



City of Colleyville Planning and Zoning Commission Agenda

City Hall
100 Main Street
Colleyville, Texas 76034
817. 503.1000
www.colleyville.com

Monday, June 10, 2013

City Council Chambers

**PRE COMMISSION MEETING
6:15 P.M.
EXECUTIVE CONFERENCE ROOM
THIRD FLOOR**

LEGAL BRIEFING BY CITY ATTORNEY REGARDING PLANNING, ZONING, PLATTING, AND LAND USE

REVIEW OF REGULAR AGENDA ITEMS AND DISCUSSION OF PREVIOUS MEETING MINUTES

DISCUSSION OF ITEMS TO BE PLACED ON FUTURE AGENDAS AND UPDATES ON DEVELOPMENT TRENDS, PROGRESS AND CITY COUNCIL ACTIONS ON PAST AGENDA ITEMS

EXECUTIVE SESSION – In accordance with Texas Government Code Chapter 551, Subchapter D, Section 551.071 – Legal – Consultation with attorney on legal issues raised by public hearing or action items on the agenda

**7:00 P.M. - REGULAR MEETING
CALL TO ORDER AND ROLL
INVOCATION: Commissioner Byerly
PLEDGE OF ALLEGIANCE**

1. APPROVAL OF MINUTES

May 13, 2013

2. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA

3. REGULAR AGENDA ITEMS

3a Approval of a minor plat for 1.7 acres on Tract 2A01C, of Abstract 533 of the Mary M Freeman Survey, located at 205 Bandit Trail, Case PC13-008

4. PUBLIC HEARING AGENDA ITEMS

- 4a** Consideration for a zoning change from R-40 Single Family Residential to R-20 Single Family Residential on 10.2 acres on Lot 1, Block 1 of the Stajduhar Addition located at 816 W. L.D. Lockett Road, Case ZC13-006.

5. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards June 7, 2013 by 5:00 p.m.

Taci Wrisley
Planning and Zoning Assistant

Any matter on this agenda may, at the discretion of the governing body, be opened for public comment and discussion.

If you plan to attend this public meeting and have a disability that requires special accommodations, please advise the City Secretary at least 48 hours in advance at 817.503.1133, and reasonable accommodations will be made to assist you.



City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall
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Agenda Number	Agenda Date 06/10/2013	Number
Type Approval of Minutes		
Department Community Development		

Title

May 13, 2013

Explanation

Recommendation

Attachments

1. Minutes - 5.13.13



City of Colleyville Planning and Zoning Commission Minutes

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Monday, May 13, 2013

City Council Chambers

CALL TO MEETING TO ORDER

The Planning and Zoning Commission meeting of the City of Colleyville was called to order by Chairman Byerly on May 13, 2013 at 7:15 p.m.

Roll Call

Present: Commissioners Larry Knox, Dave Dudziak, David Wheelwright, Jim Gotcher, Don Davis, David Phelps, and Jeff Byerly

Staff Present: Ron Ruthven, Darren Cain, Taci Wrisley, Dale Crown, Clif Nelson, Marty Weider, and Matt Butler (City Attorney)

INVOCATION

The invocation was given by Commissioner Wheelwright

1. APPROVAL OF MINUTES

Commissioner Knox moved to approve the April 22, 2013 meeting minutes as corrected. Commissioner Wheelwright seconded.

The motion to approve as corrected carried with the following vote:

Aye: 7 - Knox, Dudziak, Wheelwright, Gotcher, Davis, Phelps, and Byerly

2. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA

3. PUBLIC HEARING AGENDA ITEMS

- 3a** Consideration for a zoning change from AG-Agricultural to PUD-R-Planned Unit Development Residential on 53.2 acres on Tract 1G, Abstract 1038 of the Hall Medlin Survey and Tracts 1A02 & 1C, Abstract 295 of the William E Crooks Survey located at 7612 & 7624 Pleasant Run Road, Case ZC13-001

Ron Ruthven presented the case and briefed the Commission.

Commissioner Dudziak questioned staff regarding whether or not the

possibility of hazardous chemicals being washed on to the subject property by heavy drainage had been considered. Ron Ruthven replied the way the gas well site is currently graded, drainage flows to the south into a containment basin, away from the subject property. He further explained, during fracking activities, vacuum trucks pump the water out of the containment basin and away from the site.

Commissioner Dudziak stated for the record he had some safety concerns regarding the fact that the gas well site is still a heavy manufacturing site.

Commissioner Dudziak questioned staff regarding the requested sidewalk waivers and would a sidewalk be constructed along Pleasant Run Road. Ron Ruthven replied a ten (10) foot wide trail was required along Pleasant Run Road and the developer has requested a waiver for this trail. He further explained staff recommends requiring escrow for the trail due to the sidewalk construction on Pleasant Run Road still being in the design stages. Commissioner Dudziak questioned if the sidewalk was to be constructed on this development's side of the road. Ron Ruthven replied correct.

Commissioner Dudziak questioned staff regarding how a pipeline might come out the gas well site and meet up on Pleasant Run Road. Ron Ruthven replied to date an application for a pipeline has not been submitted. He further explained possible routes for a pipeline. Commissioner Dudziak questioned staff regarding the minimum distance for pipelines and residential structures. Ron Ruthven replied minimum distances are determined by the Department of Transportation and he did not have those requirements available.

The public hearing was opened at 7:31 p.m.

Chas Fitzgerald, Art Anderson, and John Van de Voorde, on behalf of the Wilbow Corporation, came forward and briefed the Commission.

Commissioner Dudziak questioned Mr. Van de Voorde regarding the material that would be used to construct the nature trail. Mr. Van de Voorde replied they anticipated using concrete. Commissioner Dudziak further questioned Mr. Van de Voorde regarding the reason the trail was not continued to Pleasant Run Road. Mr. Van de Voorde replied as there was nothing to at Pleasant Run Road they did not feel it should go in that direction.

Commissioner Dudziak questioned Mr. Van de Voorde regarding the parkland that was proposed to be donated to the City and would the City be responsible for the maintenance? Mr. Van de Voorde replied the City would be responsible for the maintenance.

Commissioner Gotcher questioned Mr. Van de Voorde regarding the proximity

of gas wells and other developments the developer currently had. Mr. Van de Voorde stated they have a development that is adjacent to a well site but none that were actively fracking or under development. Commissioner Gotcher further questioned Mr. Van de Voorde regarding the closest one of their homes has been built to a gas well. Mr. Van de Voorde replied they have a capped wellhead in the backyard of one of their homes but he believed the Texas Commission on Environmental Quality (TCEQ) has a maximum allowance of 50 foot. He further explained the developer has met with Atlas Resource and were assured there was nothing that would prevent building right next to the site.

Commissioner Phelps questioned Mr. Van de Voorde regarding the proposed parkland to be dedicated and clarified it would be the City's responsibility to maintain it. Mr. Van de Voorde replied correct.

Commissioner Phelps questioned Mr. Van de Voorde regarding the percentage of open space not including the proposed donated parkland. Mr. Van de Voorde replied the total open space, without the parks, would be 32 percent.

Commissioner Phelps questioned Mr. Van de Voorde on whether the City had been consulted regarding the donation of parkland. Mr. Van de Voorde replied no. He further explained the developer was aware that as part of the Parks Master Plan the City would be trying to acquire land for the purpose of parks.

Commissioner Phelps questioned Mr. Van de Voorde regarding if there had been any discussion with the City about the escrow refund language. Mr. Van de Voorde replied it had not been discussed with the City.

Commissioner Byerly questioned Mr. Van de Voorde regarding the addition of the language to allow public access to their trails. Mr. Van de Voorde replied they would consider it.

Commissioner Dudziak questioned Mr. Van de Voorde regarding how potential residents would be notified there was a well site on the adjacent property. Mr. Van de Voorde replied they have met with several interested builders and as part of their disclosures they are required to tell the potential builders about the well site.

Chris Monroe, 1500 S. White Chapel Blvd., came forward and expressed his concerns with the development.

James Spisak, President of Monticello Homeowners Association, came forward and expressed the concerns with the development on behalf of the Homeowners Association.

Curtis Young, 8003 Jefferson Circle, came forward and spoke in support of this development.

There being no one else wishing to speak, the public hearing was closed at 8:17 p.m.

Chas Fitzgerald came forward to address comments.

Commissioner Wheelwright questioned Mr. Fitzgerald regarding if there had been any discussion with the Monticello residents, to the west of the development, about the shared fence between the properties. Mr. Fitzgerald replied no. He further explained he anticipated discussions in the future with those homeowners regarding the possibility of replacing the shared fence.

Commissioner Dudziak question Mr. Fitzgerald regarding the lack of an agreement to connect to the Monticello Subdivision's trails. Mr. Fitzgerald replied they were actively working with the homeowner's association to work out an agreement.

Commissioner Byerly questioned staff regarding the request to donate parkland in lieu of parkland dedication fees. Ron Ruthven replied given this is a new request that has not been reviewed by staff; it would need to go through the proper channels before a decision can be made.

Commissioner Dudziak questioned staff regarding if there was a timeline for the Pleasant Run Road sidewalk construction. Dale Crown replied the sidewalk project goes as far north as Bogart Drive and does not go any further north. He further explained the northern section has not been planned.

Discussion continued between Commissioner Dudziak and Dale Crown regarding the continuation of the sidewalk along Pleasant Run Road.

Commissioner Dudziak questioned staff regarding the runoff from the gas well site. Dale Crown replied he was unsure of the runoff direction but believed runoff eventually made its way to Big Bear Creek.

Discussion continued between Commissioner Dudziak and staff regarding the direction of runoff.

Commissioner Dudziak stated he was not comfortable absorbing more parkland without first consulting with the Parks Department.

Commissioner Dudziak questioned staff regarding the proposed escrow amount to build the trail along Pleasant Run Road and was that amount

sufficient? Ron Ruthven replied the City Engineer would have to make that determination based on his calculations.

Commissioner Dudziak questioned Mr. Van de Voorde regarding the placement of fence along the southern border of the development. Mr. Van de Voorde replied there will be builder fences put in place along the southern border and would stop at the well site.

Commissioner Byerly questioned staff regarding the requirement of a masonry fence along the well site border. Ron Ruthven replied the masonry fence would be required because it would be more durable than a wood fence. He further explained the masonry fence would serve as a screen wall to offer more privacy from the well site activities.

Commissioner Phelps questioned staff regarding the fence material requirements along the western edge of the well site to the western edge of the development. Ron Ruthven replied there would be no fence material requirements beyond the well site.

Commissioner Phelps questioned staff regarding the proposed escrow refund. Ron Ruthven replied the amount proposed would need to be analyzed by staff.

Commissioner Knox stated a lot of homeowner's have been held to a high standard on the sidewalk escrow and did not understand why the Commission should deviate from those standards.

Commissioner Byerly made a motion to approve case ZC13-001 with the recommendations per the draft ordinance and provided staff reconsider the parkland dedication fees before moving to City Council in light of the 3.4 acre parkland dedication. Commissioner Davis seconded the motion.

Discussion occurred amongst the Commission regarding what was being agreed to from the draft ordinance and what was not.

Commissioner Dudziak offered a friendly amendment to ask that the developer continue the trail to the Pleasant Run Road trail.

Commissioner Byerly and Commissioner Davis accepted the amendment.

The motion to approve with the following conditions: 1. That staff consider the applicant's recommendation of dedicating 3.4 acres as public parkland before City Council consideration of this case. 2. Connect the internal trail that will traverse the open space in the

development to the Pleasant Run Road trail shown in the Colleyville Pathways Plan carried with the following vote:

Aye: 7 - Knox, Dudziak, Wheelwright, Gotcher, Davis, Phelps, and Byerly

Chairman Byerly recessed the meeting at 8:44 p.m.

Chairman Byerly reconvened the meeting at 9:00 p.m.

3b Consideration for a Special Use Permit for a Package Store on Lot 3R1, Block 1 of the Andy Felps Addition located at 3919 Colleyville Boulevard, Suite A, Case ZC13-003

Darren Cain presented the case and briefed the Commission.

Commissioner Gotcher questioned staff regarding whether the parking would be an issue for the subject property, regardless of the type of business. Darren Cain replied correct.

Commissioner Dudziak questioned staff regarding the crime recommendation not being included in the attachments. Darren Cain replied it will be included if the case goes to City Council.

The public hearing was opened at 9:06 p.m.

Amin Chagani, the applicant, came forward and briefed the Commission.

Henry Chen, on behalf of Henry S. Miller, came forward and briefed the Commission.

Alex Lilley, the property manager, came forward and briefed the Commission.

Commissioner Dudziak questioned Mr. Lilley regarding the possibility of adding more windows to the front of the building to allow police visibility. Mr. Lilley replied it has not been brought up and would need to look into adding windows before committing to do so.

There being no one else wishing to speak, the public hearing was closed at 9:22 p.m.

Commissioner Knox stated he did not feel there was enough sufficient evidence to approve this case.

Commissioner Davis agreed with Commissioner Knox.

Commissioner Byerly questioned staff regarding whether the shared parking

agreement would allow for shared parking to be included in the parking space requirement totals. Ron Ruthven replied the Land Development Code reads that any parking space within 300 feet of the property and any spaces that are not being used by the business of the property they are located on, they can then be included in the total. He further explained an analysis of this calculation has not been conducted. Ron Ruthven also stated there is a mutual access easement between the properties.

Commissioner Gotcher questioned staff regarding if this case was being reviewed by the Commission strictly because of the liquor store or would other types of businesses be treated the same. Ron Ruthven replied yes. He explained the sole purpose of this case is due to the package store request. He further explained most uses would be allowed with only a Certificate of Occupancy, with the exception of a use such as a restaurant.

Commissioner Byerly questioned staff regarding the possibility of increasing the building design score by adding windows and other architectural features; and would the addition of landscaping be possible, at this location, without losing more parking spaces? Ron Ruthven replied no.

Discussion continued between Commissioner Byerly and staff regarding the building design score and landscaping.

Commissioner Dudziak made a motion to deny case ZC13-003. Commissioner Davis seconded the motion.

Commissioner Wheelwright stated he would be excited to see a new business in Colleyville but overall he felt the plan was lacking.

Commissioner Byerly stated that he concurred with Commissioner Wheelwright.

The motion to deny carried with the following vote:

Aye: 7 - Knox, Dudziak, Wheelwright, Gotcher, Davis, Phelps, and Byerly

- 3c** Consideration for a zoning change from R40-Single Family Residential to PUDC-Planned Unit Development Commercial on Lot 5, Block 3 of the Southgate Addition located at 3709 Wayne Drive; and approval of an amendment to the PUDC-Planned Unit Development Commercial zoning and development requirements on Lots 1 and 2, Block 1 of the Covenant Christian Academy Addition and Lot 1R of the Colleyville Presbyterian Church Addition located at 715 and 901 Cheek Sparger Road, Case ZC13-004

Ron Ruthven presented the case and briefed the Commission.

Commissioner Davis questioned staff regarding the usage of lights at night for the sports fields. Ron Ruthven replied there is existing language regarding lights not being used at night on the existing sports field. He further explained that in order to allow for light for the stadiums an amendment to the site plan would need to be brought forward to the Planning and Zoning Commission.

Commissioner Byerly questioned staff regarding the approval process for the sports field lighting; would the applicant need to bring forward a new site plan and open up the Special Use Permit as well?. Ron Ruthven replied correct. He further explained the Planned Unit Development-Commercial will remain the same until an amendment is brought forward.

Commissioner Dudziak questioned staff regarding if the Commission was being asked to approve the stadiums exclusively. Ron Ruthven replied the Commission is being asked to approve the stadiums, conceptually.

Discussion continued between Commissioner Dudziak and Ron Ruthven regarding items being voted on.

Commissioner Davis questioned staff regarding a written agreement, from a previous case, from Covenant Christian Academy that stated night sporting events would not be occurring; therefore lighting would not be necessary. If the new case is approved, does this change the 2009 ordinance? Ron Ruthven replied no, the Commission would be approving a conceptual site plan for future development.

Commissioner Byerly questioned staff regarding the possibility of a future Commission approving this same site plan but still not approving lighting. Ron Ruthven replied correct.

Commissioner Gotcher questioned staff regarding whether the lighting that is being proposed is actually better than what currently exist, especially at the property lines. Ron Ruthven replied all that currently exist is parking lot lighting. He further explained has a lower foot candle rating at the property line versus what the ordinance reads for this property.

Discussion continued between the Commission and Ron Ruthven regarding field lighting.

Commissioner Phelps questioned staff regarding exemption from tree mitigation when a structure is built. Ron Ruthven replied tree mitigation does not apply in the building/structure footprint area but would apply in any other area of the property.

Discussion continued between the Commission and Ron Ruthven regarding the exemption of tree mitigation.

Commissioner Phelps questioned staff regarding which facilities were being added and which facilities currently exist. Ron Ruthven replied from the old site plan, a high school building has been removed. He further explained a gymnasium and a baseball field with a parking garage beneath were being added.

Commissioner Dudziak questioned staff regarding the amount of open space that would be remaining after the proposed facilities were constructed. Ron Ruthven replied the open space percentage is 35 percent. Commissioner Dudziak further questioned Ron Ruthven regarding what was being considered open space. Ron Ruthven replied all landscape areas and the football field were considered open space.

Commissioner Dudziak questioned staff regarding the open space being open to the public. Ron Ruthven replied open space is not intended for the use of the public; open space is for the Planned Unit Development it is created for.

The public hearing was opened at 9:49 p.m.

Keith Castello, on behalf of Covenant Christian Academy, came forward and briefed the Commission.

Commissioner Gotcher stated that he was impressed with the work that Covenant Christian Academy had put into this project.

Commissioner Phelps questioned Mr. Castello regarding the materials that were listed on the lighting information sheet that was given to the Commission during pre-session and the lighting that was being described. Mr. Castello replied the information sheet contains the materials of the lights that were being considered, without having discussed the lights with neighbors. He further explained the lights that are now being considered have been discussed with the neighbors and were preferred by them.

Shannon Chatham, 4413 Bowman Drive, Colleyville, came forward and expressed she was in support of this proposal.

Charlene Wells, 2251 King Fisher Drive, Westlake, came forward and expressed she was in support of this proposal.

Stefanie Baker, 4710 Cranbrook Drive West, Colleyville, came forward and expressed she was in support of this proposal.

Chuck Cunningham, 6413 Remington Parkway, Colleyville, came forward and expressed he was in support of this proposal.

Shannon Caraway, 1907 Caspian Lane, Colleyville, came forward and expressed he was in support of this proposal.

Brooks Lynn, 2606 Wildcreek Trail, Keller, came forward and expressed he was in support of this proposal.

Commissioner Byerly stated there were 32 speaker cards from attendees who did not wish to speak but wished to record their support for the case.

There being no one else wishing to speak, the public hearing was closed at 10:39 p.m.

Mr. Castello came forward to address comments.

Commissioner Phelps questioned Mr. Castello regarding the possibility of one of their athletes hitting balls out of the field from home plate. Mr. Castello called Covenant Christian Academy's head coach, Rusty Beam, forward to answer the question. Mr. Beam stated while he wished the chances were high, it is not likely that a ball would be hit out of the field from home plate.

Commissioner Phelps questioned Mr. Beam regarding proposed netting around the baseball field. The project architect, Glen Griggs came forward and stated there would be netting and it was included in the overall height of the structure. He further explained the buffer between the baseball field, the property line, and the neighborhood properties.

Commissioner Gotcher questioned Mr. Griggs regarding the tree line along the property line preventing any stray balls from going over the fence to the neighboring properties. Mr. Griggs replied if a ball makes it over the fence and the netting, the trees are dense enough to stop it from going any further.

Discussion occurred between Commissioner Dudziak and Mr. Castello and the project engineer regarding the lighting exhibit presented by Mr. Castello.

Commissioner Dudziak stated that he believed there may not be a bleed from the light structure; however, there would at least be a ball of light in the sky.

Commissioner Dudziak questioned Mr. Castello regarding plans on limiting their hours. Mr. Castello replied they do not have issues with curfews being put in place.

Mr. Castello & Mr. Griggs presented a three-dimensional exhibit to explain the view from neighboring properties.

Commissioner Phelps questioned Mr. Castello regarding the baseball field seating. Mr. Castello replied the seating around the baseball field would seat 450 people. He further explained this is the most they would need even during a playoff game.

Commissioner Phelps stated he commended Mr. Castello on his presentation. He further stated, historically, there has not been consistency and compliance on follow through with their organization and creates hesitancy for him. Mr. Castello explained their comprehensive plan and the timeline they have presented.

Commissioner Dudziak questioned staff regarding the preliminary study of drainage for this property. Dale Crown replied the preliminary study is bare bones. He further stated a full drainage study will be done at the time of platting or building permitting and a downstream analysis would be required per the Land Development Code.

Commissioner Dudziak questioned staff regarding the possibility of the parking garage flooding because it is below grade. Dale Crown replied some of the water would flow towards the detention pond in the center of the property and some would flow towards the south, toward the City of Bedford.

Commissioner Dudziak questioned staff regarding working with the City of Bedford on drainage. Ron Ruthven replied staff has worked with the City of Bedford but he feels most issues will be resolved once Heritage Farms develops on the property to the east.

Commissioner Dudziak questioned staff regarding a time frame of development of Heritage Farms. Ron Ruthven replied the developers of Heritage Farms have told him they are still in design stages. Commissioner Dudziak stated it would be three (3) or four (4) years.

Commissioner Phelps questioned staff regarding the effects downstream on drainage from the construction of the baseball facility versus a swath trees. Dale Crown replied it would have a positive impact on the drainage issues.

Commissioner Knox questioned staff regarding being able to control the direction of drainage versus the drainage flowing in one direction as it currently is. Dale Crown replied on some level it would help.

Commissioner Dudziak questioned staff regarding the football field material. Ron Ruthven replied it will be natural grass.

Commissioner Dudziak questioned staff regarding having experience with the lighting that was proposed. Dale Crown replied he did not have experience with the proposed lighting.

Commissioner Dudziak stated he would like some feedback, from staff, on the proposed lighting.

Commissioner Dudziak questioned staff regarding the removal of the road to allow for the football field additions. Ron Ruthven replied he has spoken to the Fire Marshal and he has approved the conceptual plan with regards to the way the fire lanes are laid out.

Commissioner Phelps questioned staff regarding the easement adjacent to the football field. Ron Ruthven replied currently there is a wall and holly trees planted in the 20 foot buffer. He further explained there would be a 24 foot fire lane and a five (5) foot landscape buffer.

Commissioner Knox stated the project was well thought out and would be an asset to the City of Colleyville.

Commissioner Davis made a motion to approve case ZC13-004. Commissioner Knox seconded the motion.

Discussion occurred amongst the Commission regarding whether or not they would be approving the lights.

Commissioner Dudziak stated his concerns to the proposed development.

Commissioner Wheelwright stated his support for the proposed development.

Commissioner Gotcher stated his support for the proposed development.

Commissioner Phelps stated his support for the proposed development.

The motion to approve carried with the following vote:

Aye: 6 - Knox, Wheelwright, Gotcher, Davis, Phelps, and Byerly

Nay: 1 - Dudziak

- 3d** Consideration for a Special Use Permit for on-premise consumption of alcoholic beverages on Lot 1R1, Block 1, of the Market Addition, located at 5005 Colleyville Boulevard, Suite 240, Case ZC13-005

Darren Cain presented the case and briefed the Commission.

The public hearing was opened at 11:15 p.m.

Didier Viriot, the applicant, came forward and briefed the Commission.

Commissioner Dudziak questioned Mr. Viriot regarding if patrons would be allowed to bring in their own alcoholic beverages. Mr. Viriot replied no.

There being no one else wishing to speak, the public hearing was closed at 11:16 p.m.

Commissioner Davis questioned staff regarding whether or not a liquor license had previously been obtained for this address. Darren Cain replied correct.

Commissioner Dudziak made a motion to approve case ZC13-005. Commissioner Wheelwright seconded the motion.

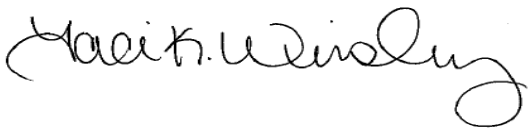
The motion to approve carried with the following vote:

Aye: 7 - Knox, Dudziak, Wheelwright, Gotcher, Davis, Phelps, and Byerly

4. ADJOURNMENT

The meeting adjourned at 11:17 p.m.

The minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on June 10, 2013 by a vote of _____.



City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall
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Colleyville, Texas 76034
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Agenda Number 3a	Agenda Date 06/10/2013	Number
Type Regular Agenda Items		
Department Community Development		

Title

Approval of a minor plat for 1.7 acres on Tract 2A01C, of Abstract 533 of the Mary M Freeman Survey, located at 205 Bandit Trail, Case PC13-008

Explanation

Landon and Laura Parham, applicants and property owners, for a 1.7 acre tract of land located at 205 Bandit Trail, submitted a request for approval of a minor plat that will consist of one residential lot.

Zoning. The property is zoned AG-Agricultural which requires a minimum lot width of 200 feet and a minimum lot depth of 300 feet. The minimum lot area is 130,680 square feet. The proposed lot does not meet the minimum requirements of the zoning district. However, the property is recognized as a lot of record and is, therefore, exempt from the lot dimension requirements of the AG district. The subject property is allowed to be developed as planned.

Existing Conditions. The lot is vacant and currently being prepared for a new single family residence.

Surrounding Properties. Properties to the west are single family residential neighborhoods zoned R20-Single Family Residential. Properties to the north, south, and east consist of Single Family Residential R20, R30, R40 lots, as well as a number of AG-Agricultural lots. Most of the lots to the north, south, and east are individual lots.

Tree Preservation. All trees must be protected per the requirements of Chapter 5-Tree Preservation in the Land Development Code. Before construction begins on the site, protective fencing must be installed around all preserved trees located outside of the building footprints.

Summary. The owner's surveyor has addressed all Development Review Committee comments. The proposed development satisfies all zoning requirements of the Land Development Code. This plat only requires approval by the Planning and Zoning Commission.

Recommendation

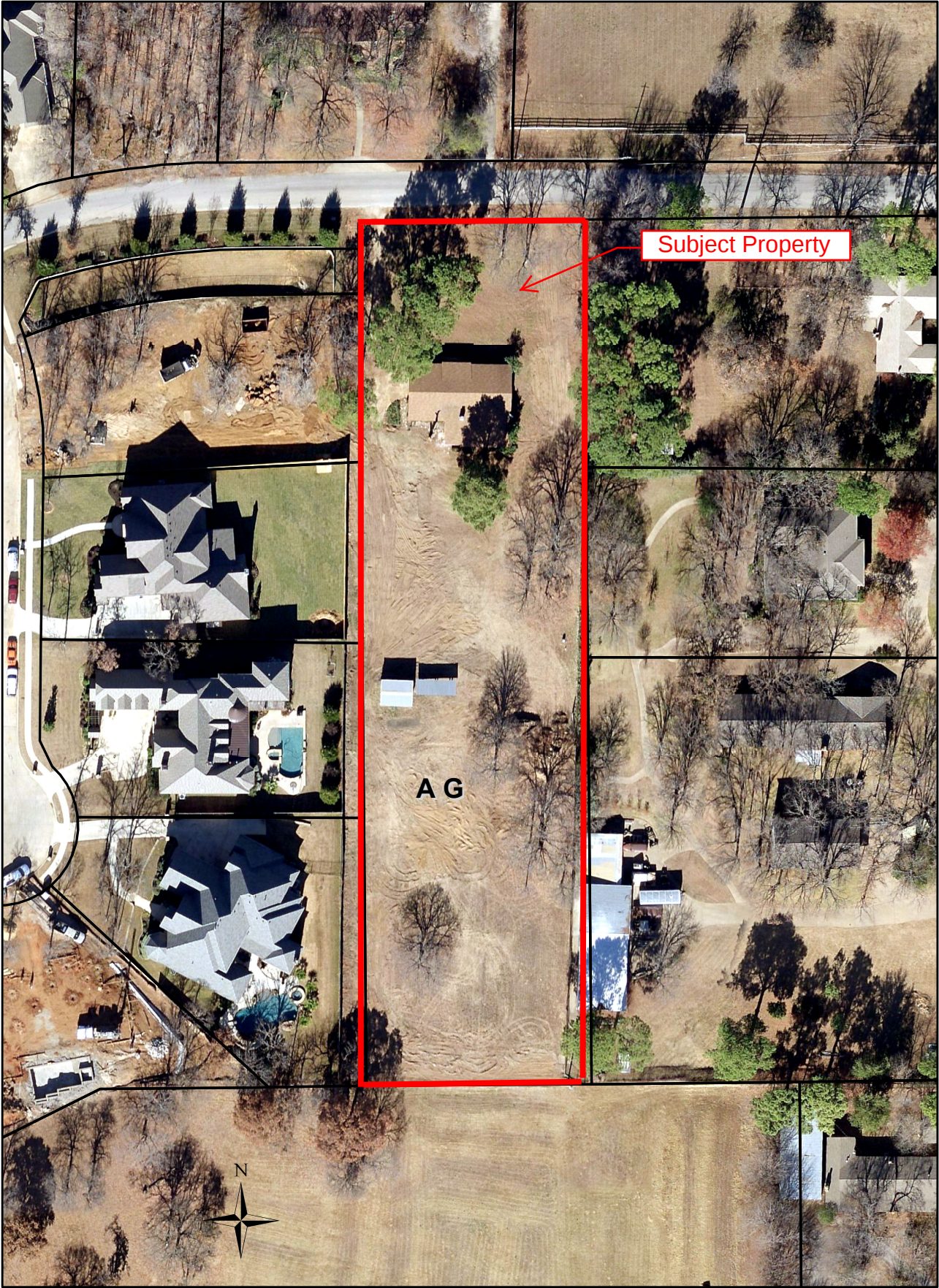
Approve

Attachments

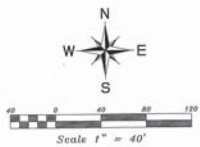
1. Location and Zoning Map
2. Aerial Looking North
3. Plat Exhibit

The map displays a residential neighborhood with various property lots. The highlighted 'Subject Property' is located at the intersection of Channel Ct and Hardy Ln, with a red arrow pointing to it. The property is zoned 'A G' and has the address 205. Surrounding properties are numbered and some are zoned 'R - 2 0', 'R - 4 0', 'R - 3 0', 'PUD - R', and 'AG'. The map also shows a north arrow and the names of the streets: COVINGTON WAY W, CHANNEL CT, and HARDY LN.

Aerial Looking North



Plat Exhibit



VICINITY MAP

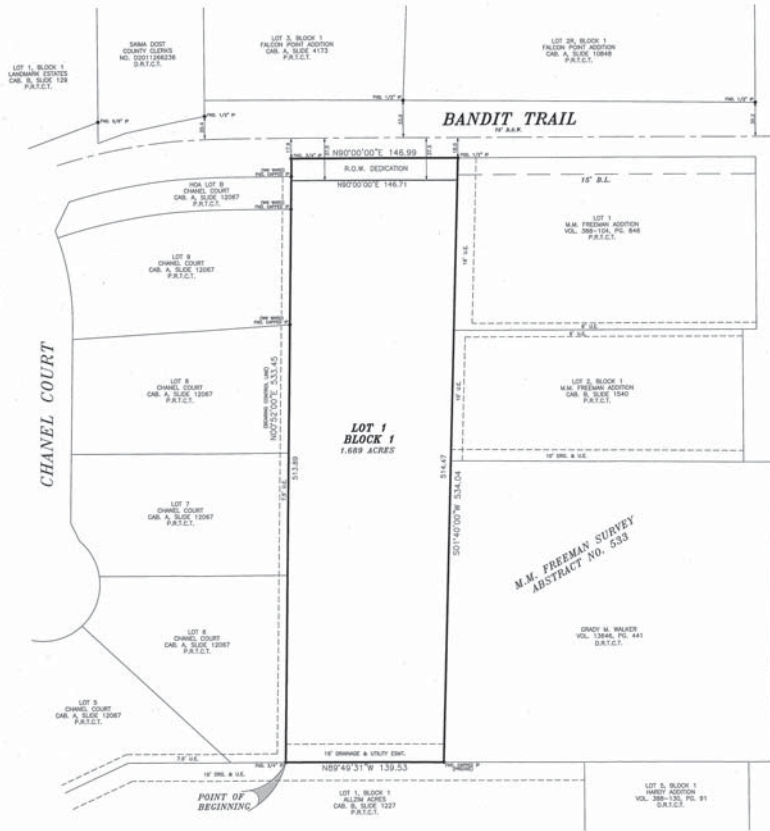
NOTES:

1. 1/2" GAPPED BUSH IN/ON 3/4" LONG SET (STAMPED LBS 230445)
AT ALL INTERMEDIATE PROPOSED CORNERS AND OTHER
TURNING POINTS IN PLACEMENT OF PIPES AND
PIPS OF CURVES) AND GROUND FLUSH WITH THE
GROUND OR COUNTERSINKING, IF NECESSARY, IN ORDER
TO AVOID SNAGS INCLUDED.
2. SELLING A PORTION OF ANY LOT WITHIN THIS ACCORD BY METES AND BOUNDS
OR COLLATION OF SURVEY MAP AND CITY ORDINANCE IS SUBJECT TO PRIOR
AND WITHDRAWING OF UTILITIES AND BUILDING PERMITS.
3. ACCORDING TO PENN MAP INC 48-000000000, THERE A, DATED 8-25-08
THE ABOVE LOT DOES NOT ME EXCEED THE 100 YEAR FLOOD PLAIN, AT THE TIME

OWNERS:
LONDON W. PARHAM
& LAUREN L. PARHAM
519 WADE COURT
EULESS, TEXAS 76039
817.334.5504

SURVEYOR:
LOYD BRANSON SURVEYORS, INC.
CHARLES B. HOOKS, JR. RPLS
1028 N. SYLVANIA AVE
FORT WORTH, TEXAS 76111
817.834.3477
FAX 817.831.9818

12-1411
06-03-13
T/PAW



CITY COUNCIL APPROVAL: _____

WHEREAS THE CITY COUNCIL OF THE CITY OF COLLEEVILLE, TEXAS VOTED AFFIRMATIVELY _____, 2013, TO APPROVE OF THIS PLAN

WFOA, OFF OF COLLEVILLE

WHEEL: CIV SECRETARY

PLANNING AND ZONING COMMISSION APPROVAL:

WHEREAS THE PLANNING AND ZONING COMMISSION OF THE CITY OF COLLEENVILLE, TEXAS VOTED AFFIRMATIVELY ON THIS _____ DAY OF _____, 2013, TO APPROVE OF THIS PLAN.

(LOADING, FLUERING AND DURING COMMISSION)

ATTEND, SECRETARY, PLANNING AND ZONING COMMISSION

STATE OF TEXAS
COUNTY OF TARRANT

DEDICATION CERTIFICATE

[illegible]

NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS,

THAT WE, LANDON W. FARMER and LAUREN J. FARMER, OWNERS OF THE HERBERT ACRES SUBDIVISION, THE HERBERTACRES PROPERTY AS LISTED IN BLOCK 1, FARMER ESTATES, AN ADDITION TO THE CITY OF COLLETTVILLE, TARRANT COUNTY, TEXAS, DO HEREBY GRANT AND FEASIBLE TO THE PUBLIC USE FOREVER ALL STRIPS, ALLEYS, EASEMENTS, RIGHTS-OF-WAY, AND OTHER INTERESTS IN THE HERBERTACRES PROPERTY HEREIN PLAT FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR CROSS THE SAME, ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDING, STRUCTURE OR OTHER ENCUMBRANCE OR OBSTRUCTION TO SUCH UTILITY, AND SHALL NOT INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS OR OF SUCH EASEMENTS, ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF PRIORITY AND SENIORITY OVER AND UPON SAID EASEMENTS, RIGHTS-OF-WAY, OR GRANTS, EASEMENTS, RIGHTS-OF-WAY, AND PATROLLING, WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE, THIS PLAT APPROVED SUBJECT TO ALL APPLYING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF COLLETTVILLE.

WITNESS OUR HANDS THIS _____ DAY OF _____, 2013.

LONDON W. PARKER

STATE OF TEXAS)
COUNTY OF _____)
ss. I, _____)
Notary Public in and for the State of Texas, do hereby certify that _____)
of the County of _____ and State of Texas, personally appeared before me)
and acknowledged to me that he executed the foregoing instrument for the)
purposes and consideration therein expressed.)
Given under my hand and seal of office this _____ day of _____, 20____.)
Notary Public in and for the State of Texas.)
My commission expires this _____ day of _____, 20____.)

COUNTY OF TAMMART X

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED LANCEIN R. FAIRMAN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE _____ DAY OF _____, 2013.

NOTARY PUBLIC IN AND FOR TARRANT COUNTY

MY PRINTED NAME

MY COMMISSION EXPIRES: _____

WITNESS OUR HANDS THIS _____ DAY OF _____, 2011.

LAUREN L. FARROW

[illegible]

BEFORE ME, THE UNDERSIGNED
ADAMANT LAUREN I. DOD

APPEARED LAUREN C. PARSON, KNOWN TO ME TO BE THE PERSON WHOSE NAMES IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL, OF OFFICE, ON THIS THE _____ DAY OF _____, 2013.

NOTARY PUBLIC IN AND FOR TARRANT COUNTY

MY PRINTED NAME _____

1000

MINOR PLAT

of

PARHAM ESTATES

AN ADDITION TO THE CITY OF COLLEYVILLE.

BEING A TRACT OF LAND OUT OF THE WARY M. FREEMAN SURVEY, ABSTRACT NO. 532, TARRANT COUNTY, TEXAS AND BEING THE SAME TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN COUNTY CLERKS NO. 22-2293863, DEED RECORDS, TARRANT COUNTY, TEXAS



THIS PLAT FILED IN INSTRUMENT NO. _____ DATE _____



City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 4a	Agenda Date 06/10/2013	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration for a zoning change from R-40 Single Family Residential to R-20 Single Family Residential on 10.2 acres on Lot 1, Block 1 of the Stajduhar Addition located at 816 W. L.D. Lockett Road, Case ZC13-006.

Explanation

John Dickerson has submitted a request to change the zoning on 10.2 acres, located at 816 L.D. Lockett Road. The applicant is requesting to rezone the property from R-40 Single Family Residential to R-20 Single Family Residential zoning district. The applicant is seeking a zoning change in order to develop the property for 17 new residential lots and two (2) open space lots.

Existing Conditions. The subject property currently consists of a horse stable and smaller ancillary buildings, however, the plan is to demolish all structures on the lot. The lot has been platted as one lot and recorded with Tarrant County. Additional approval of a preliminary and final plat will be required upon approval of the rezoning request.

Ordinance O-03-1397 authorized a special use permit for an accessory building on the property. This special use permit was for the existing horse stable and smaller ancillary buildings, as shown on the conceptual site plan attached to the original ordinance. Ordinance O-08-1654 amended Ordinance O-03-1397 to allow an increase in the size of the approved accessory building.

Statement of Planning Objectives. The applicant has submitted a Statement of Planning Objectives which contains a detailed description of the proposed development.

Lot Dimensions and Setbacks. The R-20 regulations in the Land Development Code require a minimum lot size of 20,000 square feet with a minimum lot width of 100 feet, and lot depth of 125 feet. Per Section 3.24 G, Schedule of District Regulations, in the Land Development Code, the following residential zoning standards apply:

Minimum Front Yard Setback: 30 feet

Minimum Side Yard Setbacks: 10 feet

Minimum Rear Yard Setback: 25 feet

Maximum Building Height: 25 feet

Maximum Lot Coverage: 30 Percent

The dimensions of the proposed lots meet the minimum standards of the Land Development Code.

Surrounding Development Trends. The site is located between two (2) subdivisions zoned R-20 Single Family Residential. To the north is a collection of larger, estate sized R-20 lots. There is a subdivision south of L.D. Lockett Road zoned PUD-R Planned Unit Development Residential. Additionally, there is an existing subdivision to the southwest of the property zoned R-40. The change of zoning from R-40 to R-20 is consistent with the low density residential use of this area of Colleyville.

Tree Preservation. The applicant has not submitted a tree survey or tree preservation plan. As required by Chapter 5 of the Land Development Code, approval of a tree survey and mitigation plan shall be required prior to the issuance of a Notice to Proceed letter from the Engineering Division of the Public Works Department. The survey and mitigation plan shall be drawn and submitted according to the requirements of Chapter 5 – Tree Preservation of the Land Development Code.

Trees not located under the pad site must be preserved during construction. Before construction begins on the site, protective fencing must be installed around all preserved trees located outside the right-of-way. The fencing must be located at the drip line of the preserved trees. The protective fencing may be comprised of orange vinyl construction fencing, chain link fence, erosion control fencing, or other similar fencing. The fencing must remain in place during the entire construction period.

Open Space. The R-30 regulations in the Land Development Code do not require a minimum percentage of open space. The applicant has proposed two (2) open space lots, totaling approximately .51 acres, or approximately five (5) percent, located on the west side of the development to the south of Lot 1 and to the north of Lot 4. The applicant states they will make an effort to provide amenities in the open space areas.

Preliminary Drainage Analysis. The developer has submitted a Preliminary Drainage Analysis of the site, which is to be reviewed by the City of Colleyville Engineering Division. Conditions associated with drainage, and storm water runoff shall be set and enforced at the time of platting.

Sidewalks and Trails. Sidewalks are required to be installed along the new internal street at the time of new home construction. According to the Colleyville Trails and Sidewalk Systems Map, a five (5) foot sidewalk is required along LD Lockett Road. The sidewalk must be installed prior to the acceptance of final public improvements.

Traffic Generation and Access. The developer is not required to provide a Traffic Impact Analysis, since the development is not projected to generate in excess of 1,000 vehicle trips per day. The Institute of Transportation Engineers publication Trip Generation provides estimates of expected traffic generation based on land use. Data has been collected in the United States and Canada since the 1960's, primarily in suburban locations. Single-family residences are expected to generate 9.57 trips per day, on average. Based on this average, a 17 lot development would add approximately 163 vehicle trips per day to the surrounding roadways.

Two entryways are required for subdivisions that contain more than 12 lots. The proposed subdivision's main entrance is off L.D. Lockett Road. The other entryway is internal off the existing stub-out from Laura Drive which connects with Lavaca Trail Estates to the west. The street connection in the proposed development is located between the open space lot on Block 1 and Lot 1 of Block 2 on the west side of the development. This will be a public street with no emergency access easement. Per the conceptual site plan, St. Andrews Boulevard aligns directly with Reatta Place across L.D. Lockett Road. This layout has been approved by the City Fire Marshall.

Infrastructure. Water and sanitary sewer services are available along adjacent rights-of-way. The developer is responsible for the extension of water and sewer service lines to the individual lots.

Residential Density. The Master Plan suggests a maximum residential density of 1.8 dwelling units per acre, in most situations. The 2004 Colleyville Master Plan states densities higher than 1.8 units per acre would be acceptable in those areas deemed consistent with sound land use planning principles. The proposed development would be situated between existing residential uses. The proposed development of 17 residential units on the 10.2 acre property will produce a residential density of 1.66 dwelling units per acre.

Master Plan. The Future Land Use Plan designates the entire subject property for single family residential. The proposed development is consistent with the Future Land Use Plan.

Public Notification. Staff mailed notices to 40 adjacent property owners within 200 feet as well as all Homeowners Associations within 500 feet of the subject property regarding this request. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. To date, staff has received no correspondence regarding this request.

Summary. The proposed zoning change is consistent with the Future Land Use Plan, which designates the subject property as single family residential uses. Given the proposed use compliments surrounding developments, is compliant with the requirements of the Land Development Code, and is consistent with the Future Land

Use Plan, staff recommends approval of the development.

Recommendation

Approve

Attachments

1. Location and Zoning Map
2. Buffer Map
3. Notification List
4. Aerial Looking North
5. Site Plan
6. Statement of Planning Objectives
7. Ordinance O-13-xxxx

This is a detailed plat map of a portion of Tappan Shire. The map shows various lots, streets, and zoning designations. A red box highlights a specific lot, labeled "Subject Property".

Streets: Crystal Way, Lockley Way, Laura Ln, Kays Ct, Texas Trl, Reatta Pl, Lowrie Rd, Duns Tew Path, Chalford Gmn, Sherston Gln, Emmas Ct, Sterling Dr, Crescent Ln, Crescent Way.

Zoning Designations: R-40, R-20, R-30, PUD-R.

Lot Numbers: 5800, 5801, 5802, 5803, 5804, 5805, 5806, 5807, 5808, 5809, 5810, 5811, 5812, 5813, 5814, 5815, 5816, 5817, 5818, 5819, 5820, 5821, 5822, 5823, 5824, 5825, 5826, 5827, 5828, 5829, 5830, 5831, 5832, 5833, 5834, 5835, 5836, 5837, 5838, 5839, 5840, 5841, 5842, 5843, 5844, 5845, 5846, 5847, 5848, 5849, 5850, 5851, 5852, 5853, 5854, 5855, 5856, 5857, 5858, 5859, 5860, 5861, 5862, 5863, 5864, 5865, 5866, 5867, 5868, 5869, 5870, 5871, 5872, 5873, 5874, 5875, 5876, 5877, 5878, 5879, 5880, 5881, 5882, 5883, 5884, 5885, 5886, 5887, 5888, 5889, 5890, 5891, 5892, 5893, 5894, 5895, 5896, 5897, 5898, 5899, 5900, 5901, 5902, 5903, 5904, 5905, 5906, 5907, 5908, 5909, 5910, 5911, 5912, 5913, 5914, 5915, 5916, 5917, 5918, 5919, 5920, 5921, 5922, 5923, 5924, 5925, 5926, 5927, 5928, 5929, 5930, 5931, 5932, 5933, 5934, 5935, 5936, 5937, 5938, 5939, 5940, 5941, 5942, 5943, 5944, 5945, 5946, 5947, 5948, 5949, 5950, 5951, 5952, 5953, 5954, 5955, 5956, 5957, 5958, 5959, 5960, 5961, 5962, 5963, 5964, 5965, 5966, 5967, 5968, 5969, 5970, 5971, 5972, 5973, 5974, 5975, 5976, 5977, 5978, 5979, 5980, 5981, 5982, 5983, 5984, 5985, 5986, 5987, 5988, 5989, 5990, 5991, 5992, 5993, 5994, 5995, 5996, 5997, 5998, 5999, 6000, 6001, 6002, 6003, 6004, 6005, 6006, 6007, 6008, 6009, 6010, 6011, 6012, 6013, 6014, 6015, 6016, 6017, 6018, 6019, 6020, 6021, 6022, 6023, 6024, 6025, 6026, 6027, 6028, 6029, 6030, 6031, 6032, 6033, 6034, 6035, 6036, 6037, 6038, 6039, 6040, 6041, 6042, 6043, 6044, 6045, 6046, 6047, 6048, 6049, 6050, 6051, 6052, 6053, 6054, 6055, 6056, 6057, 6058, 6059, 6060, 6061, 6062, 6063, 6064, 6065, 6066, 6067, 6068, 6069, 6070, 6071, 6072, 6073, 6074, 6075, 6076, 6077, 6078, 6079, 6080, 6081, 6082, 6083, 6084, 6085, 6086, 6087, 6088, 6089, 6090, 6091, 6092, 6093, 6094, 6095, 6096, 6097, 6098, 6099, 6100, 6101, 6102, 6103, 6104, 6105, 6106, 6107, 6108, 6109, 6110, 6111, 6112, 6113, 6114, 6115, 6116, 6117, 6118, 6119, 6120, 6121, 6122, 6123, 6124, 6125, 6126, 6127, 6128, 6129, 6130, 6131, 6132, 6133, 6134, 6135, 6136, 6137, 6138, 6139, 6140, 6141, 6142, 6143, 6144, 6145, 6146, 6147, 6148, 6149, 6150, 6151, 6152, 6153, 6154, 6155, 6156, 6157, 6158, 6159, 6160, 6161, 6162, 6163, 6164, 6165, 6166, 6167, 6168, 6169, 6170, 6171, 6172, 6173, 6174, 6175, 6176, 6177, 6178, 6179, 6180, 6181, 6182, 6183, 6184, 6185, 6186, 6187, 6188, 6189, 6190, 6191, 6192, 6193, 6194, 6195, 6196, 6197, 6198, 6199, 6200, 6201, 6202, 6203, 6204, 6205, 6206, 6207, 6208, 6209, 6210, 6211, 6212, 6213, 6214, 6215, 6216, 6217, 6218, 6219, 6220, 6221, 6222, 6223, 6224, 6225, 6226, 6227, 6228, 6229, 6230, 6231, 6232, 6233, 6234, 6235, 6236, 6237, 6238, 6239, 6240, 6241, 6242, 6243, 6244, 6245, 6246, 6247, 6248, 6249, 6250, 6251, 6252, 6253, 6254, 6255, 6256, 6257, 6258, 6259, 6260, 6261, 6262, 6263, 6264, 6265, 6266, 6267, 6268, 6269, 6270, 6271, 6272, 6273, 6274, 6275, 6276, 6277, 6278, 6279, 6280, 6281, 6282, 6283, 6284, 6285, 6286, 6287, 6288, 6289, 6290, 6291, 6292, 6293, 6294, 6295, 6296, 6297, 6298, 6299, 6300, 6301, 6302, 6303, 6304, 6305, 6306, 6307, 6308, 6309, 6310, 6311, 6312, 6313, 6314, 6315, 6316, 6317, 6318, 6319, 6320, 6321, 6322, 6323, 6324, 6325, 6326, 6327, 6328, 6329, 6330, 6331, 6332, 6333, 6334, 6335, 6336, 6337, 6338, 6339, 6340, 6341, 6342, 6343, 6344, 6345, 6346, 6347, 6348, 6349, 6350, 6351, 6352, 6353, 6354, 6355, 6356, 6357, 6358, 6359, 6360, 6361, 6362, 6363, 6364, 6365, 6366, 6367, 6368, 6369, 6370, 6371, 6372, 6373, 6374, 6375, 6376, 6377, 6378, 6379, 6380, 6381, 6382, 6383, 6384, 6385, 6386, 6387, 6388, 6389, 6390, 6391, 6392, 6393, 6394, 6395, 6396, 6397, 6398, 6399, 6400, 6401, 6402, 6403, 6404, 6405, 6406, 6407, 6408, 6409, 6410, 6411, 6412, 6413, 6414, 6415, 6416, 6417, 6418, 6419, 6420, 6421, 6422, 6423, 6424, 6425, 6426, 6427, 6428, 6429, 6430, 6431, 6432, 6433, 6434, 6435, 6436, 6437, 6438, 6439

[illegible]

Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
A R A F Inc	17290 Preston Rd Ste 114	Dallas	Texas	75252	5801 Kays Ct
Adams, Kenneth J Etux Barbara	5708 Texas Trl	Colleyville	Texas	76034	5708 Texas Tr
Akinmerese, Olawale Etux Olayi	5912 Kays Ct	Colleyville	Texas	76034	5912 Kays Ct
Anderson, Jared Etux Heather	5800 Kays Ct	Colleyville	Texas	76034	5800 Kays Ct
Ashton Dallas Residential Llc	1221 N Interstate 35E # 170	Carrollton	Texas	75006	724 Lockley Way
Azer, Mervat N Etvir Sameh F	5805 Kays Ct	Colleyville	Texas	76034	5805 Kays Ct
Boots, Brian Etux Cathy E	5900 Kays Ct	Colleyville	Texas	76034	5900 Kays Ct
Childress, Michael S Etux Kara	5904 Kays Ct	Colleyville	Texas	76034	5904 Kays Ct
Croney, Edward J & Nancy M	727 Tappen Shire	Colleyville	Texas	76034	727 Tappen Shire
Dinh, Nhung Etux Chinh	5913 Kays Ct	Colleyville	Texas	76034	5913 Kays Ct
Ediger, Melanie L Etvir Steve	724 Tappen Shire	Colleyville	Texas	76034	724 Tappen Shire
Eitel, Jeramie	6101 Emmas Ct	Colleyville	Texas	76034	6101 Emmas Ct
Ellison, John Etux Debra	5905 Kays Ct	Colleyville	Texas	76034	5905 Kays Ct
Gohr, Martin Etux Lorraine	809 Lavaca Trl	Colleyville	Texas	76034	809 Lavaca Tr
Gordon, Mark K Etux Beverly W	720 Lockley Way	Colleyville	Texas	76034	720 Lockley Way
Hankins, Jeremy	5816 Chalford Cmn	Colleyville	Texas	76034	5816 Chalford Common
Hultquest, Philip P Etux Lily	5712 Texas Trl	Colleyville	Texas	76034	5712 Texas Tr
Ishak, Ashraf Z	104 W Ld Lockett Rd	Colleyville	Texas	76034	805 W L D Lockett Rd
Kuhlmann, Peter Etux Linda	4423 Chapel Rd	Graham	Texas	76450	801 W L D Lockett Rd
Lavaca Associates Llc	5637 Smaller Rd	Johnstown	Ohio	43031	5908 Kays Ct
Lavaca Oaks Lp	-6401 Westcoat Dr	Colleyville	Texas	76034	901 Lavaca Tr
Martin, Stephen Lee Etux Nan C	813 Lavaca Trl	Colleyville	Texas	76034	813 Lavaca Tr
Mentavlos, Michael Constantine	727 Lockley Way	Colleyville	Texas	76034	727 Lockley Way
Milligan, John	720 Tappen Shire	Colleyville	Texas	76034	720 Tappen Shire
Newton Team Homes Inc	PO Box 1162	Colleyville	Texas	76034	723 Lockley Way
Nykiel, Stephen & P Nykiel	5909 Kays Ct	Colleyville	Texas	76034	5909 Kays Ct
Rouse, James A Etux Nancy J R	720 Duns Tew Path	Colleyville	Texas	76034	720 Duns Tew Path
Scott, Walter & Christy	401 Bridlewood S	Colleyville	Texas	76034	5917 Kays Ct
Shurtleff, David J & Teresa K	719 Lockley Way	Colleyville	Texas	76034	719 Lockley Way
Smith, Ted Etux Michele	5704 Texas Trl	Colleyville	Texas	76034	5704 Texas Tr
Stajduhar, Martin Etux Lisa	816 W Ld Lockett Rd	Colleyville	Texas	76034	816 W L D Lockett Rd
Thorne, Jennifer & Charles M	5808 Kays Ct	Colleyville	Texas	76034	5808 Kays Ct
Votaw, J T Etux Ruth	5804 Chalford Cmn	Colleyville	Texas	76034	5804 Chalford Common
Wellsheim, Matthew Etux Cheryl	719 Tappen Shire	Colleyville	Texas	76034	719 Tappen Shire
Wheelwright, David	5701 Reatta Pl	Colleyville	Texas	76034	5701 Reatta Pl
Willis, Randall Etux Yvonne	6105 Emmas Ct	Colleyville	Texas	76034	6105 Emmas Ct
Reatta Place Hmowners Assoc	5506 Texas Trl	Colleyville	Texas	76034	Courtsey Notice
L T Estates Hoa Inc	215 W College St	Grapevine	Texas	76051	Courtsey Notice
Emerald Park H A Inc	400 Country Pl	Colleyville	Texas	76034	Courtsey Notice
John Dickerson, Applicant	8333 Douglas, Suite 1300	Dallas	Texas	75225	Applicant

Public hearing notices were mailed
Fri., May 31, 2013 by Taci Wrisley

Aerial Looking North



Statement of Planning Objectives

DICKERSON DEVELOPMENT, INC.

8333 DOUGLAS AVENUE, SUITE 1300 DALLAS, TEXAS 75225

May 10, 2013

LETTER OF INTENT – STATEMENT OF PLANNING OBJECTIVES

RE: Proposed Single Family Development (R-20)

St. Andrews Estates - 10 Acres off of L.D. Lockett Road

Colleyville, Texas

Per Zoning Application Checklist requirements, we hereby submit this letter of intent for proposed development. We are under contract to entitle this property with the intent of developing a single family community in the City of Colleyville. Currently, this property is zoned R-40 and is surrounded by developed neighborhoods that are, for the most part, zoned R-20. There is a community south of L.D. Lockett that is zoned PUD-R.

Rather than request a planned development and produce sub-20,000 square foot lots, we have decided to rezone this property for R-20 lots. Our neighborhood will be more of an estate lot neighborhood as exists currently to our immediate east and west. It is our intent to sell lots likely to custom builders that will result in price points for homes in the \$600,000 to \$800,000 range. We will make every effort to protect and preserve the existing trees on our site and to provide amenities in our two (2) planned open areas.

Our company has been developing single family communities in Northeast Tarrant County since 1993 and we have owned and sold properties in Colleyville before so we are no stranger to the area. We have chosen this piece of property because we really like Colleyville and the whole Mid-Cities area and we want to produce project that the City and our company can be proud of.

We would like to have this property entitled by the end of the summer with construction beginning in early fall and lots available for builders by late winter for the 2014 spring season.

Sincerely,

DICKERSON DEVELOPMENT, INC.



John F. Dickerson

President

ORDINANCE O-13-xxxx

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AS HERETOFORE AMENDED; BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 10.2 ACRES ON LOT 1, BLOCK 1, OF THE STAJDUHAR ADDITION FROM THE R40-SINGLE FAMILY RESIDENTIAL TO THE R20-SINGLE FAMILY RESIDENTIAL DISTRICT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case ZC13-006; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan designed to lessen congestion in the streets; and to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning of 10.2 acres on Lot 1, Block 1, of the Stajduhar Addition, from the R40-Single Family Residential zoning district to the R20-Single Family Residential zoning district, as depicted in the attached Exhibit "A".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 7. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 2nd day of July 2013.

The second reading and public hearing being conducted on the 16th day of July 2013.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the _____ day of _____ 2013.

ATTEST:

CITY OF COLLEYVILLE

Cynthia Singleton, TRMC, CMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

[illegible]