



Regular Session  
Council Agenda Packet  
July 15, 2021



# CITY OF CROWLEY

## CITY COUNCIL

### Council Regular Session

### July 15, 2021

### ATTENDANCE SHEET

	<u>Worksession</u>	<u>Regular</u>
Council Member Johnny Shotwell, Place 1	_____	_____
Council Member Jerry Beck, Place 2	_____	_____
Mayor Pro Tem Jesse Johnson, Place 3	_____	_____
Council Member Jim Hirth, Place 4	_____	_____
Council Member Jimmy McDonald, Place 5	_____	_____
Council Member Scott Gilbreath, Place 6	_____	_____
Mayor Billy Davis	_____	_____
<b>Staff:</b>		
Robert Loftin, City Manager	_____	_____
Lori Watson, Finance Director/Asst City Mgr	_____	_____
Jack Thompson, EDC Director/Asst City Mgr	_____	_____
Rob Allibon, City Attorney	_____	_____
Carol Konhauser, City Secretary	_____	_____
Pleasant Brooks, Fire Chief	_____	_____
Kit Long, Chief of Police	_____	_____
Mike Rocamontes, Public Works Director	_____	_____
Rachel Roberts, Planning & Comm Dev Director	_____	_____
Cristina Winner, Community Services Director	_____	_____
Lisa Hansen, HR Administrator	_____	_____
Julie Hepler, Special Event Coordinator .	_____	_____
Jay Hinton, Media Relations	_____	_____





**AGENDA  
CROWLEY CITY COUNCIL  
JULY 15, 2021  
WORKSESSION - 6:30 p.m.**

**Crowley City Hall  
201 E. Main Street  
Crowley TX 76028**

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*Citizens may address the Council by filling out a blue "Citizen Participation" card to discuss any issue that is on the Agenda. Please turn in cards to the City Secretary. Speakers are limited to three minutes (if using a translator, the time limit will be doubled).*

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**WORKSESSION - July 15, 2021 - 6:30 pm**

**I. CALL TO ORDER AND ROLL CALL**

**II. NON-ACTION ITEMS FOR DISCUSSION**

1. None.

**DISCUSSION OF ITEMS LISTED ON THE AGENDA**

**III. 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.*

1. Discuss and consider approving the minutes from the regular meeting held June 17, 2021.

**IV. PUBLIC HEARINGS**

1. Hold a public hearing to discuss, and consider approval of Ordinance 07-2021-432 an ordinance approving a specific use permit and site plan to allow the construction and operation of a fire station on property located at 911 Municipal Way; the property's legal description is Atwood Addition Block 1 Lot 2. **Case # SUP-2020-001.**
2. Hold a public hearing to discuss, and consider approval of Ordinance 07-2021-433 an ordinance for a zoning change from General Commercial (GC) district to Planned Development (PD) district requested by MI Homes of DFW LLC for approximately 20.31 acres located in the Mathew H Toler Survey Abstract 1547 (TAD tract 1E). The property is located at 1701 HWY 1187. **Case # ZR-2021-003** *This is a resubmittal of Case ZR-2021-001*

**V. CITY BUSINESS**

1. Discuss and consider Special Event Permit Application for a Family and Friends BBQ and Fundraiser at Bicentennial Park on Aug 8, 2021.
2. Discuss and consider Special Event Permit Application for a pyrotechnic flame display to be held by a resident of The Bridges Subdivision.
3. Discuss and consider Special Event Permit Application for Crowley Youth Association Midnight Madness Softball Tournament to be held on August 8, 2020 from 7:00pm to August 9, 2020 at 6:00am.
4. Discuss and consider Special Event Permit Application for Crowley Youth Association Midnight Madness Softball Tournament to be held on August 8, 2020 from 7:00pm to August 9, 2020 at 6:00am.
5. Discuss and consider canceling the Regular scheduled meeting of the Crowley City Council for October 7, 2021 due to lack of quorum.
6. Review and consider approval of a development agreement with MI Homes DFW, LLC.
7. Discuss and consider approving Ordinance 07-2021-341, an ordinance vacating and abandoning a portion of Industrial Blvd right of way.

**VI. ADJOURNMENT**

*\*\*\*An agenda information packet is available for public inspection in the Crowley Library and on the City website, under Agenda Packets\*\*\**





**AGENDA  
CROWLEY CITY COUNCIL  
JULY 15, 2021  
REGULAR SESSION - 7:00 p.m.**

**Crowley City Hall  
201 E. Main Street  
Crowley TX 76028**

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**REGULAR SESSION - July 15, 2021 - 7:00 pm**

**I. CALL TO ORDER AND ROLL CALL**

**II. INVOCATION**

**III. PLEDGE TO ALLEGIANCE TO THE AMERICAN AND TEXAS FLAGS**

*"I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation, under God, indivisible, with Liberty and Justice for all."*

*"Honor the Texas flag; I pledge allegiance to thee, Texas, one state, under God, one and indivisible."*

**IV. PRESENTATIONS/PROCLAMATIONS**

1. Presentation and Recognition of Appreciation - Harbison Fischer

**V. CONSENT AGENDA**

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1. Discuss and consider approving the minutes from the regular meeting held June 17, 2021.

**VI. PUBLIC HEARINGS**

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**VII. CITY BUSINESS**

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6. Review and consider approval of a development agreement with MI Homes DFW, LLC.

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7. Discuss and consider approving Ordinance 07-2021-341, an ordinance vacating and abandoning a portion of Industrial Blvd right of way.

## **VIII. ADVISORY BOARDS AND COMMISSIONS**

### **1. Reports**

None

### **2. Appointments/Reappointments**

#### **a. Library Board - Council Liaison Jim Hirth**

Chloe Northrop

Place 5

New Term ending June 30, 2023

## **IX. PUBLIC COMMENT**

*If you wish to make a public comment or discuss subjects not listed on the agenda, please fill out a (yellow) Visitor's Participation card and submit to the City Secretary. There will be no formal actions taken on subjects presented during public comments. Please NOTE council may NOT address or converse with you regarding a NON-AGENDA ITEM. The public comment period will only allow members of the public to present ideas and information to the City Officials and Staff.*

## **X. ITEMS OF COMMUNITY INTEREST**

*Items of community interest include expressions of thanks, congratulations, or condolence; information regarding holiday schedules; honorary recognitions of city officials, employees or citizens; reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by a city official or employee; and announcements involving imminent threats to the public health and safety*

## **XI. EXECUTIVE SESSION**

Pursuant to Chapter 551, Texas Government Code, the Council reserves the right to convene in Executive Session(s), from time to time as deemed necessary during this meeting for any posted agenda item to receive advice from its attorney as permitted by law, or to discuss the following as permitted by Government Code:

1. **Section 551.071 (Consultation with Attorney)**
2. **Section 551.072 (Deliberations about Real Property)**
3. **Section 551.074 (Personnel Matters)**
4. **Section 551.087 (Business Prospect/Economic Development)**

## **XII. RECONVENE AND TAKE ACTION FROM EXECUTIVE SESSION**

*Reconvene into open session and take any necessary action resulting from items posted and legally discussed in Closed Session.*

## **XIII. ADJOURNMENT**

**I, the undersigned authority, do hereby certify that this Agenda of the City Council Meeting to be held on Thursday, July 15, 2021, of the governing body of the City of Crowley is a true and correct copy posted on \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ am/ pm to the City Website and at Crowley City Hall, a place convenient and readily accessible to the public at all times.**

City of Crowley

\_\_\_\_\_  
Carol C. Konhauser, City Secretary

THE CITY COUNCIL RESERVES THE RIGHT OF THE FOLLOWING:

1. ITEMS DO NOT HAVE TO BE CONSIDERED IN THE SAME ORDER AS SHOWN ON THIS AGENDA;
  2. THE COUNCIL MAY CONTINUE OR RECESS ITS DELIBERATIONS TO THE NEXT CALENDAR DAY IF IT DEEMS IT NECESSARY.
- The Crowley City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (817) 297-2201 ext. 4000, or email [ckonhauser@ci.crowley.tx.us](mailto:ckonhauser@ci.crowley.tx.us) for further information.

**NOTICE:** A quorum of the Crime Control and Prevention District Board of Directors and the Economic Development Board of Directors will be present at this meeting; however, neither Board will take action on any items on this posted agenda.

\*\*\*An agenda information packet is available for public inspection in the Crowley Library and on the City website, under Agenda Packets\*\*\*





## Crowley City Council

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### AGENDA REPORT

**Meeting Date:** July 15, 2021

**Agenda Item:** V-1

**Staff Contact:** Carol C. Konhauser  
City Secretary  
**E-mail:** [ckonhauser@ci.crowley.tx.us](mailto:ckonhauser@ci.crowley.tx.us)  
**Phone:** 817-297-2201-X 4000

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**SUBJECT:** Discuss and consider approving the minutes from the regular meeting held June 17, 2021.

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#### **BACKGROUND/DISCUSSION**

Consider approval of minutes as presented.

#### **FINANCIAL IMPACT**

None

#### **RECOMMENDATION**

Staff recommends approval of the minutes as presented; council consideration is respectfully requested.

#### **ATTACHMENTS**

- Minutes



**MINUTES OF THE CITY COUNCIL WORK SESSION HELD June 17, 2021.** The City Council of the City of Crowley, Texas met in Work Session on Thursday, June 17, 2021, at 6:30 pm in the City Council Chambers, 201 East Main Street, Crowley City Hall, Crowley, Texas.

Present were Mayor Billy P. Davis  
Council Member Johnny Shotwell, City Council Place 1  
Council Member Jerry Beck, City Council Place 2  
Mayor Pro-Tem Jesse Johnson, City Council Place 3  
Council Member Jim Hirth, City Council Place 4  
Council Member Jimmy McDonald, City Council Place 5  
Council Member Scott Gilbreath, City Council Place 6

City staff included: City Manager Robert Loftin  
Asst City Mngr/Finance Director, Lori Watson  
Asst City Mngr/EDC Director, Jack Thompson  
City Attorney, Rob Allibon  
City Secretary, Carol Konhauser  
Fire Chief, Pleasant Brooks  
Police Lieutenant, Michael Roach  
Public Works Director, Mike Rocamontes  
Planning and Comm Devel Director, Rachel Roberts  
Community Services Director, Cristina Winner  
HR Administrator, Lisa Hansen  
Media Relations, Jay Hinton

Absent: None

#### **CALL TO ORDER/ ROLL CALL**

Mayor Billy Davis called the Work Session to order at 6:30 p.m. City Secretary Carol Konhauser called roll and noted a quorum was present.

#### **DISCUSSION OF NON-ACTION ITEMS**

1. **None.**

#### **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.*

1. **Discuss and consider approving the minutes from the regular meeting held June 3, 2021.**  
No discussion.

#### **PUBLIC HEARING**

1. **(a) Hold a public hearing on the Fiscal Year 2021-22 Proposed Budget for the City of Crowley Crime Control and Prevention District.**  
**(b) Discuss and consider approval/adoption of the Crime Control and Prevention District (CCPD) proposed FY 2021-22 Budget.**  
No discussion

#### **CITY BUSINESS**

1. **Discuss and consider appointing Bonnie Wolf as the new Municipal Court Prosecutor.**  
No discussion.
2. **Consideration and approval of Resolution R06-2021-354 by the City Council of the City of Crowley, Texas authorizing and approving publication of Notice of Intention to issue**



**Certificates of Obligation; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date.**

Mark McLiney from SAMCO Capital explained to council that there is an opportunity to borrow up to \$14 million dollars to fund upcoming projects. The four upcoming projects are large in scope and will entail street improvements, building construction, utility relocation, etc. Because there are several factors involved in determining the amount that can be borrowed, they are recommending council issue a notice of intent to issues Certificates of Obligation not to exceed \$14 million dollars.

**ADJOURNMENT**

As there was no further business to discuss, the work session was adjourned at 6:38 pm.



**MINUTES OF THE CITY COUNCIL REGULAR SESSION HELD June 17, 2021.** The City Council of the City of Crowley, Texas met in Regular Session on Thursday, June 17, 2021, at 7:00 pm in the City Council Chambers, 201 East Main Street, Crowley City Hall, Crowley, Texas.

Present were Mayor Billy P. Davis  
Council Member Johnny Shotwell, City Council Place 1  
Council Member Jerry Beck, City Council Place 2  
Mayor Pro-Tem Jesse Johnson, City Council Place 3  
Council Member Jim Hirth, City Council Place 4  
Council Member Jimmy McDonald, City Council Place 5  
Council Member Scott Gilbreath, City Council Place 6

City staff included: City Manager Robert Loftin  
Asst City Mngr/Finance Director, Lori Watson  
Asst City Mngr/EDC Director, Jack Thompson  
City Attorney, Rob Allibon  
City Secretary, Carol Konhauser  
Fire Chief, Pleasant Brooks  
Police Lieutenant, Michael Roach  
Public Works Director, Mike Rocamontes  
Planning and Comm Devel Director, Rachel Roberts  
Community Services Director, Cristina Winner  
HR Administrator, Lisa Hansen  
Media Relations, Jay Hinton

Absent: None

#### **CALL TO ORDER/ ROLL CALL**

Mayor Billy Davis called the Regular Session to order at 7:00 p.m. City Secretary Carol Konhauser called roll and noted a quorum was present.

#### **INVOCATION/PLEDGE OF ALLEGIANCE**

Invocation was given by Council Member Jesse Johnson followed by the Pledge of Allegiance to the American and Texas Flags.

#### **PRESENTATIONS/PROCLAMATIONS**

1. **None.**

#### **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.*

1. **Discuss and consider approving the minutes from the regular meeting held June 6, 2021.**

Council Member Jesse Johnson made the motion to approve the Consent Agenda item(s), second by Council Member Jimmy McDonald; council voted unanimously to approve the motion as presented. Motion carried 7-0.

#### **PUBLIC HEARING**

1. (a) **Hold a public hearing on the Fiscal Year 2021-22 Proposed Budget for the City of Crowley Crime Control and Prevention District.**  
(b) **Discuss and consider approval/adoption of the Crime Control and Prevention District (CCPD) proposed FY 2021-22 Budget.**

Mayor Davis opened the public hearing at 7:02 pm for anyone to speak either in favor of or in opposition. As nobody else came forward to speak, Mayor Davis closed the public hearing at 7:02pm.



Council Member Jim Hirth made the motion to approve Crime Control and Prevention District proposed FY2021-22 Budget; second by Council Member Jesse Johnson council voted unanimously to approve the motion as presented. Motion carried 7-0.

## **CITY BUSINESS**

### **1. Discuss and consider appointing Bonnie Wolf as the new Municipal Court Prosecutor.**

Council Member Jimmy McDonald made the motion to approve the appointment of Bonnie Wolf to the position of Municipal Court Prosecutor; second by Council Member Jerry Beck; council voted unanimously to approve the motion as presented. Motion carried 7-0.

### **2. Consideration and approval of Resolution R06-2021-354 by the City Council of the City of Crowley, Texas authorizing and approving publication of Notice of Intention to issue Certificates of Obligation; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date.**

Council Member Jesse Johnson made the motion to approve Resolution R06-2021-354, second by Council Member Jimmy McDonald; council voted unanimously to approve the motion as presented. Motion carried 7-0.

## **ADVISORY BOARDS AND COMMISSIONS**

*Reports/appointments or reappointments.*

### **1. Reports:** None

### **2. Appointments/Reappointments:**

#### **a. Parks Board - Council Liaison Jerry Beck**

Council Member Jerry Beck made the motion to nominate the below individuals for the terms listed to the Parks Board; second by Council Member Scott Gilbreath; council voted unanimously to approve the motion as presented. Motion carried 7-0.

Brett Pohoreski	Place 1	New Term ending June 30, 2023
James Hotopp	Place 3	New Term ending June 30, 2023
Anthony Camell	Place 5	New Term ending June 30, 2023
Darlene Hornback	Place 7	New Term ending June 30, 2023

#### **b. Planning and Zoning Commission - Council Liaison Jimmy McDonald**

Council Member Jimmy McDonald made the motion to nominate the below individuals for the terms listed to the Planning and Zoning Commission; second by Council Member Jerry Beck; council voted unanimously to approve the motion as presented. Motion carried 7-0.

Gabby Villalovos	Place 1	New Term ending June 30, 2023
Chloe Northrop	Place 3	New Term ending June 30, 2023
David Duman	Place 5	New Term ending June 30, 2023
Lane Beene	Place 7	New Term ending June 30, 2023

#### **c. ZBOA - Council Liaison Jesse Johnson**

Council Member Jesse Johnson made the motion to nominate the below individuals for the terms listed to the Zoning Board of Adjustments; second by Council Member Jimmy McDonald; council voted unanimously to approve the motion as presented. Motion carried 7-0.

Mike Winterbanks	Place 1	New Term ending June 30, 2023
Lezo Foley	Place 3	New Term ending June 30, 2023
Rene Alford	Place 5	New Term ending June 30, 2023

#### **d. Library Board - Council Liaison Jim Hirth**

Council Member Jim Hirth made the motion to nominate the below individuals for the terms listed to the Zoning Board of Adjustments; second by Council Member Jimmy McDonald; council voted unanimously to approve the motion as presented. Motion carried 7-0.



Michelle Lyons  
Katie King

Place 1  
Place 3

New Term ending June 30, 2023  
New Term ending June 30, 2023

## **PUBLIC COMMENT**

Mayor Davis asked if there were any citizens or visitors wishing to speak.

Mr Sam Bruce, 717 Finch Ct, approached council to discuss his concerns about the egret infestation in his neighborhood (Deer Creek). He explained that the egrets are causing a nuisance. The birds are destroying the yards, trees, leaving a mess and creating a lot of noise. He stated he understands these birds are protected and once they begin nesting, it is against the law to disturb them and thus it is too late to do anything about them for this migration. He explained that these birds will probably again return next year and he was requesting the City's assistance in deterring the birds from nesting in the neighborhood. He was also asking for the City's help in applying for a federal permit which would allow them to forcibly remove the birds after nesting begins. He also asked that the city consider installing noise makers, light flashers, and tree shakers to deter the birds from nesting. Additionally, he asked if the city would consider trimming trees, removing old nests and cleaning up the excrement throughout the neighborhood.

Mr Dwayne Daniel, 1108 Wildlife Ln, came forward and explained his personal situation with the aggressive infestation of egrets. He stated he rented a power washer to clean the excrement from his back porch and the next day it was again covered in excrement. The excrement is covering his roof and vehicles. He pleads for the City's assistance in securing a federal permit to allow the residents to remove the birds if they should return next year.

Mr Bryce Perry, 1104 Wildlife Ln, distributed pictures to council showing how the egrets have picked at his grass to make their nests and his yard has been destroyed. They remove the grass along with the roots and then they nest in the trees above the yard and the excrement has killed the grass that was left.

City Manager Robert Loftin addressed the residents and explained that by the time the egret issue was brought to his attention, someone from the neighborhood had already called the Federal Wildlife Agency who then contacted the City and informed them they could not do anything to disturb the birds as they had begun nesting. The City does have propane cannons which were used to deter grackles several years ago and staff would have deployed them if the Federal Wildlife Agency had not contacted the city.

Terri Horn, Crowley Chamber of Commerce, reminded everyone of the Community Challenge event to held at the Railroaders stadium on June 29, 2021.

## **ITEMS OF COMMUNITY INTEREST**

Mayor Billy Davis then asked if there were any community interest items.

As there was no further business, Mayor Davis adjourned the meeting at 7:44 p.m.

ATTEST:

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Billy Davis, Mayor

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Carol C. Konhauser, City Secretary





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## Crowley City Council

### AGENDA REPORT

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**Meeting Date:** July 15, 2021

**Agenda Item:** VI-1

**Staff**

**Contact:** Rachel Roberts

**E-mail:** rroberts@ci.crowley.tx.us

**Phone:** 817/297-2201 x 3030

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**SUBJECT:** Hold a public hearing to discuss, and consider approval of Ordinance 07-2021-432 an ordinance approving a specific use permit and site plan to allow the construction and operation of a fire station on property located at 911 Municipal Way; the property's legal description is Atwood Addition Block 1 Lot 2. **Case # SUP-2020-001**

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### **BACKGROUND/DISCUSSION**

BACKGROUND AND OVERVIEW	
<b>Request</b>	Specific use permit for a fire station
<b>Applicant</b>	City of Crowley
<b>Location</b>	911 Municipal Way (behind Atwood's)
<b>Surrounding Uses</b>	Commercial (Atwood's), residential (single family homes in Burleson), gas well, vacant land
<b>Surrounding Zoning</b>	General Commercial; Planned Development
<b>Future Land Use Plan Designation</b>	Institutional/Community Services
<b>Staff Recommendation</b>	Approve
<b>Planning &amp; Zoning Commission Recommendation</b>	Approve

### **CURRENT STATUS OF PROPERTY**

The site is vacant and is located at the edge of the city limits, with Burleson city limits behind the site to the south and Fort Worth city limits to the east across Municipal Way.

Fire Station #1 is located at City Hall. Later this year, construction is expected to begin on the new plaza at City Hall. The plaza will take up the space currently used for the fire station driveway, and Fire station #1 will be relocated. The proposed new location is 911 Municipal Way, which is located behind Atwood's.



### *Surrounding Properties and Neighborhood*

The general commercial property to the west is undeveloped. This site is located near the Wal-Mart shopping center on FM 1187. The property to the south in Burleson is developed as single family residential. The Fort Worth property to the east has a gas well on part, with the remainder undeveloped. However, the vacant portion will soon be developed as multi-family residential.

## **STAFF REVIEW**

City code lays out several criteria that should be met if a specific use permit is to be granted. Staff's analysis, as described below, is that the proposed use meets the requirements for a specific use permit.

### *Compatibility with the Comprehensive Land Use Plan*

The comprehensive plan categorizes this property as Institutional / Community Services. This category is described as "city-owned or school district-owned properties that include parks, public spaces, schools, police and fire stations, etc." The new fire station is specifically mentioned in the comprehensive plan as an example of this land use category.

The use conforms to the comprehensive plan.

### *Compliance with Zoning District Requirements*

The proposed fire station complies with the planned development district regulations.

### *Conformance with Other Requirements*

The criteria for an SUP include a number of site-based and operational requirements.

### ***Contribution to the general welfare / benefit to the city***

Fire Station # 2 is located on Bus. 1187 on the west side of the railroad line. The new Fire Station #1 needs to be located on the east side of 1187 to ensure firefighters are able to respond to both sides of the city within a small window of time. Having a fire station to serve this half of the city is a critical service to the community, providing life-saving emergency medical and fire response. The benefits of having a fire station outweighs any damage to homes or businesses from having a station in this area.

### ***Site and operational requirements***

The site has been designed by the city engineer to have adequate utilities and drainage (facilities are in place). It also already has adequate road access. The design and location of the driveways and parking spaces provide for safe and convenient movement of traffic. The location and scale of the building are not out of scale with the neighborhood.

The site has adequate lighting. The south side of the building facing the residences in Burleson will have exterior lighting over the doors, but the lights will have house shields to direct the light downward instead of toward the residences. No flood lights shown on the plans face the residential areas in Burleson.

The fire station operates in a manner to limit impact on surrounding residential properties. Fire



department staff for Fire Station #1 already operate next to a residential neighborhood and have adapted operations to be compatible with the area. For example, the firefighters perform a daily check of all fire apparatuses, which includes testing sirens. They do this check no earlier than 7:30 AM in order to reduce impact on the neighborhood. In addition, when responding to an emergency, they do not turn on the sirens until they are approaching the intersection.

## **STAFF RECOMMENDATION**

Staff recommends approval of the specific use permit and the associated site plan.

If approved by Council, this SUP is for the use and site plan only. The building plans will be reviewed separately through the standard building permit process.

## **PLANNING & ZONING COMMISSION RECOMMENDATION**

The Planning & Zoning Commission considered this request during its meeting on June 28. No one spoke at the public hearing. The Commission voted to recommend approval.

## **ACTION BY THE CITY COUNCIL**

### *Sample motions*

The motions provided below are for the Council members' reference. You are not required to use this language in your motion.

Approval: I find the proposed use meets the criteria for a specific use permit and make a motion to approve Ordinance No. 07-2021-432 and the associated site plan.

Approval with conditions: I find the proposed use will meet the criteria for a specific use permit under certain conditions and make a motion to approve Ordinance No. 07-2021-432 and the associated site plan with the following conditions *[list]*.

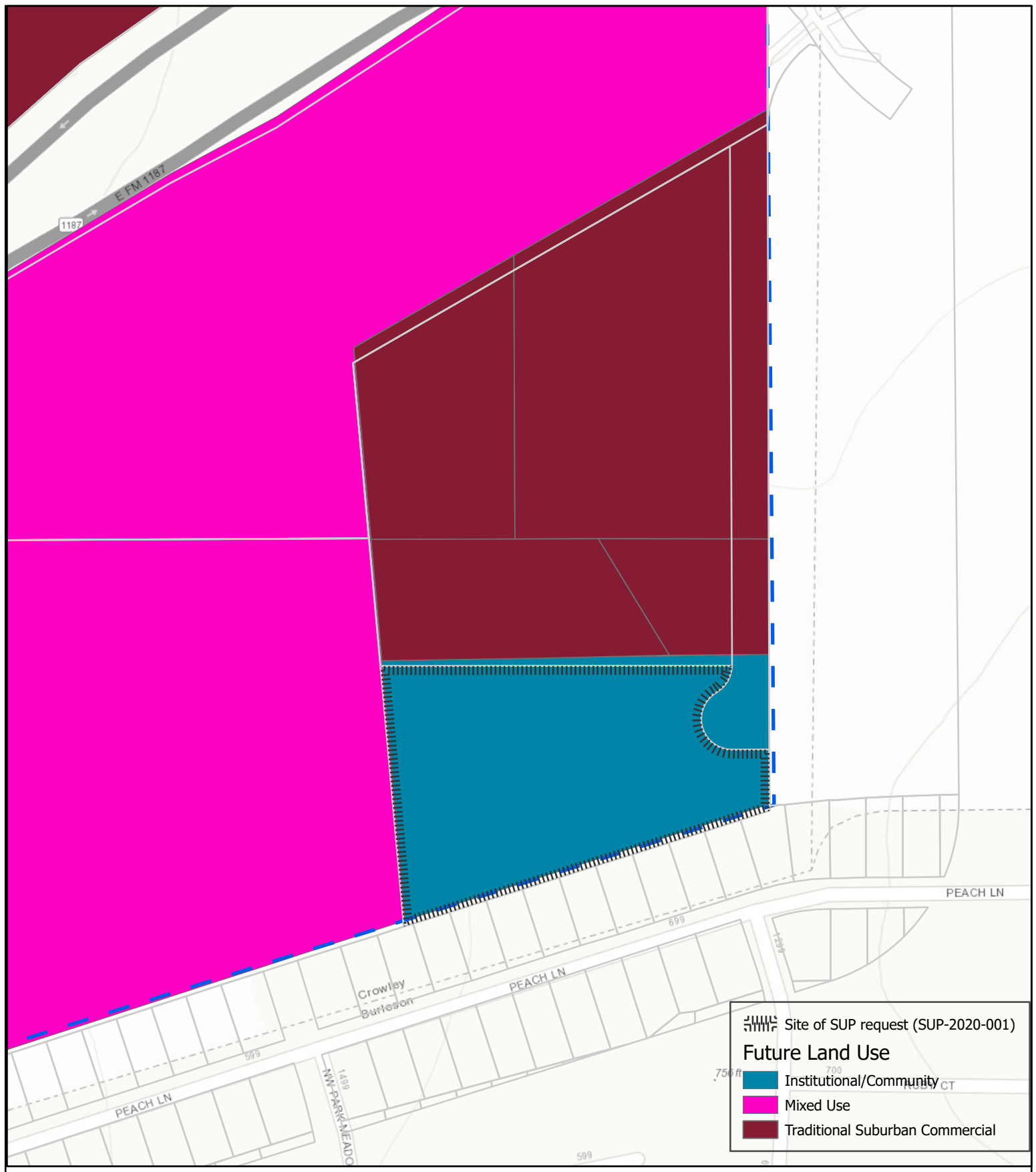
Deny: I find that the proposed use does not meet the criteria for a specific use permit and make a motion to deny Ordinance No. 07-2021-432

## **ATTACHMENTS:**

- Maps showing zoning, Future Land Use Plan designations, and current land uses
- Site plan and elevations
- Application
- Ordinance

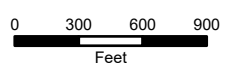


Name: SUP-2020-001



6/22/2021

## Future Land Use SUP-2020-001



**DISCLAIMER**  
This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information, should review or consult the primary data and information sources to ascertain the usability of the information.





6/22/2021

## Surrounding Land Uses

SUP-2020-001

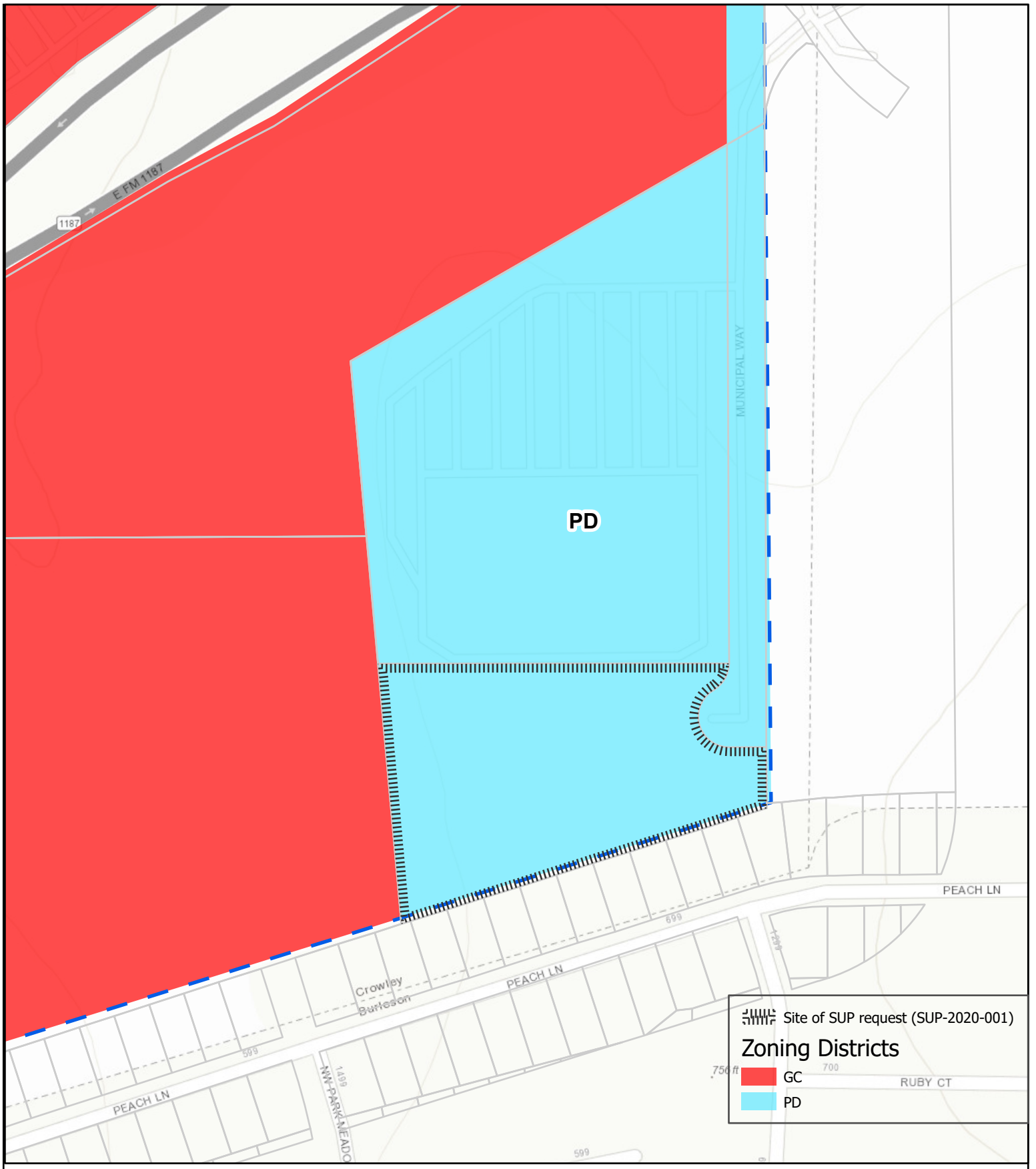
0 300 600 900  
Feet



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Name: SUP-2020-001



6/22/2021

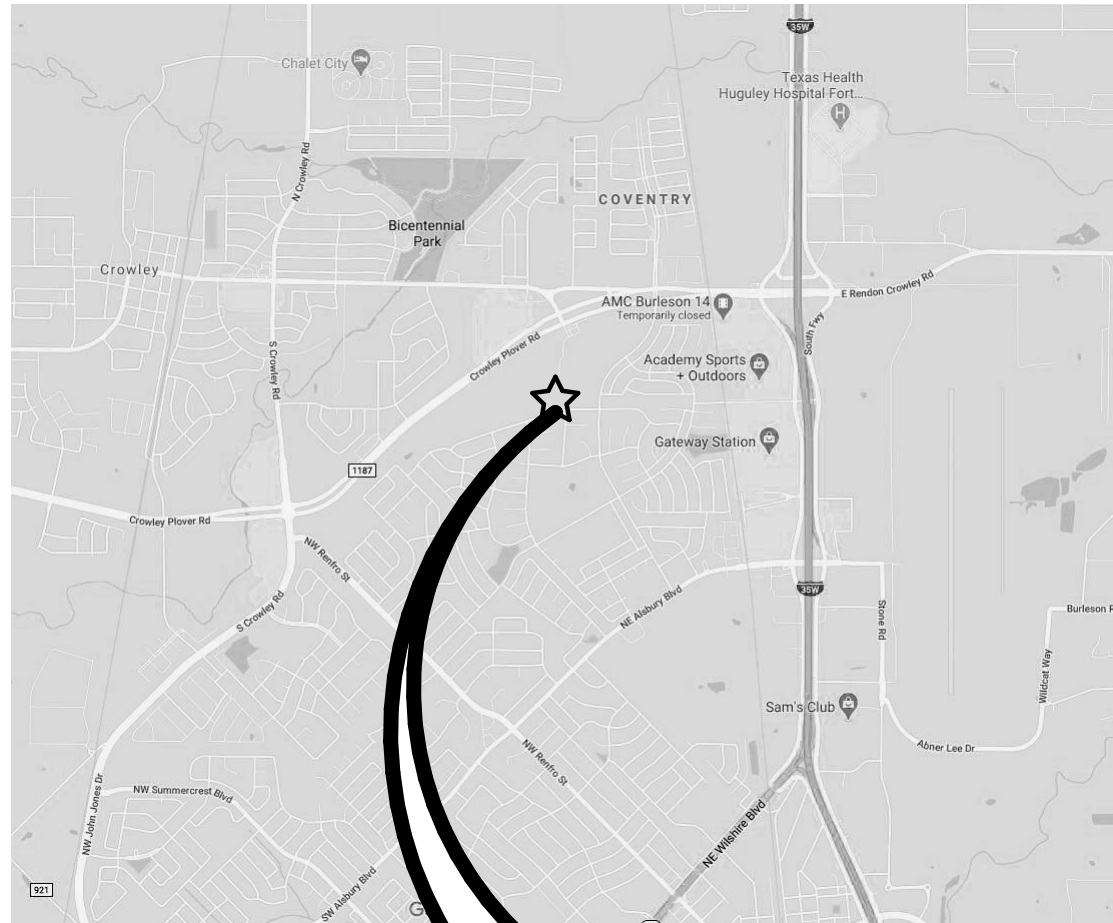
## Zoning Districts SUP-2020-001

0 300 600 900  
Feet



**DISCLAIMER**  
This product is for informational purposes  
and may not have been prepared for, or be suitable  
for legal, engineering, or surveying purposes.  
Users of this information, should review or consult  
the primary data and information sources  
to ascertain the usability of the information.





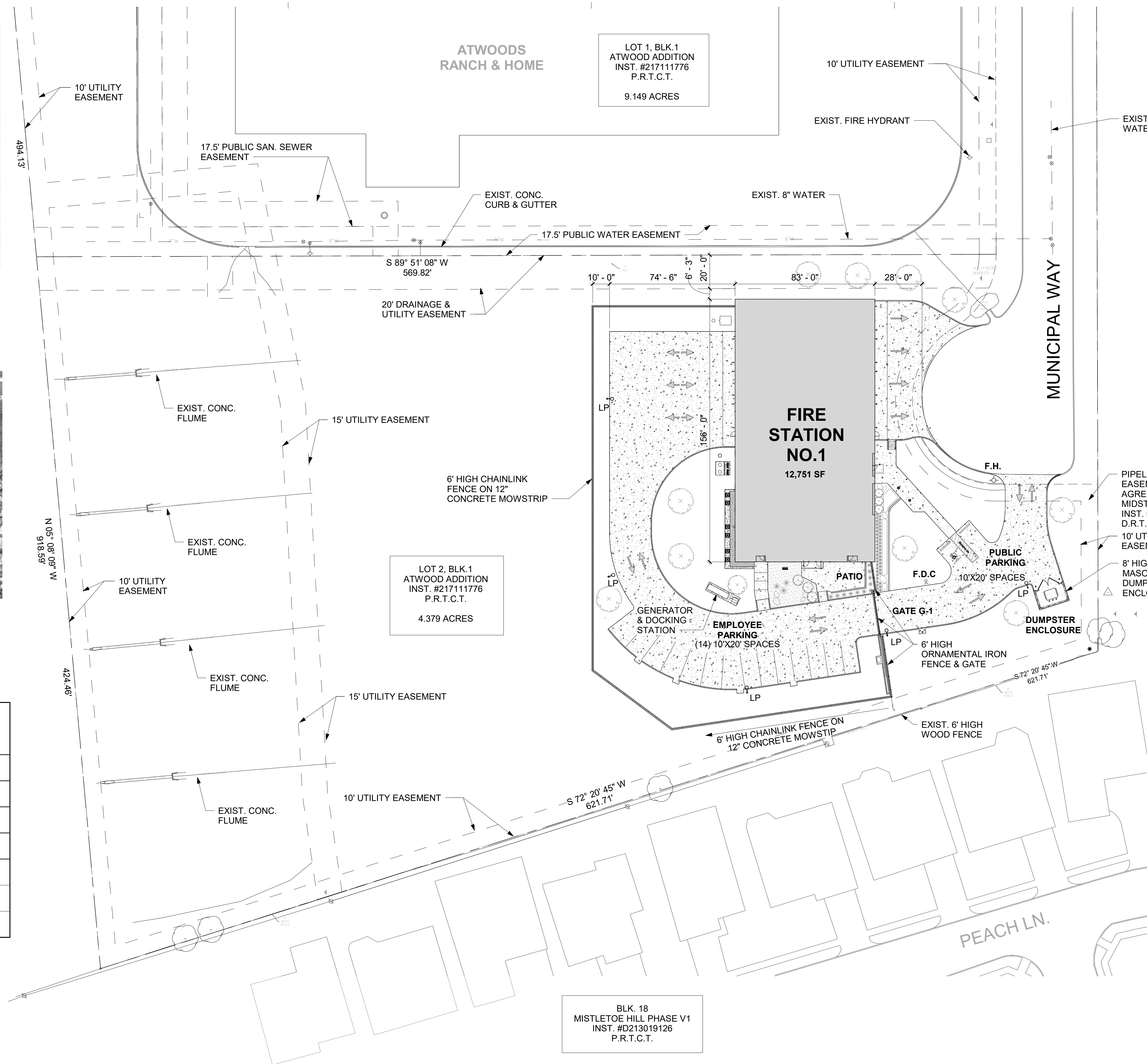
PROJECT  
LOCATION



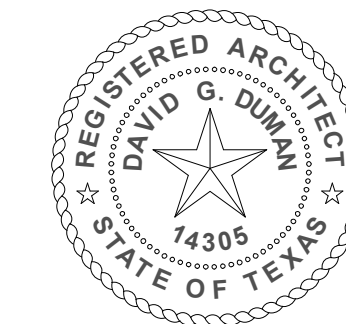
PROJECT  
LOCATION



CROWLEY FIRE STATIN NO.1 911 MUNICIPAL WAY CROWLEY, TX 76036	
TOTAL BUILDING AREA:	12,751 S.F.
BUILDING HEIGHT:	29' - 6" A.F.F. (RIDGE OF ROOF)
TOTAL LOT COVERAGE:	12,751 S.F.
TOTAL IMPERVIOUS AREA:	38,416 S.F.
PUBLIC PARKING:	1 + 1 H.C. ACCESSIBLE (10' X 20' PARKING SPACES)
EMPLOYEE PARKING:	14 SPACES (10' X 20' PARKING SPACES)
TOTAL PARKING:	16 PARKING SPACES



**quorum**  
ARCHITECTURE · INTERIOR DESIGN  
825 W Vickery Blvd, Suite 100  
Fort Worth, TX 76104  
(817) 738-8095



David Duman  
2021.05.17 11:30:34-0500

CITY OF CROWLEY  
FIRE STATION NO.1  
911 MUNICIPAL WAY  
CROWLEY, TX 76036  
SITE PLAN SUBMITTAL

REVISIONS:		
NO.	DESCRIPTION	DATE

PROJECT NO.: QAI # 19107  
FILE: C:\Users\calvin\Documents\19107\_CrowleyFire\_Central\_calvin.rvt  
DATE: MAY 6, 2021  
DRAWN BY: Author  
SCALE: AS NOTED

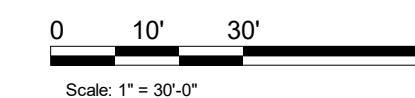
SHEET TITLE:  
SITE PLAN SUBMITTAL -  
OVERALL

**SS100**

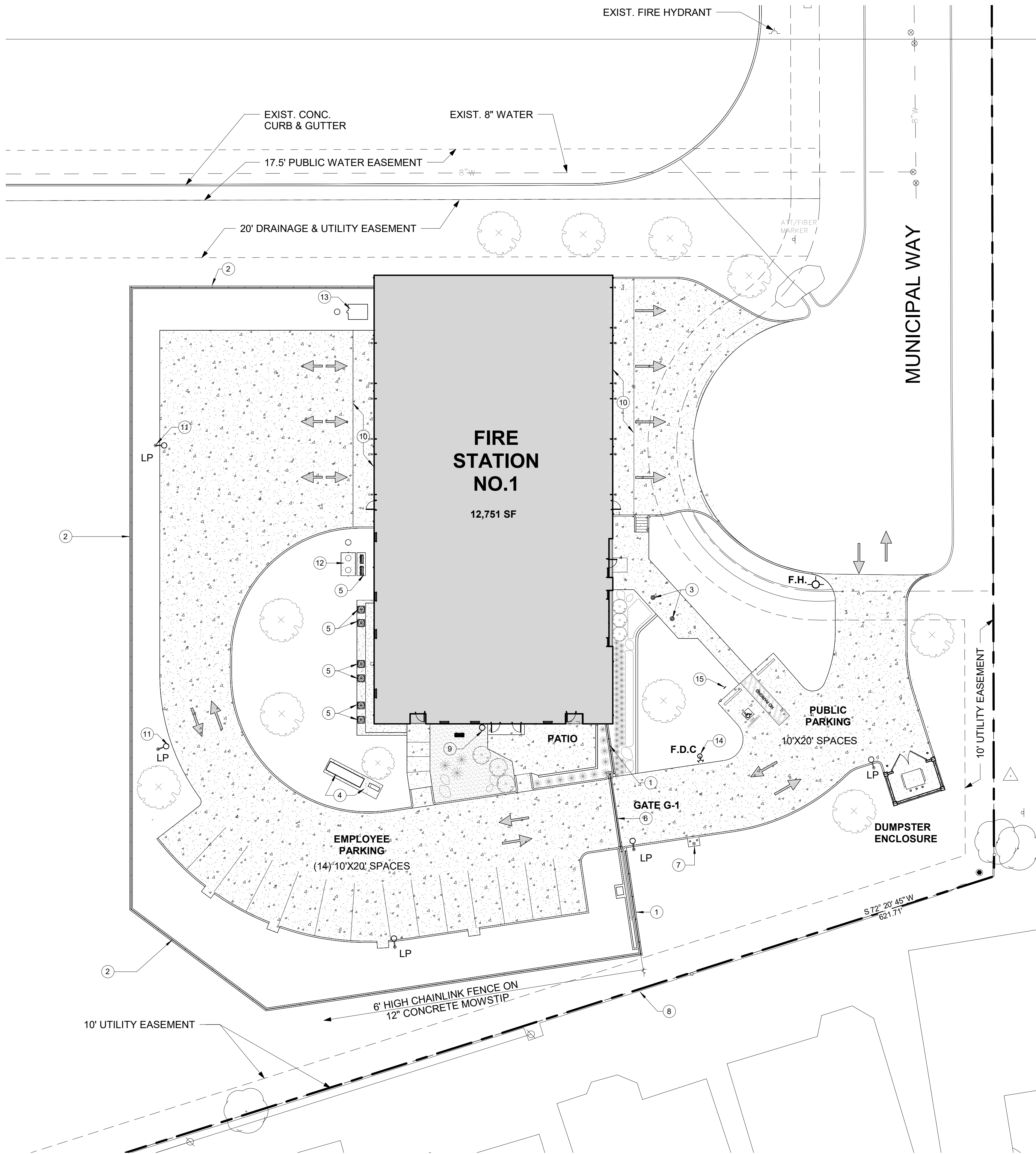
SHEET - OF -

1 OVERALL SITE PLAN

SS100 SCALE: 1" = 30'-0"







GENERAL NOTES - SITE PLAN

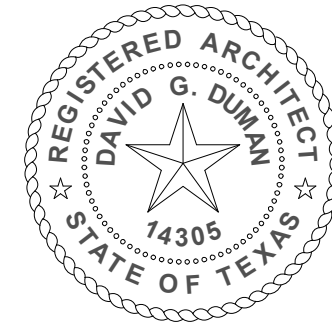
- A. WARP ALL EXTERIOR PAVEMENT AT DOORWAYS TO FINISHED FLOOR WITH SLOPE NOT EXCEEDING 1.5% FOR 5 FEET IN EACH DIRECTION AND 1'-6" MINIMUM FROM DOOR LATCH. ALL WALKS SHALL BE SLOPED 5% MAXIMUM IN THE DIRECTIONS OF TRAVEL AND 2% ON CROSS SLOPES. NO STEP GREATER THAN 1/4" ALONG THE ACCESSIBLE ROUTE.
- B. PROVIDE A RECESSED MOUNTED KNOX BOX WITH AN ALARM TIMER SWITCH. TAMPER SWITCH MUST BE WIRED INTO FIRE ALARM PANEL OR BURGLAR ALARM PANEL. COORDINATE WITH FIRE DEPARTMENT.
- C. GC TO COORDINATE ALL CONTROL JOINTS/PAVING AT DOOR STOOPS.
- D. REFER TO CIVIL, MECHANICAL, PLUMBING, AND ELECTRICAL DRAWINGS FOR RELATED WORK. COORDINATE ALL PAVING, CURBS, GRADES, DIMENSIONS, ETC. WITH CIVIL DRAWINGS.
- E. ACCESSIBLE PARKING SPACES SHALL BE 9'-0" WIDE MINIMUM. ACCESS AISLES SHALL BE 8'-0" WIDE MINIMUM. PARKING SPACES AND ACCESS AISLES SHALL BE LEVEL WITH SURFACE SLOPES NOT EXCEEDING 1.5% IN ALL DIRECTIONS.
- F. EACH ACCESSIBLE PARKING SPACE SHALL BE DESIGNATED AS RESERVED WITH A SIGN SHOWING THE SYMBOL OF ACCESSIBILITY. SIGN SHALL BE LOCATED 60" MINIMUM ABOVE THE PAVING SURFACE AND IN COMPLIANCE WITH ADA REQUIREMENTS.
- G. ALL DRIVEWAY AND SIDEWALK INTERSECTIONS SHALL HAVE BARRIER FREE RAMPS IN ACCORDANCE WITH CURRENT CITY STANDARDS, ADA AND TAS REQUIREMENTS.
- H. WHERE NEW CONCRETE COMES INTO CONTACT WITH A CONCRETE WALL, FOUNDATION OR OTHER STRUCTURE, PROVIDE 1/2" EXPANSION JOINT MATERIAL WITH BACKER ROD AND SEALANT.
- I. SLOPE FINAL GRADE TO DRAIN AWAY FROM BUILDING.
- J. PAINTED STRIPES TO BE 4" WIDE, TYPICAL. COLOR TO BE DETERMINED BY OWNER / ARCHITECT.
- K. PROVIDE CONCRETE WHEELSTOPS AS REQUIRED.
- L. ALL GATES / FENCE TO HAVE A MAXIMUM 2" OPENING THROUGHOUT PERIMETER BARRIER DESIGN: BETWEEN PANELS, ALONG PANEL SIDES / BOTTOM, AT ALL HINGE AND LATCH LOCATIONS, AT SIDE / BOTTOM OF GATES.

SITE LEGEND

- FH FIRE HYDRANT
- FDC FIRE DEPARTMENT CONNECTION
- K KNOX BOX - COORDINATE EXACT LOCATION AND DESIGN WITH FIRE DEPARTMENT AND ARCHITECT.
- LP LIGHT POLE

SITE PLAN NOTES

- 1 6' HIGH ORNAMENTAL IRON FENCE ON 12" CONCRETE MOWSTRIP
- 2 6' HIGH CHAINLINK FENCE ON 12" CONCRETE MOWSTRIP
- 3 (2) NEW 30' FLAGPOLES -.REFER TO ELECTRICAL FOR LIGHTING.
- 4 GENERATOR & DOCKING STATION ON CONCRETE PAD. REFER TO ELECTRICAL
- 5 HVAC CONDENSER UNITS ON CONCRETE PAD - REFER TO MECHANICAL
- 6 6' HIGH MOTORIZED ORNAMENTAL IRON GATE
- 7 DOUBLE-HEIGHT CARD READER MOUNTED ON 4"x4" GOOSENECK POST. READER HEIGHTS AT 4'-0" & 7'-6". COORDINATE BOLLARD LOCATIONS W/ CARD READER DIMENSIONS.
- 8 EXISTING 6' HIGH WOOD FENCE TO REMAIN
- 9 NEW WALL MOUNTED RADIO ANTENNAE BY OWNER MOUNTED AT PEAK OF BUILDING - COORDINATE MOUNTING REQUIREMENTS AND FINAL LOCATION WITH OWNER.
- 10 TRANSITION SLAB - REFER TO STRUCTURAL.
- 11 LIGHT POLE TO HAVE 3'-0" TALL CONCRETE BASE - REFER TO STRUCTURAL
- 12 GREASE INTERCEPTOR - REFER TO PLUMBING
- 13 SAND-OIL SEPARATOR - REFER TO PLUMBING
- 14 FDC - REFER TO CIVIL & PLUMBING
- 15 HC ACCESSIBLE PARKING SIGN - REFER TO CIVIL



David Duman  
2021.05.17 11:30:34-0500

CITY OF CROWLEY  
FIRE STATION NO.1  
911 MUNICIPAL WAY  
CROWLEY, TX 76036  
SITE PLAN SUBMITTAL

REVISIONS:

NO.	DESCRIPTION	DATE

PROJECT NO.: QAI # 19107  
FILE:C:\Users\calvin\Documents\19107\_CrowleyFire\_Central\_calvin.rvt  
DATE: MAY 6, 2021  
DRAWN BY: Author  
SCALE: AS NOTED

SHEET TITLE:  
SITE PLAN SUBMITTAL  
ENLARGED PARTIAL SITE

SS101





EAST ELEVATION - VIEW FROM SOUTHEAST



PARTIAL EAST ELEVATION



EAST ELEVATION - VIEW FROM NORTHEAST



WEST ELEVATION



SOUTH ELEVATION



*David G. Duman* David Duman  
2021.05.17 11:30:34-0500

CITY OF CROWLEY  
FIRE STATION NO.1  
911 MUNICIPAL WAY  
CROWLEY, TX 76036  
SITE PLAN SUBMITTAL

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DATE: MAY 6, 2021  
DRAWN BY: Author  
SCALE: AS NOTED

SHEET TITLE:  
SITE PLAN SUBMITTAL  
RENDERINGS

**SS102**

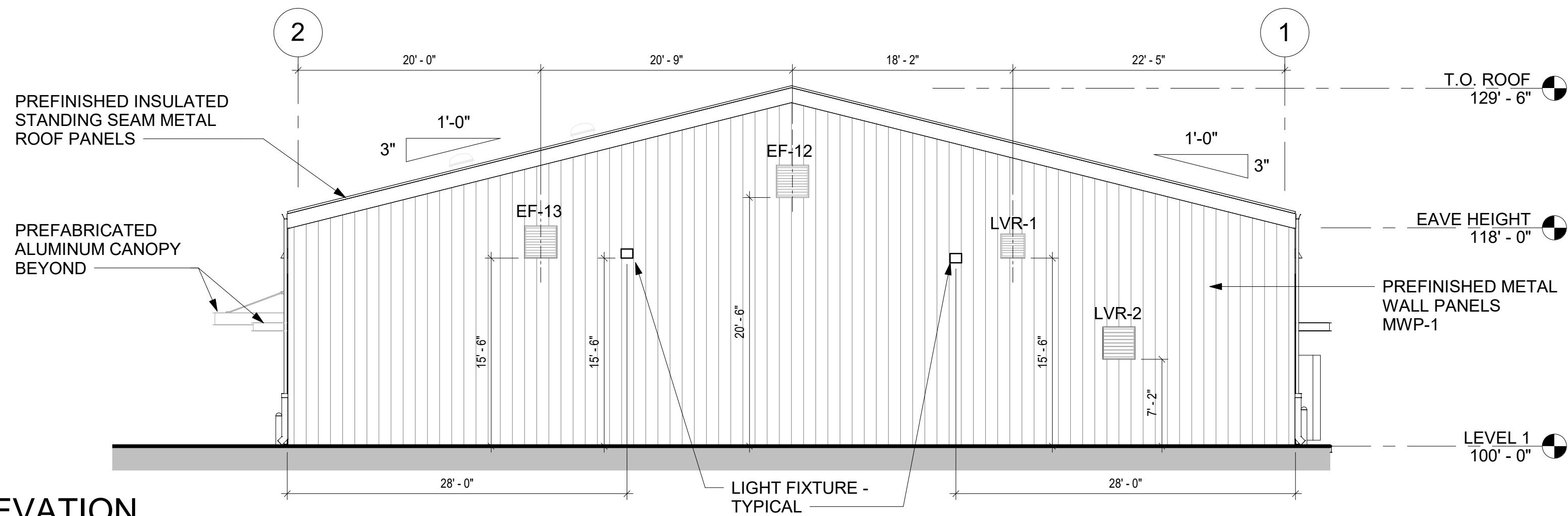


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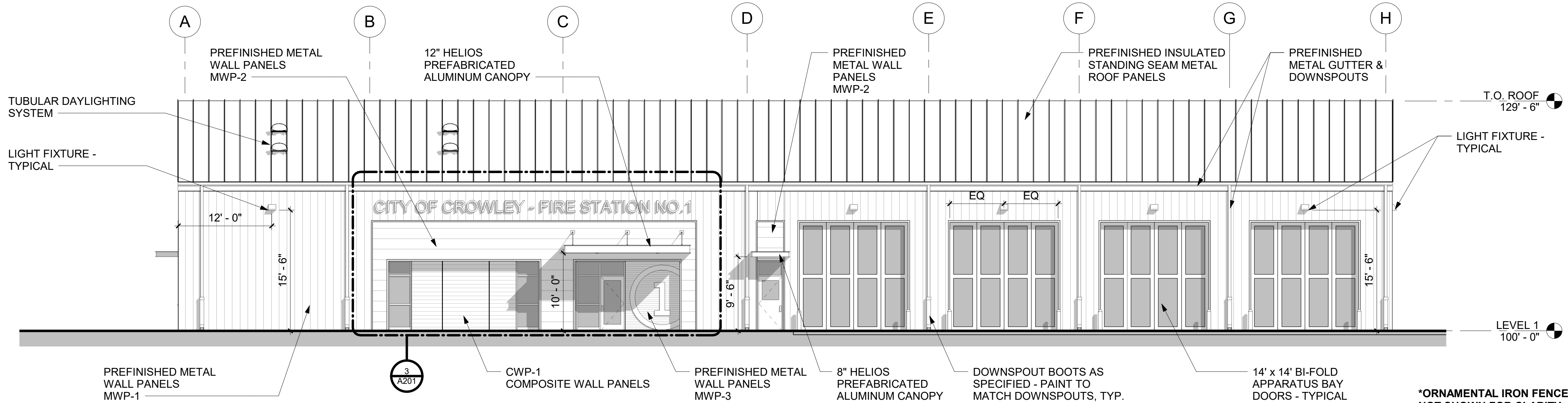
3 EXTERIOR ELEVATION - ENLARGED

A201 SCALE: 3/8" = 1'-0"



2 NORTH ELEVATION

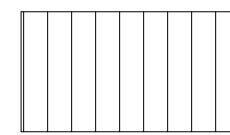
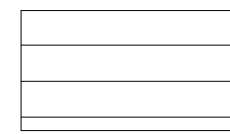

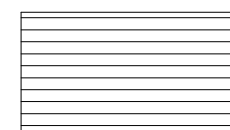
A201 SCALE: 1/8" = 1'-0"



1 EAST ELEVATION

A201 SCALE: 1/8" = 1'-0"

## EXTERIOR FINISHES

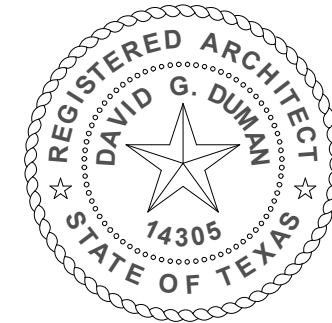
	MWP-1	METAL WALL PANEL PAC-CLAD R-36 COLOR: MUSKET GRAY
	MWP-2	METAL WALL PANEL PAC-CLAD HIGHLINE S1 COLOR: CITYSCAPE
	MWP-3	METAL WALL PANEL PAC-CLAD HIGHLINE C1 COLOR: CARDINAL RED
	CWP-1	COMPOSITE WALL PANEL MANUF: NICHIIA COLOR: VINTAGE WOOD CEDAR

MATERIAL	MANUFACTURER	COLOR
STANDING SEAM METAL ROOF	PAC CLAD - TITE LOC PLUS	GRAPHITE
METAL FASCIA	PAC CLAD	MUSKET GRAY
METAL SOFFIT & TRIM	PAC CLAD	CITYSCAPE
METAL GUTTER & DOWNSPOUTS	PAC CLAD	MUSKET GRAY
ALUMINUM FRAMES	PER SPEC	ANODIZED ALUMINUM
HOLLOW METAL DOORS & FRAMES	REFER TO FINISH SCHEDULE	-
ORNAMENTAL IRON METAL FENCE	AMERISTAR ECHELON PLUS	BLACK
BOLLARDS	SHERWIN WILLIAMS	SW 6871 POSITIVE RED
CMU AT DUMPSTER ENCLOSURE	TEXAS BUILDING PRODUCTS	GREYHOUND
BI-FOLD BAY & OVERHEAD SECTIONAL DOORS	SHERWIN WILLIAMS	SW 6871 POSITIVE RED
PREFABRICATED ALUMINUM CANOPY (8")	ARCHITECTURAL FABRICATION	CHARCOAL
PREFABRICATED ALUMINUM CANOPY (12") *MAIN ENTRANCE	ARCHITECTURAL FABRICATION	FIRE ENGINE RED

**NOTE:** COLOR SELECTION PROVIDED FOR BASIS OF DESIGN PURPOSES. ALL FINAL COLOR SELECTIONS TO BE MADE FROM MANUFACTURER'S FULL RANGE BY ARCHITECT AND OWNER.

**quorum**  
ARCHITECTURE · INTERIOR DESIGN

825 W Vickery Blvd, Suite 100  
Fort Worth, TX 76104  
(817) 738-8095



*David G. Duman*  
David Duman  
2021.05.17 11:30:34-0500

CITY OF CROWLEY  
FIRE STATION NO.1  
911 MUNICIPAL WAY  
CROWLEY, TX 76036  
SITE PLAN SUBMITTAL

## REVISIONS:

NO.	DESCRIPTION	DATE

PROJECT NO.: QAI # 19107

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DATE: MAY 6, 2021

DRAWN BY: Author

SCALE: AS NOTED

SHEET TITLE:  
BUILDING ELEVATIONS

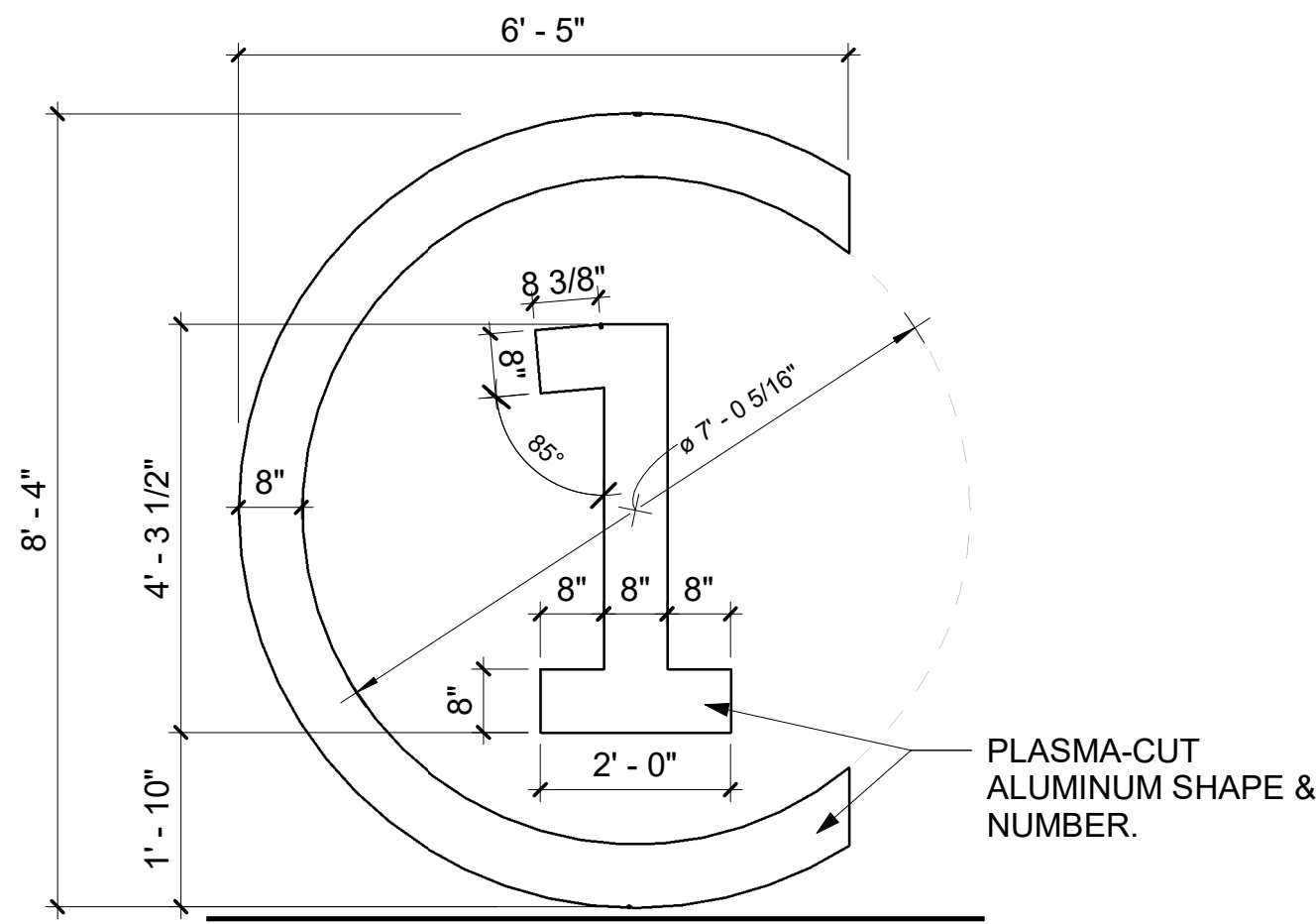
**A201**

SHEET - OF -

\*ORNAMENTAL IRON FENCE  
NOT SHOWN FOR CLARITY

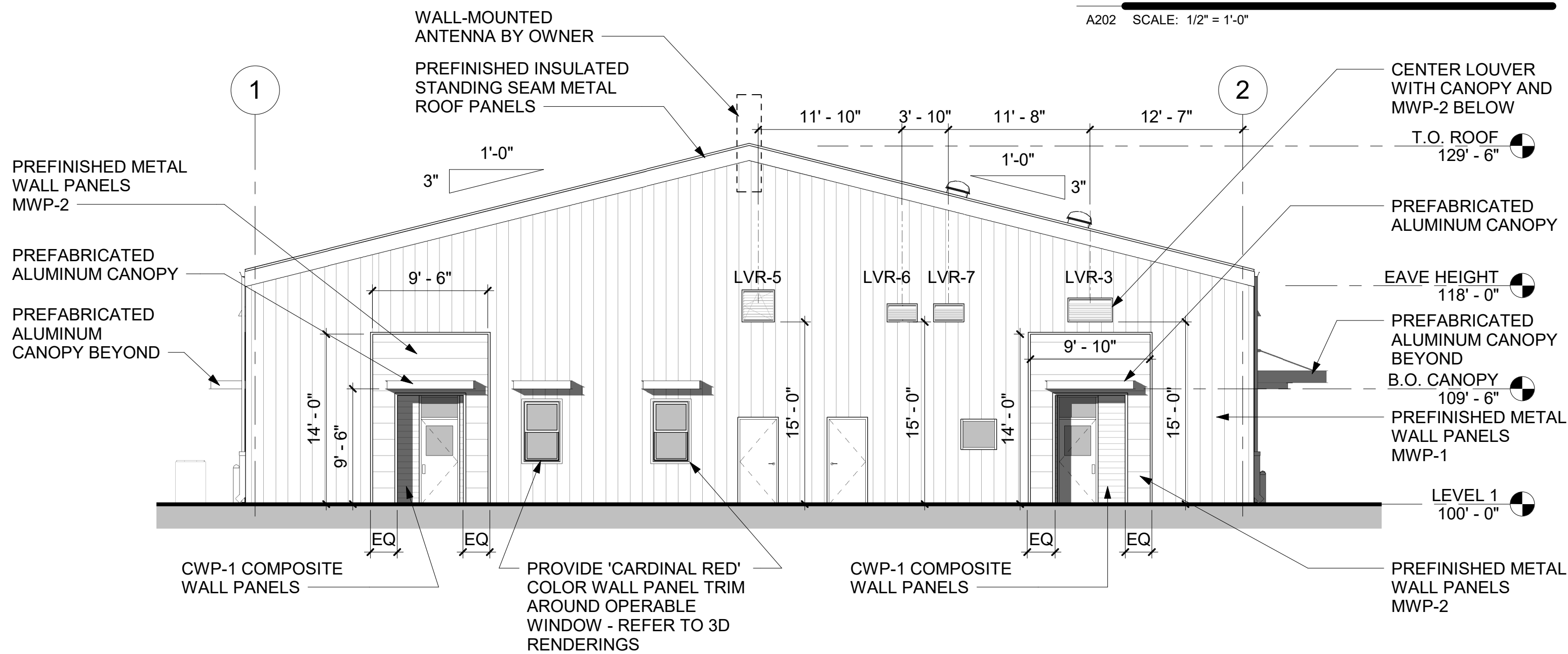


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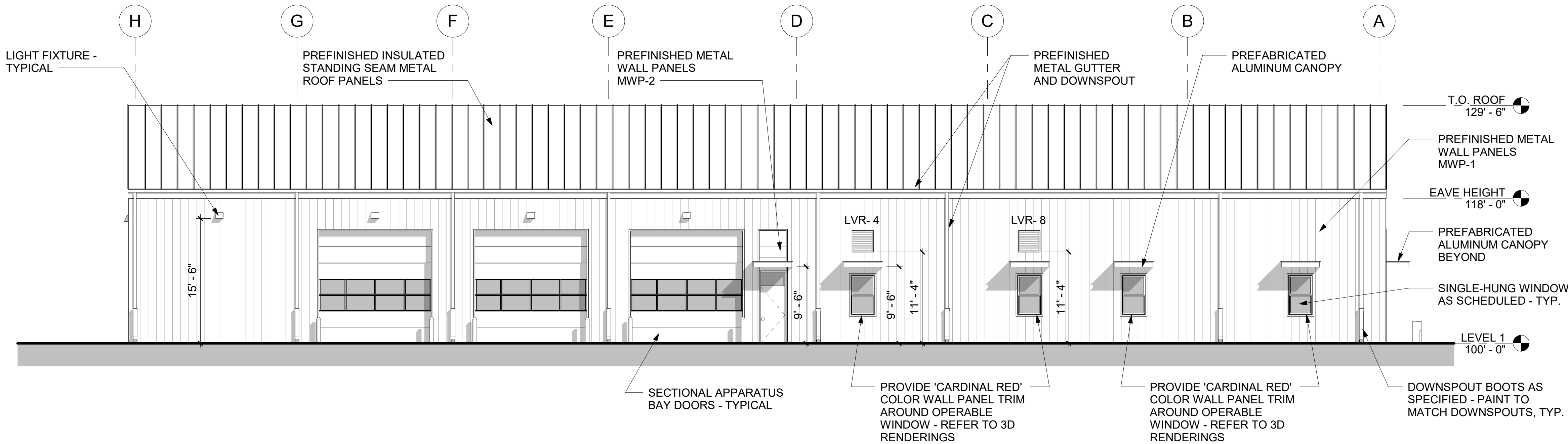
### 3 FRONT SIGNAGE

A202 SCALE: 1/2" = 1'-0"



### 2 SOUTH ELEVATION

A202 SCALE: 1/8" = 1'-0"



### 1 WEST ELEVATION

A202 SCALE: 1/8" = 1'-0"

### EXTERIOR FINISHES

	MWP-1	METAL WALL PANEL PAC-CLAD R-36 COLOR: MUSKET GRAY
	MWP-2	METAL WALL PANEL PAC-CLAD HIGHLINE S1 COLOR: CITYSCAPE
	MWP-3	METAL WALL PANEL PAC-CLAD HIGHLINE C1 COLOR: CARDINAL RED
	CWP-1	COMPOSITE WALL PANEL MANUF: NICHHA COLOR: VINTAGE WOOD CEDAR

MATERIAL	MANUFACTURER	COLOR
STANDING SEAM METAL ROOF	PAC CLAD - TITE LOC PLUS	GRAPHITE
METAL FASCIA	PAC CLAD	MUSKET GRAY
METAL SOFFIT & TRIM	PAC CLAD	CITYSCAPE
METAL GUTTER & DOWNSPOUTS	PAC CLAD	MUSKET GRAY
ALUMINUM FRAMES	PER SPEC	ANODIZED ALUMINUM
HOLLOW METAL DOORS & FRAMES	REFER TO FINISH SCHEDULE	-
ORNAMENTAL IRON METAL FENCE	AMERISTAR ECHOLON PLUS	BLACK
BOLLARDS	SHERWIN WILLIAMS	SW 6871 POSITIVE RED
CMU AT DUMPSTER ENCLOSURE	TEXAS BUILDING PRODUCTS	GREYHOUND
BI-FOLD BAY & OVERHEAD SECTIONAL DOORS	SHERWIN WILLIAMS	SW 6871 POSITIVE RED
PREFABRICATED ALUMINUM CANOPY (8")	ARCHITECTURAL FABRICATION	CHARCOAL
PREFABRICATED ALUMINUM CANOPY (12") *MAIN ENTRANCE	ARCHITECTURAL FABRICATION	FIRE ENGINE RED

NOTE: COLOR SELECTION PROVIDED FOR BASIS OF DESIGN PURPOSES, ALL FINAL COLOR SELECTIONS TO BE MADE FROM MANUFACTURER'S FULL RANGE BY ARCHITECT AND OWNER.

quorum

ARCHITECTURE · INTERIOR DESIGN

825 W Vickery Blvd, Suite 100  
Fort Worth, TX 76104  
(817) 738-8095



David Duman  
2021.05.17 11:30:34-0500

CITY OF CROWLEY  
FIRE STATION NO.1  
911 MUNICIPAL WAY  
CROWLEY, TX 76036  
SITE PLAN SUBMITTAL

#### REVISIONS:

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PROJECT NO.: QAI # 19107

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DATE: MAY 6, 2021

DRAWN BY: Author

SCALE: AS NOTED

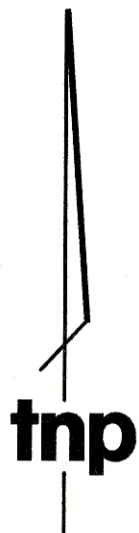
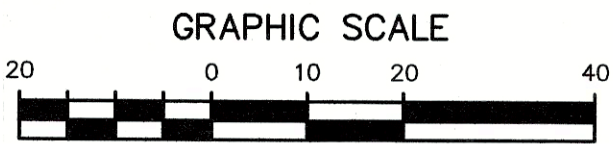
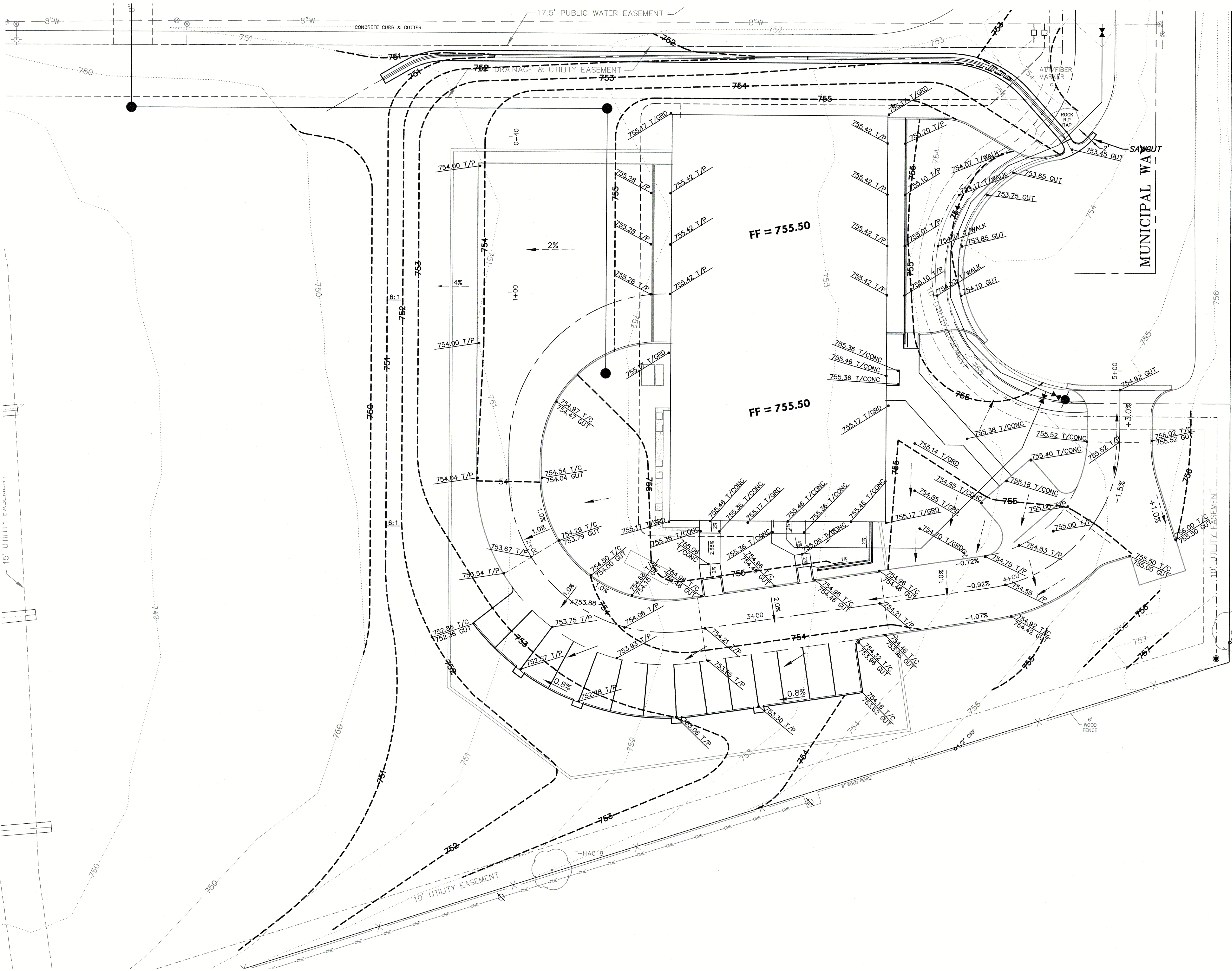
SHEET TITLE:  
BUILDING ELEVATIONS

A202

SHEET - OF -



Drawing: O:\PROJECTS\0019543\02-GRADING.dwg at Apr 29, 2021 - 1:35pm by cshuport  
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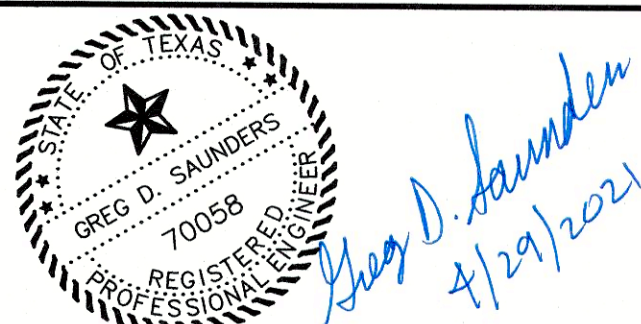
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N 6893851.99  
E 2327793.75  
GMR WILLIAMS PIPELINE  
GMR WILLIAMS PIPELINE  
T-HAC 10.8  
T-HAC 12

**UTILITY NOTE**  
THE UTILITIES SHOWN ON THE PLANS WERE COMPILED FROM VARIOUS SOURCES AND ARE INTENDED TO SHOW THE GENERAL EXISTENCE AND LOCATION OF UTILITIES IN THE AREA OF CONSTRUCTION. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE UTILITY INFORMATION SHOWN ON THE PLANS. THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL CONTACT UTILITY COMPANIES 48 HOURS IN ADVANCE OF ANY CONSTRUCTION ACTIVITIES IN ORDER TO DETERMINE IF THERE IS ANY CONFLICT WITH THE PROPOSED FACILITIES. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY WHEN CONFLICTS WITH EXISTING UTILITIES ARE DISCOVERED.

**teague nall and perkins, inc**  
5237 N. Riverside Drive, Suite 100  
Fort Worth, Texas 76137  
817.336.5773 ph 817.336.2813 fx  
www.tnppinc.com  
TBPES: ENGR F-230; SURV 10011600, 10011601, 10194381  
GBPE: PEF007431; TBAE: BR 2673



scale  
horiz  
1" = 20'  
vert  
N/A  
date  
APRIL 2021



**City of CROWLEY, Texas**  
Water & Sanitary Sewer Improvements for  
**FIRE STATION #1**  
**GRADING PLAN**

tnp project  
QUO19543  
sheet  
**C-2**

**CITY OF CROWLEY**  
**FIRE STATION #1**  
MUNICIPAL WAY  
CROWLEY, TX 76036  
SITE PLAN SUBMITTAL

REVISIONS:		
NO.	DESCRIPTION	DATE

PROJECT NO.: QAI # 19107  
FILE C:\Users\calvin\Documents\19107\_CrowleyFire\_Central\_calvin.rvt  
DATE: MAY 6, 2021  
DRAWN BY: CSS  
SCALE: AS NOTED  
SHEET TITLE: GRADING SHEET

**C-2**

SHEET - OF -











**Sec. 106-1366. - Multifamily and nonresidential requirements.**

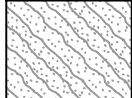


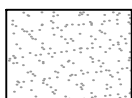
(1) A landscaped strip shall be provided adjacent to all public and private streets. The landscaped strip shall be a minimum of ten feet, exclusive of street right-of-way. Within the landscaped strip, one shade tree (three-inch caliper minimum) shall be provided per 500 square feet of landscaped strip.

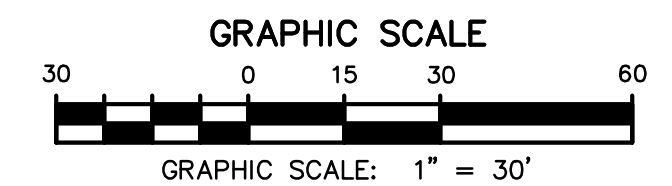
(3) Interior parking areas shall be landscaped in addition to the required landscaped strip. Trees must be provided in each parking lot at a minimum average density of one shade tree (three-inch caliper minimum) for each 15 parking spaces.

(3) Additionally, interior parking lot landscaping shall be provided in accordance with the following: (4) Parking lots smaller than 7,000 square feet need not provide interior landscaping.

Total Parking Area	Interior

<u>TREES</u>	<u>COMMON NAME</u>
	CEDAR ELM
	TEXAS RED OAK
<u>ORNAMENTAL TREES</u>	<u>COMMON NAME</u>
	NATCHEZ CRAPE MYRTLE
<u>SHRUBS</u>	<u>COMMON NAME</u>
	DWARF BURFORD HOLLY
	LINDHEIMER'S MUHLY
	RED YUCCA
	RIO BRAVO TEXAS SAGE
	'LEMON-LIME' NANDINA

<p><u>SHRUB AREAS</u></p> 	<p><u>COMMON NAME</u></p> <p>MEXICAN FEATHER GRASS</p>
<p><u>GROUND COVERS</u></p> 	<p><u>COMMON NAME</u></p> <p>DECOMPOSED GRANITE</p>
<p><u>SEED</u></p> 	<p><u>COMMON NAME</u></p> <p>BERMUDA HYDROMULCH</p>
<p><u>SOD</u></p> 	<p><u>COMMON NAME</u></p> <p>SOD</p>

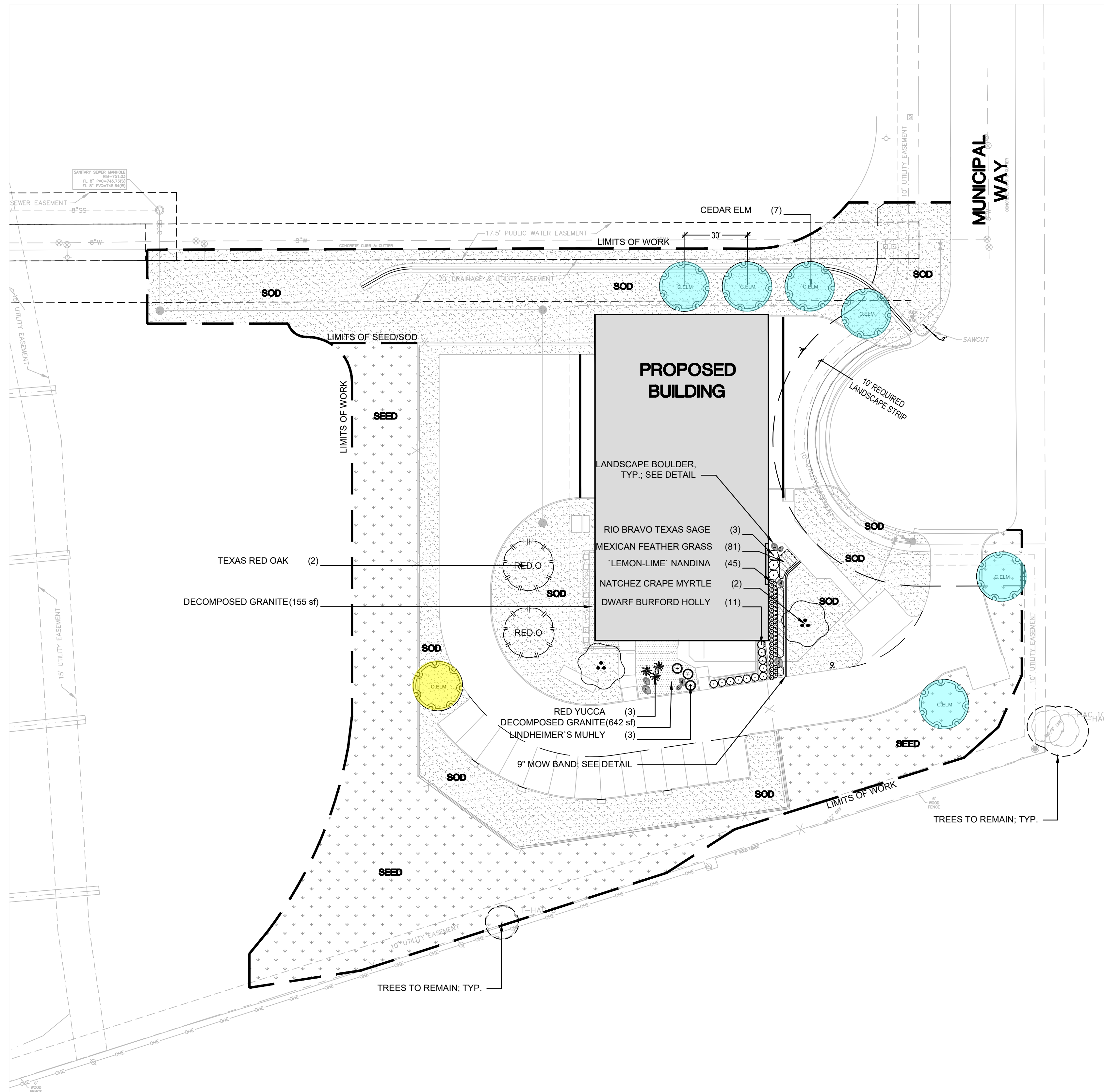


CITY OF CROWLEY  
FIRE STATION #1  
MUNICIPAL WAY  
CROWLEY, TX 76036  
SITE PLAN SUBMITTAL

[illegible]

## L-1

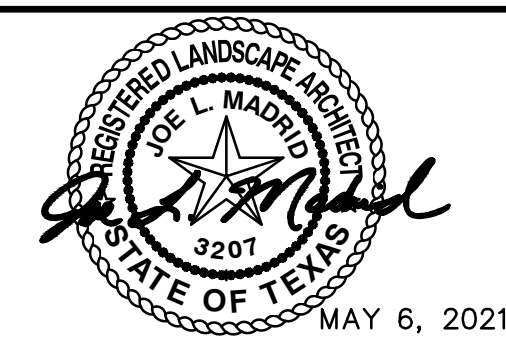
SHEET - OF -



**teague nall and perkins, inc**  
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GBPE: PEF007431; TBAE: BR 2673



scale
horiz
1" = 30'
vert
N/A
date
APRIL 2021

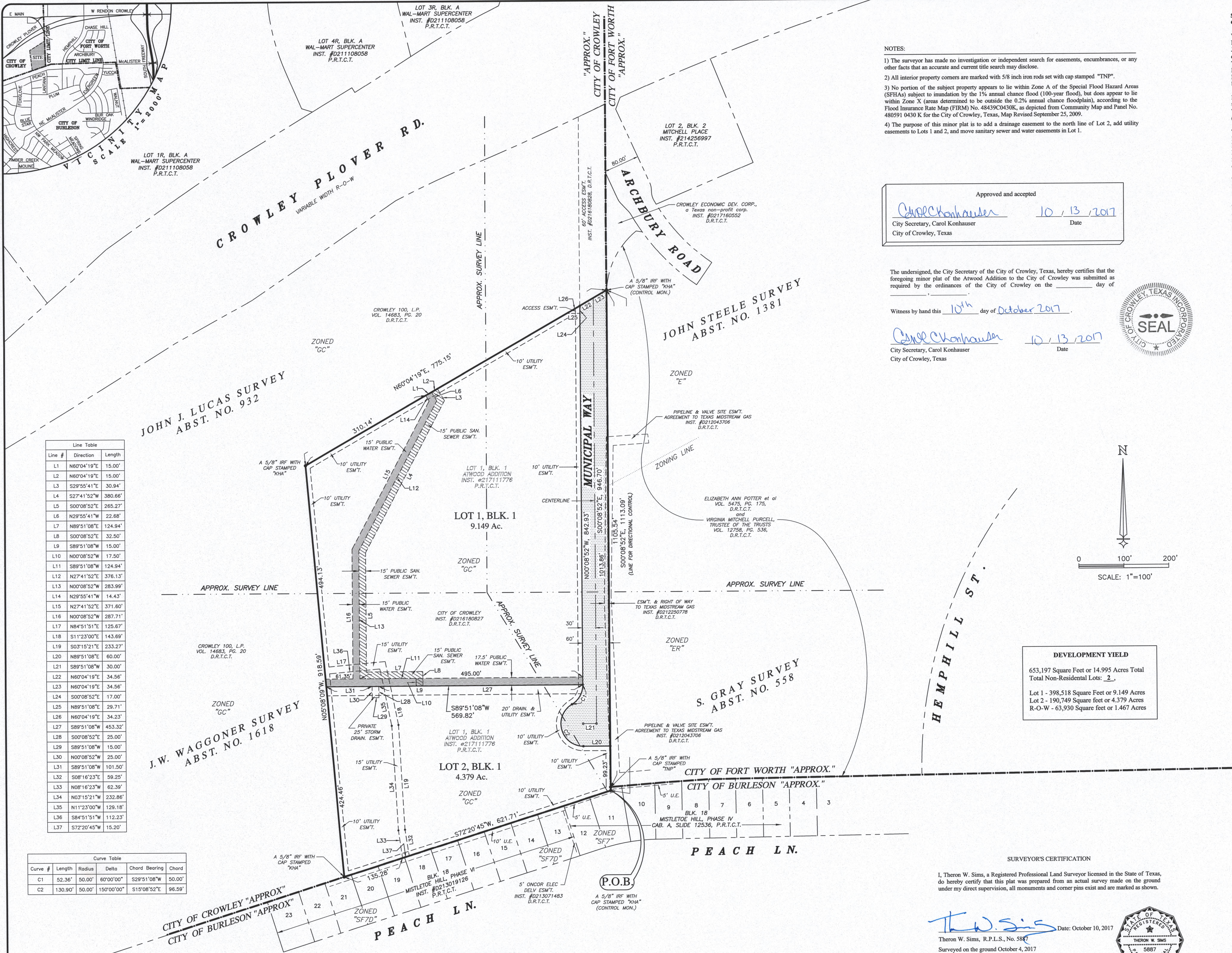


## Water & Sanitary Sewer Improvements for **FIRE STATION #1**

## LANDSCAPE PLAN

tnp project  
QUO19543  
sheet  
L-1





STATE OF TEXAS §  
COUNTY OF TARRANT §

WHEREAS the City of Crowley, is the owner of 14.995 acres of land situated in the John Steele Survey, Abstract Number 1381, the John J. Lucas Survey, Abstract Number 932, the S. Gray Survey, Abstract Number 558 and the J.W. Waggoner Survey, Abstract Number 1618, City of Crowley, Tarrant County, Texas, also being all of that tract of land described in deed the City of Crowley, as filed in County Clerk's No. (C.C.) #D216180827, Deed Records of Tarrant County, Texas (D.R.T.C.T.), and also being all of the right-of-way dedicated for Municipal Way and all of Lots 1 and 2, Block 1, Atwood Addition, an addition to the City of Crowley, Tarrant County, Texas, as filed in Instrument #217111776, Plat Records of Tarrant County, Texas (P.R.T.C.T.) and being more particularly described by metes and bounds as follows:

**BEGINNING** at a 5/8 inch iron rod with cap stamped "KHA", found at the southeast corner of said City of Crowley tract, also being a re-entrant corner of Lot 11, Block 18, Mistletoe Hill, Phase IV, an addition to the City of Burleson, Tarrant County, Texas, according to the plat filed in Cabinet A, Slide 12536, Plat Records of Tarrant County, Texas (P.R.T.C.T.);

**THENCE** S 72°20'45" W, along the south line of said City of Crowley tract, passing along the north line of said Lot 11 and Lot 12 of said Block 18 and continuing along the north line of Lots 13 thru a portion of Lot 21, Block 18, Mistletoe Hill, Phase VI, an addition to the City of Burleson, Tarrant County, Texas, according to the plat filed in Instrument #D213019126, P.R.T.C.T., in all a distance of 621.71 feet to a 5/8 inch iron rod with cap stamped "KHA", found at the southwest corner of said City of Crowley tract, also being the southeast corner of the remainder of a tract of land described in deed to Crowley 100, L.P., as filed in Volume 14683, Page 20, D.R.T.C.T.;

**THENCE** N 05°08'09" W, along the west line of said City of Crowley tract and along an east line of said Crowley 100, L.P. remainder tract, a distance of 918.59 feet to a 5/8 inch iron rod with cap stamped "KHA", found at the northwest corner of said City of Crowley tract;

**THENCE** N 60°04'19" E, along the north line of said City of Crowley tract and along the most northerly south line of said Crowley 100, L.P. remainder tract, a distance of 775.15 feet to a 5/8 inch iron rod with cap stamped "KHA", found at the northeast corner of said City of Crowley tract, also being the most easterly southeast corner of said Crowley 100, L.P. remainder tract, and also being in the west line of a tract of land described in deed to Crowley Economic Development Corporation, a Texas non-profit corporation, as filed in Instrument #D217160552, D.R.T.C.T.;

**THENCE** S 00°08'52" E, along the east line of said City of Crowley tract, passing along the west line of said Crowley Economic Development, and passing along the west line of a tract of land described in deed to Elizabeth Ann Potter et al, Volume 5475, Page 175, D.R.T.C.T. and Virginia Mitchell Purcell, Trustee of the Trusts, as filed in Volume 12758, Page 536, D.R.T.C.T., at a distance of 1105.54 feet passing a 5/8 inch iron rod found with cap stamped "TNP", at the southwest corner of said Potter & Purcell tract, also being the northwest corner of said Lot 11, and continuing along the west line of said Lot 11 and the east line of said City of Crowley tract, in all a distance of 1113.09 feet to the **POINT OF BEGINNING** and containing 653,197 square feet or 14.995 acres of land.

**NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:** that the City of Crowley, does hereby adopt this plat designating the hereinabove described property as:

**LOTS 1 & 2, BLOCK 1  
ATWOOD ADDITION**

An addition to the City of Crowley, Tarrant County, Texas, and does hereby dedicate to the public use forever the streets and alleys shown hereon; and does hereby dedicate the easement strips shown on the plat for mutual use and accommodation of the City of Crowley and all public utilities desiring to use, or using same, no building, fences, trees, shrubs, signs or other improvements shall be constructed or placed upon, over or across the easement strips on said plat. The City of Crowley and any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, signs or other improvements or growths which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on any of these easement strips, and the City of Crowley and any public utility shall at all times have the right of ingress and egress to and from and upon any said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity at any time of procuring the permission of anyone. A blanket easement of a three-foot radius from the center point of all fire hydrants and a two-foot radius from the center point of all other appurtenances (fire hydrant valves, water meters, meter boxes) is hereby granted to the City of Crowley for the purpose of constructing, reconstructing, inspecting and maintaining the above named appurtenances.

We do further dedicate, subject to the expectations and reservations set forth hereinafter, to the public use forever, all public use spaces shown on the face of the plat.

All lots in the subdivision shall be sold and developed subject to the building lines shown on the plat.

WITNESS my hand on this 19 day of October 2017.

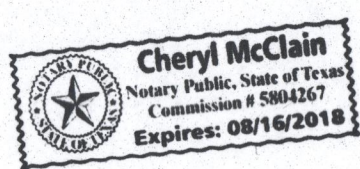
By: Billy P. Davis

STATE OF TEXAS  
COUNTY OF TARRANT

Before me, the undersigned authority, on this day personally appeared Billy P. Davis known to me to be the person whose name is subscribed to the above and foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 19 day of October, 2017.

Cheryl McClain  
Notary Public in and for the State of Texas



My Commission expires 8-16-18

THIS PLAT FILED IN C.C. #D 217244590, DATE: 10/20/2017.

**MINOR PLAT OF  
LOTS 1 & 2, BLOCK 1  
ATWOOD ADDITION**

An addition to the City of Crowley, Tarrant County, Texas, being situated in the John J. Lucas Survey, Abstract No. 932, the J.W. Waggoner Survey, Abstract No. 1618, the John Steele Survey, Abstract No. 1381 and the S. Gray Survey, Abstract No. 558, City of Crowley, Tarrant County, Texas and being all of the Right-of-Way dedicated for Municipal Way and all of Lots 1 and 2, Block 1, Atwood Addition, an addition to the City of Crowley, Tarrant County, Texas, as filed in Instrument #217111776, Plat Records of Tarrant County, Texas and containing 14.995 acres of land total.

Property currently Zoned "GC-General Commercial"

DATE: 10/10/2017

NOTES:

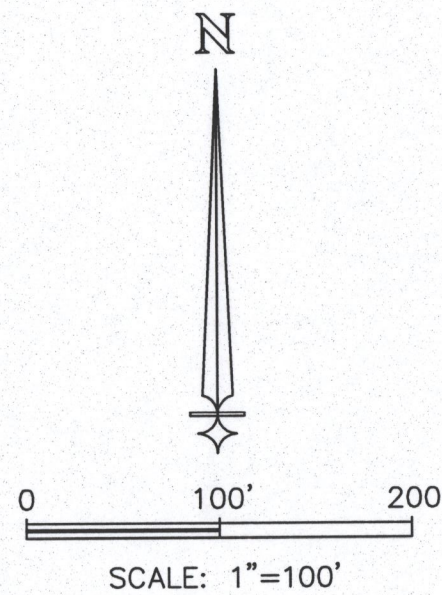
- The surveyor has made no investigation or independent search for easements, encumbrances, or any other facts that an accurate and current title search may disclose.
- All interior property corners are marked with 5/8 inch iron rods set with cap stamped "TNP".
- No portion of the subject property appears to lie within Zone A of the Special Flood Hazard Areas (SFHAs) subject to inundation by the 1% annual chance flood (100-year flood), but does appear to lie within Zone X (areas determined to be outside the 0.2% annual chance floodplain), according to the Flood Insurance Rate Map (FIRM) No. 48439C0430K, as depicted on Community Map and Panel No. 480591 0430 K for the City of Crowley, Texas, Map Revised September 25, 2009.
- The purpose of this minor plat is to add a drainage easement to the north line of Lot 2, add utility easements to Lots 1 and 2, and move sanitary sewer and water easements in Lot 1.

Approved and accepted  
Carol Konhauser 10/13/2017  
City Secretary, Carol Konhauser Date  
City of Crowley, Texas

The undersigned, the City Secretary of the City of Crowley, Texas, hereby certifies that the foregoing minor plat of the Atwood Addition to the City of Crowley was submitted as required by the ordinances of the City of Crowley on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Witness by hand this 10<sup>th</sup> day of October 2017.

Carol Konhauser 10/13/2017  
City Secretary, Carol Konhauser Date  
City of Crowley, Texas



HEMPHILL ST.

S. GRAY SURVEY  
ABST. NO. 558

CITY OF FORT WORTH "APPROX."  
CITY OF BURLESON "APPROX."

PEACH LN.

SURVEYOR'S CERTIFICATION

I, Theron W. Sims, a Registered Professional Land Surveyor licensed in the State of Texas, do hereby certify that this plat was prepared from an actual survey made on the ground under my direct supervision, all monuments and corner pins exist and are marked as shown.

Theron W. Sims Date: October 10, 2017  
Theron W. Sims, R.P.L.S., No. 5887  
Surveyed on the ground October 4, 2017



BASIS OF BEARINGS:

Bearings of lines shown hereon refer to Grid North of the Texas Coordinate System of 1983 (North Central Zone; NAD83(CORS96) Epoch 2002.00) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods. An average Combination Factor of 1.00012454694 was used to scale grid coordinates and distances to surface.

OWNER:

City of Crowley  
201 E. main Street  
Crowley, Texas 76036  
(817) 297-2201

**tnp**  
teague nall & perkins  
5237 N. Riverside Drive, Suite 100  
Fort Worth, Texas 76137  
817.336.5773 ph 817.332.7756 fx  
www.tnpsc.com / TBPLS Registration No. 100116-00



**ORDINANCE NO. 07-2021-432**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CROWLEY, TEXAS, BY GRANTING A SPECIFIC USE PERMIT TO ALLOW A FIRE STATION AT 911 MUNICIPAL WAY; REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Crowley is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the Zoning Ordinance of the City of Crowley regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and

**WHEREAS**, the Zoning Ordinance of the City of Crowley requires the issuance of a Specific Use Permit to operate a fire station in the Planned Development District 12 -2016 -292; and

**WHEREAS**, the City of Crowley, Texas, has filed for a specific use permit to operate a fire station; and

**WHEREAS**, the Planning and Zoning Commission of the City of Crowley, Texas held a public hearing on June 28, 2021, and the City Council of the City of Crowley, Texas, held a public hearing on July 15, 2021, with respect to the Specific Use Permit described herein; and

**WHEREAS**, the City has complied with all requirements of Chapter 211 of the Local Government Code, the Zoning Ordinance of the City of Crowley, and all other laws dealing with notice, publication and procedural requirements for the approval of a specific use permit on the property; and

**WHEREAS**, the City Council finds that the approval of the specific use permit will allow a use that is harmonious and adaptable to building structures and uses of abutting property and other property in the vicinity of the premises under consideration, subject to the conditions imposed herein, if any;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CROWLEY, TEXAS, THAT:**

**SECTION 1.**

The Zoning Ordinance of the City of Crowley, as amended, is hereby amended by granting a Specific Use Permit for operation of a fire station on the property located at 911 Municipal Rd, located in Planned Development District 12 -2016 -292, and subject to the following condition(s), if any:



## **SECTION 2.**

The Specific Use Permit as herein established has been made in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals and general welfare of the community.

## **SECTION 3.**

The official zoning map of the City of Crowley is amended and the City Secretary is directed to revise the official zoning map to reflect the approved Specific Use Permit as set forth above.

## **SECTION 4.**

This Ordinance shall be cumulative of all provisions of ordinances and of the Zoning Ordinance of the City of Crowley, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

## **SECTION 5.**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

## **SECTION 6.**

Any person, firm or corporation, who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

## **SECTION 7.**

All rights and remedies of the City of Crowley are expressly saved as to any and all violations of the provisions of any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

## **SECTION 8.**

The City Secretary is hereby directed to publish the caption, penalty clause, and effective date of this Ordinance in one issue of the official newspaper of the City, as required by Section 52.013 of the Local Government Code.

## **SECTION 9.**

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.



**PASSED AND APPROVED ON THIS 15<sup>th</sup> DAY OF JULY 2021.**

**CITY OF CROWLEY**

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Billy P. Davis, Mayor

ATTEST:

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Carol Konhauser, City Secretary

APPROVED AS TO FORM:

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Rob Allibon, City Attorney





## Crowley City Council

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### AGENDA REPORT

**Meeting Date:** July 15, 2021

**Agenda Item:** VI-2

**Staff Contact:** Rachel Roberts

**E-mail:** rroberts@ci.crowley.tx.us

**Phone:** 817/297-2201 x 3030

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**SUBJECT:** Hold a public hearing to discuss, and consider approval of Ordinance 07-2021-433 an ordinance for a zoning change from General Commercial (GC) district to Planned Development (PD) district requested by MI Homes of DFW LLC for approximately 20.31 acres located in the Mathew H Toler Survey Abstract 1547 (TAD tract 1E). The property is located at 1701 HWY 1187. **Case # ZR-2021-003** *This is a resubmittal of Case ZR-2021-001*

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BACKGROUND AND OVERVIEW	
<b>Request</b>	Rezone from GC to PD for mixed-use
<b>Applicant</b>	MI Homes
<b>Location</b>	Western city limits at Bus. FM 1187 and FM 1187
<b>Surrounding Uses</b>	Single family residential (north and east); vacant; commercial
<b>Surrounding Zoning</b>	General commercial; Planned development (Creekside); Multi-family; uses across Bus 1187 to the west are outside the city limits, so there is no zoning
<b>Future Land Use Plan Designation</b>	Mixed-use
<b>Planning &amp; Zoning Commission recommendation</b>	Conditional approval

This request was considered by the City Council in May. The Planning & Zoning Commission had recommended denial, and the City Council voted to deny without prejudice. Because the concept plan and ordinance had changed between the Planning & Zoning Commission meeting and the City Council hearing, the Council suggested the case should go back to the Planning & Zoning Commission. The Commission considered this revised version of the request last month and recommended conditional approval, as described below.

#### STAFF REVIEW

##### *Conformity to the Comprehensive Land Use Plan*

The property is shown as Mixed-Use in the future land use plan. The comprehensive plan does not specify what mix of uses should be included in mixed-use districts, since this mix will vary based on location. However, there are some elements that are common.



- **At least two types of land uses** – Mixed-use districts are often a blend of commercial and residential uses, but other uses (civic, cultural, recreational, industrial, etc.) can also be included.
- **Integration of uses** – Good site design is important to ensure the uses are compatible and blend together so that all uses function together as a cohesive neighborhood.
- **Prioritizing the pedestrian** – While mixed-use projects in suburban areas have to accommodate vehicle traffic, they prioritize the pedestrian so that residents can safely and comfortably walk to any commercial uses and so visitors to commercial sites can easily park in one location and walk to all destinations within the development.

The applicant proposes to create a mixed-use district in the following ways:

- Mixing commercial, residential, and open space uses. The commercial use as shown now is not as integrated with the residential uses as it was in the previous version, although the applicant has Street D emptying into the commercial lot and also continued the residential sidewalk on Street D onto the commercial to provide pedestrian access. The expansion of the open space next to the commercial lot now provides for a smoother transition between the residential and commercial areas;
- Requiring parking in the rear and side of the commercial lot and providing 5-foot wide sidewalks throughout the residential portion of the development (and 6 ft sidewalks in the commercial and open space areas), where standard residential development requires 4-foot wide sidewalks;
- Providing a variety of housing types. The proposed PD district offers three housing types: standard single family detached with front-facing garages, single family detached with alley-loaded garages, and a small number of mews lots (alley-loaded homes that front onto the open space area instead of a street).

#### *Other Factors to Consider*

In addition to compliance with the comprehensive land use plan, the city may also consider other factors, such as the potential for adverse impact and the suitability of the current zoning.

#### ***Potential of zoning change for adverse impact.***

For the most part, homes in adjacent neighborhoods will back up to single family homes in the PD district. The homes on Park Crest that abut the commercial lot do have a potential for adverse impact from backing up to the commercial areas, but because the site in question is already zoned for commercial uses, the homes on Park Crest already have that same possibility now. The applicant has attempted to decrease the potential for adverse impact by providing a 50-foot landscaped buffer zone.

#### ***Suitability of current zoning.***

The current zoning of General Commercial is appropriate for the site, which is located on a major thoroughfare. However, a mixed-use district is also suitable, as shown on the comprehensive plan.

#### ***Other factors.***

- Previous versions of the concept plan and PD standards proposed driveway spacing on corner lots



that was smaller than what city code allows. This idea has been eliminated from the current application.

- This site is expected to generate less traffic than if it were developed entirely as a commercial use, since the majority of the site will be single family residential, which usually produces less traffic than commercial uses.
- In the recent presentation by our code update consultants, one of the recommendations was to include design standards in the mixed residential zoning district (districts allowing a mix of housing types). The proposed PD standards provide a list of design standards that are intended to ensure the homes that will be built meet what was described by the applicant in a presentation to the Planning & Zoning Commission.

## RECOMMENDATION FROM THE PLANNING & ZONING COMMISSION

The Planning & Zoning Commission held a public hearing and considered this request during its meeting on June 28. No one but the applicant spoke at the public hearing. After asking questions of the applicant and discussion among the commissioners, the Commission voted to recommend approval on the condition that site plan and elevation approval for the commercial area be required to go to the Planning & Zoning Commission and City Council for approval.

The Commission's concern was that what was presented to them in terms of design of the commercial portion of the project would not be what was built, especially since M/I Homes will not be the developer of the commercial lot.

**NOTE:** Staff are working with the city attorney to add language to the ordinance that includes the Commission's recommendation. Staff will send out an updated ordinance for the Council to review prior to the Council meeting.

In addition, Council may recall from before that the city attorney recommended that if the Council voted to approve the rezoning, it do so on the condition that a development agreement be required. The development agreement would allow the city to enforce the proposed masonry standards in the planned development district. That same recommendation still applies in this case.

## ACTION BY THE CITY COUNCIL

### *Sample motions*

The motions provided below are for the Council members' reference. You are not required to use this language in your motion.

**Approve:** I find the request conforms to the comprehensive land use plan and make a motion to approve Ordinance No. 07-2021-433

**Approve with conditions:** I find the request conforms to the comprehensive land use plan and will be suitable for the site under certain conditions [*and/or the requested zoning will not have an adverse impact*]. I make a motion to approve Ordinance No. 07-02021-433 on the condition that the developer and the city approve a development agreement [**or list other condition(s)**].



**Continue:** The Commission needs additional information from the applicant [*or other reason for postponing action on the case*] and make a motion to continue this case until [**specify date**].

**Deny:** Based on the information presented, I find the requested zoning would have an adverse impact on surrounding properties [*and/or does not conform to the comprehensive land use plan and/or the existing zoning classification is suitable for this site*]. I make a motion to deny Ordinance No.07-2021-433.

**ATTACHMENTS:**

- Maps showing site, zoning classification, and future land use plan designation
- Concept plan (required by PD regulations)
- Ordinance with proposed PD standards



**ORDINANCE NO 07-2021-433**

**AN ORDINANCE OF THE CITY OF CROWLEY, TEXAS, AMENDING THE ZONING ORDINANCE AND MAP OF THE CROWLEY CODE OF ORDINANCES BY CHANGING THE ZONING CLASSIFICATION FROM GENERAL COMMERCIAL (GC) DISTRICT TO PLANNED DEVELOPMENT DISTRICT (PD-11-2020-415) DISTRICT ON AN APPROXIMATELY 20.308 ACRE TRACT LOCATED IN THE MATTHEW TOLERS SURVEY, ABSTRACT NO. 1547, TARRANT COUNTY, BEING A PORTION OF A CERTAIN CALLED TRACT OF LAND AS DESCRIBED BY DEED TO PLAINS CAPITAL BANK AND RECORDED IN COUNTY CLERK'S NO. (CC#) D214213798, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS, (OPRTCT); REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Crowley is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and,

**WHEREAS**, Plains Capital, the owner of the hereinafter described property, has authorized MI Homes to file an application with the City of Crowley, Texas, petitioning an Amendment of the Zoning Ordinance and Map of said City so as to rezone and reclassify said property from its current classification of General Commercial (GC) District to Planned Development (PD-11-2020-415) District; and,

**WHEREAS**, the Planning and Zoning Commission has conducted a public hearing on June 28, 2021, and has rendered a recommendation to the City Council in respect to the proposed zoning change; and,

**WHEREAS**, the City Council has conducted a public hearing on July 15, 2021, considered the recommendation of the Planning and Zoning Commission and has determined that the proposed change is in the best interest of the general welfare of the City of Crowley; and

**WHEREAS**, the City has complied with all requirements of Chapter 211 of the Texas Local Government Code, and all other laws dealing with notice, publication and procedural requirements for amending the Zoning Ordinance.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CROWLEY, TEXAS, THAT:**

**SECTION 1.**

The Zoning Ordinance of the City of Crowley, as amended, is hereby amended by rezoning the Property more particularly described on the attached Exhibit 'A' (the "Property") from General



Commercial (GC) District to Planned Development (PD-11-2020-415) District, in accordance with the terms and conditions, and the development standards on the attached Exhibits 'B-1,' 'B-2,' 'B-3,' and 'C' and approved herein. Said exhibits shall be applicable only to the Property described herein.

## **SECTION 2.**

The Zoning district as herein established has been made in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals and general welfare of the community.

## **SECTION 3.**

The official zoning map of the City of Crowley is amended and the City Secretary is directed to revise the official zoning map to reflect the approved zoning as set forth above.

## **SECTION 4.**

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Crowley, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

## **SECTION 5.**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared void, ineffective or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

## **SECTION 6.**

That all rights or remedies of the City of Crowley, Texas are expressly saved as to any and all violations of the City Code or any amendments thereto regarding zoning that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

## **SECTION 7.**

Any person, firm, or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

## **SECTION 8.**

The City Secretary of the City of Crowley is hereby directed to publish in the official newspaper of the City of Crowley, the caption, penalty clause, and the effective date clause of this ordinance as authorized by the City Charter and Section 52.013 of the Texas Local Government Code.

## **SECTION 10.**

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.



**PASSED AND APPROVED ON THIS 15<sup>th</sup> DAY OF JULY 2021.**

---

Billy P. Davis, Mayor

ATTEST:

---

Carol Konhauser, City Secretary

APPROVED AS TO FORM:

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Rob Allibon, City Attorney



## **EXHIBIT 'A'**

### **LEGAL DESCRIPTION**

Being a tract of land situated in the Matthew Toler Survey, Abstract No. 1547, City of Crowley, Tarrant County, Texas, being a portion of a certain called tract of land as described by deed to Plains Capital Bank and recorded in County Clerk's No. (CC#) D214213798, Official Public Records, Tarrant County, Texas, (OPRTCT) and being more particularly described by metes and bounds as follows ( Basis of bearings reference to the Texas State Plane Coordinate System, North Central Zone, NAD83 via the Trimble VRS network for North Central Texas. All distances are surface distances. Surface scale factor is 1.0001262435.)

BEGINNING at a 5/8-inch capped iron rod marked J.S. Cole found for the northwest corner of said Plains Capital Bank Tract, being common with the southwest corner of Lot 1, Block 7, Phase 4, Park Meadows Addition an addition to the City of Crowley, Tarrant County, Texas, as shown thereof and recorded in Cabinet A, Slide 10144, Plat Records, Tarrant County, Texas (PRTCT) and being in the west right of way line of Farm to Market Highway No. 1187 Business, Crowley – Plover Road, ( a variable width right of way);

THENCE South 89°58'52" East, with the north line of the said Plains Capital Bank Tract and being common with the south line of said Block 7, a distance of 1254.02 feet to a 1/2- inch capped iron rod found for the northeast corner of said Plains Capital Bank Track, being common with the southeast corner of Lot 17, of said Block 7 and being in the west line of Lot 25, Block 5, Creekside Addition, an addition to the City of Crowley, Tarrant County, Texas, as shown on thereof and recorded in Cabinet A, Slide 11178, (PRTCT);

THENCE South 00°00'20" West, with the east line of the said Plains Capital Bank Tract and being common with the west line of said Block 5, at 779.55 feet pass a 5/8-inch iron rod found for the Southwest corner of Lot 14 of the said Block 5 and continuing a total distance of 789.56 feet to the southeast corner of the aforesaid Plains Capital Bank Tract, being common with the southwest corner of Lot 2X of the said Block 5 and in the north right of way line of Farm to Market Highway No. 1187 (a variable width right of way), also a PC of a curve to the left, having a radius of 1162.92 feet, from which a disturbed 5/8-inch iron rod found bears South 61°17'16" West, a distance of 0.43 feet;

THENCE westerly with the south line of the aforementioned Plains Capital Bank Tract and being common with the north right of way line of said Farm to Market Highway No. 1187, the following courses and distances:

With said curve to the left, having a central angle of 14°01'47", a chord bearing and distance of South 80°00'38" West, a distance of 284.05 feet, an arc distance of 284.76 feet to a TXDOT Monument found;



South 72°59'37" West, a distance of 400.53 feet to a TXDOT Monument found;

South 82°33'57" West, a distance of 150.07 feet to a TXDOT Monument found for the southeast corner of a certain tract of land described by deed to Wal-Mart Real Estate Business Trust and recorded in (CC#) D214213799, (OPRTCT);

THENCE northerly and westerly with the said Wal-Mart Tract, the following courses and distances:

North 00°01'49" West, a distance of 94.87 feet to a 5/8-inch blue capped iron rod marked Shield Engineering set;

North 45°00'03" West, a distance of 55.40 feet to a 1/2-inch capped iron rod marked KHA found;

North 00°01'49" West, a distance of 501.31 feet to a 1/2-inch capped iron rod marked KHA found;

South 89°58'11" West, a distance of 401.88 feet to a 1/2-inch capped iron rod marked KHA found for the northwest corner of the said Wal-Mart Tract and being in the west line of the said Plains Capital Bank Tract, also being in the east right of way line of the said Farm to Market Highway No. 1187 Business;

THENCE North 00°10'10" West, with the west line of the said Plains Capital Bank Tract and being with the east right of way line of the said Farm to Market Highway No. 1187 Business, a distance of 340.67 feet to the POINT OF BEGINNING, containing 884,626 square feet or 20.308 acres of land more or less.



**EXHIBIT 'B-1'**

**DEVELOPMENT STANDARDS**



**EXHIBIT 'B-2'**

**CONCEPT PLAN**



**EXHIBIT 'B-3'**

**ILLUSTRATIONS OF ACCEPTABLE HOME ARCHITECTURAL STYLES**



## **EXHIBIT ‘C’**

### **PERMITTED USES IN COMMERCIAL AREA**



## **EXHIBIT 'B-1'**

### **PLANNED DEVELOPMENT STANDARDS**

The 20.308-acre property shall be developed as a commercial tract and single-family detached lots in accordance with the land uses and development standards for the General Commercial (GC) and (SF-7.2) Single-Family District base zoning districts respectively with the following exceptions, special conditions, restrictions and regulations. Development standards not addressed below (e.g., trash facilities, accessory buildings, etc.) shall be regulated by the base zoning district.

#### **General:**

1. Development shall be in general conformance with the following Conceptual Layout with commercial, residential, and private open space components as shown on Exhibit B-2.
2. A property owner's association (POA) shall be established prior to recording the final plat for the development.
3. The POA will be responsible for the improvement and maintenance of all common areas, private open spaces, and/or common facilities dedicated to the POA.
4. At the time of civil construction plan approval, developer shall identify the estimated tree canopy area being removed during development by measuring from a recent aerial photograph. All tree preservation or remediation shall be addressed by the planting of street trees, buffer trees within the buffer area, entry trees, parkway trees, and other trees planted by the homebuilder on a residential lot after construction of a home.

#### **Commercial Area:**

A minimum 2.5-gross acre commercial area comprised of 1 or more lots shall be developed in general accordance with the concept plan. Permitted uses for the commercial area shall be in accordance with the City of Crowley's current General Commercial Zoning District regulations, with the following special conditions:

1. Site orientation and layout: The front facades of buildings or dining patio fencing shall be located close to the sidewalks (along the rights of way) to encourage pedestrian involvement and to provide an area for landscaping, benches, tables and other types of street furniture. Parking shall be provided at the rear of buildings.
2. Commercial tract may be subdivided into smaller parcels with common shared parking facilities for all commercial lots and tenants. All commercial lot owners shall share the costs of the common parking facility.
3. Permitted uses shall be in accordance with the list of uses provided in Exhibit C.
4. Minimum Lot Area: 2,500 square feet
5. Minimum Lot Width: 25 feet
6. Minimum Lot Depth: 60 feet
7. Building size: 10,000 square feet maximum gross floor area; a Specific Use Permit shall be required for a building in excess of 10,000 square feet.
8. Business/Tenant Size: 5,000 square feet maximum gross floor area per tenant; exterior entrances are required for each tenant; special exception required for each business in excess of 5,000 square feet. Each ground floor tenant shall have a public entrance facing a public right-of-way.



## EXHIBIT 'B-1'

### PLANNED DEVELOPMENT STANDARDS

9. Minimum Setback along Right of Way:
  - a. Minimum: 0 Feet
  - b. Maximum: 10 feet
  - c. The City of Crowley shall determine the appropriate size of visibility triangles at road or driveway intersections at the time of the commercial site plan approval. No building, structure, sign, or fencing shall encroach any established site visibility triangle.
10. Minimum Side Yard:
  - a. Adjacent to right of way: No side yard is required provided that:
    - i. visibility sight triangles are maintained;
    - ii. Adequate fire lanes and circulation are provided;
    - iii. Appropriate building codes are met.
  - b. Adjacent to open space: 5 feet
  - c. Interior side yard: No side yard is required provided that:
    - i. Both property owners agree to adjoin buildings;
    - ii. Adequate fire lanes and circulation is provided on site;
    - iii. Adopted building codes are met.
11. Minimum Rear Yard: 5 feet
12. Minimum setback along lot lines shared with residential lots: 50 feet.
13. Parking areas situated in front of buildings is prohibited. Parking shall be provided behind commercial structures to provide a walkable facility frontage along right-of-way.
14. Maximum Building Height: 35 feet
15. Minimum Masonry Requirement: 90% per facade
16. Before issuance of a certificate of occupancy of any commercial space, sidewalks shall abut any commercial building along the right of way and equate in width of the provided parkway along any residential street. A minimum 8' wide sidewalk abutting the building shall be required along Crowley-Plover Road.
17. A minimum of 35 percent of the ground floor of each façade, measured between two feet and ten feet of the adjacent sidewalk or parking area, shall be glazed and transparent. A minimum of 25 percent of upper story façades shall be glazed and transparent. Permanent opaque window coverings are prohibited on front facades. Glazing must allow views into the structure for a depth of at least four feet. The city manager or designee may allow permanent artwork or permanent covered outdoor seating to substitute for glazing on side facades.
18. Materials and architectural elements of the front facade shall be carried on all sides of the building.
19. Buildings or portions of a building located at the corner shall vary the building massing to emphasize street intersections as points of interest in the planned development district. Maximum building heights shall be permitted to exceed by 25 percent for approximately 20 percent of the building frontage along each corresponding street façade.
20. Chimneys, church steeples, vents, elevator and stair enclosures, screened HVAC equipment,



## EXHIBIT 'B-1'

### PLANNED DEVELOPMENT STANDARDS

other mechanical enclosures, tanks, solar energy systems and similar elements are exempt from the height limit.

~~16:~~21. Building entrances public frontages shall be located under a shade device, such as an awning or portico. Awnings and other shade devices shall be maintained in good repair. Canopies and/or awnings may project from building face and may extend to, or be located within eight (8) inches of the back of curb subject to the following during development/site plan approval. If a canopy support is closer than two (2) feet from the back of the curb, there shall (a) be no on-street parking or loading zones along that stretch of canopy; or (b) be parallel parking along the curb. Ground-mounted supports, subject to the above standard, may be approved as part of site plan review, as determined by the City Council.

~~17:~~22. The developer/builder of the Commercial Area shall comply with all current City screening ordinances at the time of construction of the Commercial Area.

~~18:~~23. Minimum Automobile Parking Spaces: 1 space per 350 square feet of building gross floor area.

~~19:~~24. The developer/builder of the Commercial Area shall provide permanently anchored bicycle racks within 200 feet of at least one entrance to any single building, and readily visible to visitors and patrons. The number of bicycle stalls shall be no less than ten percent (10%) of the total number of automobile parking spaces provided within the Commercial Area, rounded up to the nearest whole number.

~~20:~~25. Any developer/builder of any portion of the Commercial Area shall submit a The-site plan and elevations ~~for any~~ new primary and/or accessory buildings ~~must be for~~ reviewed and approved by the Planning & Zoning Commission ~~and the City Council for compliance with these Planned Development Standards and the base zoning district standards for the Commercial Area~~ prior to submittal of a building permit application.

~~21:~~26. Signage requirements. All signage for new buildings, new uses, or change in use, shall comply with these requirements at the time of sign permit. Any request for a sign variance or alternative sign appropriate to the development and consistent with the architectural intent of the development must be presented to the city council for approval in accordance with the variance procedures established in the city's sign regulations:

a. Attached or building mounted signage.

i. Attached signage may be internally or externally illuminated.

ii. A sign permit shall be required for all signage.

iii. Only one attached sign shall be allowed per business per public street frontage.

iv. Projecting signs shall be allowed provided that they do not extend more than three feet from the wall surface. If projecting signs are used, a detached monument sign shall not be allowed. Vertically oriented (projection sign) signage shall not exceed four feet in height and two feet in width and shall be placed ten feet above grade.

v. All attached signage shall not exceed 36 square feet in total surface area.

vi. Horizontally oriented signage shall not exceed 36 inches in total height.

vii. Letters and graphics shall be allowed on awnings or canopies provided that



## EXHIBIT 'B-1'

### PLANNED DEVELOPMENT STANDARDS

they do not exceed nine inches in height. Total advertising area on awnings shall not exceed 20 square feet.

- viii. Sign materials shall consist of wood, metal, material that resembles wood or metal, or masonry with painted, engraved, or mounted letters.
  - ix. Signs must be located on the facade in areas designated for this function; for example, a recessed or framed area or a parapet panel between shop-front and roofline.
  - x. Color, materials, sizes, shapes, and lighting of signs must be compatible with the architecture of the building, the business it identifies and the character of the surrounding area.
  - xi. Sign shapes must be simple and straightforward to communicate well. Signs as symbols are permitted and encouraged because they are easily read and add to the vitality of a storefront.
  - xii. Portable signs such as menu boards for restaurants or to direct customers to parking areas shall be allowed provided they are stored indoors after hours of operation.
  - xiii. Wall murals shall be considered on a case-by-case basis and approved by the city council as an element of a site plan application.
- b. Detached or ground mounted signage.
- i. Detached signage may be internally or externally illuminated.
  - ii. A sign permit shall be required for all new signs or alterations to signs.
  - iii. Only one detached sign shall be allowed per business per public street frontage.  
~~The Residential Area shall be allowed two signs per public street frontage.~~
  - iv. All detached signage shall not exceed 15 square feet in total surface area and six feet in height, except that a detached sign located on FM 1187, Crowley-Plover Road Street, or within the Amenitized Open Area may be a maximum of twelve feet in height and 50 square feet in total surface area.
  - v. Post and bracket style signs using a wooden post or a painted metal pole are encouraged, but other styles that reflect the character of the neighborhood will be considered.
  - vi. Sign materials shall consist of wood or metal material or material that resembles wood or metal, with painted or engraved letters or mounted letters of wood or metal.
  - vii. Color, materials, sizes, shapes, and lighting of signs must be compatible with the architecture of the building, the business it identifies and the character of the surrounding area.
  - viii. Sign shapes must be simple and straightforward to communicate well. Signs as symbols are permitted and encouraged because they are easily read and add to the vitality of a storefront.
- c. Miscellaneous signage.



## **EXHIBIT 'B-1'**

### **PLANNED DEVELOPMENT STANDARDS**

- i. Window signs are allowed in accordance with the sign provisions in the sign regulations of this Code.
- ii. Temporary banner signs are allowed in accordance with the sign provisions in the sign regulations of this Code.
- iii. A-frame signs are permitted within nonresidential areas used to incorporate a mixed-use or lifestyle center concept. A-frame signs must be placed on a sidewalk or adjacent to a sidewalk adjacent to or fronting the primary structure. A-frame signs must provide an unobstructed pedestrian clearance of at least five feet in width. An A-frame sign shall not be placed in any manner to interfere with vehicular traffic or cause a hazard. An A-frame sign shall not be placed in any median. An A-frame sign shall not be placed within a utility or right-of-way easement, except an A-frame sign may be placed on a sidewalk subject to the pedestrian clearance requirement. The maximum area of an A-frame sign is 12 square feet. The maximum height of an A-frame sign shall be four feet. The maximum width of an A-frame sign is three feet. An A-frame sign shall not be closer than 20 feet to another A-frame sign. A maximum of one A-frame sign may be placed per business or tenant on the property where the A-frame sign is located. A-frame signs will be removed from pedestrian areas after closing hours to maintain the security of the sign.
- iv. Neon signs. Any vacuum tube sign lit by neon gas shall comply with the following standards:
  1. Any letter style is permitted as long as letters are continuous. Painted out spaces between letters are not permitted.
  2. Neon bands may be used to frame the sign but must be contained within the allowable sign area.
- v. The use of one neon sign per street front to advertise the primary business is allowed.

#### **Residential Lots and Homes:**

The planned development shall include a minimum of 2 separate lot Types as shown on the Concept Plan:

1. Maximum density: 93 residential lots;
2. Garage orientation:
  - a. Type 1 Lots: Front entry;
  - b. Type 2 Lots: Rear entry via an alley;
3. Minimum lot area:
  - a. Type 1 Lots: 4,725 square feet;
  - b. Type 2 Lots: 4,200 square feet;
4. Minimum floor area of homes:
  - a. Type 1 Lots: 1,500 square feet



## **EXHIBIT 'B-1'**

### **PLANNED DEVELOPMENT STANDARDS**

- b. Type 2 Lots: 1,500 square feet
- 5. Maximum building coverage, excluding lead walks, driveways, patios, and other flatwork (Type 1 & Type 2 Lots): 60%
- 6. Minimum lot width (measured along the front building line):
  - a. Type 1 Lots – 45 feet;
  - b. Type 2 Lots – 40 feet;
  - c. For all lots on cul-de-sacs and around "eyebrows" the minimum frontage of the lot shall be 30 feet measured along the right-of-way;
- 7. Minimum lot depth (Type 1 and Type 2 Lots):
  - a. 105 feet, except;
  - b. For lots on cul-de-sacs and around "eyebrows" the minimum lot depth shall be 90 feet;
- 8. Minimum Setbacks:
  - a. Minimum front yard setback
    - i. Type 1 Lots shall be 20 feet;
    - ii. Type 2 lots shall be 10 feet. This front setback may be reduced to 5 feet if the lot fronts to open space rather than street right of way, in other words, "mews" type lots have a 5 foot front yard setback;
  - b. Minimum rear yard setback
    - iii. Type 1 Lots shall be 10 feet;
    - iv. Type 2 Lots shall be 18 feet;
  - c. Minimum side yard setback shall be 5 feet;
  - d. Minimum side yard setback adjacent to a street shall be 10 feet on standard lots and 20 feet on key lots;
  - e. On corner lots, the "corner clips" shall not be considered when measuring setbacks. In no case shall buildings, structures, or fencing impact site visibility.
- 9. Carports are prohibited on either lot type.
- 10. Front-entry garages are permitted on Type 1 Lots.
  - a. Homes on Type 1 Lots that have garages that project beyond any other aspect of the front elevation of the home shall be equipped with an Enhanced Garage Door as defined in Section 17.
  - b. In no circumstance shall a garage protrude beyond 12 inches of any other aspect of the front elevation on a Type 1 Lot.
- 11. Enhanced Driveways on Type 1 Lots. All Type 1 driveways shall either be treated with a rock salt or be exposed aggregate finish.
- 12. Public Safety Enhancements:
  - a. Prior to construction plan approval the Director of Public Works shall determine and recommend, and the Developer shall comply with, the installation of specific traffic safety devices in certain critical areas including traffic calming devices, traffic and parking signage, and/or pavement markings and striping. Speed bumps are prohibited.
  - b. All public street intersections shall be controlled with a stop sign in all directions.



## **EXHIBIT 'B-1'**

### **PLANNED DEVELOPMENT STANDARDS**

- c. A 10-foot by 30-foot Intersection Visibility Triangle Easement shall be provided at all street to street intersections. No vertical visual obstructions above 24 inches in height other than traffic signage or fire hydrants shall be placed within an Intersection Visibility Triangle Easement.
- d. Parking shall be prohibited along the street frontage of open space Lots 41X, 42X, 43X, 49X, and 50X as depicted in Exhibit B-2 and properly marked as such.
- 13. At the time of home construction, home builders shall plant a minimum of one 3" caliper street tree in the front yard and one street tree within the right of way in front for every lot. On corner lots, one street tree shall also be planted within the right of way on both the front and side of the home.
- 14. Minimum masonry content for all front facades shall be 90%. The masonry requirement for the entire house must be 80%. The minimum masonry requirement for facades other than the front facade is 80%. For purposes of calculating minimum masonry requirements, the calculation shall exclude doors and windows, and areas above the roof line that do not bear on the foundation, including but not limited to, dormers, gables, and rake walls, etc. Brick and stone shall be considered "masonry". Cementitious stucco, cementitious siding, or lap siding is not considered "masonry".
- 15. Chimneys shall be 100% masonry when located on the exterior wall of the home; however, direct vent systems without a chimney stack are also permitted, whether located on the exterior wall or otherwise.
- 16. Architectural Design Elements:

In addition to the design standards listed above, all residences shall include a minimum of three (3) of the following design features to enhance the design quality of the homes or improve the aesthetics of the community. Images shown in Exhibit "B-3" are illustrations of acceptable home architectural styles using these features.

  - a. Masonry chimney on exterior wall
  - b. 100% Masonry on all elevations (excluding doors and windows, and areas above the roof line that do not bear on the foundation, including but not limited to, dormers, gables, and rake walls, etc.)
  - c. Masonry accents and details
  - d. Varying brick patterns
  - e. Covered front porch with a minimum of five feet in depth.
  - f. Exterior shutters on front elevation
  - g. Coach lights on the front elevation
  - h. Exterior accent lighting of the front elevation
  - i. Enhanced Garage Doors as described in Section 17 below.
  - j. Double garage doors
  - k. Specialty windows such as bay, box, or circular windows, which may be flush mounted to the exterior face of the building. All other windows shall be inset to create relief on the elevations.



## EXHIBIT 'B-1'

### PLANNED DEVELOPMENT STANDARDS

- l. Perforated soffits made of cementitious fiberboard.
  - m. Enhanced front doors that incorporate either obscure or ordinary glass.
  - n. Full roof gutter installation on the front elevation.
  - o. Mixed medium materials on front elevation.
  - p. Masonry edging at front flower beds.
17. Enhanced Garage Doors on Type 1 Lots:
- On Type 1 Lots, if a garage door protrudes beyond front elevation and/or if desired to be used as an Architectural Design Element, garage doors shall contain at minimum of two (2) of the following enhancements:
- a. Faux wood clad doors
  - b. Decorative windows
  - c. Decorative hardware
  - d. Reveals/texture
18. Roof Construction and Materials:
- a. A minimum 8:12 roof pitch is set as a standard.
  - b. Roof pitches on covered porches and patios may be 3:12.
  - c. Minimum 30-year warranty composition, 3-tab dimensional shingle, or equivalent, shall be installed.
19. Signage. The Residential Area shall be allowed two signs per public street frontage.

#### Amenities:

1. Open Space/Parkland:
  - a. Park Space 1 - A minimum of 0.5 acres shall be reserved for Private Open Space owned and maintained by the POA, shall be provided in general conformance with Exhibit B-2, and shall include the following: a playground, a picnic area, and a grassed open space ("Amenitized Open Area"), which shall be the responsibility of the developer of the residential lots and homes to construct.
  - b. Park Space 2 – A minimum 0.3 acres shall be reserved as Lot 50X Block B as depicted in Exhibit B-2 for private open space as a transitional space and mutual amenity of the residential and commercial uses. This area will be owned and maintained by the POA and shall include at a minimum one picnic table or two park benches. The Developer of the Residential Lots and Homes shall be responsible for creating a grassed and irrigated surface and the initial installation of the aforementioned park furniture. The Developer of the Commercial Area may install additional amenities in Phase 2 at their sole cost.
  - c. No Parkland dedication or fees-in-lieu-of land shall be required for the project in consideration of the private open space provided.
2. Landscaping
  - a. The landscape buffer along FM 1187 and Crowley-Plover Road shall include the following:
    - (i.) A minimum two shade trees (3" caliper) for each 100 feet or fraction thereof;

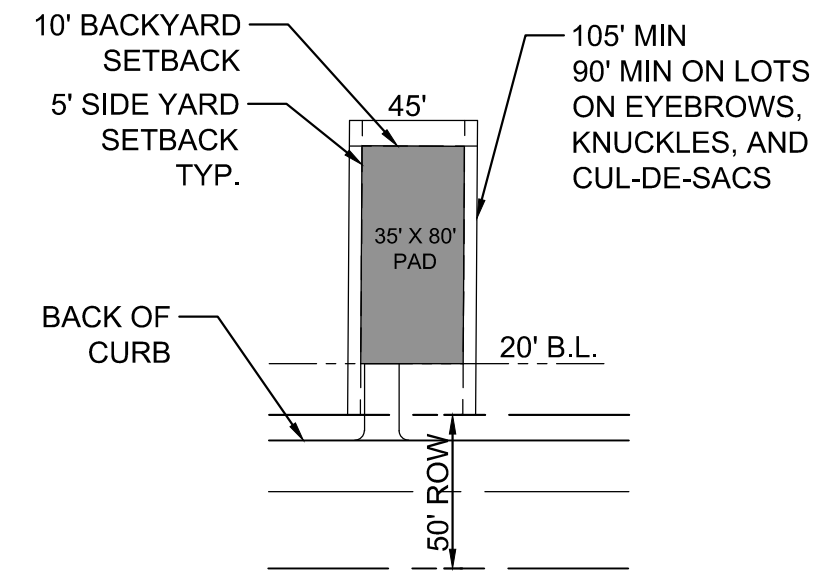


## **EXHIBIT 'B-1'**

### **PLANNED DEVELOPMENT STANDARDS**

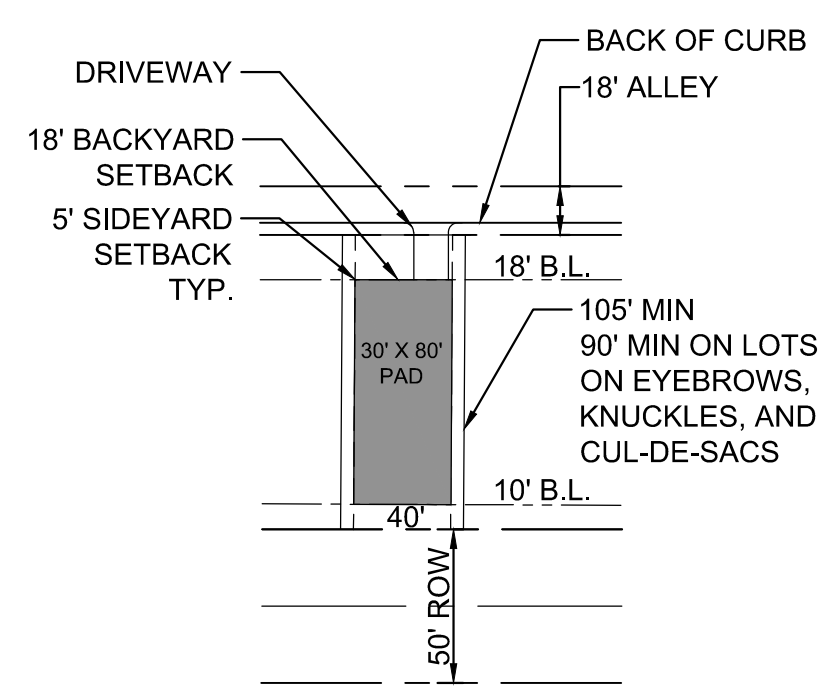
- (ii.) Three ornamental trees for each 100 linear feet or fraction thereof;
    - (iii.) 35 shrubs or ornamental grasses for each 100 linear feet or fraction thereof.
  - b. Landscaping of open spaces within the planned development shall include the following:
    - (i.) A minimum of one 3" caliper shade tree per 2,500 square feet, or fraction thereof;
    - (ii.) One street tree per 50 linear feet planted within the right of way, or fraction thereof;
    - (iii.) All open areas shall be grassed or accented with a crushed granite or other design element. All open areas except utility easements between residential lots shall be irrigated where necessary.
- 3. Sidewalks/Trails:
  - a. Developer shall construct the following sidewalks/trails:
    - (i.) 6' wide sidewalk/trail along the frontage of FM 1187;
    - (ii.) A 6' wide sidewalk/trail within or along the right-of-way adjacent to internal open spaces which may meander where it is practical to do so.
    - (iii.) 5' wide sidewalks within right-of-way adjacent to any open space that does not include a sidewalk/trail noted in previous items above;
  - b. Homebuilders shall construct 5' wide sidewalks along the entire frontage of each individual lot within the right-of-way (including side of the lot for corner lots) at the time the home is constructed. Sidewalks shall be constructed in the public right-of-way.
  - c. Sidewalks/Trails shall be constructed of concrete and shall meet city specifications for sidewalk construction.
  - d. No additional sidewalks or trails will be required within the boundary of the development.
- 4. Parking
  - a. A minimum of six parallel parking spaces shall be provided within the right-of-way along the frontage of the Amenitized Open Area.
- 5. Walls and Fencing:
  - a. A 6' tall masonry (brick or stone) screening wall shall be constructed along the frontage of FM 1187 and Crowley-Plover when adjacent to single-family residential lots.
  - b. With a minimum of 6' in height (and not to exceed 8' in height), a wood fence shall be provided along the boundaries shared with the commercial remainder tract as shown on the Concept Plan.
  - c. Fencing along the north side of the commercial lot: If any portion of the existing fencing provided by the adjacent residential lots is removed or destroyed, the owner of the commercial lot shall be required to replace the fencing with screening standards as required by city code for screening between residential and commercial uses.
  - d. No additional perimeter walls or fencing will be required.





TYPICAL PAD AREA = 2,800 SF  
TYPICAL LOT AREA = 4,950 SF ≤ 60%  
MIN LOT SQUARE FOOTAGE = 4,725 SF  
TYPICAL TYPE 1 LOT 45'X110' NTS

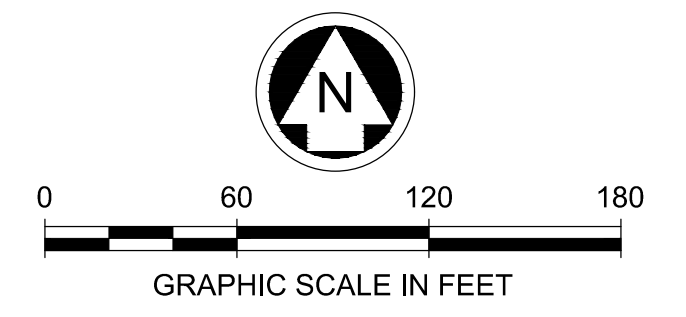
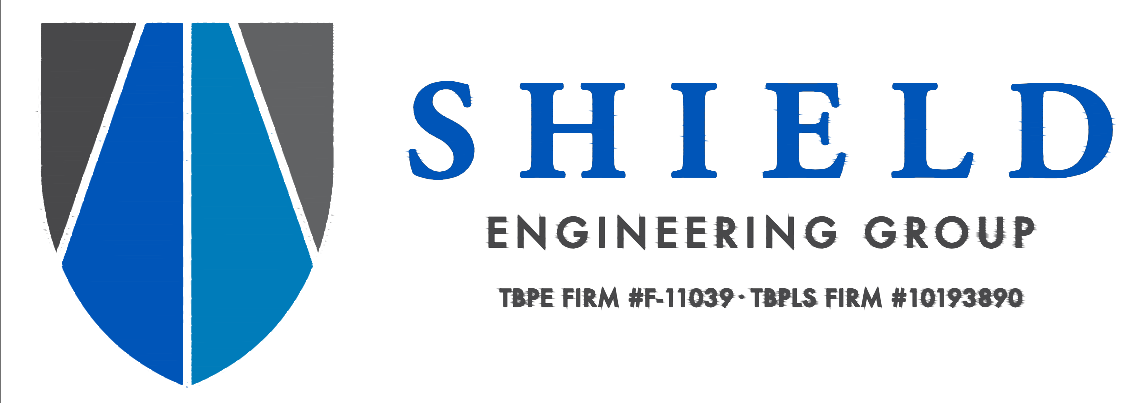
49 LOTS



TYPICAL PAD AREA = 2,400 SF  
TYPICAL LOT AREA = 4,400 SF ≤ 60%  
MIN LOT SQUARE FOOTAGE = 4,200 SF  
TYPICAL TYPE 2 LOT 40'X110' NTS

39 LOTS

NOTE:  
DIMENSIONED LOT DEPTHS ARE PRELIMINARY, APPROXIMATE, AND SUBJECT TO CHANGE. LOT COUNT FOR EACH TYPE MAY CHANGE ±10% OF THE STATED LOT COUNT. HOWEVER, THE TOTAL AMOUNT OF RESIDENTIAL LOTS SHALL NOT EXCEED 93



CITY OF CROWLEY, TEXAS  
ZONING CASE #20-00016

TARRYTOWN

EXHIBIT B-2  
CONCEPTUAL DMENSIONAL LAYOUT

DESIGNED: JD	SCALE: 1" = 60'	DATE: Apr 2021	SHEET: 10F 1
DRAWN: JD			

LEGEND

COMMON AREAS OWNED AND MAINTAINED BY THE POA

NO PARKING AREAS

TYPICAL PAD AREA = 2,400 SF  
TYPICAL LOT AREA = 4,200 SF ≤ 60%  
MIN LOT SQUARE FOOTAGE = 4,200 SF  
MEWS LOT 40'X105' NTS

5 LOTS

2021/04/26 JOSE DELEON L:\095\2020\4201 PLANS CAPITAL SP\EXHIBITS\2021\421 LAYOUT MODIFICATIONS\2021\421 LAYOUT.DWG

TARRY TOWN



## Exhibit B-3

### Examples of Architectural Styles





## **Exhibit C – Permitted Commercial Uses**

### ***Uses permitted by right***

Antique shop  
Apparel alteration and repair or tailor shop  
Art gallery or museum  
Arts, crafts, and hobby shop  
Assembly hall  
Bakery, retail confectionery  
Bank, savings and loan association, financial institution  
Barbershop, beauty salon, other beauty services  
Collectibles shop  
Community center  
Convenience store without fuel sales  
Copy shop  
Day care center, adult  
Day care center, child  
Furniture, fixture and appliance store  
Garage, public  
Gift shop  
Governmental administration and civic buildings  
Grocery store  
Hardware store  
Laundry, dry cleaning pickup and receiving station  
Lithography or print shop  
Locksmith shop  
Meat market  
Medical, dental and optical retail sales  
Music store  
Office machine sales and service  
Office supply store  
Office, business  
Office, professional  
Optician shop  
Permanent cosmetic makeup establishment  
Pet shop  
Pharmacy  
Philanthropic institution  
Photographic equipment sales and service  
Public park or playground  
Public safety facility, police and fire  
Religious institution  
Restaurant  
School, business college  
School, college or university  
School, nursery  
School, primary or secondary  
Shoe repair  
Sidewalk café  
Utilities  
Watch and/or jewelry sales and repair

### ***Permitted with a specific use permit***

Amusement center, indoor  
Animal grooming  
Appliance repair, household  
Assisted living facility  
Department store  
Farmer's market  
Food truck park  
Gymnasium  
Health club, recreation facility  
Hospital  
Hotel, motel  
Kennel, commercial  
Medical equipment sales, rental, and leasing service  
Restaurant, refreshment stand (temporary or seasonal)  
School, commercial instruction  
School, commercial trade  
School, institution, rehabilitation and training center  
School, vocational  
Skating rink  
Tattoo parlor  
Veterinary hospital without outside pens





## Crowley City Council

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### AGENDA REPORT

**Meeting Date:** July 15, 2021

**Agenda Item:** VII-1

**Staff Contact:** Carol Konhauser  
City Secretary  
**E-mail:** ckonhauser@ci.crowley.tx.us  
**Phone:** 817-297-2201 ext. 4000

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**SUBJECT:** Discuss and consider Special Event Permit Application for a Family and Friends BBQ and Fundraiser at Bicentennial Park on Aug 8, 2021.

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#### **BACKGROUND/DISCUSSION**

Mrs Sylvia Eubanks submitted a special Event Permit Application to hold a BBQ and auction type fundraiser in Bicentennial Park for family and friends. This will not be a publicized event and will only be open to invited family and friends. The funds raised will be used to help defray the medical costs related to her son's cancer treatment. They will be auctioning off donated items and gift cards to family and friends.

Initially, the requester wanted to sell food, but then she was told that 1) she would need a health permit from Tarrant County, and 2) food sales is not allowed in Bi-centennial Park. Then the requester submitted this application and stated she would be serving the food at no cost, and would instead hold an auction for family and friends. I called the health dept and spoke with Alana who stated the requester would not require a health inspection if they were providing food at no cost while holding an auction. The Ordinances does not specifically prohibit auctions, although it does prohibit setting up a stand or vehicle to be used for the purpose of selling within the park.

The requester has rented the pavilion which will be used to isolate their event to only family and friends. Requester anticipates people may want to amplify music from their phones, but they will not be bringing in a public address or speaker system.

Finally, because this is only an event for family and friends and will not be publicly advertised, the requester asks for council to waive the insurance requirement.

#### **FINANCIAL IMPACT**

None.

#### **RECOMMENDATION**

Staff recommends council consider approval.

#### **ATTACHMENTS**

- Special Event Application



Alana 817 321 4966  
Tarrant County Health Dept



## Special Events Permit Application

City Secretary's Office  
201 E Main Street  
Crowley TX 76036  
(817) 297-2201 ext 4000

Permit applications shall be filed with the city secretary or designee for consideration on a first come first serve basis **not less than 21 days or more than 365 days before the date of the proposed use or activity. In the event of a street closure, applications must be submitted not less than 45 days in advance. Due to the state department of transportation requirements, closure of any state highway for more than six (6) hours will require 90 days' advance notice to the city.** The application will either be approved, approved with conditions, denied, or more information will be requested within five business days of submission to the city secretary. Due to the nature of some events, additional information may be requested. A deposit will be required for certain types of events. The deposits shall be set forth in the city fee schedule listed as Appendix A to the City of Crowley Code of Ordinances.

All applicants will be charged facility rental fees as appropriate and are expected to fully reimburse the City for all services related to event production which may include, but are not limited to, Police, Fire/EMS, Park and Facility Maintenance, Field Services, Sanitation, Street Engineering, Site Supervisors, Environmental, and all necessary permit fees including: Beer and Wine, Tent, Fireworks, Carnival, Sign, etc. Applicants are responsible for returning City facilities and parks their original condition. Daily fees will be assessed until all event equipment is removed from City premises. Full payment is due upon receipt of final invoice.

Section 1 – Applicant Information			
Name of Applicant (must be on site during the event)		Today's Date	
Sylvia Eubank		28 June - 21	
Address	City	State	Zip
208 N. Heights Dr	Crowley	Tx	76036
Phone Number	Cell Phone Number		
817-966-3504	817-966-3504		
Email			
Section 2 – Sponsoring Organization Information			
Corporation/Organization Name of D.B.A.		Type of Organization	
		<input type="checkbox"/> For Profit <input type="checkbox"/> Non-Profit <input checked="" type="checkbox"/> Other: Medical	
Name of Contact		Email:	
Sylvia Eubank			
Address	City	State	Zip
208 N. Heights Dr.	Crowley	Tx	76036
Phone Number	Cell Phone Number		
	817-966-3504		

Section 2 – Event Information			
Name of Event		Anticipated Daily Attendance	
Amyloidosis Awareness Benefit for Chucky			
Location of Event/physical address			
Property Owner		Owner Phone	
Owner Email:		Has the property owner given authorization to use property?	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Detailed Description of Event			
My son was diagnosed with a rare form of blood cancer - Amyloidosis - we are going to try to raise Medical fund to help them out.			
Setup	Date	Time	Day of Week
	08-Aug-21	8: Am	<input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> Th <input type="checkbox"/> F <input type="checkbox"/> Sat <input checked="" type="checkbox"/> Sun
Event Start	11:00		<input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> Th <input type="checkbox"/> F <input type="checkbox"/> Sat <input checked="" type="checkbox"/> Sun
Event End	5:00		<input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> Th <input type="checkbox"/> F <input type="checkbox"/> Sat <input checked="" type="checkbox"/> Sun
Teardown			<input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> Th <input type="checkbox"/> F <input type="checkbox"/> Sat <input type="checkbox"/> Sun
Additional Information:			



Section 3 – Event Features		
Will there be an admission charge?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, list all price categories below.
Will there be entertainment? <i>A complete list of entertainment will be required before final approval. Once approved, no changes may be made unless authorized.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, please attach a complete list of entertainment.
Will sound amplification be used at the event? Sound amplification:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If yes, explain below <b>MAY be</b>
Will merchandise and/or food items be sold?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If yes, please attach a complete list of vendors. <i>Booths will need to be inspected and have proper food handling permits</i>
Have you hired a licensed professional emergency medical service provider to manage your event's medical plan? If yes please list below. <i>(Fee may be charged for Emergency Service personnel)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Medical Service Provider	Phone	
Will the event include any of the following? (Indicate on site plan and/or vendor list)		
Tents or Canopies <i>Tents require temporary use permits issued by the city upon Fire Department review (additional fees may be applicable). Temporary tents must adhere to the International Fire Code</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complete Tent Worksheet and attach with site plan
Inflatables <i>If inflatable exceeds 400 sq ft, additional permit is required</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Total Sq Ft:
Company	Contact name and phone	
Fireworks/Pyrotechnics <i>Fireworks/Pyrotechnics require permits from the City Fire Department (additional fees may be applicable)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Temporary Fencing <i>Temporary fencing requires temporary use permits issued by the city (additional fees may be applicable).</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Provide accurate dimensions of fenced area on site plan.
Temporary restrooms or refuse collection provided? <i>(All trash and debris must be removed)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Company	Contact name and phone	
Carnival/Amusement Rides <i>A separate Special Use Permit may be required. (additional fees may be applicable)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Company	Contact name and phone	
Signs / Banners <i>A separate Sign Permit may be required. (additional fees may be applicable)</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Company	Contact name and phone	
Will animals be used in conjunction with event?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, describe below.
Description:		
Is this a run, walk or parade? If yes, attach a map identifying assembly location and route on site plan. <i>(Fee may be charged for Public Service Personnel)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Must be submitted 21-days prior to event.</b>

Section 4 – Roadways and Sidewalks		
Does the event propose <b>using, closing or blocking</b> any of the following If yes, specify location and duration on site map. <i>(Fee may be charged for Public Service personnel)</i>		
City Streets	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	City Sidewalks <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
City Right-of-Ways	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Public Parking Lots <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Section 5 – Use of City Utilities (Fee may be charged for the use of City Utilities)		
Will any City electric hookups be used?	Yes <input checked="" type="checkbox"/> No	Electric Location including amperage
Will any City water hookups be used?	Yes <input checked="" type="checkbox"/> No	Water Location(s)
Will waste water/gray water be generated?	Yes <input checked="" type="checkbox"/> No	Is so, how will it be disposed?



## Section 6 – Alcohol

Will there be alcohol at the event?

☐ Yes ☒ No

*At no time will alcohol be distributed or consumed in City Parks and/or streets to include Park Pavilions. All activities involving alcohol will require the presence of an off-duty City police officer. The applicant will be required to pay for an officer to be present for a minimum of 3 hours or the full amount of time that alcohol is served. Consumption of alcohol without the presence of an officer or a violation of the provision of the City Ordinances will result in forfeiture of the rental deposit.*

The Texas Alcoholic Beverage Commission (TABC) requires specific and specialized permits for selling/serving alcohol. These permits will be based on the parameters and scope of the desired service and the type of event. Due to the numerous scenarios that may be involved in your event, it is impossible to outline the requirements in this application. **It is your responsibility** to contact the TABC office and speak to an Agent who will be the entity for permission and, if approved, provide the exact permit(s) required.

Permission by the City to hold a Special Event does not guarantee permission from TABC to serve/sell alcohol. Your event may be approved by the City but the service and selling of alcohol is the domain of the TABC and may be denied at their discretion.

Permission by the TABC to serve/sell alcohol at a Special Event does not guarantee permission of the City.

Will alcohol be provided free of charge?

☐ Yes ☒ No

*To be considered "free," there cannot be an expectation of receiving money. You cannot charge for admission, ask for donations or accept tips. Doing so would constitute a sale of alcohol and would require a Texas Alcohol Beverage Commission and City Permit.*

Will you be charging an entrance or registration fee?

☐ Yes ☒ No

Will the alcohol be sold?

☐ Yes ☒ No

If you answered Yes, a Texas Alcohol Beverage Commission and City Permit will be required.

TABC License # \_\_\_\_\_ Expiration \_\_\_\_\_

## Section 11 – Insurance Requirements

The City of Crowley has established insurance requirements for those facility users, vendors and contractors entering into agreements with the City for the purpose of special events and activities. Before commencing use or services under an agreement with the City of Crowley a certificate of insurance that complies with the requirements referenced below must be furnished.

**All special event applicants shall name the City of Crowley as an "Additional Insured"** on all policies, and shall reflect this on a Certificate of Liability Insurance. A pplicant shall obtain Certificates of Liability Insurance from all vendors participating in this event unless covered under the applicant's insurance policy. Separate Certificates of Insurance Liability shall be provided by all carnival and amusement companies and firework production companies and shall name the City of Crowley as "Additional Insured." Additional coverage may be required depending upon the nature and scope of the event. The City of Crowley reserves the right to evaluate the liability of each event and assess the required insurance limits. Event permits will not be issued until all insurance requirements are satisfactorily met.

### The certificate must show:

1. The City of Crowley as "Additional Insured."
2. General Liability Including:
  - Bodily injury
  - Property damage
  - Medical Expense
  - Personal Injury

### Organized League Play

Any organization or group who is renting an athletic field for the purpose of organized league play must provide the following documents:

1. Certificate of Liability Insurance. The city and the group or organization must be co-insured by the policy. The policy must include a minimum of \$500,000.00 per incident, with not less than \$1,000,000.00 aggregate with the same remaining in effect for the term of this agreement. Failure to maintain such insurance shall be cause for immediate cancellation of event/reservation;
2. Health permit (if renting concession stand);
3. Player insurance;
4. State Charter;
5. Bylaws;
6. Schedule; and
7. Emergency contact information.



## Section 12 – Compliance with Laws and City Ordinances

1. The applicant will clean the grounds, remove equipment, and restore the permitted site after the event.
2. The applicant is responsible for providing parking assistance if required.
3. Adequate policing for crowd control must be provided by applicant. Off duty officers are available by calling 817-297-2276.
4. The applicant will not nail, staple, or otherwise attach any event-connected signs to any guard post, sign post, utility pole or tree.
5. Admission to the event will not be limited to membership nor will any discrimination be made against a person because of race, creed, sex, color, age, or national origin in conducting the event. Admission to view the event will be open to the general public without discrimination on the grounds of race, color, religion, national origin, sex, or age. Participation in the event may be limited to members of the sponsoring group, provided that the group does not unlawfully discriminate against participation in the event on grounds of race, color, religion, national origin, sex, or age. Request for Special Event Application citing special circumstances for participation requiring gender or age discrimination must be accompanied by an exceedingly persuasive justification.
6. If necessary, the applicant will furnish a map showing the area where the special event is to be conducted.

## Section 13 – Acknowledgement and Signature

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of event will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local ordinances regulating this type of event or the use of any land or buildings.

I hereby certify that I have received the property owners consent to utilize above location for the period of time and purpose stated.

I further understand that any deviation from this Application could result in the City closing down or canceling the Event. I understand that a Special Event Permit must be approved by the City of Crowley prior to the occurrence of this Event. The issuance of that permit is contingent upon the compliance with the Special Event Application and acceptance of all listed stipulations or conditions of the Special Event Permit.

Signature:

*Sylvia E. Banks*

Date:

*28-June-20*

## Section 13 – Acknowledgement and Signature

Included	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	Certificate of Liability Insurance
<input type="checkbox"/>	<input type="checkbox"/>	Detailed Site Plan
<input type="checkbox"/>	<input type="checkbox"/>	Route Map
<input type="checkbox"/>	<input type="checkbox"/>	Amusement Ride Certification of Inspection
<input type="checkbox"/>	<input type="checkbox"/>	Tent Permit Application

Public Works  
☐ Approved ☐ Denied Initials

Remarks

Fire Department  
☐ Approved ☐ Denied Initials

Remarks

Police Department  
☐ Approved ☐ Denied Initials

Remarks

Recreation Center  
☐ Approved ☐ Denied Initials

Remarks

City Council  
☐ Approved ☐ Denied Initials

Remarks



## Application for Tent Permit

Section 1 – Applicant Information					
Name of Applicant				Today's Date	
Address		City		State	Zip
Phone Number		Cell Phone Number			
Email					
Section 2 – Person/Organization/Contractor Responsible for Erection of Tent					
Organization					
Address		City		State	Zip
Phone Number		Cell Phone Number			
Email					
Section 3 - Tent Information					
Location of Tent				Number of Tents	Zoning District
Purpose of Tent/Usage Description					
Description of Tent (if multiple list details of each tent)					
Size (ft)	Area (sq ft)	Tent Separation (ft)	Side Walls	Additional Info	
1. x			<input type="checkbox"/> Yes <input type="checkbox"/> No		
2. x			<input type="checkbox"/> Yes <input type="checkbox"/> No		
3. x			<input type="checkbox"/> Yes <input type="checkbox"/> No		
4. x			<input type="checkbox"/> Yes <input type="checkbox"/> No		
5. x			<input type="checkbox"/> Yes <input type="checkbox"/> No		
Attach site plan which includes the following: <ol style="list-style-type: none"> <li>1. Accurate site plan with dimensions from property lines and other structures</li> <li>2. Floor plan showing all required exits, no smoking signs, square footage and height of structure</li> <li>3. Occupant Load per manufacturer guidelines</li> <li>4. Membrane type and Fire Resistance Certification (must be attached)</li> <li>5. Locations of fire extinguishers.</li> <li>6. Location of parking</li> <li>7. Location and distance of all heat producing equipment</li> <li>8. Location and distance of all generators</li> </ol>					
Date to be erected			Date to be taken down		
I hereby certify that I have received the property owners consent to erect a temporary tent at the above location for the period of time and purpose stated.					
I agree to meet requirements of the International Fire Code regarding tents and other membrane structures and all other regulations or ordinances of the City. I acknowledge that violations of any of the codes, regulations or ordinances will result in immediate revocation of this permit.					
Signature				Date	
Planning and Development <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved			Notes/Special Conditions:		
Fire Marshal <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved			Notes/Special Conditions:		
Fee - Date Paid		Amount Paid		Permit Issued (Number)	





## Crowley City Council

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### AGENDA REPORT

**Meeting Date:** July 15, 2021

**Agenda Item:** VII-2

**Staff Contact:** Carol Konhauser  
City Secretary  
**E-mail:** ckonhauser@ci.crowley.tx.us  
**Phone:** 817-297-2201 ext. 4000

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**SUBJECT:** Discuss and consider Special Event Permit Application for a pyrotechnic flame display to be held by a resident of The Bridges Subdivision.

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#### **BACKGROUND/DISCUSSION**

Mr Jonathon Yeager submitted a special Event Permit Application to hold a pyrotechnic flame display over the Halloween weekend in conjunction with his residential light display located at his residence, 1824 Rialto Lane, in The Bridges Subdivision.

The Fire Marshall and Fire Chief have both reviewed the application and given their approval. The flame machine will be in the driveway and cordon off from spectators (see narrative of light show attached to permit). If you have any questions or concerns regarding the flame machine, please direct those to Chief Brooks and/or Fire Marshall Skally.

Requester has not submitted insurance because he is waiting to see if he will be allowed to hold the event. He will acquire insurance if the permit is approved.

#### **FINANCIAL IMPACT**

None.

#### **RECOMMENDATION**

Recommend council consider approving the Special Event Permit on the condition that requester submits insurance prior to the event.

#### **ATTACHMENTS**

- Special Event Application





## Special Events Permit Application

City Secretary's Office  
201 E Main Street  
Crowley TX 76036  
(817) 297-2201 ext 4000

Permit applications shall be filed with the city secretary or designee for consideration on a first come first serve basis **not less than 21 days or more than 365 days before the date of the proposed use or activity. In the event of a street closure, applications must be submitted not less than 45 days in advance. Due to the state department of transportation requirements, closure of any state highway for more than six (6) hours will require 90 days' advance notice to the city.** The application will either be approved, approved with conditions, denied, or more information will be requested within five business days of submission to the city secretary. Due to the nature of some events, additional information may be requested. A deposit will be required for certain types of events. The deposits shall be set forth in the city fee schedule listed as Appendix A to the City of Crowley Code of Ordinances.

All applicants will be charged facility rental fees as appropriate and are expected to fully reimburse the City for all services related to event production which may include, but are not limited to, Police, Fire/EMS, Park and Facility Maintenance, Field Services, Sanitation, Street Engineering, Site Supervisors, Environmental, and all necessary permit fees including: Beer and Wine, Tent, Fireworks, Carnival, Sign, etc. Applicants are responsible for returning City facilities and parks their original condition. Daily fees will be assessed until all event equipment is removed from City premises. Full payment is due upon receipt of final invoice.

Section 1 – Applicant Information			
Name of Applicant (must be on site during the event) Jonathan Yeager		Today's Date 06/29/2021	
Address 1824 Rialto Lane	City Crowley	State TX	Zip 76036
Phone Number 817-832-2461	Cell Phone Number 817-832-2461		
Email JMYeager85@gmail.com			
Section 2 – Sponsoring Organization Information			
Corporation/Organization Name of D.B.A.		Type of Organization <input type="checkbox"/> For Profit <input type="checkbox"/> Non-Profit <input type="checkbox"/> Other:	
Name of Contact		Email:	
Address	City	State	Zip
Phone Number	Cell Phone Number		

Section 2 – Event Information			
Name of Event Rialto Lane Holiday Light Show		Anticipated Daily Attendance 25	
Location of Event/physical address 1824 Rialto Lane, Crowley, TX 76036			
Property Owner Jonathan Yeager (Home Owner)		Owner Phone 817-832-2461	
Owner Email: JMYeager85@gmail.com		Has the property owner given authorization to use property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Detailed Description of Event This will be a Holiday Light Show that runs from September through December 2021. We will feature over 10,000 lights that sing and dance to music. For the Halloween show (September - October) we will feature a flame machine (with approval from the City of Crowley Fire Marshal) and for the Christmas Show (November 0 December) we will feature a bubble snow machine. <b>Flame display will only be held on 30 Oct - 1 Nov</b> This event will take place at our home, which is the address listed above.			
	Date	Time	Day of Week
Setup	08/20/2021	12:00 PM	<input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> Th <input checked="" type="checkbox"/> F <input type="checkbox"/> Sat <input type="checkbox"/> Sun
Event Start	09/01/2021	8:00 PM	<input type="checkbox"/> M <input type="checkbox"/> T <input checked="" type="checkbox"/> W <input type="checkbox"/> Th <input type="checkbox"/> F <input type="checkbox"/> Sat <input type="checkbox"/> Sun
Event End	01/02/2022	11:00 PM	<input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> Th <input type="checkbox"/> F <input type="checkbox"/> Sat <input type="checkbox"/> Sun
Teardown			<input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> Th <input type="checkbox"/> F <input type="checkbox"/> Sat <input type="checkbox"/> Sun
Additional Information: The show will run nightly from 8:00PM - 11:00PM in September/October and from 7:00PM 10:00PM November/December. The lights are on a timer and will automatically turn on and off.			

This is a free display that we put on for the community. There is no admission, and we do this to bring joy to our fellow Texans.



### Section 3 – Event Features

Will there be an admission charge?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, list all price categories below.
Will there be entertainment? <i>A complete list of entertainment will be required before final approval. Once approved, no changes may be made unless authorized.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, please attach a complete list of entertainment.
Will sound amplification be used at the event? Sound amplification:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, explain below
Will merchandise and/or food items be sold? <i>Booths will need to be inspected and have proper food handling permits</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, please attach a complete list of vendors.
Have you hired a licensed professional emergency medical service provider to manage your event's medical plan? If yes please list below. (Fee may be charged for Emergency Service personnel)		
Medical Service Provider	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Phone
Will the event include any of the following? (Indicate on site plan and/or vendor list)		
Tents or Canopies <i>Tents require temporary use permits issued by the city upon Fire Department review (additional fees may be applicable). Temporary tents must adhere to the International Fire Code</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complete Tent Worksheet and attach with site plan
Inflatables <i>If inflatable exceeds 400 sq ft, additional permit is required</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Total Sq Ft:
Company	Contact name and phone	
Fireworks/Pyrotechnics <i>Fireworks/Pyrotechnics require permits from the City Fire Department (additional fees may be applicable)</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Temporary Fencing <i>Provide accurate dimensions of fenced area on site plan. Temporary fencing requires temporary use permits issued by the city (additional fees may be applicable).</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Temporary restrooms or refuse collection provided? (All trash and debris must be removed)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Company	Contact name and phone	
Carnival/Amusement Rides <i>A separate Special Use Permit may be required. (additional fees may be applicable)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Company	Contact name and phone	
Signs / Banners <i>A separate Sign Permit may be required. (additional fees may be applicable)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Company	Contact name and phone	
Will animals be used in conjunction with event?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, describe below.
Description:		
Is this a run, walk or parade? If yes, attach a map identifying assembly location and route on site plan. <b>Must be submitted 21-days prior to event.</b> (Fee may be charged for Public Service Personnel)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

### Section 4 – Roadways and Sidewalks

Does the event propose <b>using, closing or blocking</b> any of the following If yes, specify location and duration on site map. (Fee may be charged for Public Service personnel)			
City Streets	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	City Sidewalks	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
City Right-of-Ways	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Public Parking Lots	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

### Section 5 – Use of City Utilities (Fee may be charged for the use of City Utilities)

Will any City electric hookups be used?	Yes	No	Electric Location including amperage
Will any City water hookups be used?	Yes	No	Water Location(s)
Will waste water/gray water be generated?	Yes	No	Is so, how will it be disposed?



## Section 6 – Alcohol

Will there be alcohol at the event? ☐ Yes ☒ No

*At no time will alcohol be distributed or consumed in City Parks and/or streets to include Park Pavilions. All activities involving alcohol will require the presence of an off-duty City police officer. The applicant will be required to pay for an officer to be present for a minimum of 3 hours or the full amount of time that alcohol is served. Consumption of alcohol without the presence of an officer or a violation of the provision of the City Ordinances will result in forfeiture of the rental deposit.*

The Texas Alcoholic Beverage Commission (TABC) requires specific and specialized permits for selling/serving alcohol. These permits will be based on the parameters and scope of the desired service and the type of event. Due to the numerous scenarios that may be involved in your event, it is impossible to outline the requirements in this application. **It is your responsibility** to contact the TABC office and speak to an Agent who will be the entity for permission and, if approved, provide the exact permit(s) required.

Permission by the City to hold a Special Event does not guarantee permission from TABC to serve/sell alcohol. Your event may be approved by the City but the service and selling of alcohol is the domain of the TABC and may be denied at their discretion.

Permission by the TABC to serve/sell alcohol at a Special Event does not guarantee permission of the City.

Will alcohol be provided free of charge? ☐ Yes ☒ No

*To be considered "free," there cannot be an expectation of receiving money. You cannot charge for admission, ask for donations or accept tips. Doing so would constitute a sale of alcohol and would require a Texas Alcohol Beverage Commission and City Permit.*

Will you be charging an entrance or registration fee? ☐ Yes ☒ No

Will the alcohol be sold? ☐ Yes ☒ No

If you answered Yes, a Texas Alcohol Beverage Commission and City Permit will be required.

TABC License # \_\_\_\_\_ Expiration \_\_\_\_\_

## Section 11 – Insurance Requirements

The City of Crowley has established insurance requirements for those facility users, vendors and contractors entering into agreements with the City for the purpose of special events and activities. Before commencing use or services under an agreement with the City of Crowley a certificate of insurance that complies with the requirements referenced below must be furnished.

**All special event applicants shall name the City of Crowley as an "Additional Insured"** on all policies, and shall reflect this on a Certificate of Liability Insurance. A applicant shall obtain Certificates of Liability Insurance from all vendors participating in this event unless covered under the applicant's insurance policy. Separate Certificates of Insurance Liability shall be provided by all carnival and amusement companies and firework production companies and shall name the City of Crowley as "Additional Insured." Additional coverage may be required depending upon the nature and scope of the event. The City of Crowley reserves the right to evaluate the liability of each event and assess the required insurance limits. Event permits will not be issued until all insurance requirements are satisfactorily met.

### The certificate must show:

1. The City of Crowley as "Additional Insured."
2. General Liability Including:
  - Bodily injury
  - Property damage
  - Medical Expense
  - Personal Injury

### Organized League Play

Any organization or group who is renting an athletic field for the purpose of organized league play must provide the following documents:

1. Certificate of Liability Insurance. The city and the group or organization must be co-insured by the policy. The policy must include a minimum of \$500,000.00 per incident, with not less than \$1,000,000.00 aggregate with the same remaining in effect for the term of this agreement. Failure to maintain such insurance shall be cause for immediate cancellation of event/reservation;
2. Health permit (if renting concession stand);
3. Player insurance;
4. State Charter;
5. Bylaws;
6. Schedule; and
7. Emergency contact information.



## Section 12 – Compliance with Laws and City Ordinances

1. The applicant will clean the grounds, remove equipment, and restore the permitted site after the event.
2. The applicant is responsible for providing parking assistance if required.
3. Adequate policing for crowd control must be provided by applicant. Off duty officers are available by calling 817-297-2276.
4. The applicant will not nail, staple, or otherwise attach any event-connected signs to any guard post, sign post, utility pole or tree.
5. Admission to the event will not be limited to membership nor will any discrimination be made against a person because of race, creed, sex, color, age, or national origin in conducting the event. Admission to view the event will be open to the general public without discrimination on the grounds of race, color, religion, national origin, sex, or age. Participation in the event may be limited to members of the sponsoring group, provided that the group does not unlawfully discriminate against participation in the event on grounds of race, color, religion, national origin, sex, or age. Request for Special Event Application citing special circumstances for participation requiring gender or age discrimination must be accompanied by an exceedingly persuasive justification.
6. If necessary, the applicant will furnish a map showing the area where the special event is to be conducted.

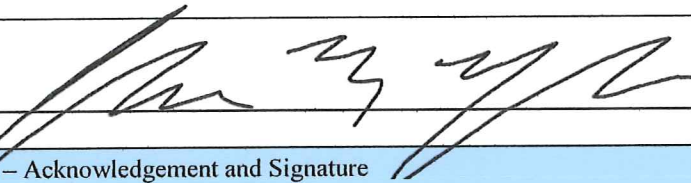
## Section 13 – Acknowledgement and Signature

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of event will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local ordinances regulating this type of event or the use of any land or buildings.

I hereby certify that I have received the property owners consent to utilize above location for the period of time and purpose stated.

I further understand that any deviation from this Application could result in the City closing down or canceling the Event. I understand that a Special Event Permit must be approved by the City of Crowley prior to the occurrence of this Event. The issuance of that permit is contingent upon the compliance with the Special Event Application and acceptance of all listed stipulations or conditions of the Special Event Permit.

Signature:



Date:

06/29/2021

## Section 13 – Acknowledgement and Signature

Included	N/A	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Certificate of Liability Insurance
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Detailed Site Plan
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Route Map
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Amusement Ride Certification of Inspection
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Tent Permit Application

Public Works <input type="checkbox"/> Approved <input type="checkbox"/> Denied Initials	Remarks
Fire Department <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied Initials <i>CPS</i>	Remarks
Police Department <input type="checkbox"/> Approved <input type="checkbox"/> Denied Initials	Remarks
Recreation Center <input type="checkbox"/> Approved <input type="checkbox"/> Denied Initials	Remarks
City Council <input type="checkbox"/> Approved <input type="checkbox"/> Denied Initials	Remarks



## **Rialto Lane Holiday Light Show Flame Effect Proposal**

A narrative description of the flame effect – One 6 channel DMX Flame machine with three flame effects. One straight up, and one to either side at a 45 degree angle.  
The machine dimensions are 35x29x37cm (13.7inX11.4X14.5in) and weighs 9 KG (19.8lbs)  
The location of flame effect devices to be fired and their controls and control sequence

The area affected by the flame effect device – The machine will be centrally located in the concrete driveway of our residence. Our driveway is 18ft across and 29ft long. This will allow for 8 ft of space on either side of the machine, and 14 ft to the beginning of the sidewalk.

The location of the audience – On the sidewalk, across the street. No one will be permitted on our side of the street while the flame effect is in operation. The street and sidewalk measure 62ft in length, and with the 14 ft to the machine in the center of our driveway, the audience will be a total of 76 ft away at all times.

The fuels used and their estimated consumption – Hot Shotz Fire Canister Fuel 11oz can, (Ether Starting Fluid) or equivalent – each canister will produce 150-170 shorts bursts of flame effect. The machine will house three cans, one for each flame effect direction.

Air for combustion and ventilation for indoor effects – The effects will be done outside.  
Flammable materials piping – Not needed as this is a self-contained system.

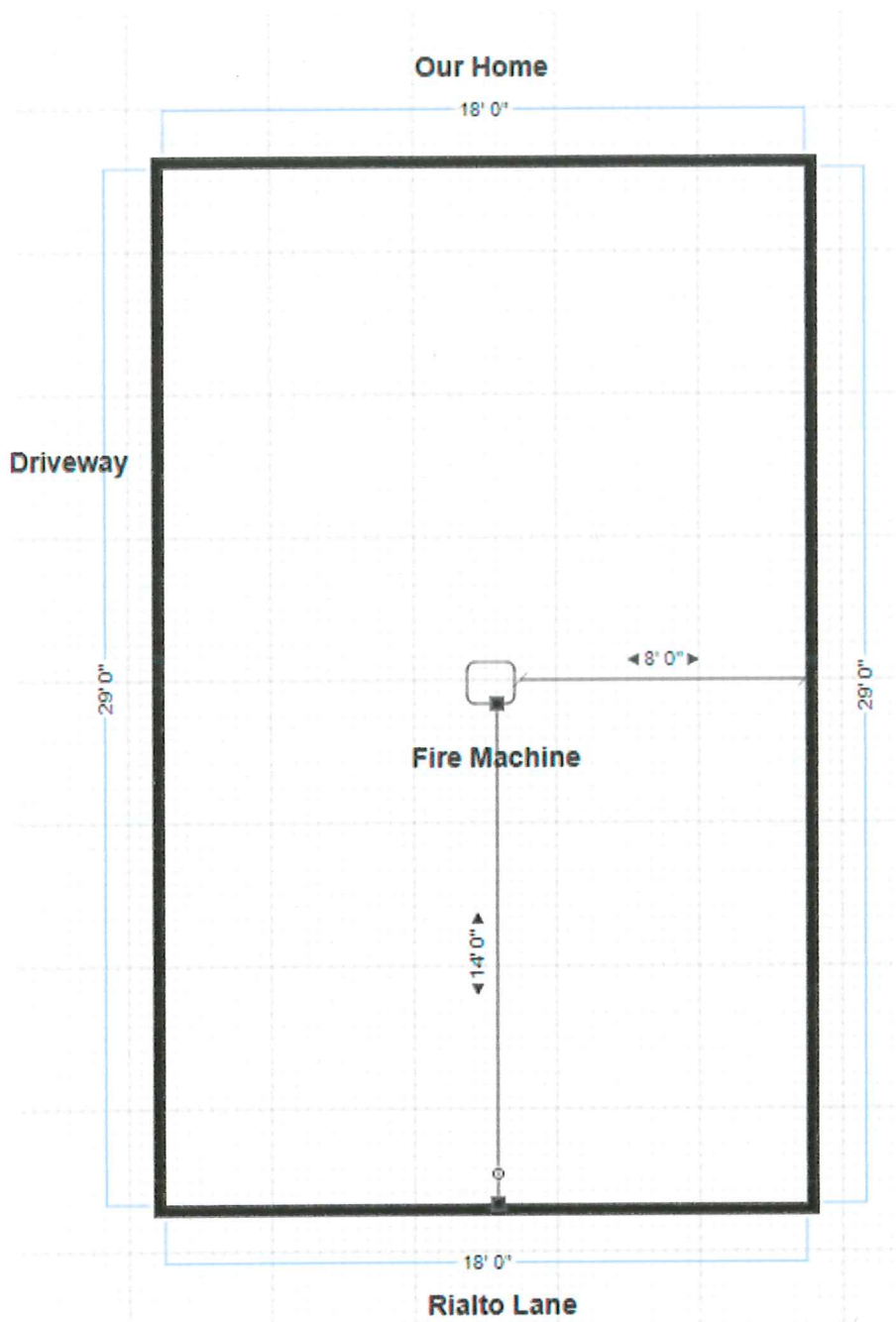
Storage and holding areas and their capacities – The machine will house the cans of fuel, and when not in use the machine and the fuel will be stored inside our home.

Supplemental fire protection features – The machine has a safety switch that prevents unintentional firing of the effect. The effects will be triggered as part of our light show and will be controlled via computer system, synced to music and lights that make up the rest of the show. The machine also has a tip over safety feature, and will cease function if the machine is tipped over. We will have four fire extinguishers (as outlined by the requirements below) on site at all times during operation, and will not operate the flame effect unless both myself and my wife are present and outside.

Emergency response procedures – In the event that there is an emergency, we will take measures to ensure everyone's safety at the time and call for additional EMS/Fire personnel if needed.

Means of egress – visitors will either be in their vehicles parked on the street, or standing on the sidewalk across the street from our house. Visitors can come and go as they please using Rialto Lane either Northbound or Southbound. During operation, we will not permit anyone to park on our side of the street, in front of our house and will direct anyone attempting to park here to the other side of the street.







◀ 18' 0" ▶

End of Driveway

◀ 0' 0" ▶

Rialto Lane  
(including Sidewalks)

◀ 62' 0" ▶

Audience





# City Of Crowley Fire Department

## Fire Marshal's Office

201 E Main St Crowley TX, 76036

Phone: (817) 297-1638 ext. 5020 Email: [cscally@ci.crowley.tx.us](mailto:cscally@ci.crowley.tx.us)

Permit Review Comments: 06/03/2021

Crowley TX 76036

Plans reviewed were for a **Pyrotechnic Special or Theatrical Effects show**. Plans submitted consisted of Permit only on 1st submittal. Permit was received on 05/30/2021 and reviewed on 06/03/2021. the Permit was reviewed in accordance with the City of Crowley Fire Code and Current NFPA Standards. **Permit Fee: \$50.00** due upon permit approval.

### Comments:

All aspects of the submitted and approved plans shall be field verified to ensure compliance with applicable codes and work has been completed according to approved plans by the Authority Having Jurisdiction.

Ref: NFPA 160  
NFPA 1126

NFPA 30  
NFPA 25  
NFPA 58

I FC 105.6.38

### **5.3.1**

The plan for the use of flame effects shall be submitted in writing or other form acceptable to the AHJ.

### **5.3.2 \***

The plan shall include the following:

1. The name of the person, group, or organization responsible for the production  
**Rialto Lane Holiday Light Show (non-profit, home ran public light display)**
2. The dates and times of the production  
**The show will include the flame effects on Friday, Saturday, and Sunday evenings in September and October – weather permitting.**
3. The location of the production  
**1824 Rialto Lane, Crowley, Tx 76036**
4. The flame effect classification  
**Class C**
5. A site plan showing the following: - See attached  
A narrative description of the flame effect – **One 6 channel DMX Flame machine with three flame effects. One straight up, and one to either side at a 45 degree angle.**  
**The machine dimensions are 35x29x37cm (13.7inX11.4X14.5in) and weighs 9 KG (19.8lbs)**  
**The location of flame effect devices to be fired and their controls and control sequence**  
**The area affected by the flame effect device – The machine will be centrally located in the concrete driveway of our residence.**  
**The location of the audience – On the sidewalk, across the street. No one will be permitted on our side of the street while the flame effect is in operation.**  
**The fuels used and their estimated consumption – Hot Shotz Fire Canister Fuel 11oz can, or equivalent (Ether Starting Fluid) – each canister will produce 150-170 shorts bursts of flame effect. The machine will house three cans, one for each flame effect direction.**  
**Air for combustion and ventilation for indoor effects – The effects will be done outside.**  
**Flammable materials piping – Not needed as this is a self-contained system.**  
**Storage and holding areas and their capacities – The machine will house the cans of fuel, and when not in use the machine and the fuel will be stored inside our home.**



Supplemental fire protection features – The machine has a safety switch that prevents unintentional firing of the effect. The effects will be triggered as part of our light show and will be controlled via computer system, synced to music and lights that make up the rest of the show. The machine also has a tip over safety feature, and will cease function if the machine is tipped over. We will have four fire extinguishers (as outlined by the requirements below) on site at all times during operation, and will not operate the flame effect unless both myself and my wife are present and outside.

Emergency response procedures – In the event that there is an emergency, we will take measures to ensure everyone's safety at the time and call for additional EMS/Fire personnel if needed.

Means of egress – visitors will either be in their vehicles parked on the street, or standing on the sidewalk across the street from our house. Visitors can come and go as they please using Rialto Lane either Northbound or Southbound. During operation, we will not permit anyone to park on our side of the street, in front of our house and will direct anyone attempting to park here to the other side of the street.

6. A current Safety Data Sheet (SDS) for the materials (fuels) consumed in the flame effect - See Attached
7. Documentation that the combustible materials used for construction of the flame effects have been rendered flame retardant - The machine will be placed on our concrete driveway, concrete is flame retardant by nature.
8. The name of the effect operator – Jonathan Yeager
9. **5.3.3**

The operator shall make operating instructions for flame effects available to the AHJ.

**10. 5.3.4**

Page 1 of 3

**11. 5.4 Flame Effect Demonstration.**

**12. 5.4.1 \***

When required, a walk-through and a representative demonstration of the flame effects shall be provided to the AHJ before flame effects are approved.

**13. 5.4.2**

The demonstration shall be scheduled with sufficient time to allow resetting of the flame effects prior to the arrival of the audience.

**14. 16.3 \* Additional Fire Safety Provisions for Temporary Installations.**

**15. 16.3.1**

Where determined by the AHJ that a need for fixed or additional fire protection equipment or standby fire safety personnel exists, such equipment or personnel shall be provided.

**16. 16.3.2**

Four or more fire extinguishers of the proper classification and size as approved by the AHJ shall be readily accessible while the flame effects performance is being conducted.

**17. 16.3.2.1**

The following shall be provided in addition to those required by NFPA 10

Two pressurized water extinguishers, each with a minimum rating of 2-A

Two extinguishers, each with a minimum rating of 10-B:C, or two extinguishers appropriate to the fuel source being used

**18. 16.3.2.2**

The extinguishers shall be placed so that at least one each is located on opposing sides of the performance where flame effects are used.



**19. 16.4 Standby Fire Safety Personnel Requirements.**

**20. 16.4.1**

Where required by the fire hazards evaluation or the AHJ, standby fire safety personnel shall be present along with operational supplemental equipment.

**21. 16.4.2**

Standby fire safety personnel shall have a working knowledge of the supplemental fixed or portable fire-fighting equipment used in the area of the flame effects.

**22. 16.4.3**

Standby fire safety personnel shall have a means of communication or of transmitting an alarm during the operation of flame effects.

To schedule necessary inspection or if you have any questions please contact:

Claude F. Scally

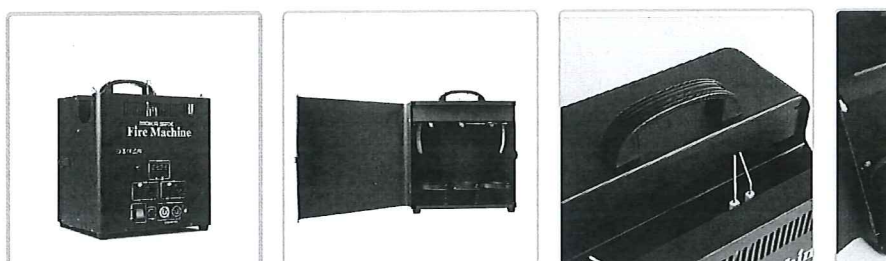
Fire Marshal EMC  
Crowley Fire  
Department  
201 E. Main Street  
Crowley Texas 76036  
817-223-4264 cell



Page 2 of 3

Page 3 of 3





## H-E03 Fire Machine DMX 512

MOKA SFX H-E03 flame machine is a professional stage effect flame machine.

This flamethrower is a second-generation fire-breathing machine re-launched by MOKA SFX in 2019.





## Crowley City Council

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### AGENDA REPORT

**Meeting Date:** July 15, 2021

**Agenda Item:** VII-3

**Staff** Carol Konhauser

**Contact:** City Secretary

**E-mail:** ckonhauser@ci.crowley.tx.us

**Phone:** 817-297-2201 ext. 4000

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**SUBJECT:** Discuss and consider Special Event Permit Application for Crowley Youth Association Midnight Madness Softball Tournament to be held on August 8, 2020 from 7:00pm to August 9, 2020 at 6:00am.

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#### **BACKGROUND/DISCUSSION**

Mr Marco Lopez from the CYA has submitted a special Event Permit Application to hold a Midnight Madness Softball Tournament at the CYA Baseball fields on August 7, 2021 from 6:00pm to August 8, 2021 at 7:00am.

The CYA has submitted their Insurance Certificate which is on file with the City Secretary's Office.

#### **FINANCIAL IMPACT**

None.

#### **RECOMMENDATION**

Staff recommends approval.

#### **ATTACHMENTS**

- Special Event Application





## Special Events Permit Application

City Secretary's Office  
201 E Main Street  
Crowley TX 76036  
(817) 297-2201 ext 4000

Permit applications shall be filed with the city secretary or designee for consideration on a first come first serve basis **not less than 21 days or more than 365 days before the date of the proposed use or activity. In the event of a street closure, applications must be submitted not less than 45 days in advance. Due to the state department of transportation requirements, closure of any state highway for more than six (6) hours will require 90 days' advance notice to the city.** The application will either be approved, approved with conditions, denied, or more information will be requested within five business days of submission to the city secretary. Due to the nature of some events, additional information may be requested. A deposit will be required for certain types of events. The deposits shall be set forth in the city fee schedule listed as Appendix A to the City of Crowley Code of Ordinances.

All applicants will be charged facility rental fees as appropriate and are expected to fully reimburse the City for all services related to event production which may include, but are not limited to, Police, Fire/EMS, Park and Facility Maintenance, Field Services, Sanitation, Street Engineering, Site Supervisors, Environmental, and all necessary permit fees including: Beer and Wine, Tent, Fireworks, Carnival, Sign, etc. Applicants are responsible for returning City facilities and parks their original condition. Daily fees will be assessed until all event equipment is removed from City premises. Full payment is due upon receipt of final invoice.

Section 1 – Applicant Information			
Name of Applicant (must be on site during the event) <i>Marco A Lopez</i>		Today's Date <i>7/2/2021</i>	
Address <i>2721 Martin Lydon Ave</i>	City <i>Ft worth</i>	State <i>TX</i>	Zip <i>76133</i>
Phone Number <i>817-350-0660</i>	Cell Phone Number		
Email <i>mlopez@holtlunsford.com</i>			
Section 2 – Sponsoring Organization Information			
Corporation/Organization Name of D.B.A. <i>Crowley Youth Association Softball</i>		Type of Organization <input type="checkbox"/> For Profit <input checked="" type="checkbox"/> Non-Profit <input type="checkbox"/> Other:	
Name of Contact <i>Marco A Lopez</i>		Email: <i>mlopez@holtlunsford.com</i>	
Address <i>2721 Martin Lydon Ave</i>	City <i>Ft worth</i>	State <i>TX</i>	Zip <i>76133</i>
Phone Number <i>817-350-0660</i>	Cell Phone Number		

Section 2 – Event Information			
Name of Event <i>Midnight Madness (Softball)</i>		Anticipated Daily Attendance <i>250</i>	
Location of Event/physical address <i>1501 Lughorn Trail Crowley, Texas 76036</i>			
Property Owner <i>Crowley Youth Association</i>		Owner Phone <i>817-350-0666</i>	
Owner Email: <i>mlopez@holtlunsford.com</i>		Has the property owner given authorization to use property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Detailed Description of Event <i>over night youth softball tournament</i>			
	Date	Time	Day of Week
Setup	<i>8/7/2021</i>	<i>6pm</i>	<input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> Th <input type="checkbox"/> F <input checked="" type="checkbox"/> Sat <input type="checkbox"/> Sun
Event Start	<i>8/7/2021</i>	<i>1pm</i>	<input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> Th <input type="checkbox"/> F <input checked="" type="checkbox"/> Sat <input type="checkbox"/> Sun
Event End	<i>8/8/2021</i>	<i>7am</i>	<input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> Th <input type="checkbox"/> F <input type="checkbox"/> Sat <input checked="" type="checkbox"/> Sun
Teardown			<input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> Th <input type="checkbox"/> F <input type="checkbox"/> Sat <input type="checkbox"/> Sun
Additional Information:			



Section 3 – Event Features		
Will there be an admission charge?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, list all price categories below.
Will there be entertainment? <i>A complete list of entertainment will be required before final approval. Once approved, no changes may be made unless authorized.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, please attach a complete list of entertainment.
Will sound amplification be used at the event? Sound amplification:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, explain below
Will merchandise and/or food items be sold? <i>Booths will need to be inspected and have proper food handling permits</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, please attach a complete list of vendors.
Have you hired a licensed professional emergency medical service provider to manage your event's medical plan? If yes please list below. (Fee may be charged for Emergency Service personnel)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Medical Service Provider	Phone	
Will the event include any of the following? (Indicate on site plan and/or vendor list)		
Tents or Canopies <i>Tents require temporary use permits issued by the city upon Fire Department review (additional fees may be applicable). Temporary tents must adhere to the International Fire Code</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complete Tent Worksheet and attach with site plan
Inflatables <i>If inflatable exceeds 400 sq ft, additional permit is required</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Total Sq Ft:
Company	Contact name and phone	
Fireworks/Pyrotechnics <i>Fireworks/Pyrotechnics require permits from the City Fire Department (additional fees may be applicable)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Temporary Fencing <i>Provide accurate dimensions of fenced area on site plan. Temporary fencing requires temporary use permits issued by the city (additional fees may be applicable).</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Temporary restrooms or refuse collection provided? (All trash and debris must be removed)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Company	Contact name and phone	
Carnival/Amusement Rides <i>A separate Special Use Permit may be required. (additional fees may be applicable)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Company	Contact name and phone	
Signs / Banners <i>A separate Sign Permit may be required. (additional fees may be applicable)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Company	Contact name and phone	
Will animals be used in conjunction with event?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, describe below.
Description:		
Is this a run, walk or parade? If yes, attach a map identifying assembly location and route on site plan. <b>Must be submitted 21-days prior to event.</b> (Fee may be charged for Public Service Personnel)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Section 4 – Roadways and Sidewalks			
Does the event propose <b>using, closing or blocking</b> any of the following If yes, specify location and duration on site map. (Fee may be charged for Public Service personnel)			
City Streets	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	City Sidewalks	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
City Right-of-Ways	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Public Parking Lots	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Section 5 – Use of City Utilities (Fee may be charged for the use of City Utilities)			
Will any City electric hookups be used?	Yes	<input checked="" type="checkbox"/> No	Electric Location including amperage
Will any City water hookups be used?	Yes	<input checked="" type="checkbox"/> No	Water Location(s)
Will waste water/gray water be generated?	Yes	<input checked="" type="checkbox"/> No	Is so, how will it be disposed?



## Section 6 – Alcohol

Will there be alcohol at the event?

☐ Yes ☒ No

*At no time will alcohol be distributed or consumed in City Parks and/or streets to include Park Pavilions.*

*All activities involving alcohol will require the presence of an off-duty City police officer. The applicant will be required to pay for an officer to be present for a minimum of 3 hours or the full amount of time that alcohol is served. Consumption of alcohol without the presence of an officer or a violation of the provision of the City Ordinances will result in forfeiture of the rental deposit.*

The Texas Alcoholic Beverage Commission (TABC) requires specific and specialized permits for selling/serving alcohol. These permits will be based on the parameters and scope of the desired service and the type of event. Due to the numerous scenarios that may be involved in your event, it is impossible to outline the requirements in this application. **It is your responsibility** to contact the TABC office and speak to an Agent who will be the entity for permission and, if approved, provide the exact permit(s) required.

Permission by the City to hold a Special Event does not guarantee permission from TABC to serve/sell alcohol. Your event may be approved by the City but the service and selling of alcohol is the domain of the TABC and may be denied at their discretion.

Permission by the TABC to serve/sell alcohol at a Special Event does not guarantee permission of the City.

Will alcohol be provided free of charge?

☐ Yes ☒ No

*To be considered "free," there cannot be an expectation of receiving money. You cannot charge for admission, ask for donations or accept tips. Doing so would constitute a sale of alcohol and would require a Texas Alcohol Beverage Commission and City Permit.*

Will you be charging an entrance or registration fee?

☐ Yes ☒ No

Will the alcohol be sold?

☐ Yes ☒ No

If you answered Yes, a Texas Alcohol Beverage Commission and City Permit will be required.

TABC License # \_\_\_\_\_

Expiration \_\_\_\_\_

## Section 11 – Insurance Requirements

The City of Crowley has established insurance requirements for those facility users, vendors and contractors entering into agreements with the City for the purpose of special events and activities. Before commencing use or services under an agreement with the City of Crowley a certificate of insurance that complies with the requirements referenced below must be furnished.

**All special event applicants shall name the City of Crowley as an "Additional Insured"** on all policies, and shall reflect this on a Certificate of Liability Insurance. A applicant shall obtain Certificates of Liability Insurance from all vendors participating in this event unless covered under the applicant's insurance policy. Separate Certificates of Insurance Liability shall be provided by all carnival and amusement companies and firework production companies and shall name the City of Crowley as "Additional Insured." Additional coverage may be required depending upon the nature and scope of the event. The City of Crowley reserves the right to evaluate the liability of each event and assess the required insurance limits. Event permits will not be issued until all insurance requirements are satisfactorily met.

### The certificate must show:

1. The City of Crowley as "Additional Insured."
2. General Liability Including:
  - Bodily injury
  - Property damage
  - Medical Expense
  - Personal Injury

### Organized League Play

Any organization or group who is renting an athletic field for the purpose of organized league play must provide the following documents:

1. Certificate of Liability Insurance. The city and the group or organization must be co-insured by the policy. The policy must include a minimum of \$500,000.00 per incident, with not less than \$1,000,000.00 aggregate with the same remaining in effect for the term of this agreement. Failure to maintain such insurance shall be cause for immediate cancellation of event/reservation;
2. Health permit (if renting concession stand);
3. Player insurance;
4. State Charter;
5. Bylaws;
6. Schedule; and
7. Emergency contact information.



## Section 12 – Compliance with Laws and City Ordinances

1. The applicant will clean the grounds, remove equipment, and restore the permitted site after the event.
2. The applicant is responsible for providing parking assistance if required.
3. Adequate policing for crowd control must be provided by applicant. Off duty officers are available by calling 817-297-2276.
4. The applicant will not nail, staple, or otherwise attach any event-connected signs to any guard post, sign post, utility pole or tree.
5. Admission to the event will not be limited to membership nor will any discrimination be made against a person because of race, creed, sex, color, age, or national origin in conducting the event. Admission to view the event will be open to the general public without discrimination on the grounds of race, color, religion, national origin, sex, or age. Participation in the event may be limited to members of the sponsoring group, provided that the group does not unlawfully discriminate against participation in the event on grounds of race, color, religion, national origin, sex, or age. Request for Special Event Application citing special circumstances for participation requiring gender or age discrimination must be accompanied by an exceedingly persuasive justification.
6. If necessary, the applicant will furnish a map showing the area where the special event is to be conducted.

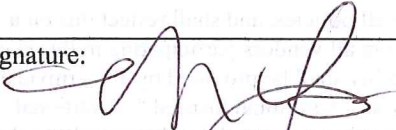
## Section 13 – Acknowledgement and Signature

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of event will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local ordinances regulating this type of event or the use of any land or buildings.

I hereby certify that I have received the property owners consent to utilize above location for the period of time and purpose stated.

I further understand that any deviation from this Application could result in the City closing down or canceling the Event. I understand that a Special Event Permit must be approved by the City of Crowley prior to the occurrence of this Event. The issuance of that permit is contingent upon the compliance with the Special Event Application and acceptance of all listed stipulations or conditions of the Special Event Permit.

Signature:



Date:

7/2/2021

## Section 13 – Acknowledgement and Signature

Included

N/A

☐  
☐  
☐  
☐  
☐
☐  
☐  
☐  
☐  
☐

Certificate of Liability Insurance  
 Detailed Site Plan  
 Route Map  
 Amusement Ride Certification of Inspection  
 Tent Permit Application

Public Works

☐ Approved ☐ Denied Initials

Remarks

Fire Department

☐ Approved ☐ Denied Initials

Remarks

Police Department

☐ Approved ☐ Denied Initials

Remarks

Recreation Center

☐ Approved ☐ Denied Initials

Remarks

City Council

☐ Approved ☐ Denied Initials

Remarks



## Application for Tent Permit

Section 1 – Applicant Information				
Name of Applicant			Today's Date	
Address		City	State	Zip
Phone Number		Cell Phone Number		
Email				
Section 2 – Person/Organization/Contractor Responsible for Erection of Tent				
Organization				
Address		City	State	Zip
Phone Number		Cell Phone Number		
Email				
Section 3 - Tent Information				
Location of Tent			Number of Tents	Zoning District
Purpose of Tent/Usage Description				
Description of Tent (if multiple list details of each tent)				
Size (ft)	Area (sq ft)	Tent Separation (ft)	Side Walls	Additional Info
1. x			<input type="checkbox"/> Yes <input type="checkbox"/> No	
2. x			<input type="checkbox"/> Yes <input type="checkbox"/> No	
3. x			<input type="checkbox"/> Yes <input type="checkbox"/> No	
4. x			<input type="checkbox"/> Yes <input type="checkbox"/> No	
5. x			<input type="checkbox"/> Yes <input type="checkbox"/> No	
Attach site plan which includes the following: <ol style="list-style-type: none"> <li>1. Accurate site plan with dimensions from property lines and other structures</li> <li>2. Floor plan showing all required exits, no smoking signs, square footage and height of structure</li> <li>3. Occupant Load per manufacturer guidelines</li> <li>4. Membrane type and Fire Resistance Certification (must be attached)</li> <li>5. Locations of fire extinguishers.</li> <li>6. Location of parking</li> <li>7. Location and distance of all heat producing equipment</li> <li>8. Location and distance of all generators</li> </ol>				
Date to be erected		Date to be taken down		
I hereby certify that I have received the property owners consent to erect a temporary tent at the above location for the period of time and purpose stated.				
I agree to meet requirements of the International Fire Code regarding tents and other membrane structures and all other regulations or ordinances of the City. I acknowledge that violations of any of the codes, regulations or ordinances will result in immediate revocation of this permit.				
Signature			Date	
Planning and Development <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved		Notes/Special Conditions:		
Fire Marshal <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved		Notes/Special Conditions:		
Fee - Date Paid		Amount Paid		Permit Issued (Number)





## Crowley City Council

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### AGENDA REPORT

**Meeting Date:** July 15, 2021

**Agenda Item:** VII-4

**Staff** Carol Konhauser

**Contact:** City Secretary

**E-mail:** ckonhauser@ci.crowley.tx.us

**Phone:** 817-297-2201 ext. 4000

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**SUBJECT:** Discuss and consider Special Event Permit Application for Crowley Youth Association Midnight Madness Softball Tournament to be held on August 8, 2020 from 7:00pm to August 9, 2020 at 6:00am.

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#### **BACKGROUND/DISCUSSION**

Mr Marcus Johnson has submitted a special event permit application for an adult basketball league. The league would like to rent the gym on either a Saturday or Sunday between the months of October 2020 thru January 2021, from 1:00pm to 9:00 pm. They would also like to charge a fee for entrance (\$10 for adults and \$5 for children) which staff believes is against City Ordinances. The City of Crowley Code of Ordinances, Article III Rules and Regulations, Section 58-56 Conduct of persons within a park, which includes city facilities, states:

*(12) Merchandising, advertising and signs.*

- a. No unauthorized person shall offer for sale or hire any article, thing or service, nor station or place any stand, cart or vehicle for the transportation, sale or display of any article, thing or service. This section may be waived for city sponsored events.
- b. No person shall advertise in any way to any article, thing or service for sale or hire.
- c. No unauthorized person shall paste, glue, tack or otherwise place any sign, placard advertisement or inscription on park property or erect or cause to be erected any sign on any public lands, highways or roads adjacent to a park.

Requester argues that this section of the Ordinance pertains only to Park Facilities and not the Recreation Center and believes they are not prohibited from charging for entrance.

#### **FINANCIAL IMPACT**

None.

#### **RECOMMENDATION**

Staff recommends that if Council would like to approve the event, that they consider approval on the condition that the requester enter into a contract to rent the facility.

#### **ATTACHMENTS**

- Special Event Application
- City Code of Ordinance - Chapter 58 Parks and Recreation





## Special Events Permit Application

City Secretary's Office  
201 E Main Street  
Crowley TX 76036  
(817) 297-2201 ext 4000

Permit applications shall be filed with the city secretary or designee for consideration on a first come first serve basis **not less than 21 days or more than 365 days before the date of the proposed use or activity.** In the event of a street closure, applications must be submitted not less than 45 days in advance. Due to the state department of transportation requirements, closure of any state highway for more than six (6) hours will require 90 days' advance notice to the city. The application will either be approved, approved with conditions, denied, or more information will be requested within five business days of submission to the city secretary. Due to the nature of some events, additional information may be requested. A deposit will be required for certain types of events. The deposits shall be set forth in the city fee schedule listed as Appendix A to the City of Crowley Code of Ordinances.

All applicants will be charged facility rental fees as appropriate and are expected to fully reimburse the City for all services related to event production which may include, but are not limited to, Police, Fire/EMS, Park and Facility Maintenance, Field Services, Sanitation, Street Engineering, Site Supervisors, Environmental, and all necessary permit fees including: Beer and Wine, Tent, Fireworks, Carnival, Sign, etc. Applicants are responsible for returning City facilities and parks their original condition. Daily fees will be assessed until all event equipment is removed from City premises. Full payment is due upon receipt of final invoice.

Section 1 – Applicant Information			
Name of Applicant (must be on site during the event) MARCOUS JOHNSON		Today's Date 7-6-2021	
Address 7425 Sweet Meadows Dr	City Fort Worth	State TX	Zip 76123
Phone Number 817-413-8241	Cell Phone Number 817-663-354		
Email dreamteamathletics2020@gmail.com			
Section 2 – Sponsoring Organization Information			
Corporation/Organization Name of D.B.A. Official Basketball Association LLC		Type of Organization <input checked="" type="checkbox"/> For Profit <input type="checkbox"/> Non-Profit <input type="checkbox"/> Other:	
Name of Contact Sydney Bell		Email: Sydneyess96@yahoo.com	
Address 3901 Stonewick ct.	City Fort Worth	State TX	Zip 76123
Phone Number 817-902-6481	Cell Phone Number		

Section 2 – Event Information			
Name of Event Official Basketball Association Fall/Winter League		Anticipated Daily Attendance 75 ppl M2X	
Location of Event/physical address Crowley Recreation Center		405 S. Oak St. Crowley, TX 76036	
Property Owner	Owner Phone 817-297-5170		
Owner Email:	Has the property owner given authorization to use property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Detailed Description of Event Basketball League for adults on Saturday or Sunday (depending on Gym) From October – January			
	Date	Time	Day of Week
Setup			<input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> Th <input type="checkbox"/> F <input checked="" type="checkbox"/> Sat <input checked="" type="checkbox"/> Sun
Event Start	10/2/2021	1:00 pm	<input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> Th <input type="checkbox"/> F <input checked="" type="checkbox"/> Sat <input checked="" type="checkbox"/> Sun
Event End	1/30/2022	9:00 pm	<input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> Th <input type="checkbox"/> F <input checked="" type="checkbox"/> Sat <input checked="" type="checkbox"/> Sun
Teardown			<input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> Th <input type="checkbox"/> F <input checked="" type="checkbox"/> Sat <input checked="" type="checkbox"/> Sun
Additional Information: 1:00pm – 9:00pm would be time frame. October 2, 2021 – January 30, 2022 Earliest start latest end			



### Section 3 – Event Features

Will there be an admission charge?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If yes, list all price categories below. <b>\$10 Adults \$5 10-17 age</b>
Will there be entertainment? <i>A complete list of entertainment will be required before final approval. Once approved, no changes may be made unless authorized.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, please attach a complete list of entertainment.
Will sound amplification be used at the event? Sound amplification:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If yes, explain below <b>Speaker for announcer</b>
Will merchandise and/or food items be sold? <i>Booths will need to be inspected and have proper food handling permits</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If yes, please attach a complete list of vendors. <b>working on permits</b>
Have you hired a licensed professional emergency medical service provider to manage your event's medical plan? If yes please list below. (Fee may be charged for Emergency Service personnel)		
Medical Service Provider	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Phone		
Will the event include any of the following? (Indicate on site plan and/or vendor list)		
Tents or Canopies <i>Tents require temporary use permits issued by the city upon Fire Department review (additional fees may be applicable). Temporary tents must adhere to the International Fire Code</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complete Tent Worksheet and attach with site plan
Inflatables <i>If inflatable exceeds 400 sq ft, additional permit is required</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Total Sq Ft:
Company	Contact name and phone	
Fireworks/Pyrotechnics <i>Fireworks/Pyrotechnics require permits from the City Fire Department (additional fees may be applicable)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Temporary Fencing <i>Provide accurate dimensions of fenced area on site plan. Temporary fencing requires temporary use permits issued by the city (additional fees may be applicable).</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Temporary restrooms or refuse collection provided? (All trash and debris must be removed)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Company	Contact name and phone	
Carnival/Amusement Rides <i>A separate Special Use Permit may be required. (additional fees may be applicable)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Company	Contact name and phone	
Signs / Banners <i>A separate Sign Permit may be required. (additional fees may be applicable)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Company	Contact name and phone	
Will animals be used in conjunction with event?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, describe below.
Description:		
Is this a run, walk or parade? If yes, attach a map identifying assembly location and route on site plan. <b>Must be submitted 21-days prior to event.</b> (Fee may be charged for Public Service Personnel)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

### Section 4 – Roadways and Sidewalks

Does the event propose <b>using, closing or blocking</b> any of the following If yes, specify location and duration on site map. (Fee may be charged for Public Service personnel)			
City Streets	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	City Sidewalks	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
City Right-of-Ways	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Public Parking Lots	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

### Section 5 – Use of City Utilities (Fee may be charged for the use of City Utilities)

Will any City electric hookups be used?	Yes <input checked="" type="checkbox"/> No	Electric Location including amperage
Will any City water hookups be used?	Yes <input checked="" type="checkbox"/> No	Water Location(s)
Will waste water/gray water be generated?	Yes <input checked="" type="checkbox"/> No	Is so, how will it be disposed?



## Section 6 – Alcohol

Will there be alcohol at the event?

☐ Yes ☒ No

*At no time will alcohol be distributed or consumed in City Parks and/or streets to include Park Pavilions.*

*All activities involving alcohol will require the presence of an off-duty City police officer. The applicant will be required to pay for an officer to be present for a minimum of 3 hours or the full amount of time that alcohol is served. Consumption of alcohol without the presence of an officer or a violation of the provision of the City Ordinances will result in forfeiture of the rental deposit.*

The Texas Alcoholic Beverage Commission (TABC) requires specific and specialized permits for selling/serving alcohol. These permits will be based on the parameters and scope of the desired service and the type of event. Due to the numerous scenarios that may be involved in your event, it is impossible to outline the requirements in this application. **It is your responsibility** to contact the TABC office and speak to an Agent who will be the entity for permission and, if approved, provide the exact permit(s) required.

Permission by the City to hold a Special Event does not guarantee permission from TABC to serve/sell alcohol. Your event may be approved by the City but the service and selling of alcohol is the domain of the TABC and may be denied at their discretion.

Permission by the TABC to serve/sell alcohol at a Special Event does not guarantee permission of the City.

Will alcohol be provided free of charge?

☐ Yes ☒ No

*To be considered "free," there cannot be an expectation of receiving money. You cannot charge for admission, ask for donations or accept tips. Doing so would constitute a sale of alcohol and would require a Texas Alcohol Beverage Commission and City Permit.*

Will you be charging an entrance or registration fee?

☒ Yes ☐ No

Will the alcohol be sold?

☐ Yes ☒ No

If you answered Yes, a Texas Alcohol Beverage Commission and City Permit will be required.

TABC License # \_\_\_\_\_ Expiration \_\_\_\_\_

## Section 11 – Insurance Requirements

The City of Crowley has established insurance requirements for those facility users, vendors and contractors entering into agreements with the City for the purpose of special events and activities. Before commencing use or services under an agreement with the City of Crowley a certificate of insurance that complies with the requirements referenced below must be furnished.

**All special event applicants shall name the City of Crowley as an "Additional Insured"** on all policies, and shall reflect this on a Certificate of Liability Insurance. A applicant shall obtain Certificates of Liability Insurance from all vendors participating in this event unless covered under the applicant's insurance policy. Separate Certificates of Insurance Liability shall be provided by all carnival and amusement companies and firework production companies and shall name the City of Crowley as "Additional Insured." Additional coverage may be required depending upon the nature and scope of the event. The City of Crowley reserves the right to evaluate the liability of each event and assess the required insurance limits. Event permits will not be issued until all insurance requirements are satisfactorily met.

### The certificate must show:

1. The City of Crowley as "Additional Insured."
2. General Liability Including:
  - Bodily injury
  - Property damage
  - Medical Expense
  - Personal Injury

### Organized League Play

Any organization or group who is renting an athletic field for the purpose of organized league play must provide the following documents:

1. Certificate of Liability Insurance. The city and the group or organization must be co-insured by the policy. The policy must include a minimum of \$500,000.00 per incident, with not less than \$1,000,000.00 aggregate with the same remaining in effect for the term of this agreement. Failure to maintain such insurance shall be cause for immediate cancellation of event/reservation;
2. Health permit (if renting concession stand);
3. Player insurance;
4. State Charter;
5. Bylaws;
6. Schedule; and
7. Emergency contact information.



## Section 12 – Compliance with Laws and City Ordinances

1. The applicant will clean the grounds, remove equipment, and restore the permitted site after the event.
2. The applicant is responsible for providing parking assistance if required.
3. Adequate policing for crowd control must be provided by applicant. Off duty officers are available by calling 817-297-2276.
4. The applicant will not nail, staple, or otherwise attach any event-connected signs to any guard post, sign post, utility pole or tree.
5. Admission to the event will not be limited to membership nor will any discrimination be made against a person because of race, creed, sex, color, age, or national origin in conducting the event. Admission to view the event will be open to the general public without discrimination on the grounds of race, color, religion, national origin, sex, or age. Participation in the event may be limited to members of the sponsoring group, provided that the group does not unlawfully discriminate against participation in the event on grounds of race, color, religion, national origin, sex, or age. Request for Special Event Application citing special circumstances for participation requiring gender or age discrimination must be accompanied by an exceedingly persuasive justification.
6. If necessary, the applicant will furnish a map showing the area where the special event is to be conducted.

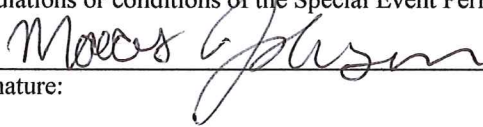
## Section 13 – Acknowledgement and Signature

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of event will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local ordinances regulating this type of event or the use of any land or buildings.

I hereby certify that I have received the property owners consent to utilize above location for the period of time and purpose stated.

I further understand that any deviation from this Application could result in the City closing down or canceling the Event. I understand that a Special Event Permit must be approved by the City of Crowley prior to the occurrence of this Event. The issuance of that permit is contingent upon the compliance with the Special Event Application and acceptance of all listed stipulations or conditions of the Special Event Permit.

Signature:



Date:

7-6-2021

## Section 13 – Acknowledgement and Signature

Included	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	Certificate of Liability Insurance
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Detailed Site Plan
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Route Map
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Amusement Ride Certification of Inspection
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Tent Permit Application

Public Works

☐ Approved ☐ Denied Initials

Remarks

Fire Department

☐ Approved ☐ Denied Initials

Remarks

Police Department

☐ Approved ☐ Denied Initials

Remarks

Recreation Center

☐ Approved ☐ Denied Initials

Remarks

City Council

☐ Approved ☐ Denied Initials

Remarks



## Chapter 58 - PARKS AND RECREATION

### ARTICLE I. - IN GENERAL

Secs. 58-1—58-18. - Reserved.

### ARTICLE II. - SPECIAL EVENT PERMITS

Sec. 58-19. - Purpose—Special event permits.

It is the purpose of the city to establish a comprehensive process for permitting special events by the public and private sector using city streets, facilities, or services. It is recognized that special events provide benefits to the city through the creation of unique venues for expression and entertainment. However, certain special events, due to their size and special requirements, may place unique demands on public resources or pose a danger to public health, safety and welfare. In order to plan for these demands on public resources and to ensure that the public health and safety of its citizens is protected, the city must receive advance notice of any special events that are to occur within its boundaries. The provisions of this article are intended to address those concerns and are not intended to place an unreasonable burden on individuals' rights of association or freedom of expression. It is the intent of the city council to protect the rights of its citizens to engage in free speech activities, yet allow for the least restrictive and reasonable regulation of time, place and manner of those activities within the overall context of rationally regulating special events that have an impact on public facilities and services.

(Ord. No. 06-2018-335, § 1(Exh. A), 6-21-2018)

Sec. 58-20. - Permitted special events.

For the purpose of this article, a "special event" is considered a temporary event, gathering, or organized activity on any city street, public property, or private property, or in any city park, building, or other facility, when an organized activity is conducted involving one or more of the following factors:

- (1) Closing of a public street, sidewalk, or alleyway or interference with the normal flow of pedestrian or vehicular traffic;
- (2) Blocking or restricting public property;
- (3) Blocking or restricting access to private property of others;
- (4) Use of pyrotechnics, special effects or other potentially dangerous displays or actions;
- (5) Use or display of animals, vehicles, aircraft, or watercraft;
- (6) Sale or service of merchandise, food, or nonalcoholic and alcoholic beverages on public and private property where otherwise prohibited by ordinance;
- (7) Installation of a stage, band shell, vehicle(s) of any kind, trailer, van, portable building, booth, grandstand, or bleachers on public or private property where otherwise prohibited by ordinance;
- (8) Placement of portable toilets on public or private property where otherwise prohibited by ordinance;
- (9) Placement of barricades in a public right-of-way;
- (10) Amplification of music, voices, sounds, or activities that can be heard on public property or on the private property of others;
- (11) City staff, in consultation with the city manager or assistant city manager, reasonably determines that the event will result in substantial impact on city resources, facilities, or public safety services in response thereto;



- (12) The need for special city services, including but not limited to, provisions of police or emergency services or provisions of special utility services.

Examples of special events include but are not limited to: concerts, dances, assemblages, processions, parades, circuses, amusement rides, public or private party with amplified sounds, fairs, festivals, block parties, community events, marathons and other running events, bicycle races and tours, football games, basketball games, baseball games, golf tournaments, boat races and other organized activity conducted for the purpose of fundraising for profit, nonprofit fundraising, community promotion, or charity.

City staff shall consult with the city manager or assistant city manager to determine if a special event permit is required. The city manager or assistant city manager's determination is final.

(Ord. No. 06-2018-335, § 1(Exh. A), 6-21-2018)

Sec. 58-21. - Special event permit application.

Permit applications shall be filed with the city secretary or designee for consideration on a first come first serve basis not less than 21 days or more than 365 days before the date of the proposed use or activity. In the event of a street closure, applications must be submitted not less than 45 days in advance. Due to the state department of transportation requirements, closure of any state highway for more than six hours will require 90 days' advance notice to the city. Due to the nature of some events, additional information may be requested. The application will either be approved, approved with conditions, denied, or more information will be requested within five business days of submission to the city secretary. A fee for services and/or deposit will be required for certain types of events. The fees and deposits shall be set forth in the city fee schedule listed in appendix A to this Code.

An application for approval of a special event permit shall be submitted to the city secretary with the following information:

- (1) The name of the event.
- (2) The location of the event.
- (3) Detailed description of the event.
- (4) The dates, days and times of the event.
- (5) The setup, teardown and cleanup dates and times.
- (6) Name of organization sponsoring the event and address of said organization.
- (7) Name of organization's applicant acting as its event coordinator.
- (8) Daytime phone, fax and cell phone numbers for applicant.
- (9) Email address for applicant, if any.
- (10) Expected attendance.
- (11) Include information on event features such as:
  - a. *Admission fees.* The cost of admission, if any and whether the event is a public or private event;
  - b. *Amplification devices.* Types used and for what purposes;
  - c. *Alcoholic beverages.* Conditions and restrictions on the use of alcoholic beverages. Submit a list of all vendors who will be providing alcohol, along with copies of their current TABC certificates;
  - d. *Animals.* A description of the types of animals anticipated to be part of the special event, if any. Refer to chapter 10 animals, of the code of ordinances for requirements for proper control and handling of animals and animal waste during special events;



- e. *Electrical requirements.* Voltage, amperage and apparatus associated with electrical needs for activities, vendors, etc.;
  - f. *Fireworks or pyrotechnic displays.* Amount, type and fire safety plans, including proof of application for state permit, which shall be approved by the fire chief and the city manager;
  - g. *Litter control.* Number, size and location of trash receptacles, as well as trash removal and disposal plan;
  - h. *Portable toilets.* The number of portable sanitation facilities based on the Portable Sanitation Association International (PSAI) policy, city policies and city codes, including quantity that will be ADA accessible;
  - i. *Vendors.* Identify each vendor that will be present at the special event, including products and services offered. State law requires a valid tax ID number for each vendor. (In addition to the restrictions herein, the sale of food and drink at an event must comply with all applicable state and local health and permit requirements);
  - j. *Water/wastewater.* If applicable, a plan for the disposal of waste water, including capture and containment, which plan shall be approved by the director of the public works. All water generated must be disposed of through an approved sanitary sewage system that is constructed, maintained and operated according to law;
  - k. Hours of operation.
- (12) Proof of comprehensive general liability insurance in the minimum amount of \$1,000,000.00, naming the city as additional insured shall be provided to the city secretary no later than two weeks prior to the event. Notwithstanding the above, additional restrictions and increased insurance amounts may be required in consideration of the location and circumstances of the special event, as determined by the city manager or assistant city manager.
- (13) *Miscellaneous.* Any special or unusual requirements that may be imposed or created by virtue of the nature or operation of the proposed special event activity, as well as any other information required by the city secretary, city manager, or city council.
- (14) A fee in accordance with the city fee schedule.
- (15) Maps detailing proposed site locations and/or routes along with written descriptions of the following:
- a. *Emergency medical stations.* First aid or emergency medical services, including the times of available service, shall be based on special event risk factors, as determined by the city manager or assistant city manager and the fire department and police department, as necessary.
  - b. *Lighting.* Locations of temporary lighting or security lighting.
  - c. *Parade, race, other similar activities.* Including but not limited to marathons, "fun-runs," "walk-a-thons," trail rides, cycle and motorbike tours, watercraft events, scavenger hunts, etc. Sponsor must select from a list of city police department pre-approved routes.
  - d. *Parking.* Anticipated number of automobiles and proposed parking plan.
  - e. *Signage.* Type of proposed on-site and off-site signage, including quantity, dimensions and materials.
  - f. *Street closures and detours.* A statement as to whether the special event will occupy all or only a portion of the width of the streets, sidewalks, or other public rights-of-way proposed for pedestrian and vehicular traffic control. A plan for how traffic will be re-routed may be required and is subject to approval by the police department.
  - g. *Structures.* All temporary structures, including but not limited to booths, buildings, stages, bleachers, fences, tents, awnings and canopies. If any temporary structure is equal to or larger than 200 square feet in diameter the fire marshal must approve the structure and the



applicant must obtain and provide to the city a certificate confirming the use of flame-retardant material.

(Ord. No. 06-2018-335, § 1(Exh. A), 6-21-2018)

Sec. 58-22. - Approval of special event permit.

No date for a special event shall be considered confirmed until an applicant has fully complied with all necessary requirements and the special event permit has been issued. No person or entity shall conduct, facilitate, promote, manage, aid, or solicit attendance at a special event until a special event permit has been approved by the city manager or, in the city manager's discretion, presented to and approved by the city council and issued by the city secretary.

A request for a special event permit may be approved if the following conditions exist:

- (1) The number of persons anticipated to attend is equal to or less than the number that customarily attend normal activities at the facility;
- (2) The activities proposed will be limited to between the hours of 8:00 a.m. and 11:00 p.m.;
- (3) There are no complaints on record for similar activities held by the applicant;
- (4) The special event will not substantially interrupt the safe and orderly movement of vehicular and pedestrian traffic;
- (5) The special event will not require the diversion of police officers or department employees so as to significantly impact the police department's ability to respond appropriately to police-related calls and normal police activity throughout the remainder of the community;
- (6) The concentration of persons, animals, vehicles, or things at the staging and disbanding areas, as well as along the event or street activity route, will not unduly interfere with the movement of police, fire, ambulance and other emergency vehicles on the streets;
- (7) The special event is not being conducted for an unlawful purpose, nor will it violate any ordinance of the city or any other applicable law; and
- (8) The special event will not substantially interfere with any other special event for which a special event permit has already been issued; nor shall it substantially interfere with the provision of city services in support of other scheduled events or unscheduled government functions.

(Ord. No. 06-2018-335, § 1(Exh. A), 6-21-2018)

Sec. 58-23. - Exceptions to special event permit requirements.

A special event permit is not required for the following activities:

- (1) Funeral processions by a licensed mortuary.
- (2) House-moving and construction activities.
- (3) Activities of a governmental agency acting within the scope of its authority.
- (4) Students traveling to and from classes or participating in school district sanctioned educational activities, provided such conduct is under the immediate direction and supervision of the proper school authorities.
- (5) The lease of public property on a permanent or temporary basis, such as park pavilion rentals and long-term leases of city property by the city to individuals or groups.

(Ord. No. 06-2018-335, § 1(Exh. A), 6-21-2018)



Sec. 58-24. - Notification of decision.

After submission of a complete application, the city shall apprise an applicant in writing of its approval or reasons for refusing a permit or of any conditions attached to the issuance of a permit. Any aggrieved person shall have the right to appeal in writing within six days to the city council, which shall consider the application under the standards set forth herein and sustain or overrule the decision at the next regularly scheduled council meeting.

(Ord. No. 06-2018-335, § 1(Exh. A), 6-21-2018)

Sec. 58-25. - Denial or revocation of special event permit.

The city manager or assistant city manager may deny or revoke a special event permit application if the applicant fails to satisfy or violates any of the requirements set forth in this article, or:

- (1) The applicant has made or permitted the making of a false or misleading statement or omission of material fact on the special event permit application;
- (2) The applicant has violated this article or has had a special event permit revoked within the preceding 12 months; or
- (3) The applicant violates or has violated within the past 12 months any city ordinance or federal, state, or local law.

(Ord. No. 06-2018-335, § 1(Exh. A), 6-21-2018)

Sec. 58-26. - Inspections.

- (a) Amusement rides and/or attractions associated with special events shall conform to statutory rules and regulations set forth in V.T.C.A., Occupation Code ch. 2151, Regulation of Amusement Rides, designated the Amusement Ride Safety Inspection and Insurance Act, as amended. Copies of inspection reports shall be required prior to use in the city limits and verified by authorized city personnel. Additionally, all erected rides will require inspection by authorized city personnel. Amusement rides in enclosed areas greater than 1,000 square feet are required to be "fire-sprinkler-ready" with an external fire department connection (FDC), NFPA 13 sprinkler system.
- (b) All temporary structures that equal or exceed 200 square feet, including but not limited to booths, buildings, stages, bleachers, fences, tents, awnings and canopies shall be inspected and approved by the city's building official and/or fire department. If any temporary structure is equal to or larger than 200 square feet in diameter, a certificate confirming the use of flame-retardant material on the temporary structure shall be provided by applicant.
- (c) Special electrical and water/wastewater needs must be inspected and approved by city personnel, as designated by the city manager, prior to the event.

(Ord. No. 06-2018-335, § 1(Exh. A), 6-21-2018)

Sec. 58-27. - Insurance requirements.

- (a) An applicant for a special event must provide proof of comprehensive general liability insurance in the minimum amount of \$1,000,000.00 to protect the city against loss from liability imposed by law for damages on account of bodily injury and/or property damage arising from any aspect of the special event. Such insurance shall name the city, its officers, employees, agents and, if required, any other public entity involved in the special event, as additional insured on a separate endorsement maintained for the duration of the special event. Notice of limitation, reduction, or cancellation of insurance



coverage shall be provided immediately to the city by the carrier and the applicant. Notwithstanding the above, additional restrictions and increased insurance amounts may be required in consideration of the location and circumstances of the special event, as determined or at the discretion of the city manager or assistant city manager.

- (b) The insurance required by subsection (a) shall encompass all liability insurance requirements imposed for other permits required under other sections of this article and is to be provided for the benefit of the city and not as a duty, expressed or implied, to provide insurance protection for spectators or participants.
- (3) The insurance required by subsection (a) must be submitted to the city secretary no later than two weeks prior to the event. Before this time, a letter of intent to insure from the applicant must be on file with the application that states the city will be additionally insured. Failure to provide the insurance stated in subsection (a) or the letter of intent for insurance could result in the denial/revocation of the special event permit.

(Ord. No. 06-2018-335, § 1(Exh. A), 6-21-2018)

#### Sec. 58-28. - Indemnification.

The applicant for a special event permit shall indemnify and hold harmless the city, its officers, employees, agents and representatives and other applicable city entities, against all claims of liability and causes of action resulting from injury or damage to persons or property arising out of the special event.

(Ord. No. 06-2018-335, § 1(Exh. A), 6-21-2018)

#### Sec. 58-29. - Conditions of premises after the special event.

The applicant is required to restore the premises back to the same or better condition as it was prior to the special event. Failure to comply with this section, will result in a prohibition by the city of future events to be held by the applicant or associated organization and will be considered a violation of this article.

(Ord. No. 06-2018-335, § 1(Exh. A), 6-21-2018)

#### Sec. 58-30. - Offenses.

A person commits an offense of this division if he/she:

- (1) Commences or holds a special event without a special event permit or with a permit that has expired or has been revoked;
- (2) Violates any terms or provisions of this article; or
- (3) Violations of this article shall be treated as strict liability offenses regardless of intent.

(Ord. No. 06-2018-335, § 1(Exh. A), 6-21-2018)

#### Sec. 58-31. - Penalty for violations.

Any person, firm, corporation, business or non-profit entity that violates this article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not to exceed the sum of \$500.00, unless the violation relates to fire safety, zoning or public health and sanitation, including dumping and refuse, in which the fine shall not exceed the sum of \$2,000.00. Each continuing day's violation under this article shall constitute a separate offense. Then penalty provisions imposed under this



article shall not preclude the city from filing suit to enjoin the violation. The city retains all legal rights and remedies available to it pursuant to local, state and federal law.

(Ord. No. 06-2018-335, § 1(Exh. A), 6-21-2018)

Sec. 58-32. - Fees.

The fees relating to special events are as provided for in the fee schedule found in the appendix A, schedule of rates, fees and charges.

(Ord. No. 06-2018-335, § 1(Exh. A), 6-21-2018)

Secs. 58-33—58-53. - Reserved.

### ARTICLE III. - RULES AND REGULATIONS

Sec. 58-54. - Definitions.

As used in this article, the following words and phrases shall have the meanings respectively ascribed to them as follows:

*Amplified sound* means any sound projected or transmitted by artificial means, including but not limited to amplifiers, loudspeakers or any similar devices, and which does not violate noise and sound level regulations of the city without a variance from the city council.

*City rental facility* shall include the rental of the Community Center, Recreation Center spaces and park pavilions.

*Park* means any land selected, obtained or acquired by the city for use as a public park or recreation or playground area whether or not such areas have been formally dedicated to such purpose. The term "park" includes the buildings or facilities owned and maintained by the city.

*Parking area* means any designated portion of any park or any park road or drive that is set aside for the parking of vehicles.

*Permit* means written permission from the city secretary or designee to carry out a given activity in a park.

*Pollution* means contamination of park waters that will or is likely to be harmful or detrimental to the public health, safety or welfare or to animals, recreational or other beneficial uses.

*Vehicle* includes any wheeled device propelled by motor or engine. The term "vehicle" includes any trailer of any kind, size or description. An exception is made for vehicles in the service of the city and motorized handicap vehicles.

*Vessel* includes any device of human conveyance on the water, whether propelled by motor, wind or human power. The term "vessel" includes, but is not limited to, any boat, canoe, raft or other watercraft.

(Ord. No. 98-637, § 1, 5-7-1998; Ord. No. 10-2009-100, § 1(62-101), 10-15-2009; Ord. No. 02-2012-177, § 1, 2-16-2012)

Sec. 58-55. - Penalty.

Compliance with the rules and regulations of this article is a condition of the use of the parks and recreation areas of the city, and all peace officers shall have the right and power to arrest or cite to any person who may violate any of the rules, regulations, orders or requirements of the city or general law.



Any person who violates any provision of this section is guilty of a misdemeanor punishable by a fine not to exceed the amount permitted to be imposed under state law or this Code.

(Ord. No. 98-637, § 1, 5-7-1998; Ord. No. 10-2009-100, § 1(62-106), 10-15-2009)

Sec. 58-56. - Conduct of persons within park.

The purpose of this article is to preserve the environmental features of the city, allow more efficient park refuse collection, more effective and unhampered custodial care of the premises, and protect the health and welfare of the citizens of the city.

(1) *Park property.*

a. *Buildings and other property; trees, shrubbery, lawn.*

1. *Disfiguring and removal.* No person shall willfully mark, deface, disfigure, injure, tamper with or remove any building, bridges, tables, benches, fireplaces, railings, paving or paving material, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers, or other structures or equipment, facilities or park property appurtenances whatsoever, either real or personal.
2. *Removal of natural resources.* No person shall dig any soil, rock, stones, trees, shrubs or plants, down timber or other wood or materials, or make any excavation by tool, equipment, blasting or other means or agency.
3. *Erection of structures.* It shall be unlawful for any person to construct or erect any building or structure of whatever kind or size, whether permanent or temporary in character, or run or string any public service utility into, upon or across such lands. City sponsored events are exempt from this subsection.
4. *Injury and removal of trees, plants.* It shall be unlawful for any person to damage, cut, carve, transplant or remove any tree or plant or injure the bark or pick the flowers or seeds of any tree or plant. Nor shall any person attach any rope, wire or other contrivance to any tree or plant. A person shall not dig or otherwise disturb grass areas to the detriment of these areas, or in any way injure or impair the natural beauty or usefulness of any area, provided that normal use of grassed areas will not be prohibited. Exception is made as to any regularly authorized party acting by and under the authority and regulation of the city manager.
5. *Climbing, etc.* No person shall climb any tree or walk, stand or sit upon monuments, vases, fountains railings, fences or upon any other property not designated or customarily used for such purposes.
6. *Animals.* No person shall set up any display of live animals, animal rides or animal shows in a city park.

b. *Wild animals, birds, etc.*

1. *Hunting.* No unauthorized person shall hunt, molest, harm, frighten, tease, shoot or throw missiles at any animal, reptile or bird; nor shall be removed or have in his possession the young of any wild animal or the eggs or nest or young of any reptile or bird.
2. *Feeding.* No person shall give or offer or attempt to give any animal or bird any tobacco, alcohol or other known toxic injurious substance.

(2) *Sanitation.*

- a. *Pollution of waters.* No person shall throw, discharge to or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream or other body of water in or adjacent



to any park or any tributary, stream, storm sewer or drain flowing into such waters any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.

- b. *Refuse and trash.* No person shall have brought in or shall dump, deposit or leave any bottles, broken glass, paper boxes, cans, dirt, rubbish, waste, garbage or refuse or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any park, or left anywhere on the grounds, but shall be placed in the proper receptacles where these are provided. Where receptacles are not so provided, all rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

(3) *Traffic.*

- a. *Confined to roads.* No unauthorized person shall ride a motorized vehicle or motorcycle on other than paved vehicular road or path designated for that purpose.
- b. *State and city vehicle laws apply.* It shall be unlawful for any person or owner to fail to comply with all applicable provisions of the state and city motor vehicle traffic laws.

(4) *Recreational activities; hunting and firearms.* It shall be unlawful for any person to carry or possess at any time unlicensed firearms of any description, or air rifles, spring guns, bows and arrows, slings, or any instrument that can be loaded with and fire blanks, cartridges, or any kind of trapping device. Shooting into, out of or in park areas is prohibited. This section shall not apply to any law enforcement officers while in performance of their duties or as provided by federal or state law.

(5) *Picnic areas and use.*

- a. *Availability.* No person shall prevent any person from using any park, or any of its facilities, or interfere with any use already engaged in that is in compliance with this article and the rules applicable to such use.
- b. *Duty of picnicker.* It shall be unlawful for any person to leave a picnic area before the fire is completely extinguished and before all trash in the nature of boxes, papers, cans, bottles, garbage and other refuse is placed in the disposal receptacles where provided. If no such trash receptacles are available, then refuse and trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.
- c. *Horseback riding.* No person shall ride a horse or any other animal in a city park. The city's mounted police unit is exempt from this subsection.

(6) *Dangerous amusements.*

- a. No person shall engage in activities that involve thrown or otherwise propelled objects such as stones, arrows, javelins, model airplanes, paint ball projectiles or other objects likely to inflict injury.
- b. No person shall rollerskate, rollerblade, skateboard or any similar amusement except in those areas specifically designated for such pastime.
- c. No person shall operate a motor driven model airplane or hit golf balls in a city park.

(7) *Camping.* No person shall camp overnight in a park.

(8) *Fires.*

- a. No person shall start or maintain in any park any outdoor fire, except for cooking fires which shall be started and maintained only in a stove, fire pit or barbecue pit.
- b. No person starting or maintaining any fire in a park shall leave the fire unattended without first completely extinguishing the fire.

(9) *Dogs.* No person shall allow any dog owned or possessed by him to run at large nor allow any such dog in a park unless it shall at all times be kept on a leash. This prohibition shall not apply



to a police service dog while under the supervision of a duly authorized peace officer in the performance of official duties.

- (10) *Animal abandonment.* No person shall abandon any animal in the park.
- (11) *Glass containers.* No glass containers in any areas of any park.
- (12) *Merchandising, advertising and signs.*
  - a. No unauthorized person shall offer for sale or hire any article, thing or service, nor station or place any stand, cart or vehicle for the transportation, sale or display of any article, thing or service. This section may be waived for city sponsored events.
  - b. No person shall advertise in any way to any article, thing or service for sale or hire.
  - c. No unauthorized person shall paste, glue, tack or otherwise place any sign, placard advertisement or inscription on park property or erect or cause to be erected any sign on any public lands, highways or roads adjacent to a park.
- (13) *Alcoholic beverages.* No person shall sell or consume alcoholic beverages in any park.
- (14) *Military maneuvers.* Military maneuvers and battle reenactments are prohibited in any park.
- (15) *Interference with users and permittees.* No person shall prevent, disturb or unreasonably interfere with any other person's occupying any area or participating in any lawful activity allowed within the park.
- (16) Smoking prohibited, except in designated parking areas.
  - a. The smoking of any tobacco product (including cigarettes, cigars, pipes, or other lighted tobacco product in any form or manner) or the use or smoking of e-cigarettes or vapor products, is prohibited in any area of all city parks, except in the designated parking lot areas.

(Ord. No. 98-637, § 1, 5-7-1998; Ord. No. 10-2009-100, § 1(62-102), 10-15-2009; Ord. No. 01-2018-319, § 1, 1-4-2018)

Sec. 58-57. - Parks and recreational use permits.

- (a) *Parks and recreational use permits required.* In addition to any other provision of a city ordinance or the Code of Ordinances which requires the obtaining of a permit prior to engaging in a given activity, no person in a park shall conduct, operate, present, manage or take part in any of the following activities unless permission is obtained from the city secretary or designee prior to the start of the activity:
  - (1) Any exhibit, dramatic performance, play, motion picture, radio or television broadcast, fair, noncommercial carnival, musical event, or any similar event.
  - (2) Any public meeting, assembly, parade, ceremonies, addresses, speeches or political meeting.
  - (3) Any use of an entire park facility by a group of persons to the exclusion of others.
  - (4) Any use involving amplified sound.
- (b) *Permit procedure.* A person seeking the issuance of a permit to carry on such an activity in a park shall complete an application for a parks and recreational use permit and file it with the city secretary or designee by following the application and approval process of article II of this chapter relating to special event permits.
- (c) *Standards for issuance of permit and procedures.*
  - (1) A parks and recreational use permit for a parks and recreation facility may be issued unless any of the following are found:



- a. The proposed activity or use of the park will unreasonably interfere with or detract from the general public use and enjoyment of the park.
  - b. The facilities desired have been reserved for another activity or use at the day and hour requested in the application.
  - c. The event would violate any federal, state or municipal law.
  - d. The activity would lack necessary security and/or insurance requirements as determined by the city.
  - e. The activity would negatively impact the park grounds or facilities.
- (2) The city may impose reasonable conditions or restrictions on the granting of a parks and recreational use permit including, but not limited to, any of the following:
- a. Restrictions on:
    - 1. Fires;
    - 2. Fireworks;
    - 3. Amplified sound;
    - 4. Dancing;
    - 5. Sports;
    - 6. Use of animals;
    - 7. Equipment or vehicles;
    - 8. The number of persons to be present;
    - 9. The location of any bandstand or stage; or
    - 10. Any other use which appears likely to create a risk of unreasonable harm to the use and enjoyment of the park property.
  - b. Requirements that the applicant posts a reasonable deposit of security for the repair of any damage to park property or the cost of cleanup or both;
  - c. Requirements that the permittee furnish additional sanitary and refuse facilities that might be reasonably necessary, based on the use or activity for which the permit is being sought.
- (3) Parks and recreational use permits shall not be transferable.
- (4) A permittee shall be bound by the park rules and regulations issued at time of permit and all applicable ordinances fully as though the same were inserted in the permit.
- (5) The person to whom a permit is issued shall be liable for any loss, damage or injury to any person or property whatever by reason of the negligence of the person to whom such permit was issued.
- (6) The city shall have the authority to revoke a permit upon a finding of violation of any rule, ordinance, state or federal law, or upon the violation of any condition or restriction under which the permit was issued.
- (d) *Production of permits.* Permits required by this section shall be produced and exhibited upon the demand of any law enforcement officer or other authorized city employee.

(Ord. No. 98-637, § 1, 5-7-1998; Ord. No. 10-2009-100, § 1(62-103), 10-15-2009; Ord. No. 06-2018-336, § 1(Exh. A), 6-21-2018)

Sec. 58-58. - Park hours of operation.



- (a) Any municipal park, section or part thereof may be declared closed to the public by the city at any time and for any interval of time, either entirely or merely to certain uses, as the city shall find reasonably necessary.
- (b) Any municipal park, section or part thereof may be declared closed to the public upon a regular basis, either entirely or merely to certain uses, as may be found reasonably necessary by action of the city council.
- (c) No person shall enter or remain in any park closed in accordance with this section where there is notice by signs posted or by oral or written communication by a city employee.
- (d) Public parks within the city, with the exception of the skate park, shall be closed between 12:00 midnight each day and 6:00 a.m. of the following day. The skate park within the city shall only be open from one-half hour before sunrise to one-half hour after sunset. Special permission may be granted by the parks and recreation department for organized sports or special events which last beyond such stated hours of operation, in which case any park containing the permitted activities shall remain open until the activity shall cease.
- (e) It shall be unlawful for any person to use, loiter, congregate, trespass or assemble in parks at times other than during the hours of operation, unless the use is for any event or sporting activity which is supervised and approved in advance by permit. The city may issue a special permit for after-hours use of such park if in the public interest. City employees and law enforcement officers may enter such park at any time in the course of their employment.

(Ord. No. 98-637, § 1, 5-7-1998; Ord. No. 10-2009-100, § 1(62-104), 10-15-2009; Ord. No. 07-2013-206, § 1, 7-18-2013)

Secs. 58-59—58-89. - Reserved.

#### ARTICLE IV. - CITY RENTAL FACILITY RULES AND REGULATIONS<sup>[\[1\]](#)</sup>

##### Footnotes:

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**Editor's note**— Section 2 of Ord. No. 02-2012-177, adopted Feb. 16, 2012, amended Art. IV, Community Center Rules and Regulations, to read as herein set out. Former Art. IV derived from Ord. No. 00-668, adopted Sept. 7, 2000; Ord. No. 01-2002-01, adopted Jan. 17, 2002; Ord. No. 05-2002-08, adopted May 2, 2002; and Ord. No. 10-2009-100, adopted Oct. 15, 2009.

##### Sec. 58-90. - Hours of operation.

City rental facilities shall be available for use and rental between the hours of 8:00 a.m. and 12:00 midnight, including time for setup and cleanup. Applicants must have their application with them during their reservation time in case the city requests to check their reservation.

(Ord. No. 02-2012-177, § 2, 2-16-2012)

##### Sec. 58-91. - Reservations.

- (a) Dates and times for reservation may be made no more than one year in advance.
- (b) All reservations must be made in person and only persons 18 years of age or older are eligible to reserve a city rental facility. The applicant shall be required to sign a contract at the time of reservation,



releasing the city from any liability or claim and to insure that damages to city property, above the deposit amount, shall be paid.

- (c) The contract for reservation of a city rental facility must be signed and the payment of all deposits and fees must be made when the application is turned in and the reservation is put on the calendar.
- (d) For any activity involving a group of minors, chaperones or sponsors must be in attendance at all times.

(Ord. No. 02-2012-177, § 2, 2-16-2012)

Sec. 58-92. - Cancellations.

- (a) If notice of cancellation is given prior to two weeks of the reservation date, then the full deposit and one-half of the rental fees will be refunded.
- (b) If notice of cancellation is given less than two weeks, but more than 48 hours of the reservation date, then all of the deposit will be refunded, however the rental fees will be retained by the city.
- (c) If notice of cancellation is not given within 48 hours of the reservation date, then all fees and deposits will be retained by the city.

(Ord. No. 02-2012-177, § 2, 2-16-2012)

Sec. 58-93. - Schedule of fees and deposits.

Fees and deposits required for the use of a city rental facility shall be collected in accordance with the schedule contained in appendix A to this Code of Ordinances.

(Ord. No. 02-2012-177, § 2, 2-16-2012)

Sec. 58-94. - Rules and regulations.

- (a) Each group or individual responsible for the reservation must leave the city rental facility in the same condition in which it was found.
- (b) The keys to the community center and the checklist must returned to the city police department within 30 minutes of the expiration of the reserved time. The checklist must be signed by the person responsible for the reservation.
- (c) No glass containers shall be allowed in the parking lot of a city rental facility. Violations of this provision shall result in forfeiture of the rental deposit.
- (d) For all activities involving the consumption of alcoholic beverages, the person or group responsible for the reservation must pay for an off-duty city police officer to be present during the time the applicant stated on application that alcohol would be consumed. The applicant will be required to pay for an officer for a minimum of three hours or the full amount of time alcohol will be served if over three-hour minimum. No alcoholic beverages shall be allowed outside of the city rental facility or in the park at a pavilion. Consumption of alcohol prior to the time a police officer is requested or after will result in forfeiture of the rental deposit. Violations of these provisions shall result in forfeiture of the rental deposit.
- (e) No smoking shall be allowed inside any area of a city rental facility. Violations of this provision shall result in forfeiture of the rental deposit.
- (f) Deposit refunds shall be made after inspection of the city rental facility and will be mailed within ten business days after the reservation date.



- (g) Any other waiver of fees, deposits or rental terms shall require the approval of the city council.
- (h) No tacks, nails or tape will be allowed on painted walls or ceiling. Any damage will result in a forfeiture of the initial deposit.
- (i) Tables and chairs are available with rental. The rental person is responsible for setting up tables and chairs. Before putting all tables and chairs back in a neat and orderly manner they must be cleaned. Picnic tables are available in the park pavilions.
- (j) City rental facilities are not available for regularly scheduled or reoccurring weekly or monthly events or activities.

(Ord. No. 02-2012-177, § 2, 2-16-2012)

Secs. 58-95—58-99. - Reserved.

#### ARTICLE V. - TEETER PARK BALL FIELDS RESERVATION AND USAGE POLICY

Sec. 58-100. - Purpose.

The City of Crowley sets its reservations fee schedule according to a process that researches and determines the actual cost incurred by the city for maintaining fields, equipment provided, utilities and staffing it takes to maintain the fields and take reservations. The city does not attempt to make a profit by charging these fees, but rather, the city attempts to recover its operational expenditures in a fiscally responsible manner.

(Ord. No. 07-2013-207, § 1, 7-18-2013)

Sec. 58-101. - Facilities available to rent.

[Facilities available to rent are as follows:]

Field One - Blue Field

Field Two - Red Field

Field Three - Yellow Field (sized for t-ball play)

Concession stand

(Ord. No. 07-2013-207, § 1, 7-18-2013)

Sec. 58-102. - Hours of operation.

[The hours of operation are as follows:]

8:00 a.m.—10:00 p.m.

(Ord. No. 07-2013-207, § 1, 7-18-2013)

Sec. 58-103. - Equipment provided at ball fields with reservation.

Each field will have a box containing a set of bases for that field. A key to that box and the storage facility will be provided at the Crowley Recreation Center to be picked up before your reservation and will be dropped off after your reservation's time at the Crowley Recreation Center. Reservations made for lights on the ball field will be given an additional key for the lights to that field. In the same storage facility



at the ball fields, the city will provide chalk, a marker and a dragger to prepare the fields for your use. All equipment must be returned to storage facility and locked up at the end of your reservation time. If any piece of equipment is not in the box or storage facility at the end of your rental time, you will be charged for the cost to replace that equipment. If you find something missing when you get there, you must notify the Crowley Recreation Center immediately [at] (817)297-2201 ext. 7000.

(Ord. No. 07-2013-207, § 1, 7-18-2013)

Sec. 58-104. - Reservations and use.

- (a) All reservations are to be made through the Crowley Recreation Center at 405 S. Oak.
- (b) You will have 30 minutes prior to your reservation time and 30 minutes after your reservation time to prep the fields and put all equipment back.
- (c) All fees must be paid at the time of the reservations.
- (d) You may reserve multiple dates at a time, but all must be paid for in advance.
- (e) Field preparation is not included in the rental reservation.
- (f) The City of Crowley shall have the right to schedule city events at any city facility, and all city programs/activities will have priority over any and all reservations.
- (g) Tournament play will need to be approved by the city by filling out a special event application and following the special event guidelines.
- (h) Tournaments will take priority over any prior reservations. Any reservations that get bumped will either be rescheduled (if available) or pre-paid money will be refunded.
- (i) In order to receive the residential rental rate, residents will need to provide proof of residency at the time of reservation. Proof may be a valid Texas driver's license or a water bill. The name on the application will be responsible for any missing equipment or damage to fields.
- (j) Anyone reserving the field will be responsible for any missing equipment or damage to the fields.
- (k) A paid rental reservation will take priority over any non-reserved activities on the fields.
- (l) City facilities are for nonprofit purposes only. Renters shall not charge a fee or admission to anyone for the use of or attendance at the city facilities.
- (m) The individual must be 18 years of age as of the date of the reservation.
- (n) The renter must possess in person at the time of the activity the rental receipt to confirm the facility, date and time of the reservation. Without a rental receipt, the individual(s) shall be subject to removal by the proper authorities.
- (o) The renter agrees to indemnify and hold the City of Crowley, its officers, agents and employees safe and harmless from any and all claims for damages, injuries, or death to property or persons arising out of or resulting from the use of the premises by the user. The renter is responsible for conducting all activities in a safe manner so as to avoid any damages or injuries to properties or persons.
- (p) Granting permission to use the city's facility does not constitute an endorsement by the city of the group or its beliefs/practices.
- (q) No alcoholic beverages shall be permitted in the park at any time.
- (r) Lotteries, gaming, games of chance, drawings or raffles shall be prohibited.
- (s) Inappropriate conduct, such as but not limited to profanity, abusive language, or any act of violence toward anyone, will not be tolerated, and will be considered grounds for immediate removal and loss of rental fees. This may also result in permanent suspension from future usage of the city's facility.



- (t) Renters shall comply with applicable city ordinances regulating noise, including amplified sound. The city reserves the right to terminate any use or event if the user continues to exceed these limits after one warning from city authorities. Please use consideration regarding noise, parking, cleanliness, and equipment.
- (u) The City of Crowley reserves the right to accept or reject any reservation request or cancel any reservation at any time. This shall include the right to terminate a reservation during the activity if conditions so warrant, including but not limited to termination based on violations of any city ordinances or this policy. This action would also result in the loss of the rental fee.
- (v) Individuals and organizations must provide a minimum of two adult chaperones for youth functions of 40 youths or less. One additional chaperone must be provided for each additional one to 15 youth participants thereafter. Youth are defined as persons under the age of 18.
- (w) All pets on park property must be on a leash at all times. It shall be the pet owner's responsibility for removing pet waste. No pets are allowed on the ball fields at any time.
- (x) Personal grills and/or smokers are prohibited unless written approval by the city is granted.
- (y) Concession stand rental is an entirely separate fee from renting the fields. The renter shall be responsible for removing litter and maintaining the concession stand and the surrounding park area in a clean and healthy manner. This shall include but is not limited to picking up and properly disposing of any trash or debris blown, carried by patrons, or otherwise distributed such concession stand including but not limited to all trash, paper, bottles, cans, wrappers, cups and other materials. Such waste materials shall be thoroughly collected and disposed of in the dumpster located at the park, daily at the end of each event. Liners shall be used in trash barrels at all times, and shall be replaced with clean liners as needed, or daily at the end of each event. A health permit is also required.
- (z) Any organization or group who is renting an athletic field for the purpose of organized league play must provide the following documents:
  - (1) A copy of accident and liability insurance policy covering the activities under this agreement. The city and the group or organization must be co-insured by the policy. The policy must include a minimum of \$500,000.00 per incident, with not less than \$1,000,000.00 aggregate with the same remaining in effect for the term of this agreement. Failure to maintain such insurance shall be cause for immediate cancellation of reservation;
  - (2) Health permit (if renting concession stand);
  - (3) Player insurance;
  - (4) State Charter;
  - (5) Bylaws;
  - (6) Schedule; and
  - (7) Emergency contact information.
- (aa) All individuals and groups shall comply with all federal, state and local laws, including, but not limited to, all ordinances of the City of Crowley and all rules, regulations and requirements of the Crowley Parks and Recreation Department and police and fire departments.
- (bb) Renters shall not discriminate against any person on account of age, race, color, religion, sex or national origin, regarding use of the city facilities.
- (cc) Users' programs, performances, exhibitions or other uses of the parks, including any city facility, shall not violate or infringe upon any copyright, patent, right of privacy or other statutory or common law right of any person, firm or corporation. All programs, performances, concerts, and other events to be performed at the facility involving works protected by statutory or common law copyrights or other proprietary law shall have been duly licensed or otherwise authorized by the owners of such works or legal representatives thereof.



(Ord. No. 07-2013-207, § 1, 7-18-2013)

Secs. 58-105—58-134. - Reserved.

## ARTICLE VI. - MINIMUM STANDARDS OF CARE FOR YOUTH PROGRAMS<sup>[2]</sup>

Footnotes:

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**Editor's note—** Ord. No. 04-2017-297, § 1(Exh. A), adopted April 6, 2017 repealed the former article VI, §§ 58-135—58-139, and enacted a new article VI as set out herein. The former article VI pertained to similar subject matter and derived from Ord. No. 04-2013-202, § 1(Exh. A), adopted April 18, 2013.

Sec. 58-135. - Definitions.

*City.* City of Crowley.

*City council.* City council of the City of Crowley, Texas.

*Community center.* One type of facility used to host any program as listed in 1.D.

*Department.* Recreation department of the city.

*Director.* City department director or his/her designee.

*Operations manual.* Notebook of policies, procedures, required forms, organizational and programming information relevant to city youth programs.

*Parent(s).* This term will be used to represent one or both parent(s) or guardian(s) who have legal custody and authority to enroll their child(ren) in the city youth program.

*Participant.* A youth whose parent(s) or guardian(s) have completed all required registration procedures and are determined to be eligible for a city youth program.

*Program coordinator or coordinator.* City staff who has been assigned administrative responsibility for a city youth program.

*Program leader.* City full-time, part-time, seasonal staff, temporary staff, contract instructor or volunteer who has been assigned responsibility to implement the city's youth programs.

*Program manual.* Notebook of information given to program leaders which includes rosters, attendance sheets, lesson plans, disciplinary action forms, etc.

*Program site.* Area or facilities where city youth programs are held.

*Program staff.* Term used to describe the person or persons who have been hired or have volunteered to work for the city and have been assigned responsibility for managing, administering, or implementing some or all portions of the Crowley Youth Programs. This definition also includes program coordinator and program leader.

*Youth program(s).* City youth programs consisting of the Out of School Time Program, the Camp Crowley Program, Mobile Recreation Summer Day Camp, and other non-school day programs that last one consecutive week (five days) or longer.

(Ord. No. 04-2017-297, § 1(Exh. A), 4-6-2017)

Sec. 58-136. - Administration.



(a) *Organization.*

- (1) The governing body of the youth program is the city council.
- (2) Implementation of the Crowley Youth Programs Standards of Care is the responsibility of the director and program staff.
- (3) Youth programs to which these standards of care will apply are the Out-of-School Time Program, Camp Crowley, Mobile Recreation Summer Day Camp, and other non-school day programs that last one consecutive week (five days) or longer.
- (4) Each program site will have a current copy of the standards of care available for the public and program staff.
- (5) Parents of participants will be given access to a current copy of the standards of care prior to the start of the youth program, preferably during the registration process.
- (6) Criminal background checks will be conducted on prospective program staff. If results of the criminal check indicate that an applicant has been convicted of any of the following offenses, he or she will not be considered for employment:
  - a. A felony or a misdemeanor classified as an offense against a person or family,
  - b. A felony or a misdemeanor classified as public indecency,
  - c. A felony or a misdemeanor violation of any law intended to control the possession or distribution of any controlled substance,
  - d. Any offense involving moral turpitude, or
  - e. Any offense that would potentially put the city at risk.
  - f. In addition, checks of the state department of public safety database for the state sex offender registration program will be conducted on prospective program staff. If results of the check indicate that an applicant is a registered sex offender, he or she will not be considered for employment.

(b) *Fiscal management.*

- (1) The program will follow the written policies and procedures of fiscal management set forth by the city.
- (2) The program will have sound fiscal management and operational oversight of the program.
- (3) The program will have a written budget.
- (4) Financial statements of the program will be reviewed regularly by the director and adjustments will be made as needed.

(Ord. No. 04-2017-297, § 1(Exh. A), 4-6-2017)

Sec. 58-137. - Staffing.

(a) *Program coordinator (coordinator) qualifications.*

- (1) Coordinators are considered professional staff members of the department and must have all program leader qualifications as outlined in subsection (c) below.
- (2) Coordinators must be at least 21 years old. Coordinators should possess the following combination of experience and training:
  - a. Two years of responsible community center service or recreational programming experience.
  - b. Equivalent to a bachelor's degree from an accredited college or university with major course work in sports management, physical education, recreation, or a related field.



- (3) Coordinators must pass a background investigation, including a test for illegal substances.
  - (4) Coordinators must have a current certification in first aid, cardio pulmonary resuscitation (CPR), and AED (automated external defibrillator) - adult and child. These certifications must be from a nationally recognized certifying organization, i.e., American Heart Association or American Red Cross.
  - (5) Coordinators must furnish proof of a clear tuberculosis test taken within 12 months prior to their employment date.
  - (6) Coordinators must take a tuberculosis test every year and provide proof of a clear tuberculosis test.
- (b) *Coordinator responsibilities.*
- (1) Coordinators are responsible for administrating the youth program's daily operations in compliance with the adopted standards of care.
  - (2) Coordinators are responsible for recommending the hiring, supervising, and evaluating of program leaders.
  - (3) Coordinators are responsible for planning, implementing, and evaluating youth programs.
- (c) *Program leader (leader) qualifications.*
- (1) Leaders will be full-time, part-time, seasonal, or temporary employees of the recreation department or volunteers.
  - (2) Volunteers working with participants must be age 16 or older; however, each program site will have at least one staff member 18 years or older present at all times, and all leaders must be at least four years older than the participants they are working with.
  - (3) Leaders must have a current certification in first aid, cardio pulmonary resuscitation (CPR), and AED (automated external defibrillator) - adult and child. These certifications must be from a nationally recognized certifying organization, i.e., American Heart Association or American Red Cross.
  - (4) Leaders must pass a background investigation, including a test for illegal substances.
  - (5) Leader applicants must furnish proof of a clear tuberculosis test that was completed within the 12 months prior to their employment date.
  - (6) Leaders must take a tuberculosis test every year and provide proof of a clear tuberculosis test.
  - (7) Leaders must have a minimum of six months' experience in recreation, education, or youth programs.
  - (8) Leaders must possess an accredited high school diploma or GED certificate from the state in which it was acquired.
- (d) *Leader responsibilities.*
- (1) Leaders will be responsible for providing participants with an environment in which they can feel safe, enjoy wholesome recreation activities, and participate in appropriate social opportunities with their peers.
  - (2) Leaders will be responsible to know and adhere to all city, departmental, and youth program standards, policies and procedures that apply to youth programs.
  - (3) Leaders must ensure that participants are released only to a parent or an authorized person designated by the parent. If a parent wishes that their child sign himself in or out, the parent must sign a release giving said authorization. Any child signing themselves out cannot stay at the facility or on the premises.
  - (4) Leaders will be responsible for supervised access to the restrooms for participants.



- (5) Program staff will:
- a. Consistently exhibit competency, good judgment and self-control when working with participants.
  - b. Relate to youth with courtesy, respect, tolerance, and patience.
  - c. Intentionally develop individual relationships with youth, focusing on their developmental needs and building on their unique strengths.
  - d. Create a supportive, caring environment and build self-esteem in every participant.
  - e. Be engaged in activities with the participants.
  - f. Recognize participants for their achievements and participation.
  - g. Clearly communicate behavior expectations.
  - h. Apply rewards and consequences appropriately and consistently for participant behavior.
  - i. Model and reinforce positive behavior and use positive techniques to address negative behavior by participants.

(e) *Training/orientation.*

- (1) The department is responsible to provide training and orientation to youth program staff in working with participants and for specific job responsibilities, coordinators will provide each leader with a program manual specific to each youth program.
- (2) Program staff must be familiar with the standards of care for youth programs as adopted by the city council.
- (3) Program staff must be familiar with the youth program's policies, including discipline, guidance, and release of participants as outlined in the program manual.
- (4) Program staff will be trained in appropriate procedures to handle emergencies.
- (5) Program staff will be trained in areas including city, department, and youth program policies and procedures, recreation activities organization, safety issues, program organization, and other areas as required by assigned youth program.
- (6) Program staff will be required to sign an acknowledgment that they received the required training.

(Ord. No. 04-2017-297, § 1(Exh. A), 4-6-2017)

Sec. 58-138. - Program operations.

- (a) *Enrollment.* Before a child can become a youth program participant, a parent or guardian must register their child and provide the following information:
- (1) Name, address, and home telephone number;
  - (2) Contact names and telephone numbers in case of emergency;
  - (3) The names and telephone numbers of people to whom the child can be released;
  - (4) A statement of the child's special problems and/or needs;
  - (5) Emergency medical authorization with doctor's name and telephone number;
  - (6) A signed liability waiver;
  - (7) A signed release to participate in water activities;
  - (8) Designation of need for reasonable accommodations;
  - (9) Signed acknowledgement of program code of conduct; and



- (10) Proof of date of birth,
- (b) *Staff-participant ratio.*
  - (1) In a youth program, the standard ratio of participants to program staff is 15 to one, based on average daily attendance. In the event a leader is unable to report to the program site, the coordinator will assign a replacement.
  - (2) Ratios may be adjusted to provide adequate supervision during higher risk activities, such as field trips, swimming, etc.
  - (3) Each participant will have a program staff who is responsible for him or her and who is aware of details of the participant's habits, interests and any special needs as identified by the participant's parents during the registration process.
- (c) *Special needs.*
  - (1) The program is aware of, records, and informs staff of special needs of participants.
  - (2) Every reasonable accommodation will be made to address participants with special needs.
  - (3) Participants with special needs requiring personal assistance, i.e., feeding, changing of clothes, and using the restroom, must provide an attendant (18 years of age or older) for the duration of the program. Program staff will not provide personal assistance. The attendant will be admitted to the program free of charge. Any additional fees must be paid by the personal attendant. With appropriate notice, accessible vehicles will be made available for transportation to authorized field trips.

(Ord. No. 04-2017-297, § 1(Exh. A), 4-6-2017)

Sec. 58-139. - Activities.

The program provides a safe, healthy, and age appropriate environment for all participants. The program provides a well-rounded variety of activities and opportunities that support the physical, social, emotional, and cognitive growth and development of all participants.

- (1) *Schedule.*
  - a. The program establishes and follows a schedule that is known to program staff, participants, and parents.
  - b. The daily schedule will be available for program staff, participants, and parents.
  - c. The daily schedule will be flexible enough to provide adaptability, but structured enough to provide predictability for the participants.
  - d. Transitions will be programmed into the schedule and will be orderly, efficient, and minimal in duration.
  - e. Screen time (movies, video games, TV, computers) will not exceed two hours daily.
  - f. There will be a written activity plan anytime children are in care for over five hours.
  - g. A rest time will be provided when children are in care for over five hours.
  - h. The program schedule will provide intentional opportunities for participants to be meaningfully involved in program planning, implementation, data collection, and evaluation. Participant feedback will be incorporated into the program when possible.
  - i. Program staff will attempt to provide indoor and outdoor time periods to include:
    - 1. Alternating active and passive activities,
    - 2. An appropriate amount of time for all activities;



3. Opportunity for individual, small and large group activities, and
  4. Outdoor time each day as weather permits based upon space availability and weather conditions.
- j. Participants are provided with a variety of engagement strategies, such as:
1. Self-directed projects;
  2. Individual, small group, and large group activities;
  3. Short and long term projects;
  4. Discovery learning;
  5. Hands-on projects;
  6. Experiential activities that promote creativity and self-expression;
  7. Peer mentoring opportunities;
  8. Participant-led activities; and
  9. Opportunities for participants to make formal presentations.
- (2) *Field trips and transportation.*
- a. Program staff will be attentive and considerate of the participant's safety on field trips and during any transportation provided by the youth program.
    1. During field trips, program staff will have authorization for emergency medical care and emergency contact information for each participant.
    2. Program staff will have a written list of the participants in their group and must check the roll frequently, specifically before departure to and from destination.
    3. Program staff will have first aid supplies.
  - b. Before a participant can be transported to and from city sponsored activities, a field trip release, located in the registration packet, must be completed by the parent.
  - c. First aid supplies will be available in all youth program vehicles that transport participants.
  - d. There will be at least one staff member in the vehicle that is certified in CPR, first aid, and AED.
  - e. All vehicles used for transporting participants will have a 6-BC portable fire extinguisher installed in the passenger compartment of the vehicle, accessible to the adult occupants.
  - f. Seatbelts will be worn if provided.
  - g. Participants will be oriented to expected behavior and safety rules.
  - h. Participants will be given stickers or wristbands with the location's name and phone number to be worn at all times while on a field trip.
  - i. According to the state occupant restraint law, every child younger than 8 years of age, unless the child is taller than four feet, nine inches, must be properly secured in a federally approved safety seat, in accordance with the instructions of the manufacturer of the safety seat system, when riding in vehicles that carry 15 or less passengers. Safety seats will be provided.
  - j. Where available, transportation will be provided for participants with special needs. See Sec. 58-138(c), Special Needs.
- (3) *Participant pick up and drop off.*
- a. A completed and signed pick-up authorization form must be on file for each participant.
  - b. These forms must be updated each year.



- c. The original signer of the pick-up authorization form may contact the center in person to add a new authorized person, with written notification. The original signer may also contact the center via telephone and make changes verbally using the safety word on the pick-up authorization form.
- d. Participants must only be signed out by an authorized person listed on the pick-up authorization form. One staff person must monitor the sign in/out duties each day.
- e. Authorized persons must present picture ID to pick up a participant.
- f. Authorized persons must be 18 or older unless the person is 16 or older and a sibling of the participant.
- g. Sign in/sign out sheets will be kept by the program site for at least three months after the youth program has ended.
- h. Participants may be signed out by a custodial parent, unless court paperwork is given to program staff.
- i. Parents may sign a form allowing their child to walk home at the end of the program.
- j. Participants must be picked up by the end of the assigned youth program. If a child is picked up after the end of the program, a late fee will be assessed. If a child has not been picked up within 30 minutes after the program has ended, the police will be called.
- k. If an authorized person attempts to pick up a participant while appearing intoxicated, staff will ask if there is another person who can pick up the participant.
- l. If any unauthorized person attempts to pick up a child, staff should:
  - 1. Call the program coordinator.
  - 2. Politely inform the person that they do not have permission to release the child to them.
  - 3. Ask the person to leave.
  - 4. Move the participant at risk to another room or area.
  - 5. Have another program staff in the pick-up area.
  - 6. The coordinator should call the original authorized person to inform them of the unauthorized pick up attempt.
  - 7. If necessary, program staff should call 911.

(4) *Discipline.*

- a. Program staff will execute discipline and guidance in a consistent manner based on the best interests of participants.
- b. There will be no cruel treatment or harsh punishment (physical or verbal abuse). Examples include, but are not limited to:
  - 1. Using physical punishment or any action administered to the body such as, but not limited to rough handling, or forcing child(ren) to assume an uncomfortable position.
  - 2. Restraining movement by tying, enclosing in a confined space, shaking, or using exercise as punishment.
  - 3. Being verbally abusive, including, but not limited to, threats, belittling remarks, humiliation, embarrassment, or frightening a child.
  - 4. Giving any child the authority to punish another child.
  - 5. Placing a child out of visual/hearing range, in the dark, or in an unventilated area.
  - 6. Punishing a child for a toileting accident.



7. Taunting a child by or any other form of jeering.
8. Giving preferential attention to any child over another child.
- c. Program staff will use brief, supervised, separation (time out) from the group, if necessary.
- d. As necessary, program staff will initiate discipline reports to the parents of participants. Parents will be asked to sign participant discipline reports to indicate they have been advised about specific problems or incidents.
  1. A sufficient number and/or severe nature of discipline report(s), as detailed by the disciplinary action policy in the program and operations manuals, may result in a participant being suspended from the youth program immediately. If a participant is suspended from the program, an authorized person must pick up the participant within one hour. If the participant is not picked up, the police will be called.
  2. Participants will be removed from the program site as soon as possible in instances of danger to other participants or program staff. This includes, but is not limited to, continuous disruption of the youth program, inappropriate sexual behavior, bullying, hitting or biting other participants or program staff and damage to any city property.
- e. Participants are expected to abide by program rules that include, but are not limited to:
  1. Showing respect to all participants and program staff.
  2. Refraining from bullying of any form (cyber, physical, verbal, etc.).
  3. Refraining from using abusive or foul language.
  4. Refraining from causing bodily harm to self, other participants, or program staff.
  5. Refraining from any inappropriate touching.
  6. Bringing any toys, electronics, etc. to the youth program.
  7. Refraining from roughhousing in any manner.
  8. Using social media sites during camp hours.
  9. Refraining from taking photographs of any kind.
  10. Respecting all equipment, supplies, and facilities.
  11. Cleaning up after themselves at all times.
  12. Respecting the property of other participants.
  13. Listening to and taking direction from all program staff.
  14. Staying within the physical boundaries of the program site at all times, unless with a program staff or parent.

(Ord. No. 04-2017-297, § 1(Exh. A), 4-6-2017)

Sec. 58-140. - Facility operations.

(a) *Inspection/monitoring/enforcement.*

- (1) The coordinator of each youth program will perform a monthly inspection of the facility to maintain compliance with the standards of care.
  - a. Inspection reports will be sent to the director for review and kept on record for at least two years.
  - b. The director will review the report and establish deadlines and criteria for compliance with the standards of care.



- (2) The director will make visual inspections of the youth program based on the following schedule:
    - a. Each after school program site will be inspected bi-monthly. This may be scheduled or unscheduled.
    - b. Camp Crowley and mobile recreation summer day camp sites will be inspected twice during the summer.
    - c. The other non-school day youth programs will be inspected once during the school breaks.
  - (3) Complaints regarding enforcement of the standards of care will be directed to the coordinator. The coordinator will be responsible for taking the necessary steps to resolve the problems. The coordinator will record complaints regarding enforcement of the standards of care and their resolution. The director will address serious complaints regarding enforcement of the standards of care and the complaints and resolutions will be noted.
  - (4) The director will make an annual report to city administration on the overall status of the youth programs and their operation relative to compliance with the adopted standards of care.
- (b) *Program area.*
- (1) The youth program's indoor space (when applicable) meets the physical, social, emotional, and cognitive needs of participants.
  - (2) The youth program's outdoor space (when applicable) is large enough, appropriately equipped, and safe to allow participants to be active and independent.
  - (3) The youth program's space meets the needs related to planning, activities, and storage.
  - (4) Buildings, grounds, and equipment on the program site are regularly inspected, cleaned, repaired, and maintained to protect participants' health.

(Ord. No. 04-2017-297, § 1(Exh. A), 4-6-2017)

Sec. 58-141. - Health and safety.

(a) *Health.*

- (1) *Illness or injury.*
  - a. A participant who is considered to be a health or safety concern to other participants or program staff will not be admitted to the youth program.
  - b. Illnesses and injuries will be handled in a manner to protect the health of all participants and program staff. Participants having a temporal fever over 100 degrees will not be allowed back into the youth program for 24 hours.
  - c. Program staff will follow emergency procedures for injured participants or for participants with symptoms of an acute illness.
  - d. In the event of an emergency and/or serious accident, parents will be notified immediately. If necessary, the local ambulance service will transport the participant to the nearest hospital.
  - e. In the case of a minor accident or injury (bumps and bruises), the program staff will administer first aid, monitor the participant, and notify the parents at pick-up.
  - f. Parents will be notified if a child is injured in a way that necessitates emergency care.
  - g. Program staff will follow the recommendations of the Texas Department of State Health Services concerning the admission or readmission of any participant after a communicable disease, and a doctor's note will be required allowing participant's readmission to the program.



- h. If a participant becomes sick while in the program, the parent or authorized person(s) must contact staff within one hour to arrange pick up. If no contact is made within one hour after initial contact by staff, the police will be notified.
- (2) Program staff will administer medication subject to the following conditions:
  - a. Parents must complete, sign, and submit authorization to administer medication detailing medication name(s), time(s) to be administered, and dosage(s) for youth enrolled in program lasting more than three hours. The release will include a hold harmless clause to protect the city.
  - b. Prescription medications are in the original containers labeled with the participant's name, date, directions, and the physician's name. The prescribing physician must provide written guidelines. Program staff will administer the medication only as stated on the label. Program staff will not administer medication after the expiration date.
  - c. Non-prescription medications are labeled with the participant's name and the date the medication was brought to the youth program. Non-prescription medication must be in the original container. Program staff will administer medication only according to label directions and with written parental permission.
  - d. Except in instances where an accommodation may be necessary under the ADA, program staff will be limited to dispensing and administering those medications that do not require special knowledge, skills, or training. Medication will be properly disposed of at the end of the program.
- (3) Program staff will ensure medications are inaccessible to participants. If necessary, medications will be kept in the refrigerator.
- (4) A medication record form will be kept by the coordinator detailing when medication was administered.
- (b) *Safety.*
  - (1) Program staff will supervise participants to ensure their safety.
  - (2) Program staff will inspect program sites daily checking for sanitation and safety concerns that might affect the health and safety of participants.
  - (3) Program site equipment and supplies will be safe for participants use.
  - (4) Program staff will have first aid supplies available at each program site in a designated location, during transportation, and for the duration of any off-site activity.
  - (5) The youth program will ensure that all program staff working with participants are trained in CPR, first aid, and AED.
  - (6) Participants will have access to clean drinking water at all times.
  - (7) Program site air conditioners, electric fans, and heaters will be mounted out of participant's reach or have safeguards that keep participants from being injured.
  - (8) Program site porches and platforms more than 30 inches above the ground will be equipped with railings with the exception of performance stages.
- (c) *Emergencies.*
  - (1) Each youth program will have an emergency operations manual that will be reviewed with all program staff.
  - (2) When applicable, staff will follow directives of the emergency management office.
  - (3) Fire:
    - a. In case of fire, danger of fire, explosion, or other emergency, program staff's first priority is to evacuate the participants to a pre-designated safe area.



- b. The program site will have an annual fire inspection by the local fire marshal, and the resulting report will detail any safety concerns observed. The report will be forwarded to the director who will review it and enforce the deadline and criteria for compliance.
  - c. Each program site will have at least one fire extinguisher approved by the fire marshal readily available to all program staff. The coordinator will inspect the fire extinguisher monthly. All program staff will be trained in the proper use of the fire extinguisher.
  - d. Fire drills will be initiated at program sites based on the following schedule.
    - 1. After school program—Once every three months
    - 2. Other youth programs—Once during each program
- (4) Tornadoes:
  - a. Tornado warning procedures will be reviewed with all program staff during orientation.
  - b. Tornado drills will be initiated twice yearly: once during the spring and once during the fall.
- (d) *Communication.* Each remote program site will have a cell phone or two-way radio to allow the program site to be contacted by program staff. Each program site will have access to a telephone for use in contacting program staff or making emergency telephone calls. At each program site the coordinator will post the following telephone numbers adjacent to a telephone accessible to all program staff:
  - (1) City ambulance or emergency medical services
  - (2) City police department
  - (3) City fire department
  - (4) Recreation services department administrative office
  - (5) Telephone numbers and address for the program site itself
  - (6) Telephone number of coordinator's office
  - (7) Program participants' emergency contact information
  - (8) Poison control
- (e) *Nutrition.*
  - (1) The program will follow the state department of agriculture food and nutrition guidelines when meals are provided by the city nutrition program. Additionally, in keeping with healthy eating and physical activity (HEPA) standards, the program will:
    - a. Serve whole grain-rich products.
    - b. Provide plain potable water at all times at no cost to youth and staff.
    - c. Serve plain low-fat milk, plain or flavored nonfat milk or milk alternative limited to eight fluid ounces per day for elementary school students and 12 fluid ounces per day for middle and high school students.
    - d. Serve only 100 percent fruit or vegetable juice with no added sweeteners or 100 percent juice diluted with water with no added sweeteners.
    - e. Serve only non-caffeinated beverages.
  - (2) Special snacks may be provided during the program. Parents must note any food allergies on participant's registration form.
- (f) *Suspected abuse.*



- (1) Program staff will report suspected child abuse to the state department of family and protective services, in accordance with the Texas Family Code, telephone number, 1-800-252-5400 or filing a report at [https://www.txabusehotline.org/Login/WebSite\\_UI/Report-anon.aspx](https://www.txabusehotline.org/Login/WebSite_UI/Report-anon.aspx).
- (2) Program staff will receive basic training related to child abuse prevention and how to report suspected abuse.

(g) *Toilet facilities.*

- (1) The program site will have toilets located and equipped so participants can use them independently and program staff can monitor as needed.
- (2) There will be one toilet for every 20 participants. Urinals may be counted in the ratio of toilets to participants, but will not exceed 50 percent of the total number of toilets.
- (3) An adequate number of lavatories will be provided.

(h) *Sanitation.*

- (1) The indoor program sites must have adequate light, ventilation, air conditioning and heat.
- (2) The program site will have an adequate supply of water meeting the Texas Department of State Health standards for drinking water. Water will be supplied to the participants in a safe and sanitary manner.
- (3) All waste matters will be kept in a leak-proof, covered container.
- (4) Program staff will remove garbage from program sites daily.

(Ord. No. 04-2017-297, § 1(Exh. A), 4-6-2017)





## Crowley City Council

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### AGENDA REPORT

**Meeting Date:** July 15, 2021

**Agenda Item:** VII-5

**Staff**

**Contact:**

**E-mail:**

**Phone:**

Carol C. Konhauser

City Secretary

[ckonhauser@ci.crowley.tx.us](mailto:ckonhauser@ci.crowley.tx.us)

817-297-2201-X 4000

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**SUBJECT:** Discuss and consider canceling the Regular scheduled meeting of the Crowley City Council for October 7, 2021 due to lack of quorum.

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#### **BACKGROUND/DISCUSSION**

The TML Conference will be held this year in Houston the week of October 5 - October 8 2021. As a quorum of the Council plan to attend this conference, it is recommended the Crowley City Council for October 7, 2021, be cancelled.

#### **FINANCIAL IMPACT**

None

#### **RECOMMENDATION**

Staff recommends council consider canceling this meeting on Thursday, October 7, 2021.

If approved, staff will place information on the City Website Calendar, Newsflash and publish on Social Media, giving ample notice to the citizens of Crowley of the cancelation.

#### **ATTACHMENTS**

None





## Crowley City Council

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### AGENDA REPORT

**Meeting Date:** July 15, 2021  
**Agenda Item:** VII-6

**Staff**  
**Contact:** Rachel Roberts  
**E-mail:** rroberts@ci.crowley.tx.us  
**Phone:** 817/297-2201 x 3030

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**SUBJECT:** Review and consider approval of a development agreement with MI Homes DFW, LLC

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#### **BACKGROUND/DISCUSSION**

When Council considered Case # ZR-2021-001 earlier this year, the city attorney advised the Council the masonry requirements in the PD ordinance would not be enforceable. He also noted that a development agreement with MI Homes would be enforceable. The staff recommendation in the staff report for ZR-2021-003 (the resubmittal of Case-ZR-2021-001) was that if the rezoning were approved, it should be approved on the condition that the MI Homes enter into a development agreement with the city regarding masonry standards.

In these kinds of agreements, which require a developer to commit to standards higher than the city usually requires, the city usually provides some consideration to the developer in return. In this case, the developer requested through the PD ordinance that the open space provided through the PD district would be all that is required, with no additional land or fees to be dedicated. City code requires 1.5 acres of parkland to be dedicated to the city for each 100 lots. The concept plan for TarryTown appears to show an amount of land dedicated that is equal or close to what would be required (we don't have exact dimensions for all of the open space lots, so we only have an estimate at this stage). For projects of less than 100 lots, though, city code requires a fee in lieu of parkland dedication.

The developer is providing park land and intends to develop some of it as a play area. However, the open space will be private; city code allows private open space to count for up to half of required parkland dedications or fees-in-lieu, so without this provision in the PD ordinance, the developer would still have to pay the fees-in-lieu for half of the lots despite providing almost the full amount of open space required. Staff believes the benefit of being able to enforce the masonry standards is worth forgoing the fees-in-lieu in this case, since the residents will still have access to open space within their neighborhood.

#### **RECOMMENDATION**

Staff recommends approval.

#### **ATTACHMENTS:**

- Development agreement (draft) with MI Homes



## DEVELOPMENT AGREEMENT

This Development Agreement (“Agreement”) is entered into on this the \_\_\_\_ day of \_\_\_\_\_, 2021, by and between the City of Crowley, Texas (“City”), and MI Homes of DFW, LLC (“Developer”). For convenience, the City and the Developer may be referred to individually as a “party” or collectively as “the parties.”

**WHEREAS**, Developer has entered into a contract to purchase an approximate 20.31 acre parcel of property located generally at the western city limits at Bus. FM 1187 and FM 1187 in the City as more particularly described and depicted on the attached Exhibit “A” incorporated herein (the “Property”) which is proposed to be developed by Developer as a mixed use (residential and commercial) development (the “Development”), as further described and depicted on the site plan attached hereto as Exhibit “B” and incorporated herein; and

**WHEREAS**, the Property owner, Plains Capital Bank, has authorized the Developer to seek a zoning change on the Property as a condition to Developer closing on the purchase of the Property; and

**WHEREAS**, the Property is currently zoned General Commercial (GC), and the Developer has requested that the City establish Planned Development (PD) zoning on the Property; and

**WHEREAS**, upon approval of Planned Development (PD) zoning of the Property, Developer has requested that the City permit the platting and/or development of the Development as more particularly described in the attached Exhibit “B” and this Agreement; and

**WHEREAS**, Developer is required to install certain public and private improvements to serve the Development as provided herein; and

**WHEREAS**, the parties to this Agreement desire to clarify the specific requirements for installation of the public and private improvements; and

**WHEREAS**, this Agreement shall operate as a covenant running with the land and be binding upon Developer and its representatives, officers, agents, servants, employees, successors, and assigns; and

**WHEREAS**, Developer desires to participate in this Agreement whereby the City will provide certain incentives to Developer for the location of the Development on the Property; and

**WHEREAS**, the parties voluntarily enter into this Agreement with the intent of applying more stringent building product regulations, material standards, and/or aesthetic methods than otherwise required by the City’s Zoning Ordinance or any applicable national model code as otherwise required by Texas House Bill 2439 (Chapter 3000, Texas Government Code), effective September 1, 2019; and

**WHEREAS**, the City Council finds and determines that this Agreement requiring certain development standards complies with the City’s long-term planning policies and will promote



local economic development and stimulate business and commercial activity in the City.

**NOW, THEREFORE,** in consideration of the covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

## **ARTICLE I. AUTHORIZATION**

The City Council finds and determines that this Agreement is authorized and governed by Section 380.001 of the Texas Local Government Code.

## **ARTICLE II. TERM**

This Agreement shall be effective as of the date of execution by all parties and continue until all obligations under the Agreement are fulfilled, unless otherwise terminated as provided for in this Agreement. In the event that Developer fails to acquire the Property within \_\_\_\_ (\_\_\_\_) days from the date of this Agreement, or in the event the City fails to rezone the Property to Planned Development (PD) zoning district, this Agreement shall automatically terminate, and neither party shall have any further obligation to the other under the Agreement.

## **ARTICLE III. ZONING**

- 1. Zoning:** The City shall, in accordance with Chapter 211, Texas Local Government Code, conduct public hearings to consider establishing Planned Development (PD) zoning for the Property, in accordance with the site plan attached as Exhibit “B” and this Agreement.
- 2. Applicable Development Regulations:** Upon approval of Planned Development (PD) zoning, use of the Property will be subject to the restrictions, terms and conditions of the General Commercial (GC) zoning district and the Single Family (SF 7.2) zoning district of Chapter 106 “Zoning” of the Crowley Code of Ordinances as the base zoning standards and regulations, the approved Site Plan and elevations for the commercial component of the Property, and the Property shall be subject to the additional building product, material, or aesthetic requirements set forth in the attached Exhibit “C” incorporated herein by reference.

## **ARTICLE IV. PUBLIC IMPROVEMENTS**

### **1. Construction of Public Improvements:**

a. **Construction by Developer; plans.** Developer shall provide all public improvements required to serve the Development, including but not limited to water, sewer, drainage and roadway improvements, whether on-site or off-site (hereinafter the “public improvements”), at no cost to the City, unless otherwise provided herein, in accordance with the approved zoning and site plan for the Property, the City’s Zoning, Subdivision and other development regulations, and the development regulations attached hereto as Exhibit “C” (collectively the “City’s Development Regulations”) and as approved by the City Engineer or the City Engineer’s agent. Developer shall employ a civil engineer licensed to practice in the State of



Texas for the design and preparation of the plans and specifications for the construction of all public improvements. Developer shall assume all responsibility for the adequacy and accuracy of the design, plans and specifications. The final-approved engineering plans shall become a part of this Agreement.

b. **Preconstruction conference.** Developer shall install the public improvements within all applicable time frames in accordance with the City's development regulations unless otherwise approved herein. Construction of the public improvements shall not be initiated until a Pre-Construction Conference has been held regarding the proposed construction.

c. **Review by city engineer.** The plat, design plans, and specifications prepared by Developer's engineer shall be subject to routine review by the City Engineer or the City Engineer's agent to evaluate conformance with City standards and specifications. However, such review and evaluation shall not relieve Developer or Developer's engineer or agent of responsibility for design, construction, and provision of maintenance and performance bonds for the improvements as set out in this Agreement and the City's development regulations. Developer shall be responsible for payment of all review fees by the City for review of all civil construction plans.

d. **Inspections.** Developer shall deposit with the City cash in the amount of four percent (4%) of the estimated construction costs of the public improvements to cover the City's costs to inspect the public improvements.

e. **As-built plans.** Upon completion of construction of improvements, Developer shall deliver to the City, one (1) set of as-built plans and one (1) set of as-built reproducible plans for all public improvements constructed by Developer.

f. **Construction by Developer.** The public improvements may be constructed simultaneously with the construction of the Development (i.e., a building permit for the Development shall issue prior to the completion of the public improvements); however, no certificate of occupancy will be issued for the Development until all public improvements have been installed and inspected and a Letter of Acceptance has been issued.

## **2. Construction Bonds:**

a. **Bond requirements.** Prior to initiating any construction of the public improvements, the Developer, or the construction contractor(s) for Developer, shall provide the City with one original and one quality copy of the following construction bonds:

i. **Performance bond.** A good and sufficient Performance Bond in an amount equal to one hundred percent (100%) of the total cost of the public improvements necessary to serve the Development, guaranteeing the full and faithful execution of the work and performance of this Agreement and for the protection of the City against any improper construction of the work or the use of inferior materials. The Performance Bond shall guarantee completion of the public improvements within one (1) year of execution of this Agreement.



ii. **Payment bond.** A good and sufficient Payment Bond in an amount equal to one hundred percent (100%) of the total cost of the public improvements necessary to serve the Development, guaranteeing payment for all labor, materials and equipment used in the construction of the public improvements.

iii. **Maintenance bond.** A good and sufficient Maintenance Bond in an amount equal to one hundred percent (100%) of the total cost of the public improvements necessary to serve the Development, guaranteeing the maintenance in good condition of the public improvements for a period of two (2) years after the issuance of a Letter of Acceptance by the City for the public improvements.

b. **Surety company.** Each of the above bonds shall be in a form acceptable to the City. Any surety company through which a bond is written shall be duly authorized to do business in the State of Texas, provided that the City, through its City Manager, shall retain the right to reject any surety company for any work under this Agreement regardless of such company's authorization to do business in Texas. Approval by the City shall not be unreasonably withheld or delayed.

### **3. Final Acceptance Of Public Improvements:**

a. **Final and substantial completion.** The City will not issue a Letter of Acceptance for the public improvements until they are completely constructed (Final Completion) to the satisfaction of the City Engineer or his agent. However, upon substantial completion, a "punch list" of outstanding items shall be presented to Developer's contractors indicating those outstanding items and deficiencies that need to be addressed for Final Completion of the Development.

b. **Title vests in the City.** Developer agrees to deliver to the City clear and unencumbered title to all public improvements. Upon issuance of a Letter of Acceptance, title to all improvements for the Development shall be vested in the City and Developer relinquishes any right, title or interest in and to such improvements or any part thereof. It is understood and agreed that the City shall have no liability or responsibility in connection with such improvements until the Letter of Acceptance is issued.

## **ARTICLE V. ECONOMIC DEVELOPMENT INCENTIVES**

### **1. Covenants of Developer:**

a. Developer agrees to construct the commercial component of the Development on the Property as shown on the Site Plan and elevations, attached as Exhibit "B" and incorporated herein by reference.

b. To qualify for the incentives set forth below, the Developer shall obtain all building and other permits required for construction of the commercial component, and obtain a certificate of occupancy (CO) for use of the first completed portion of the commercial component within \_\_\_\_ (\_\_\_\_) months/years of the date of this Agreement.



c. Developer shall construct the commercial component and improvements on the Property in accordance with the Site Plan attached as Exhibit "B," and the City's Development Regulations including but not limited to the additional development standards, exterior masonry, building materials and aesthetic requirements in Exhibit "C."

**2. Covenants of City:** As an economic development incentive and to assist Developer with the Development, the City agrees to the following:

a. Conduct public hearings to consider establishing Planned Development Zoning for the Property.

b. The Development proposes private parkland/open space dedication as reflected on the attached site plan and described in the Planned Development Standards for the Development. Under the City's development regulations, private parkland dedication only counts up to fifty percent (50%) of the required parkland dedication or fee in lieu of dedication for the Development. The City agrees to waive any additional parkland dedication or fees in lieu of dedication relating to the Development over and above the private parkland dedication and amenities shown on the attached site plan and described in the Planned Development Standards.

## **ARTICLE VI. GENERAL PROVISIONS**

**1. Default.** If a party should default (the "Defaulting Party") with respect to any of its obligations hereunder and should fail, within thirty (30) days after delivery of written notice of such default from another party (the "Complaining Party") to cure such default, the Complaining Party may terminate this Agreement, and by action or proceeding at law or in equity, may be awarded its damages and/or specific performance for such default.

**2. Termination.** This Agreement may be terminated as follows:

- a. by mutual written agreement by the parties;
- b. by the City upon the failure of Developer to fulfill its obligations under this Agreement after receipt of written notice of default and a thirty (30) day cure period.

**3. Mutual Assistance.** Developer and the City shall do all things necessary or appropriate to carry out the terms and provisions of this Agreement and to aid and assist each other in carrying out the terms and provisions hereof.

**4. Attorneys Fees.** In the event any legal action or process is commenced to enforce or interpret provisions of this Agreement, the prevailing party in any such legal action shall be entitled to recover its necessary and reasonable attorneys' fees and expenses incurred by reason of such action.

**5. Law Compliance.** Developer agrees to comply with all federal, state, and local laws and all development regulations that are applicable to this Development.



6. **Waiver.** Developer expressly acknowledges that by entering into this Agreement, Developer, its successors, assigns, vendors, grantees, and/or trustees, shall never construe this Agreement as waiving any of the requirements of the City's Zoning or Subdivision regulations or any other development regulation or ordinance of the City, except as herein agreed upon.

7. **Liens and Assessments.** In the event Developer fails to comply with any of the provisions of this Agreement, the City shall be authorized to cease issuance of any further Certificates of Occupancy or Building Permits on the Property, and the City shall be further authorized to file this instrument in the Mechanic's Lien records of Tarrant County as a Mechanic's Lien against Developer's property; and, in the alternative, the City shall be authorized to levy an assessment against Developer's property for any improvements made by the City in accordance with applicable state law.

8. **Indemnity.** Developer, its officers, agents, employees, successors and assigns do hereby fully release and agree to, indemnify and hold harmless the City, its officers, agents, servants and employees, from all claims, suits, judgments, and demands of any nature whatsoever, for property damage or personal injury, including death, resulting from or in any way connected with this Agreement, or the construction or operations of the Development on the Property.

9. **Entire Agreement.** This Agreement contains the entire agreement between the parties with respect to the transaction contemplated herein.

10. **Amendment.** This Agreement may only be amended, altered, or revoked by a written instrument signed by Developer and the City.

11. **Successors and Assigns.** This Agreement shall be binding on and inure to the benefit of the parties, their respective successors and assigns. Developer may not assign all or any part of its rights and obligations hereunder without prior written approval of the City.

12. **Hold Harmless Agreement:**

a. **Liability for design.** Approval by the City Engineer or other City employee of any plans, designs or specifications submitted by Developer pursuant to this Agreement shall not constitute or be deemed to be an assumption of responsibility and liability by the City or a release of the responsibility and liability of developer, its engineer, employees, officers or agents for the accuracy and competency of their design and specifications for the public improvements, it being the intent of the parties that approval by the City Engineer signifies the City's approval of only the general design concept of the improvements to be constructed. In this connection, Developer shall for a period of two (2) years after the acceptance by the City of the public improvements, indemnify and hold harmless the City, its officers, agents, servants and employees, from any loss, damage, liability, claim, obligation, penalty, charge, cost or expense including property damage, personal injury or death to any and all persons which may arise out of any defect, deficiency or negligence of the Developer's engineer's designs, plans and specifications incorporated into any of the improvements, whether or not such loss, damage, liability, claim, obligation, penalty, charge, cost or expense is caused in



part by the city, its officers, agents, servants or employees, and the Developer shall defend at its own expense any suits or other proceedings brought against the City, its officers, agents, servants or employees or any of them, on account thereof, and shall pay all expenses (including without limitation reasonable fees and expenses of attorneys, expert witnesses and consultants) and satisfy all judgments which may be incurred by or rendered against them in connection herewith.

b. **Liability for construction, use, etc.** Developer covenants and agrees to indemnify and does hereby indemnify, hold harmless and defend the City, its officers, agents, servants and employees, from and against any and all claims or suits for property damage or loss and/or personal injury, including death, to any and all persons, of whatsoever kind or character, whether real or asserted, (including, without limitation, reasonable fees and expenses of attorneys, expert witnesses and other consultants), arising out of or in connection with, directly or indirectly, the construction, maintenance, occupancy, use, existence or location of the public improvements, whether or not caused, in whole or in part, by the negligence of the City, its officers, agents, servants or employees, and shall further be liable for injury or damage to City property, arising out of or in connection with any and all acts or omissions of Developer, its officers, agents, servants, employees, contractors, subcontractors, licensees, invitees, or trespassers.

**13. Determination Of Rough Proportionality.** Developer hereby agrees that any land or property it donates to the City as part of the development of any public improvements is roughly proportional to the need for such land and Developer hereby waives any claim therefor that it may have. Developer further acknowledges and agrees that all prerequisites to such a determination of rough proportionality have been met, and that any costs incurred relative to said donation are related both in nature and extent to the impact of the public improvements. Developer waives and releases all claims which Developer may have against the City related to any and all rough proportionality and individual determination requirements mandated by Subchapter Z of Chapter 212, Texas Local Government Code, as well as other requirements of a nexus between development conditions and the projected impact of the public improvements.

**14. Notice.** Any notice and/or statement required and permitted to be delivered shall be deemed delivered by depositing same in the United States mail, certified with return receipt requested, postage prepaid, addressed to the appropriate party at the following addresses, or at such other addresses provided by the parties in writing:

Developer: MI Homes of DFW, LLC  
Attention: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

City: City of Crowley  
Attention: City Manager  
201 E. Main  
Crowley, Texas 76036



**15. Interpretation.** Regardless of the actual drafter of this Agreement, this Agreement shall, in the event of any dispute over its meaning or application, be interpreted fairly and reasonably, and neither more strongly for or against any party.

**16. Applicable Law.** This Agreement is made, and shall be construed and interpreted under the laws of the State of Texas and venue shall lie in Tarrant County, Texas.

**17. Severability.** In the event that any provision of this Agreement is illegal, invalid, or unenforceable under present or future laws, then, and in that event, it is the intention of the parties hereto that the remainder of this Agreement shall not be affected thereby, and it is also the intention of the parties to this Agreement that in lieu of each clause or provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

**18. Continuity.** This Agreement shall be a covenant running with the land and shall be binding upon Developer, its successors, heirs, assigns, grantees, trustees and/or representatives.

**19. Approval by City of Crowley, Texas.** This Agreement was approved by the City Council at its meeting on \_\_\_\_\_, 2021.

**MI HOMES OF DFW, LLC**

**CITY OF CROWLEY**

By: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Robert Loftin  
City Manager

ATTEST:

\_\_\_\_\_  
City Secretary



## ACKNOWLEDGMENT

STATE OF TEXAS       §  
                                  §  
COUNTY OF \_\_\_\_\_ §

BEFORE ME, the undersigned authority in and for \_\_\_\_\_ County, Texas, on this day personally appeared \_\_\_\_\_, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she is the \_\_\_\_\_ of MI Homes, LLC and that he/she is authorized by said entity to execute the foregoing instrument as the act of such entity for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Type or Print Notary's Name

My Commission Expires:  
\_\_\_\_\_



**EXHIBIT “A”**  
**PROPERTY DESCRIPTION**

DRAFT



**EXHIBIT “B”**

**SITE PLAN/COMMERCIAL ELEVATIONS**

DRAFT



**EXHIBIT “C”**

**ADDITIONAL DEVELOPMENT REGULATIONS/  
PLANNED DEVELOPMENT STANDARDS**

DRAFT





## Crowley City Council

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### AGENDA REPORT

**Meeting Date:** July 15, 2021

**Agenda Item:** VII-7

**Staff Contact:** Rachel Roberts

**E-mail:** rroberts@ci.crowley.tx.us

**Phone:** 817/297-2201 x 3030

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**SUBJECT:** Discuss and consider approving Ordinance 07-2021-341, an ordinance vacating and abandoning a portion of Industrial Blvd right of way.

BACKGROUND AND OVERVIEW	
<b>Request</b>	Abandon a portion of the right-of-way for Industrial Blvd
<b>Applicant</b>	CH TNC Karis Owner LLC
<b>Location</b>	Industrial Blvd where connects to Beverly within the future Karis development
<b>Staff Recommendation</b>	Approve

As part of phase 1 of Karis, a portion of Industrial Blvd is proposed to be reduced in size to phase into the neighborhood, transitioning from a roadway serving industrial properties into one providing access to a residential neighborhood. As you'll see on the attached illustration, the full right-of-way is not needed to provide access through Karis.

There are two areas proposed to be abandoned. The larger parcel (9,233 square feet / 0.2120 acres), is on the north side of existing Industrial Blvd. The other parcel (5 square feet) is on the northwest corner of the proposed roundabout at the intersection of Industrial and Beverly.

As part of Karis phase 1B, additional right-of-way will be dedicated on the southeast corner of the roundabout.

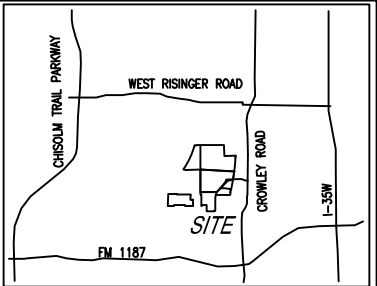
### STAFF REVIEW AND RECOMMENDATION

The right-of-way proposed for abandonment is not needed for the Karis project or for access through the neighborhood to go south on Beverly. The city's engineers have reviewed the proposed abandonment and determined that the right-of-way is not needed. Staff recommends approval.

### ATTACHMENTS:

- Illustration showing right-of-way proposed for abandonment and for future dedication
- Ordinance approving abandonment





VICINITY MAP  
NOT TO SCALE

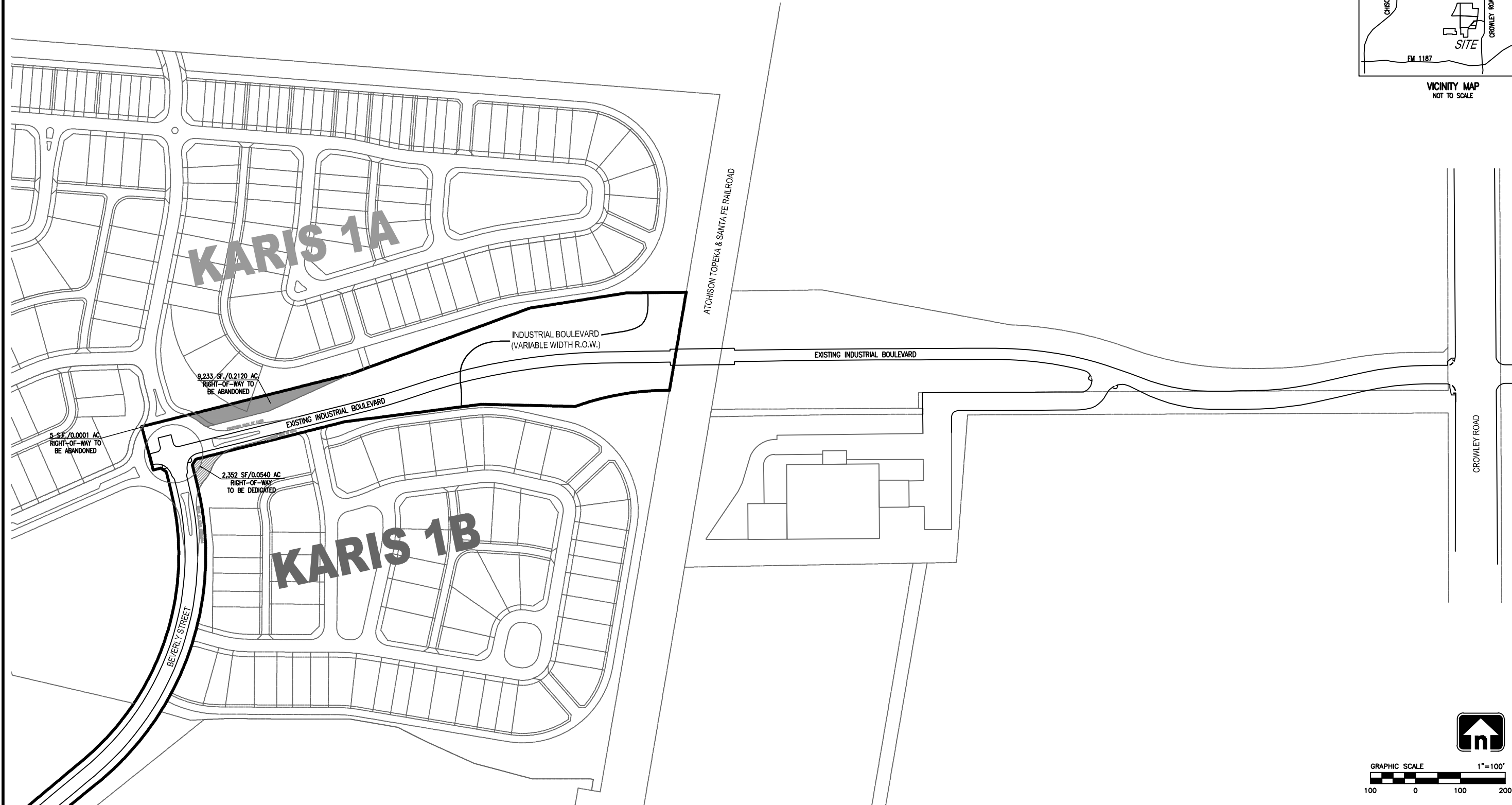


EXHIBIT  
KARIS DEVELOPMENT  
INDUSTRIAL BOULEVARD RIGHT-OF-WAY  
ABANDONMENT AND DEDICATION  
CITY OF CROWLEY, TARRANT COUNTY, TEXAS

DATE: JULY 2021



Graham Associates, Inc.  
CONSULTING ENGINEERS & PLANNERS  
600 SIX FLAGS DRIVE, SUITE 600  
ARLINGTON, TEXAS 76011 (817) 640-8535  
TSP# FIRM: F-1191/TBPLS FIRM: 101538-00



## **ORDINANCE NO. 07-2021-431**

**VACATING AND ABANDONING A PORTION OF INDUSTRIAL BLVD RIGHT-OF-WAY IN THE CITY OF CROWLEY, TEXAS; DECLARING THAT THE PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM DEED RELEASING PUBLIC OWNERSHIP INTEREST AND CONTROL OF SUCH RIGHT-OF-WAY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Crowley is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the local Government Code; and

**WHEREAS**, the City Council, after careful study and consideration, has determined that a portion of the existing road right-of-way of Industrial Blvd is not being used by, nor useful or convenient to the public in general; therefore, such right-of-way constitutes a public charge without a corresponding public benefit, and the public would be better served and benefited by the vacation and abandonment of such right-of-way; and

**WHEREAS**, in order to remove any question as to the continued interest or ownership by the public in the right-of-way being vacated, the City desires to execute a quitclaim deed releasing all title, ownership and control in said right-of-way to the owner of the abutting property.

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

### **SECTION 1.**

The following portion of road right-of-way is hereby vacated and abandoned as public property:

An approximately 0.0001 acre tract of land and 0.2120 acre tract of land in the S. T. Wells Survey, Abstract No. 1684, being those portions of Industrial Blvd depicted on Exhibit "A" and attached hereto and incorporated into this Ordinance for all purposes.

The right-of-way is not being used by, nor useful or convenient to the public in general. The right-of-way constitutes a public charge without a corresponding benefit, and the public would be better served and benefited by the vacation and abandonment of the right-of-way.

### **SECTION 2.**

The Mayor of the City of Crowley, Texas, is hereby authorized and empowered to execute a quitclaim deed releasing all claims to title, ownership, or control of the right-of-way described in Exhibit A, on behalf of the City.



**SECTION 3.**

A copy of the quitclaim deed shall be presented for filing with the County Clerk of Tarrant County, Texas by the office of the city secretary.

**SECTION 4.**

It is hereby declared to be the intention of the city council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid by the valid judgment or decree of any court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since it would have been enacted by the City Council without the incorporation in this ordinance of invalid phrase, clause, sentence, paragraph or section.

**SECTION 5.**

This Ordinance shall be in full force and effect from and after its passage, and it is so ordained.

**PASSED AND APPROVED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_.**

\_\_\_\_\_  
Billy P. Davis MAYOR

ATTEST:

\_\_\_\_\_  
Carol C. Konhauser  
CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
Rob Allibon  
CITY ATTORNEY



TEXAS ELECTRIC SERVICE COMPANY  
VOLUME 3602, PAGE 156  
D.R.T.C.T.

POINT OF  
COMMENCING  
FOUND 1/2" I.R.

VALVE SITE EASEMENT NO.3  
DOC. NO. D209016824  
C.C.R.T.C.T.

40' PERMANENT GAS EASEMENT  
DOC. NO. D209016824  
C.C.R.T.C.T.

S60° 05' 51"W  
1481.18'

FUTURE  
KARIS ADDITION 1A

TRACT 2  
CH TNC KARIS OWNER, LLC  
DOCUMENT NO. D221110835  
C.C.R.T.C.T.  
ZONED: PD

ATCHISON TOPEKA & SANTA FE RAILROAD  
VOLUME 2899, PAGE 191  
D.R.T.C.T.

SEE SHEET 2 OF 3

#### LEGEND

C.C.R.T.C.T. = COUNTY CLERK RECORDS, TARRANT COUNTY, TEXAS  
SIR = SET 1/2 INCH IRON ROD W/CAP STAMPED "GRAHAM ASSOC. INC."

BASIS OF BEARING IS NORTH AMERICAN DATUM  
OF 1983 (NAD-83) STATE PLANE COORDINATE  
SYSTEM, TEXAS NORTH CENTRAL ZONE.

#### EXHIBIT A

BEING A 0.0001 ACRE (5 SQ.FT.)

PARTIAL RIGHT-OF-WAY ABANDONMENT

CITY OF CROWLEY, VOLUME 15135, PAGE 291, DEED RECORDS, TARRANT COUNTY, TEXAS

SITUATED IN THE S.T. WELLS SURVEY, ABSTRACT NO. 1684, CITY OF CROWLEY, TARRANT COUNTY, TEXAS



**Graham Associates, Inc.**  
CONSULTING ENGINEERS & PLANNERS  
600 SIX FLAGS DRIVE, SUITE 500  
ARLINGTON, TEXAS 76011 (817) 640-8535  
TBPE FIRM: F-1191/TBPLS FIRM: 101538-00

GRAPHIC SCALE 1"=40'



DRAWN BY: GAI

DATE: JUNE-2021

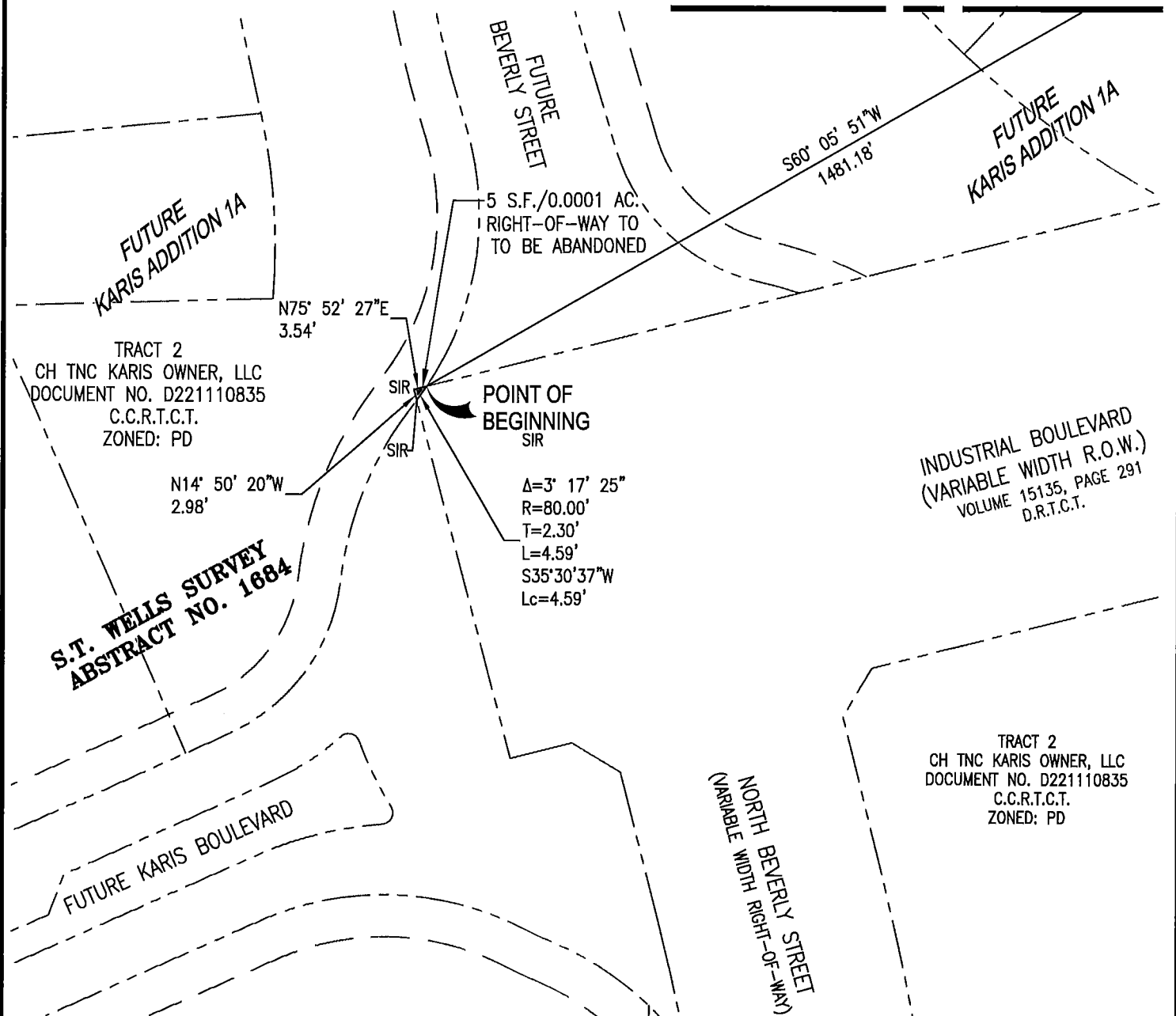
PROJECT NO.: 2760-1012

SHEET 1 OF 3

ABD.01



SEE SHEET 1 OF 3



LEGEND

C.C.R.T.C.T. = COUNTY CLERK RECORDS, TARRANT COUNTY, TEXAS  
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SYSTEM, TEXAS NORTH CENTRAL ZONE.

EXHIBIT A

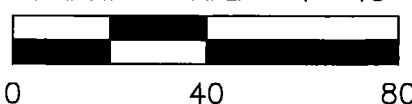
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TBPE FIRM: F-1191/TBPLS FIRM: 101538-00

GRAPHIC SCALE 1"=40'



DRAWN BY: GAI

DATE: JUNE-2021

PROJECT NO.: 2760-1012

SHEET 2 OF 3

ABD.01



EXHIBIT B  
BEING A 0.0001 ACRE (5 SQ.FT.)  
PARTIAL RIGHT-OF-WAY ABANDONMENT  
CITY OF CROWLEY, VOLUME 15135, PAGE 291  
DEED RECORDS, TARRANT COUNTY, TEXAS,  
SITUATED IN THE S.T. WELLS SURVEY, ABSTRACT NO. 1684,  
CITY OF CROWLEY, TARRANT COUNTY, TEXAS

Being a 0.0001 acre tract of land situated in the S.T. Wells Survey, Abstract No.1684, Tarrant County, Texas, and being a portion of Industrial Boulevard, as described by deed to the City of Crowley, and recorded in Volume 15135, Page 291, Deed Records, Tarrant County, Texas, and being more particularly described as follows:

COMMENCING at a found 1/2 inch iron rod, said point being the northeast corner of Tract 2, as described by deed to CH TNC Karis Owner, LLC., and recorded in Document No. D221110835, County Clerk Records, Tarrant County, Texas, and being in the intersection of the existing west right-of-way line of the Atchison Topeka & Santa Fe Rail Road (having a 100' R.O.W.) and the existing south right-of-way line of Texas Electric Service Company, as recorded in Volume 3602, Page 156, Deed Records, Tarrant County, Texas;

THENCE South 60°05'51" West, leaving said intersection, a distance of 1481.18 feet to a set 1/2 inch iron rod with a cap stamped "Graham Assoc. Inc."(GAI), for the POINT OF BEGINNING, said point being in the existing north right-of-way line of said Industrial Boulevard (having a variable width right-of-way), for the beginning of a non-tangent curve to the right having a radius of 80.00 feet and a central angle of 3°17'25", and a long chord which bears South 35°30'37" West, 4.59 feet;

THENCE leaving said existing north right-of-way line, and along said non-tangent curve to the right an arc distance of 4.59 feet to a set 1/2 inch iron rod with (GAI) cap, said point being in the existing east right-of-way line of said Industrial Boulevard;

THENCE North 14°50'20" West, along said existing west right-of-way line, a distance of 2.98 feet to a set 1/2 inch iron rod with (GAI) cap, said point being in the existing north right-of-way line of said Industrial Boulevard;

THENCE North 75°52'27" East, along said existing north right-of-way line, a distance of 3.54 feet to the POINT OF BEGINNING and CONTAINING 5 square feet, 0.0001 acres of land, more or less.





TEXAS ELECTRIC SERVICE COMPANY  
VOLUME 3602, PAGE 156  
D.R.T.C.T.

POINT OF  
COMMENCING  
FOUND 1/2" I.R.

VALVE SITE EASEMENT NO.3  
DOC. NO. D209016824  
C.C.R.T.C.T.

40' PERMANENT GAS EASEMENT  
DOC. NO. D209016824  
C.C.R.T.C.T.

S52° 52' 46"W  
1030.90'

FUTURE  
KARIS ADDITION 1A

TRACT 2  
CH TNC KARIS OWNER, LLC  
DOCUMENT NO. D221110835  
C.C.R.T.C.T.  
ZONED: PD

ATCHISON TOPEKA & SANTA FE RAILROAD  
VOLUME 2899, PAGE 191  
D.R.T.C.T.

SEE SHEET 2 OF 4

#### LEGEND

C.C.R.T.C.T. = COUNTY CLERK RECORDS, TARRANT COUNTY, TEXAS  
SIR = SET 1/2 INCH IRON ROD W/CAP STAMPED "GRAHAM ASSOC. INC."

BASIS OF BEARING IS NORTH AMERICAN DATUM  
OF 1983 (NAD-83) STATE PLANE COORDINATE  
SYSTEM, TEXAS NORTH CENTRAL ZONE.

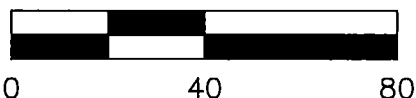
#### EXHIBIT A

BEING A 0.2120 ACRE (9,233 SQ.FT.)  
PARTIAL RIGHT-OF-WAY ABANDONMENT  
CITY OF CROWLEY, VOLUME 15135, PAGE 291, DEED RECORDS, TARRANT COUNTY, TEXAS  
SITUATED IN THE S.T. WELLS SURVEY, ABSTRACT NO. 1684,  
AND THE T. TOLER SURVEY, ABSTRACT NO. 1536  
CITY OF CROWLEY, TARRANT COUNTY, TEXAS



**Graham Associates, Inc.**  
CONSULTING ENGINEERS & PLANNERS  
600 SIX FLAGS DRIVE, SUITE 500  
ARLINGTON, TEXAS 76011 (817) 640-8535  
TBPE FIRM: F-1191/TBPLS FIRM: 101538-00

GRAPHIC SCALE 1"=40'



DRAWN BY: GAI

DATE: JUNE-2021

PROJECT NO.: 2760-1012

SHEET 1 OF 4



SEE SHEET 1 OF 4

FUTURE  
KARIS ADDITION 1A

TRACT 2  
CH TNC KARIS OWNER, LLC  
DOCUMENT NO. D221110835  
C.C.R.T.C.T.  
ZONED: PD

S52° 52' 46"W  
1030.90'

T. TOLER SURVEY  
ABSTRACT NO. 1536

POINT OF  
BEGINNING  
SIR

N75° 52' 27"E 375.90'  
S65° 33' 44"W 199.40'

9,233 SF./0.2120 AC.  
RIGHT-OF-WAY TO  
BE ABANDONED

INDUSTRIAL BOULEVARD  
(VARIABLE WIDTH R.O.W.)  
VOLUME 15135, PAGE 291  
D.R.T.C.T.

SURVEY LINE

J.C. HUNTON SURVEY  
ABSTRACT NO. 728

TRACT 2  
CH TNC KARIS OWNER, LLC  
DOCUMENT NO. D221110835  
C.C.R.T.C.T.  
ZONED: PD

MATCHLINE SHEET 3 OF 4

### LEGEND

C.C.R.T.C.T. = COUNTY CLERK RECORDS, TARRANT COUNTY, TEXAS

SIR = SET 1/2 INCH IRON ROD W/CAP STAMPED "GRAHAM ASSOC. INC."

BASIS OF BEARING IS NORTH AMERICAN DATUM  
OF 1983 (NAD-83) STATE PLANE COORDINATE  
SYSTEM, TEXAS NORTH CENTRAL ZONE.

### EXHIBIT A

BEING A 0.2120 ACRE (9,233 SQ.FT.)

PARTIAL RIGHT-OF-WAY ABANDONMENT

CITY OF CROWLEY, VOLUME 15135, PAGE 291, DEED RECORDS, TARRANT COUNTY, TEXAS

SITUATED IN THE S.T. WELLS SURVEY, ABSTRACT NO. 1684,

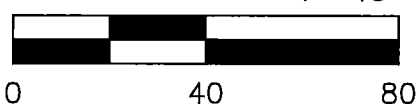
AND THE T. TOLER SURVEY, ABSTRACT NO. 1536

CITY OF CROWLEY, TARRANT COUNTY, TEXAS



**Graham Associates, Inc.**  
CONSULTING ENGINEERS & PLANNERS  
600 SIX FLAGS DRIVE, SUITE 500  
ARLINGTON, TEXAS 76011 (817) 640-8535  
TBPE FIRM: F-1191/TBPLS FIRM: 101538-00

GRAPHIC SCALE 1"=40'



DRAWN BY: GAI

DATE: JUNE-2021

PROJECT NO.: 2760-1012

SHEET 2 OF 4

ABD.02



S.T. WELLS SURVEY  
ABSTRACT NO. 1684

FUTURE  
KARIS ADDITION 1A

TRACT 2  
CH TNC KARIS OWNER, LLC  
DOCUMENT NO. D221110835  
C.C.R.T.C.T.  
ZONED: PD

MATCHLINE SHEET 2 OF 4

FUTURE  
BEVERLY STREET

$\Delta=20^{\circ} 54' 02''$   
 $R=91.00'$   
 $T=16.78'$   
 $L=33.20'$   
 $N60^{\circ}28'11''W$   
 $Lc=33.01'$

$\Delta=12^{\circ} 29' 24''$   
 $R=80.00'$   
 $T=8.75'$   
 $L=17.44'$   
 $N56^{\circ}15'52''W$   
 $Lc=17.40'$

INDUSTRIAL BOULEVARD  
(VARIABLE WIDTH R.O.W.)  
VOLUME 15135, PAGE 291  
D.R.T.C.T.

9,233 SF./0.2120 AC.  
RIGHT-OF-WAY TO  
BE ABANDONED

$N75^{\circ}52' 27''E 375.90'$

$S75^{\circ} 52' 27''W 144.16'$

NORTH BEVERLY STREET  
(VARIABLE WIDTH  
RIGHT-OF-WAY)

TRACT 2  
CH TNC KARIS OWNER, LLC  
DOCUMENT NO. D221110835  
C.C.R.T.C.T.  
ZONED: PD

SURVEY LINE

## LEGEND

C.C.R.T.C.T. = COUNTY CLERK RECORDS, TARRANT COUNTY, TEXAS  
SIR = SET 1/2 INCH IRON ROD W/CAP STAMPED "GRAHAM ASSOC. INC."

BASIS OF BEARING IS NORTH AMERICAN DATUM  
OF 1983 (NAD-83) STATE PLANE COORDINATE  
SYSTEM, TEXAS NORTH CENTRAL ZONE.

## EXHIBIT A

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PARTIAL RIGHT-OF-WAY ABANDONMENT  
CITY OF CROWLEY, VOLUME 15135, PAGE 291, DEED RECORDS, TARRANT COUNTY, TEXAS  
SITUATED IN THE S.T. WELLS SURVEY, ABSTRACT NO. 1684,  
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CITY OF CROWLEY, TARRANT COUNTY, TEXAS



**Graham Associates, Inc.**  
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600 SIX FLAGS DRIVE, SUITE 500  
ARLINGTON, TEXAS 76011 (817) 640-8535  
TBPE FIRM: F-1191/TBPLS FIRM: 101538-00

GRAPHIC SCALE 1"=40'



0 40 80



DRAWN BY: GAI

DATE: JUNE-2021

PROJECT NO.: 2760-1012

SHEET 3 OF 4

ABD.02



EXHIBIT B  
BEING A 0.2120 ACRE (9,233 SQ.FT.)  
PARTIAL RIGHT-OF-WAY ABANDONMENT  
CITY OF CROWLEY, VOLUME 15135, PAGE 291  
DEED RECORDS, TARRANT COUNTY, TEXAS,  
SITUATED IN THE S.T. WELLS SURVEY, ABSTRACT NO. 1684,  
AND THE T. TOLER SURVEY, ABSTRACT NO. 1536  
CITY OF CROWLEY, TARRANT COUNTY, TEXAS

Being a 0.2120 acre tract of land situated in the S.T. Wells Survey, Abstract No.1684, and the T. Toler Survey, Abstract No. 1536, Tarrant County, Texas, and being a portion of Industrial Boulevard, as described by deed to the City of Crowley, and recorded in Volume 15135, Page 291, Deed Records, Tarrant County, Texas, and being more particularly described as follows:

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THENCE South 52°52'46" West, leaving said intersection, a distance of 1030.90 feet to a set 1/2 inch iron rod with a cap stamped "Graham Assoc. Inc."(GAI), for the POINT OF BEGINNING, said point being in the existing north right-of-way line of said Industrial Boulevard (having a variable width right-of-way);

THENCE South 65°33'44" West, leaving said existing north right-of-way line, a distance of 199.40 feet to a set 1/2 inch iron rod with (GAI) cap;

THENCE South 75°52'27" West, a distance of 144.16 feet to a set 1/2 inch iron rod with (GAI) cap, for the beginning of a non-tangent curve to the right having a radius of 80.00 feet and a central angle of 12°29'24" and a long chord which bears North 56°15'52" West, 17.40 feet;

THENCE along said non-tangent curve to the right an arc distance of 17.44 feet to a set 1/2 inch iron rod with (GAI) cap, for the beginning of a reverse curve to the left having a radius of 91.00 feet, a central angle of 20°54'02", and a long chord which bears North 60°28'11" West, 33.01 feet;

THENCE along said reverse curve to the left an arc distance of 33.20 feet to a set 1/2 inch iron rod with (GAI) cap, said point being in the existing north right-of-way line of said Industrial Boulevard;

THENCE North 75°52'27" East, along said existing north right-of-way line, a distance of 375.90 feet to the POINT OF BEGINNING and CONTAINING 9,233 square feet, 0.2120 acres of land, more or less.

