 E Greenville, Texas 75402
22	Blk D	Regency Business Pk #2 Lot 3	R-2208-00D-0030-1	Gogi Singh	1242 Bonner Avenue Fremont, CA 94536
23	Blk D	Regency Business Pk #2 Lot 4	R-2208-00D-0040-1	Sapinder Grewal	1242 Bonner Avenue Fremont, CA 94536
24					
25					
26					
27					
28					
29					
30					
31					
32					
33					
34					
35					
36					
37					
38					
39					



# Wylie City Council

---

## AGENDA REPORT

Meeting Date: February 23, 2016  
Department: Planning  
Prepared By: Renaë' Ollie  
Date Prepared: February 17, 2016

Item Number: 3  
*(City Secretary's Use Only)*  
Account Code: \_\_\_\_\_  
Budgeted Amount: \_\_\_\_\_  
Exhibits: 2

### Subject

Hold a Public Hearing and consider, and act upon, a change in zoning from Commercial Corridor (CC) and Light Industrial (LI) to Planned Development-Light Industrial (PD-LI) to allow for proposed Mixed Use Development for retail and self-storage use on 6.25 acres, generally located southeast of SH 78 between Century Way and old Alanis Drive. **ZC 2016-03**

### Recommendation

Motion to continue the public hearing and TABLE Zoning Case 2016-03 to the March 22, 2016 City Council meeting.

### Discussion

**Owner: Heatley Moist Inc. Trustee**

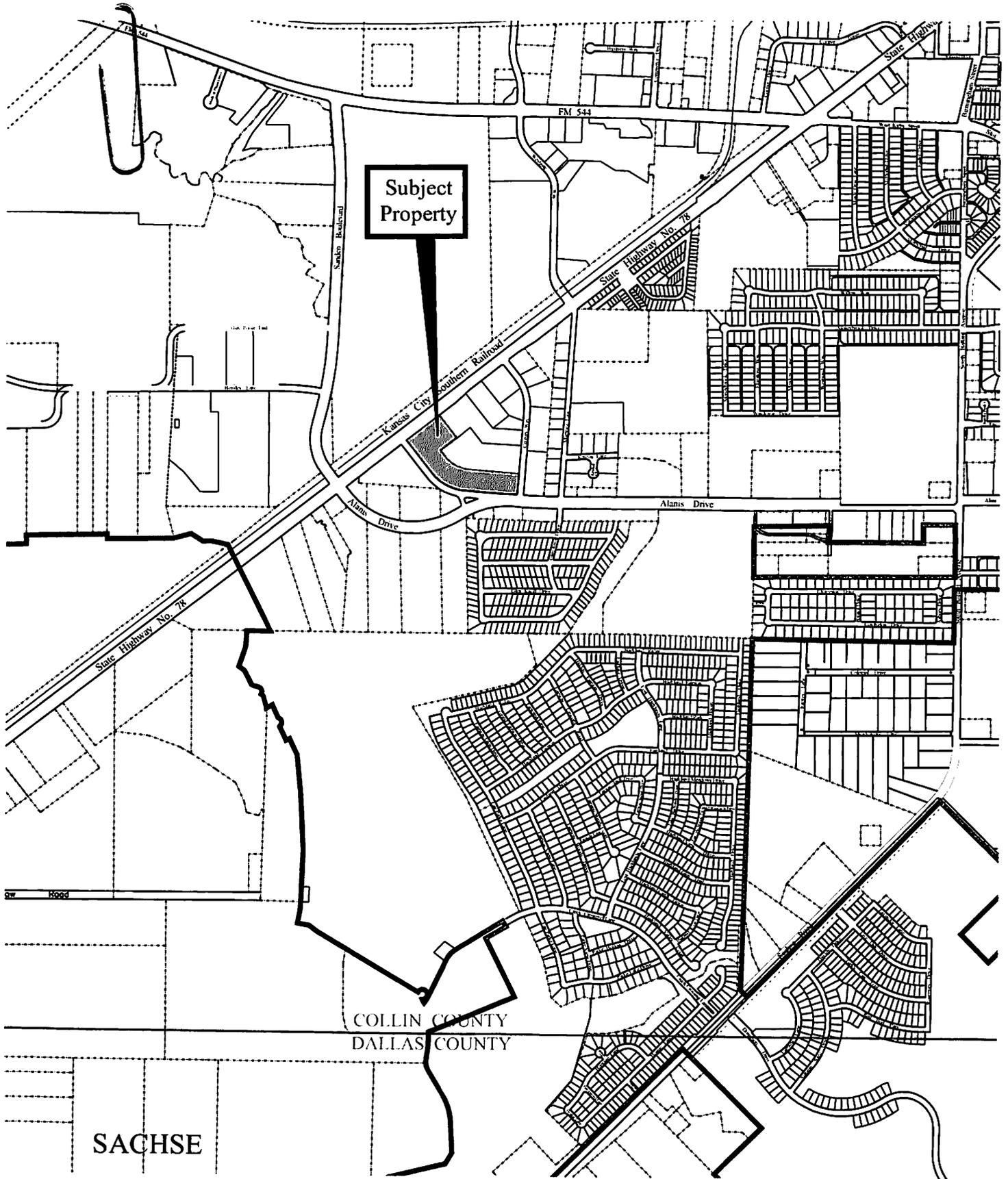
**Applicant: Regional Management CO., Inc.**

The applicant is requesting to table the item until the second meeting in March to address the recommendations posed by the Planning Commission.

The original proposal included development of 9,300 square feet of commercial retail space and 106,800 gross square feet of self-storage along the frontage of Highway 78 on approximately 2-1/2 acres, currently zoned Commercial Corridor. The balance of the property would consist of 2 three-story self-storage buildings and one single story self-storage building totaling 145,749 square feet and is currently zoned Light Industrial.

**PLANNING & ZONING COMMISSION DISCUSSION:**

The Commission voted 5-0 to allow commercial/retail uses on the front 2-1/2 acres only and restrict the mini-storage uses to the LI tract only.



LOCATION MAP  
ZONING CASE #2016-03

**From:** Renae Ollie  
**Sent:** Friday, February 19, 2016 9:11 AM  
**To:** 'Dahlstrom, Bill'  
**Subject:** RE: ZC2016-03 Table

The actual Council date is March 22<sup>nd</sup>, P&Z is the 15<sup>th</sup>.



**Renae'**

---

**From:** Dahlstrom, Bill  
**Sent:** Friday, February 19, 2016 9:03 AM  
**To:** Renae Ollie  
**Cc:** Coy Quine; Dahlstrom, Bill; Field, Shannon  
**Subject:** Re: ZC2016-03 Table

Renae,

Yes, we are requesting to postpone the City Council hearing until the March 15 hearing date.

Thank you,

Bill

Sent from my iPhone

---

On Feb 18, 2016, at 8:46 AM, Renae Ollie wrote:

Good morning Bill,

The City Secretary is preparing the packet for next week's meeting. Per our discussion yesterday I am needing the email requesting to table the hearing to the March 15<sup>th</sup> meeting.

Thanks



# Wylie City Council

---

## AGENDA REPORT

**Meeting Date:** February 23, 2016  
**Department:** Planning  
**Prepared By:** Renaë Ollie  
**Date Prepared:** February 9, 2016

**Item Number:** 4  
*(City Secretary's Use Only)*  
**Account Code:** \_\_\_\_\_  
**Budgeted Amount:** \_\_\_\_\_  
**Exhibits:** 5

### Subject

Hold a Public Hearing and consider, and act upon, amending PD 2014-42 & Concept Plan of the Kingsbridge subdivision to decrease the front yard setback a maximum of five feet for floor plans with an in-side or outside swing garage, provided the garages for the dwellings are in a swing configuration and any garages that does face the street is not less than the minimum front yard setback of 20 feet in Tract A and 25 feet in Tract B. Generally located south of Parker Road and approximately ½ mile west of Country Club Road. **ZC 2016-04**

### Recommendation

Motion to approve amending PD 2014-42 & Concept Plan of the Kingsbridge subdivision to decrease the front yard setback a maximum of five feet for floor plans with an in-side or outside swing garage, provided the garages for the dwellings are in a swing configuration and any garages that does face the street is not less than the minimum front yard setback of 20 feet in Tract A and 25 feet in Tract B. Generally located south of Parker Road and approximately ½ mile west of Country Club Road. **ZC 2016-04**

### Discussion

**Owner: Estates at Creekside Wylie, LLC**

**Applicant: Matthew Alexander**

The subject tract was part of a Planned Development approved on March 27, 2001 in order to develop a master planned residential community. A Final Plat was approved in 2012 and created 63 single-family residential lots and three open space lots.

The applicant is requesting the reduction of the front yard setback a maximum of five feet in Tract A and Tract B for dwellings with garages in a swing configuration as it will allow for floor plan designs with more rear yard space. All garages facing the street will be required to be no less than the planned developments standard minimum front yard setback, being 20 feet in Tract A and 25 feet in Tract B.

Front yard setbacks typically take into account parking space requirements in their reasoning. The reduction of five feet from the front yard setback is warranted for dwellings with swing configuration garages as the floor plan allows for driveways to have more depth which in turn reduces the chances of vehicles that would otherwise be parked perpendicular to the street frontage encroaching onto the right of way.

Staff acquired additional information from the fire marshal that has explained that closer setbacks to the street are actually better for the fire departments access.

The minimum dwelling size for Tract "A" remains as 2,000 s.f., exclusive of garages, breezeways and porches. The

minimum dwelling size for Tract “B” remains as 2,400 s.f., exclusive of garages, breezeways and porches. The minimum dwelling size for single-family residential in the current ordinance is 2,400 s.f. In addition, the typical lot size for Tract “A” lots increases from 10,000 s.f. to 10,200 s.f., and the typical lot size for all Tract “B” lots has a minimal decrease from 12,690 s.f. to 12,502 s.f.

No other changes are affected by this request.

Notification/Responses: Nine (9) notifications were mailed; with two responses returned favoring the request and no responses opposing the request at the time of posting.

**PLANNING & ZONING COMMISSION DISCUSSION:**

The Commissioners voted 5-0 to recommend approval



AMENDED  
PLANNED DEVELOPMENT DESIGN STANDARDS  
ESTATES AT CREEKSIDE  
City of Wylie  
December 29, 2010  
[December 8, 2015 \(revised\)](#)

**TRACT A - Single Family Residential Regulations**

(Block A, Lots 1-22; Block B, Lots 1-8)

**Area regulations.**

(1) *Size of yards*

1. Front yard. There shall be a front yard having a depth of not less than 20 feet as measured from the front property line, [except for dwellings with a swing garage configuration, see note 6.](#)
2. Side yard. There shall be a side yard on each side of the lot having a width of not less than 10 feet in width. A side yard adjacent to a side street shall not be less than 20 feet.
3. Rear yard. There shall be a rear yard, a depth of not less than 20 feet.

(2) *Size of lot.*

1. Lot area. No building shall be constructed on any lot of less than 10,000 square feet.
2. Lot width. The minimum width as measured as the front building line of the lot shall not be less than 75 feet.
3. Lot depth. The minimum depth of the lot shall be not less than 100 feet.

(3) *Minimum dwelling size.* The minimum floor area of any dwelling shall be 2,000 square feet exclusive of garages, breezeways and porches.

(4) **Additional Guidelines**

1. *Exterior Wall Materials* - 100% of the dwelling's total exterior area, minus windows and doors, must be masonry veneer, such as brick or stone.
2. *Roofs* - Roofs must be covered with composition material of at least 240 lb weight shingle and have a minimum pitch of 8:12.
3. *Fences and Walls* - Fences may not exceed 7 feet in height. Fences must be made of masonry, wood or architectural metal. The use of chain link fencing is prohibited. Railroad ties may not be used for a retaining wall visible from the street.
4. *Screening* - The owner of a lot must screen the following items from the view of the public and neighboring lots and dwellings, if any of these items exist on the

lot:

- A. Clotheslines
- B. Drying racks
- C. Hanging clothes, linens, rugs and textiles of any kind
- D. Yard maintenance equipment
- E. Wood piles and compost piles
- F. Accessory structures such as dog houses, gazebos, metal storage sheds and greenhouses
- G. Garbage can and refuse containers
- H. Roof mounted antenna

Plant material such as trees and bushes may be used for screening.

~~5.~~ *House Elevation* - All plans shall be submitted and approved by the Architectural Control Committee. No like house elevation shall be constructed within 7 lots to each other on both sides of street.

6. Garages-garages may encroach into the front building line a maximum of five (5) feet provided the garages are in a swing configuration and the do not directly face the street.

~~76.~~ *Landscaping* - The following minimum landscape features shall be installed prior to the initial occupancy:

- A. Trees – a minimum of 6 inches in total diameter shall be installed in the front yard. This may be accomplished by one 6 inch tree or multiple trees whose diameters add up to at least 6 inches, with no tree being smaller than 3 inch caliper.
- B. Shrubs - eighteen (18) 3 gallon shrubs across the front of the house.
- C. Grass - solid sod from the front of home to the front curb.

### **TRACT B Single Family Residential Regulations**

(Block A, Lots 23-35; Block C, Lots 1-3; Block E, Lots 1-8; Block F, Lots 1-3)

#### ***Area regulations.***

##### (1) *Size of yards*

1. Front yard. There shall be a front yard having a depth of not less than 25 feet as measured from the front property line, except for dwellings with a swing garage configuration, see note 6.
2. Side yard. There shall be a side yard on each side of the lot having a width of not less than 12 feet in width. A side yard adjacent to a side street shall not be less than 20 feet.
3. Rear yard. There shall be a rear yard, a depth of not less than 20 feet.

(2) *Size of lot.*

1. Lot area. No building shall be constructed on any lot of less than 12,500 square feet.
2. Lot width. The minimum width as measured as the front building line of the lot shall not be less than 90 feet.
3. Lot depth. The minimum depth of the lot shall be not less than 100 feet.

(3) *Minimum dwelling size.* The minimum floor area of any dwelling shall be 2,400 square feet exclusive of garages, breezeways and porches.

4) **Additional Guidelines**

1. *Exterior Wall Materials* - 100% of the dwelling's total exterior area, minus windows and doors, must be masonry veneer, such as brick or stone.
2. *Roofs* - Roofs must be covered with composition material of at least 240 lb weight shingle and have a minimum pitch of 8:12.
3. *Fences and Walls* - Fences may not exceed 7 feet in height. Fences must be made of masonry, wood or architectural metal. The use of chain link fencing is prohibited. Railroad ties may not be used for a retaining wall visible from the street. Architectural metal fencing required along the 100 year flood plain.
4. *Screening* - The owner of a lot must screen the following items from the view of the public and neighboring lots and dwellings, if any of these items exist on the lot:
  - A. Clotheslines
  - B. Drying racks
  - D. Hanging clothes, linens, rugs and textiles of any kind
  - E. Yard maintenance equipment
  - F. Wood piles and compost piles
  - G. Accessory structures such as dog houses, gazebos, metal storage sheds and greenhouses
  - H. Garbage can and refuse containers
  - I. Roof mounted antenna

Plant material such as trees and bushes may be used for screening.

---

~~5.~~ *House Elevation* - All plans shall be submitted and approved by the Architectural Control Committee. No like house elevation shall be constructed within 7 lots to each other on both sides of street.

---

6. Garages-garages may encroach into the front building line a maximum of five (5) feet provided the garages are in a swing configuration and they do not directly face the street.

76. *Landscaping* - The following minimum landscape features shall be installed prior to the initial occupancy:

- A. Trees - a minimum of 6 inches in total diameter shall be installed in the front yard. This may be accomplished by one 6 inch tree or multiple trees whose diameters add up to at least 6 inches, with no tree being smaller than 3 inch caliper.
- B. Shrubs - eighteen (18) 3 gallon shrubs across the front of the house
- C. Grass - solid sod from the front of home to the front curb.



SHADDOCK  
HOMES  
MODEL HOME

Garage doors

Front entrance

Front entrance

Front entrance

Front entrance

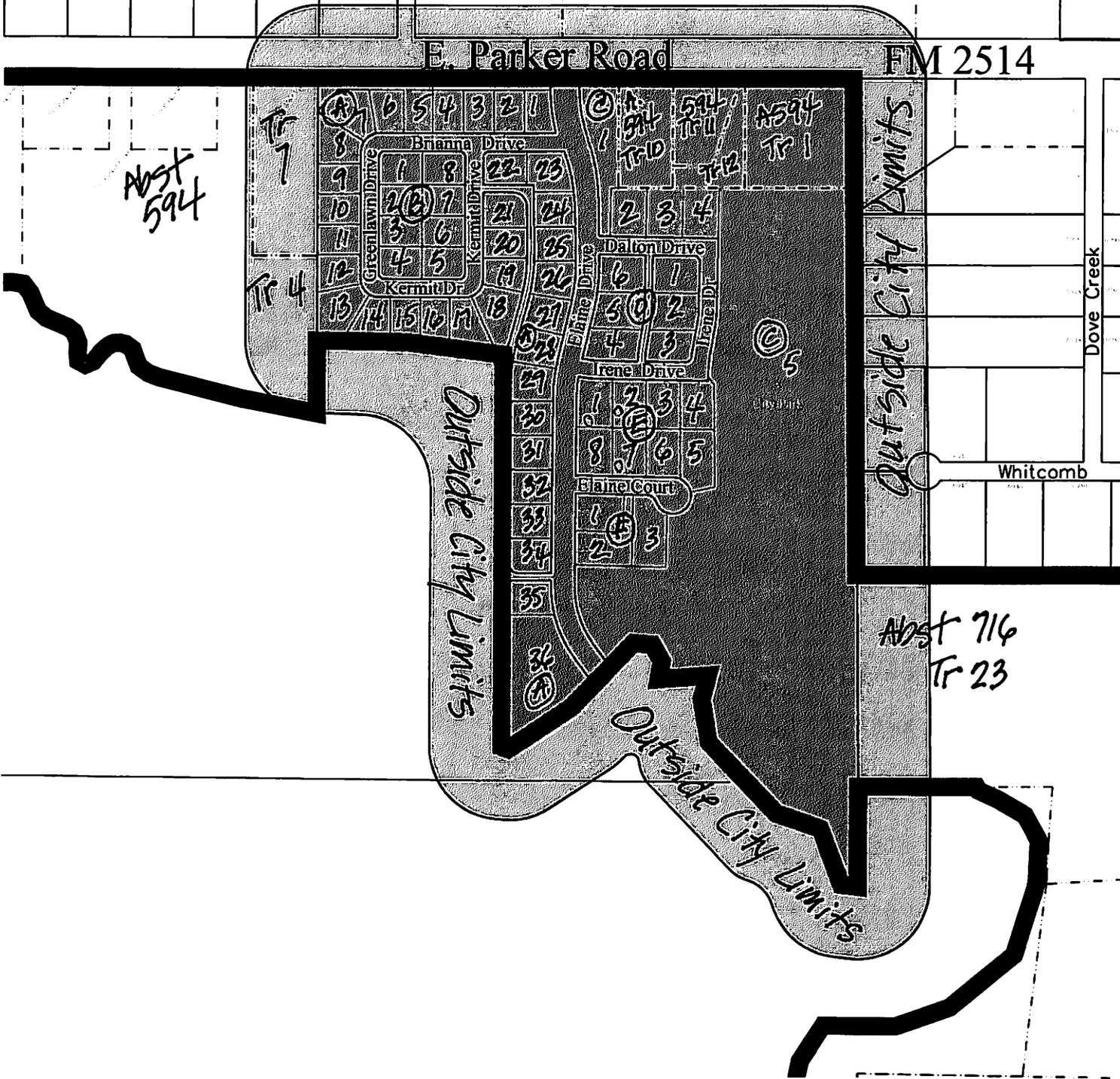
Front entrance

Front entrance

Loole Drive

E. Parker Road

FM 2514



OWNER NOTIFICATION MAP  
 ZONING CASE #2016-04

# NOTIFICATION REPORT

APPLICANT: Matthew Alexander with Estates of Creekside  
8750 N. Central Expwy #1735 Dallas, Texas 75231

APPLICATION FILE #2016-04

#	BLK/ABST	LOT/TRACT	TAX I.D. #	PROPERTY OWNER NAME	ADDRESS
1				Applicant - Matthew Alexander Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
2	Blk A	Kingsbridge Lot 1	R-10726-00A-0010-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
3	Blk A	Kingsbridge Lot 2	R-10726-00A-0020-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
4	Blk A	Kingsbridge Lot 3	R-10726-00A-0030-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
5	Blk A	Kingsbridge Lot 4	R-10726-00A-0040-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
6	Blk A	Kingsbridge Lot 5	R-10726-00A-0050-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
7	Blk A	Kingsbridge Lot 6	R-10726-00A-0060-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
8	Blk A	Kingsbridge Lot 7	R-10726-00A-0070-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
9	Blk A	Kingsbridge Lot 8	R-10726-00A-0080-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
10	Blk A	Kingsbridge Lot 9	R-10726-00A-0090-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
11	Blk A	Kingsbridge Lot 10	R-10726-00A-0100-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
12	Blk A	Kingsbridge Lot 11	R-10726-00A-0110-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
13	Blk A	Kingsbridge Lot 12	R-10726-00A-0120-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
14	Blk A	Kingsbridge Lot 13	R-10726-00A-0130-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
15	Blk A	Kingsbridge Lot 14	R-10726-00A-0140-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
16	Blk A	Kingsbridge Lot 15	R-10726-00A-0150-1	Shaddock Homes, Ltd.	2400 Dallas Parkway #510 Plano, Texas 75093

17	Bilk A	Kingsbridge Lot 16	R-10726-00A-0160-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
18	Bilk A	Kingsbridge Lot 17	R-10726-00A-0170-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
19	Bilk A	Kingsbridge Lot 18	R-10726-00A-0180-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
20	Bilk A	Kingsbridge Lot 19	R-10726-00A-0190-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
21	Bilk A	Kingsbridge Lot 20	R-10726-00A-0200-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
22	Bilk A	Kingsbridge Lot 21	R-10726-00A-0210-1	Shaddock Homes, Ltd.	2400 Dallas Parkway #510 Plano, Texas 75093
23	Bilk B	Kingsbridge Lot 1	R-10726-00B-0010-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
24	Bilk B	Kingsbridge Lot 2	R-10726-00B-0020-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
25	Bilk B	Kingsbridge Lot 3	R-10726-00B-0030-1	Shaddock Homes, Ltd.	2400 Dallas Parkway #510 Plano, Texas 75093
26	Bilk B	Kingsbridge Lot 4	R-10726-00B-0040-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
27	Bilk B	Kingsbridge Lot 5	R-10726-00B-0050-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
28	Bilk B	Kingsbridge Lot 6	R-10726-00B-0060-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
29	Bilk B	Kingsbridge Lot 7	R-10726-00B-0070-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
30	Bilk B	Kingsbridge Lot 8	R-10726-00B-0080-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
31	Bilk C	Kingsbridge Lot 1	R-10726-00C-0010-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
32	Bilk C	Kingsbridge Lot 2	R-10726-00C-0020-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
33	Bilk C	Kingsbridge Lot 3	R-10726-00C-0030-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
34	Bilk C	Kingsbridge Lot 4	R-10726-00C-0040-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
35	Bilk C	Kingsbridge Lot 5	R-10726-00C-0050-1	City of Wylie	300 Country Club Road Wylie, Texas 75098

36	Blk D	Kingsbridge Lot 1	R-10726-00D-0010-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
37	Blk D	Kingsbridge Lot 2	R-10726-00D-0020-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
38	Blk D	Kingsbridge Lot 3	R-10726-00D-0030-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
39	Blk D	Kingsbridge Lot 4	R-10726-00D-0040-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
40	Blk D	Kingsbridge Lot 5	R-10726-00D-0050-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
41	Blk D	Kingsbridge Lot 6	R-10726-00D-0060-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
42	Blk E	Kingsbridge Lot 1	R-10726-00E-0010-1	Newcastle Homes, LLC	8333 Douglas Avenue #1500 Dallas, Texas 75225
43	Blk E	Kingsbridge Lot 2	R-10726-00E-0020-1	Newcastle Homes, LLC	8333 Douglas Avenue #1500 Dallas, Texas 75225
44	Blk E	Kingsbridge Lot 3	R-10726-00E-0030-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
45	Blk E	Kingsbridge Lot 4	R-10726-00E-0040-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
46	Blk E	Kingsbridge Lot 5	R-10726-00E-0050-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
47	Blk E	Kingsbridge Lot 6	R-10726-00E-0060-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
48	Blk E	Kingsbridge Lot 7	R-10726-00E-0070-1	Newcastle Homes, LLC	8333 Douglas Avenue #1500 Dallas, Texas 75225
49	Blk E	Kingsbridge Lot 8	R-10726-00E-0080-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
50	Blk F	Kingsbridge Lot 1	R-10726-00F-0010-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
51	Blk F	Kingsbridge Lot 2	R-10726-00F-0020-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
52	Blk F	Kingsbridge Lot 3	R-10726-00F-0030-1	Estates of Creekside Wylie LLC	8750 N. Central Expwy #1735 Dallas, Texas 75231
53	Abst 594	Tract 1	R-6594-000-0010-1	Michael Benner	7960 E. Parker Road Allen, Texas 75002
54	Abst 594	Tract 4	R-6594-000-0040-1	Gerald Lewis	7730 E. Parker Road Allen, Texas 75002

○

○

○

55	Abst 594	Tract 7	R-6594-000-0070-1	David Duncan	7750 E. Parker Road Allen, Texas 75002
56	Abst 594	Tract 10	R-6594-000-0100-1	Kurt Strange	7900 E. Parker Road Allen, Texas 75002
57	Abst 594	Tract 11	R-6594-000-0110-1	Stone Street Properties	PO Box 117892 Carrollton, Texas 75011
58	Abst 594	Tract 12	R-6594-000-0010-1	Stone Street Properties	PO Box 117892 Carrollton, Texas 75011
59	Abst 716	Tract 23	R-6716-001-0230-1	Estate of Monroe Fall	517 Highland Boulevard Richardson, Texas 75081
60					
61					
62					
63					
64					
65					
66					
67					
68					
69					
70					

**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 #2016-04.

I am **AGAINST** the requested zoning as explained on the attached public notice for Zoning Case #2016-04.

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

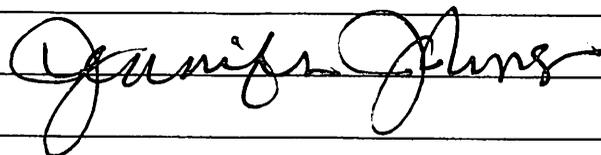
Tuesday, February 2, 2016, 6:00 pm  
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location & Time of  
City Council meeting:

Tuesday, February 23, 2016, 6:00 pm  
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: JENNIFER JOHNSON  
*(please print)*

Address: \_\_\_\_\_

Signature: 

Date: \_\_\_\_\_

**COMMENTS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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 #2016-04.

I am **AGAINST** the requested zoning as explained on the attached public notice for Zoning Case #2016-04.

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

Tuesday, February 2, 2016, 6:00 pm  
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location & Time of  
City Council meeting:

Tuesday, February 23, 2016, 6:00 pm  
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: Robert Jones Newcastle Homes  
*(please print)*

Address: 8333 Douglas Ave #1500  
Dallas TX 75225

Signature: *Robert Jones*

Date: 1-11-16

**COMMENTS:**

The change would allow for better floor plan  
designs and larger back yards. Frisco has allowed  
these setbacks for years and the builders have  
developed great floor plans that fit the lots  
with the reduced front yard requirements very well.



# Wylie City Council

---

## AGENDA REPORT

**Meeting Date:** February 23, 2016  
**Department:** City Secretary  
**Prepared By:** Carole Ehrlich  
**Date Prepared:** February 16, 2016

**Item Number:** 5  
*(City Secretary's Use Only)*  
**Account Code:** \_\_\_\_\_  
**Budgeted Amount:** \_\_\_\_\_  
**Exhibits:** Board Applications

### Subject

Consider, and act upon the acceptance of the resignation of Lauren Howard and the appointment of \_\_\_\_\_ to the Public Arts Advisory Board for the unexpired term of July 2015 to June 2017.

### Recommendation

Motion to accept the resignation of Lauren Howard and to appoint \_\_\_\_\_ to the Public Arts Advisory Board for the unexpired term of July 2015 to June 2017.

### Discussion

Staff is requesting the appointment of a new Public Arts Advisory Board member to replace Lauren Howard, who has recently resigned her position. (Letter attached).

Per Ordinance No. 2006-37, the board will consist of seven members, to be appointed by the City Council for a term of two years. Each board member shall be a qualified voter and shall not be an employee of the City. Each board member shall have any other qualification as the City Council deems necessary and appropriate.

In order to be in conformance with the Ordinance, it is recommended that an appointment be made to fulfill the unexpired term of July 2015 to June 2017.

Staff has attached two applications received with preferences for the Public Arts Advisory Board. Both applicants have been contacted and are willing to serve if appointed.

Carole,

I am writing this email with such disappointment and a heavy heart.

After returning from my wedding and honeymoon, there had been two staffing changes at work that resulted in my classes no longer being covered this weekend. I have been scrambling for two days to attempt to find someone but to no avail.

In addition, I feel that it will be best that I formally resign from the board. At this point I'm not able to say with confidence that I'll be able to attend meetings because we are absorbing and adjusting to the changes. As a manager, it's my responsibility to pick up the slack until further notice, so-to-speak.

I am so very sorry as I've really enjoyed being part of the board and helping to contribute to the community. And I'm so sorry for the inconvenience I've caused you and the board. Please pass along my regret that my circumstances have changed and my deepest apologies.

Thank you and best wishes,  
Lauren

Sent from my iPhone

1/5/2016

Edit/Add Request Information

Add/Edit Request

Update & Exit Update Cancel

Print Audit Trail

Assigned to: Tina Link

Request: 7817 Entered on: 01/05/2016 1:57 PM

Long form

Customer Information Create another request for customer

\* Last name: Bellamy First name: Michelle Phone: 9724427957 Alt phone: 9724427957 Email: [REDACTED]  
 Address: 1301 Iron Horse Street City: Wylie State: TX Zip code: 75098

\* Topic: Board and Commission Application

Request type: Question

Entered via: Web

\* First Choice: Public Arts Advisory Board (Your first choice)

\* Second Choice: Animal Shelter Advisory Board (Your second choice)

\* Third Choice: Historic Review Commission (Your third choice)

\* Sub Committee?: Yes (Are you interested in serving on a sub committee?)

\* Resident Length?: 11 (How long have you lived in Wylie?)

\* Registered Voter?: Yes (Are you a registered voter?)

\* County of Voter Registration: Collin

\* Occupation: Project Executive

Date of Birth: 02/17/78

\* Business Owner?: No (Do you own a business?)

Business Name: (If business owner, please answer the following)

Business Address: 1301 Iron Horse Street

Business Phone: 9724427957

Business Email: michelle.bellamy@ve

Attachments: Add Attachments

Please indicate briefly why you would like to be appointed to a Board or Commission.

\* Description: To become more involved with cultural development in the City of Wylie

Reason closed: This must be filled in to close the request. Contents of field, and attachments that are marked as Send to Customer when Closed, are e-mailed for customer notification.

Due Date: 01/15/2016 Leave blank for automatic calculation Insert Reason Closed: (Select message from list)

Update & Exit Update Cancel

Collaboration Area (internal notes, email correspondence)

To add notes or send emails about this Request, enter message below or insert message (Select message from list), then press the appropriate button.

To add an internal note, or send a message to your department manager or another employee about this request, enter your message here (at least four characters) and the buttons to the right will enable. Then press one of the buttons.

Send to Manager Add Internal Note Send to Employee(s)

# Add/Edit Request

Update & Exit    Update    Cancel

Print    Audit Trail  
Long form

Assigned to: Tina Link

Request: 7275    Entered on: 10/18/2015 2:58 PM

Customer Information    [Create another request for customer](#)

\* Last name:     First name:     Phone:     Alt phone:     Email:

\* Address:     City:     State:     Zip code:

\* Topic:

Request type:

Entered via:

\* First Choice:  (Your first choice)

\* Second Choice:  (Your second choice)

\* Third Choice:  (Your third choice)

\* Sub Committee?:  (Are you interested in serving on a sub committee?)

\* Resident Length?:  (How long have you lived in Wylie?)

Registered Voter?:  (Are you a registered voter?)

\* County of Voter Registration:

\* Occupation:

Date of Birth:

\* Business Owner?:  (Do you own a business?)

Business Name:  (If business owner, please answer the following)

Business Address:

Business Phone:

Business Email:

Attachments: [Add Attachments](#)

Please indicate briefly why you would like to be appointed to a Board or Commission.

\* Description:

Reason closed:

Due Date:     Leave blank for automatic calculation

Insert Reason Closed:

Update & Exit    Update    Cancel

Collaboration Area (internal notes, email correspondence)

To add notes or send emails about this Request, enter message below or insert message  , then press the appropriate button.

To add an internal note, or send a message to your department manager or another employee about this request, enter your message here (at least four characters) and the buttons to the right will enable. Then press one of the buttons.





# Wylie City Council

---

## AGENDA REPORT

**Meeting Date:** February 23, 2016  
**Department:** City Manager  
**Prepared By:** \_\_\_\_\_  
**Date Prepared:** February 16, 2016

**Item Number:** WS  
*(City Secretary's Use Only)*  
**Account Code:** \_\_\_\_\_  
**Budgeted Amount:** \_\_\_\_\_  
**Exhibits:** Election Timeline

### Subject

Discussion regarding a possible November 8, 2016 City Charter Amendment Election.

### Recommendation

Direction

### Discussion

The Wylie City Charter was adopted by the qualified voters of the City of Wylie on January 19, 1985. A subsequent election was held on May 2, 1998 to adopt eighteen propositions to amend the Wylie City Charter. All propositions passed. The City Charter has not been amended since 1998.

The Wylie City Charter states that amendments to the Charter may be framed and submitted to the qualified voters of the City in the manner provided by law. On average cities amend their charters every five to ten years. These amendments are due to ever changing state and federal laws and local government procedures.

The City of Wylie Home Rule Charter has not been amended in eighteen years. The City Attorney has recommended an exhaustive review of the current Charter to identify areas of conflict, ambiguity and inconsistency with state or federal law. Attached to this report are some of the "housekeeping" areas requiring changes.

The next uniform election date available for Charter amendments will be November 8, 2016. The review would be performed by management and the City Attorney's office and brought to Council for further discussion.

Staff has provided an election calendar of important dates regarding a November election for Council review.

## Article III

### Section 6. - Vacancies, Forfeiture, Filling of Vacancies.

- A. The office of a councilman or office of the mayor shall become vacant upon his death, resignation, removal from office in any manner authorized by law, or forfeiture of his office.
- B. A councilman or the mayor shall forfeit his office if he:
- (1) Lacks at any time during his term of office any qualifications for the office prescribed by this Charter or by law;
  - (2) Violates any express prohibition of this article (see Section 8); or any other provision of this Charter;
  - (3) Is convicted of a crime involving moral turpitude, or
  - (4) Fails to attend three consecutive regular city council meetings without being excused by the city council.
  - (5) The city council shall be the final judge in matters involving forfeiture of office.

**C. Filling of Vacancies.** Any vacancy or vacancies occurring on the governing body shall not be filled by appointment but must be filled by majority vote of the qualified voters at a special election called for such purpose within 120 days after such vacancy or vacancies occur. This appointee shall serve the unexpired term for the place for which he was appointed. The city council shall not, however, fill more than one vacancy by appointment within a six month period and in case a vacancy has been filled by the city council within 12 months prior to a subsequent vacancy, or before a subsequent vacancy has been filled, or if more than one vacancy occurs at the same time, the city council shall order a special election within 30 days of the last vacancy to elect the successor or successors to the office of [or] offices vacated. Vacancies filled by special election shall be for the remainder of the term. *Should have been stricken during the last charter amendment when terms went to 3 years. However there is new legislation out this year that if adopted by the City would allow for an appointment with three year terms as long as the remaining term was less than twelve months. This would take an addition and have different verbiage than above.*

However, if the vacancies occur within 120 days of a regular election, then no special election shall be called, and the remaining city council members shall appoint qualified persons to fill vacancies until the regular election.

(Res. No. 98-11(R), prop. 2, 5-12-1998)

**Editor's note**— The city asserts, pertaining to Section 6.C, that only the text in the initial sentence of that subsection is now appropriate and relevant pertaining to the filling of vacancies, and that the remainder of Sec. 6.C should have been (but was not) struck through as a proposed deletion in Proposition 2 as presented to voters on May 2, 1998. *The above editor's note was added in 2004 to alert readers to the miss stated language above.*

## Article III

### Section 9. - Meetings of City Council.

The city council shall hold at least one regular meeting each month and as many additional meetings as it deems necessary to transact the business of the city. The city council shall fix, by ordinance, the date and time of the regular meetings. Special meetings of the city council shall be held on the call of the mayor or a majority of the city councilmembers.

All meetings shall be held in and notice given in accordance with **Vernon's Ann. Civ. St. art. 6252-17**, as amended. Except as otherwise authorized by law, all meetings shall be open to the public.

*Editor's note— The current law on open meetings is in V.T.C.A., Government Code ch. 551.*

## Article III

### Section 13. - Passage of Ordinances in General.

A. Form. The city council shall legislate by ordinance only, and the enacting clause of every ordinance shall be "Be it ordained by the City Council of the City of Wylie, Texas." Each proposed ordinance shall be introduced in the written or printed form required for adoption. An ordinance shall not be amended or repealed except by the adoption of another ordinance.

B. Procedure. Any member of the city council may offer any ordinance in writing that has been placed on the agenda at a regular city council meeting. Copies of proposed ordinances, in the form required for adoption, may be furnished to members of the city council before the meeting at which it shall be considered. Copies of the proposed ordinance, in the form required for adoption, may be made available at the city offices and furnished to citizens, upon request.

C. Effective Date. Every ordinance shall become effective upon adoption, or at any later time specified in the ordinance, except that every ordinance imposing any penalty, fine or forfeiture shall become effective after publication of its caption once in a newspaper having general circulation in the city.

D. Reading. The reading aloud of a title and caption of the ordinance shall suffice as a reading. If two councilmen request that the ordinance be read in its entirety, it must be so read.

## ARTICLE V. - NOMINATIONS AND ELECTIONS

### Section 1. - City Elections.

- A. Election Schedule. The regular city election will be held annually in accordance with the Texas Election Code. The City Council shall be responsible for specifications of places for holding of such elections.
- B. Special Elections. The city council may order a special election under conditions specified elsewhere in this Charter, or for ordinances, bond issues, Charter amendments, recall or other purposes deemed appropriate by the city council. The city council will fix the time and places for such special elections, and provide all means for holding same.
- C. Voter Eligibility List. A certified list of voter registrants within the city, as prepared by the proper agency, shall be held by the city secretary or the contracted election official. If, for a purpose relating only to a city election or to candidates or issues involved in such election, any organization, group or person requests a list of qualified voters of the city, permission to copy the current list shall be granted by the city secretary or the contracted election official.
- D. Conduct and Regulation of Elections. All city elections shall be governed by the Constitution of the State of Texas, general laws of the state, this Charter, and by ordinance of the city in the order named. Municipal elections shall be conducted by election officials appointed or approved by the city council.
- E. Publicizing City Elections. All municipal elections shall be publicized in a manner consistent with the requirements of the present, and all future amended editions of the Texas Election Code. (Ord. No. 92-2, 2-11-1992; Res. No. 98-11(R), prop. 7, 5-12-1998)

### Section 2. - Filing For Office; Eligibility to File.

- A. Candidate Qualifications. Each candidate for an elective office shall meet the following qualifications:

Shall be a qualified voter of the city.

Shall have resided for at least 12 months preceding the election within the corporate limits of the city, including territory annexed prior to the filing deadline.

Shall not, after notice of any delinquency, be in arrears in the payment of any taxes or other liabilities due the city. "In arrears" is defined herein to mean that payment has not been received within 90 days from [the] due date.

*Charter provisions similar to Article V, Section 2 of the City Charter, requiring as a qualification for service on the City Council that a candidate not be indebted to the City, have been found in violation of the Fourteenth Amendment (Equal Protection Clause) to the United States Constitution. The Equal Protection Clause of the Fourteenth Amendment commands that no State shall "deny to any person within its jurisdiction the equal protection of the laws." In one case involving a similar provision of the Longview City Charter, the court said "If the voters of Longview decide they do not wish to be represented by those who are delinquent in paying city taxes, they can do so at the ballot box"*

An incumbent city councilman seeking reelection must file for the same place position number currently being served.

No candidate may file in a single election for more than one office or place position as provided by this Charter.

No employee of the city shall continue in such position after filing for an elective office provided for in this Charter.

Shall not concurrently hold an elective office with the city other than the one being filed for.

B. Petition Required. Every person desiring to file for elective office with the city shall first present to the City Secretary a sufficient petition signed by a minimum of the greater of the following:

a) 25 persons; or

b) a number of persons equal to one-half of one percent of the total vote received by all candidates for Mayor in the most recent mayoral general election who are qualified voters in the City.

(Ord. No. 92-2, 2-11-1992)

### Section 3. - Official Ballots.

- A. Names on Ballot. The name of each candidate seeking an elective office, except those who have withdrawn, died or became ineligible, shall be printed on the official ballot in the form designated by the candidate in accordance with the Texas Election Code.
- B. Order of Listing. The order on the ballot of the names of the candidates shall be determined by lot in a public drawing to be held under the supervision of the city secretary in accordance with the Texas Election Code.
- C. **Absentee Ballots**. Procedures for voting by absentee ballots shall be consistent with the Texas Election Code. *This is now called **Early Voting Ballots**.*
- D. Ballots for Ordinances, Bond Issues and Charter amendments. Ballots for ordinances, bond issues and Charter amendments shall be consistent with the Texas Election Code.
- E. Write-In Votes. Procedures for write-in votes shall be consistent with the current edition of Texas election laws.

## Additional Charter Changes

In a brief review for “housekeeping” items, I found the following examples in addition to those previously identified:

1. Replace outdated legal citations with accurate references to current law. Example: Article I, Section 3, replace “Vernon's Ann. Civ. St. art. 970a” with “Chapter 43 of the Texas Local Government Code.”
2. Achieve consistency in use of terms. Example: Article I uses the terms “City of Wylie, Texas,” “City of Wylie,” “City” and “city” interchangeably. Consider picking one and using it consistently throughout.
3. Remove the transition chart in Article III, Section 1, as it is no longer necessary.
4. Some of the transition provisions in Article XI, Section 29 and Article XII may be removed.

**November 8, 2016 – Uniform Election Date**

***A more detailed calendar will be available later on the***

***[Elections](#) home page and on the [Conducting Your Elections](#) pages.***

Authority Conducting Elections	County Election Officers and Local Political Subdivisions
Deadline to Post Notice of Candidate Filing Deadline (Local Political Subdivisions Only)	Thursday, June 23, 2016
First Day to File for a Place on the General Election Ballot (Local Political Subdivisions Only)	Saturday, July 23, 2016
Last Day to Order a General Election (or Special Election on a Measure)	Monday, August 22, 2016
Last Day to File for Place on General Election Ballot (Local Political Subdivisions Only)	Monday, August 22, 2016
Last Day to File a Declaration of Write-in Candidacy (Local Political Subdivisions Only)	Friday, August 26, 2016 (NEW LAW: the deadline to submit a declaration of write-in candidacy for most local (city, school, other) general elections is now the <b>74th day before election day.</b> )
Last Day to Register to Vote	Tuesday, October 11, 2016* <i>*First business day after Columbus Day</i>
First Day of Early Voting	Monday, October 24, 2016
Last Day to Apply for Ballot by Mail ( <b>Received</b> , not Postmarked)	Friday, October 28, 2016 (NEW LAW: 11th day before election day; ABBM and FPCA.)
Last Day of Early Voting	Friday, November 4, 2016
Last Day to Receive Ballot by Mail	Tuesday, November 8, 2016 (election day) at 7:00 p.m. (unless overseas deadline applies)