



City of Colleyville Planning and Zoning Commission Agenda

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

Monday, July 22, 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 Davis
PLEDGE OF ALLEGIANCE**

- 1. APPROVAL OF MINUTES**
June 24, 2013
- 2. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON
THE AGENDA AS A PUBLIC HEARING ITEM**
- 3. REGULAR AGENDA ITEMS**

- 3a** Approval of a minor plat for 0.877 acres on Tract 2E, Abstract 1692 of the Joseph White Survey, located at 608 Shelton Drive, Case PC13-009.
- 3b** Request for a replat on Lot 1, Blk 1, Baylor Health Care System & Lot 2, Blk 1, Linton Addition located at 5408 & 5500 Colleyville Boulevard, Case PC13-011.
- 3c** Approval of a preliminary plat on 10.07 acres on Lot 1, Block 1, Stajduhar Addition located at 816 W. L. D. Lockett Road, Case PC13-012.
- 3d** Consideration of a waiver request to the sidewalk requirements on Lot 1, Block 1, of the Maciley Addition located at 2800 Glade Road, Case GC13-016.

4. PUBLIC HEARING AGENDA ITEMS

- 4a** Approval of a preliminary plat for 5.7 acres located on Lots A1, B1 and B1A of The Oaks Addition, located at One and Two Country Way, Case PC13-006.
- 4b** Consideration for a zoning change from PUD-C-Planned Unit Development Commercial to PUD-R-Planned Unit Development Residential on 1.94 acres on Lot 1, Block 1 of the San Bar Square Addition located at 105 Cheek-Sparger Road, Case ZC13-008.

5. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards July 19, 2013 by 5:00 p.m.

Taci Wrisley
Planning and Zoning Assistant

A quorum of the Colleyville City Council may be in attendance at this meeting.

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 07/22/2013	Number
Type Approval of Minutes		
Department Community Development		

Title

June 24, 2013

Explanation

Recommendation

Attachments

1. Planning and Zoning Commission Meeting Minutes - June 24, 2013



City of Colleyville Planning and Zoning Commission Minutes

City Hall
100 Main Street
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Monday, June 24, 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 June 24, 2013 at 7:00 p.m.

Roll Call

Present: Commissioners Larry Knox, Dave Dudziak, David Wheelwright, David Phelps, and Jeff Byerly

Absent: Commissioner Don Davis and Jim Gotcher

Staff Present: Ron Ruthven, Darren Cain, Taci Wrisley, Rob McKeown, and Cathy Cunningham (City Attorney)

INVOCATION

The invocation was given by Chairman Byerly

1. APPROVAL OF MINUTES

Commissioner Dudziak moved to approve the June 10, 2013 meeting minutes as corrected. Commissioner Knox seconded.

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

Aye: 5 - Knox, Dudziak, Wheelwright, Phelps, and Byerly

2. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA AS A PUBLIC HEARING ITEM

There were no citizen comments/presentations regarding items not on the agenda.

3. REGULAR AGENDA ITEMS

- 3a** Approval of a preliminary plat for 12.0 acres on Tracts 3, 3E and 3F, of Abstract 936 of the Joseph M Looney Survey and Lot 1, Block 1, of the Bone Addition, located at 5008 and 5100 Bluebonnet Drive, Case PC12-021.
Darren Cain presented the case and briefed the Commission.

Bret Pedigo, on behalf of the applicant, came forward and briefed the Commission.

Commissioner Dudziak questioned Mr. Pedigo regarding plans for a sidewalk along Bluebonnet Drive. Mr. Pedigo replied as part of their commitment to the City Council, they would be constructing a sidewalk along Bluebonnet Drive.

Commissioner Phelps made a motion to approve Case PC12-021. Commissioner Wheelwright seconded.

The motion to approve carried with the following vote:

Aye: 5 - Knox, Dudziak, Wheelwright, Phelps, and Byerly

4. PUBLIC HEARING AGENDA ITEMS

- 4a** Request for a replat on Lot 2R1, Block 1, of the Pleasant Oaks Estates Addition located at 511 Shelton Drive, Case PC13-005.

Darren Cain presented the case and briefed the Commission.

Chairman Byerly opened the public hearing at 7:08 p.m.

Gary Quinn, the applicant, came forward and briefed the Commission.

There being no one else wishing to speak, the public hearing was closed at 7:09 p.m.

Commissioner Wheelwright made a motion to approve Case PC13-005. Commissioner Dudziak seconded.

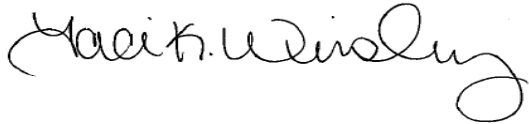
The motion to approve carried with the following vote:

Aye: 5 - Knox, Dudziak, Wheelwright, Phelps, and Byerly

5. ADJOURNMENT

The meeting adjourned at 7:10 p.m.

The minutes were written and prepared by:

A handwritten signature in black ink, appearing to read "Taci Wrisley". The signature is fluid and cursive, with the first name "Taci" and last name "Wrisley" clearly distinguishable.

Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on July 22, 2013 by a vote of _____.



City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall
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Agenda Number 3a	Agenda Date 07/22/2013	Number
Type Regular Agenda Items		
Department Community Development		

Title

Approval of a minor plat for 0.877 acres on Tract 2E, Abstract 1692 of the Joseph White Survey, located at 608 Shelton Drive, Case PC13-009.

Explanation

Larry Yaffa, applicant, submitted a request for approval of a minor plat for a .84 acre lot that will consist of one residential lot. The property is currently unplatted. The applicant intends to demolish the existing home and build a new home.

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.

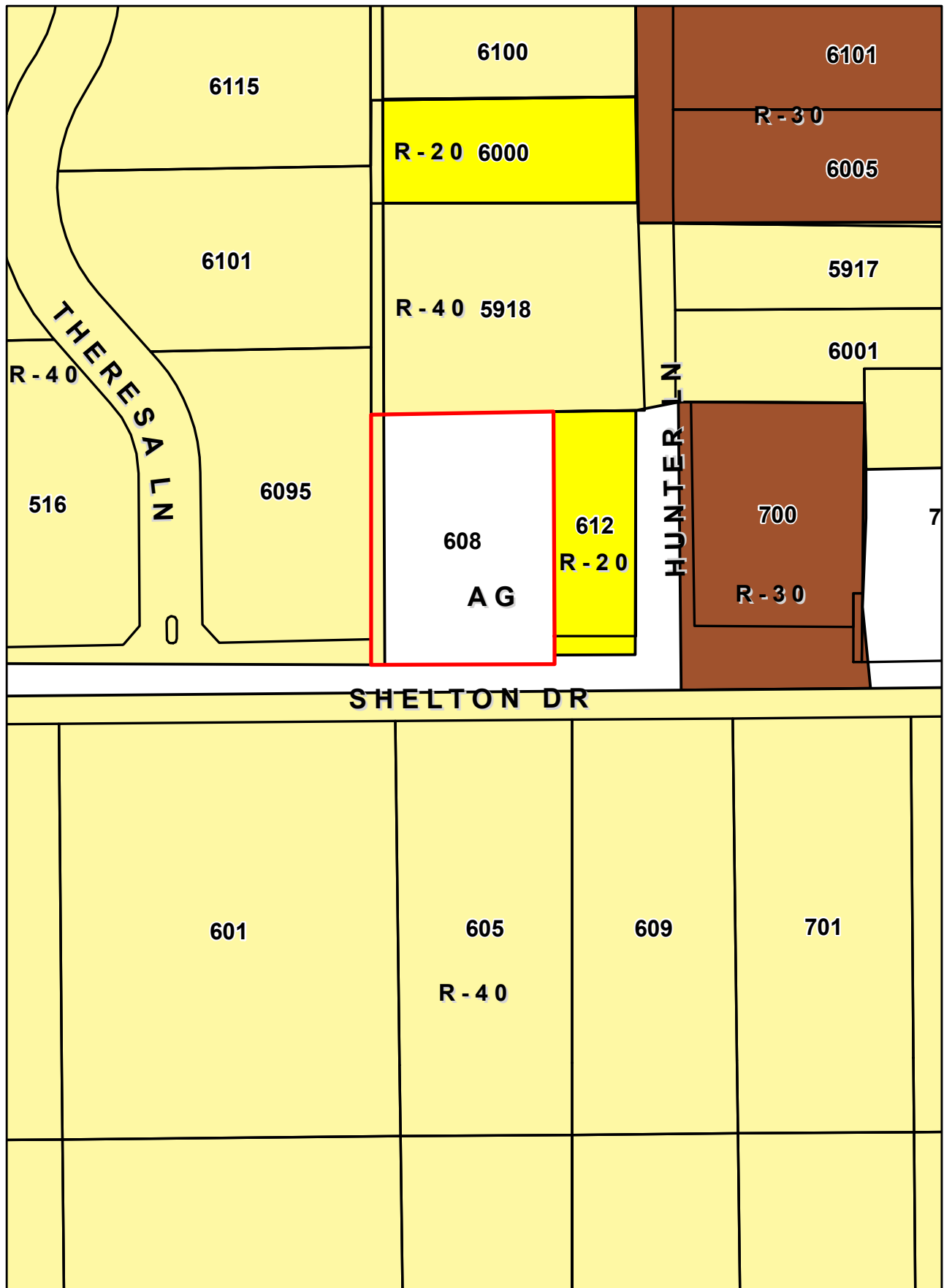
Recommendation

Approve

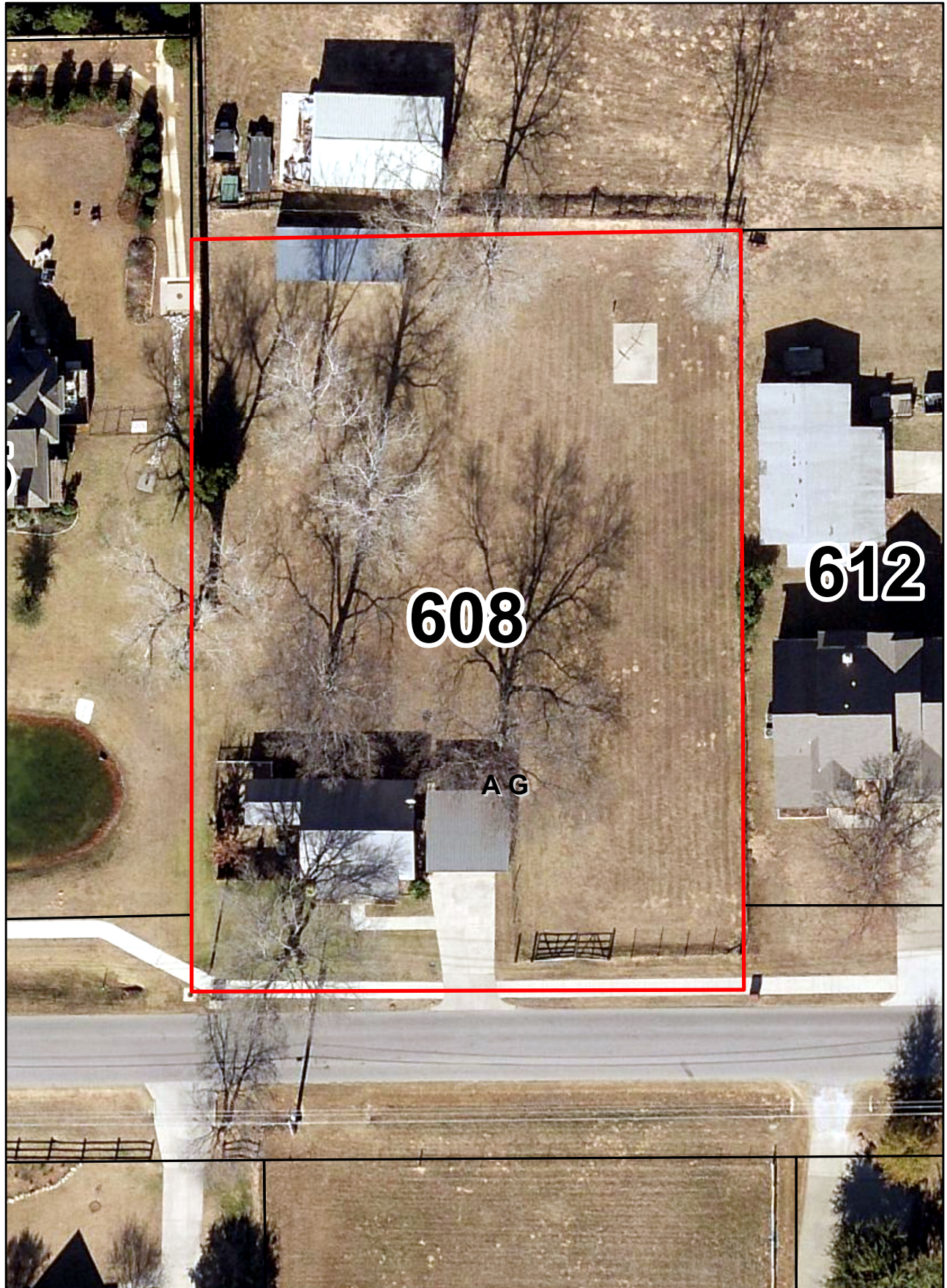
Attachments

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

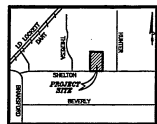
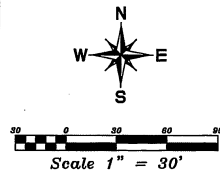
Location and Zoning Map



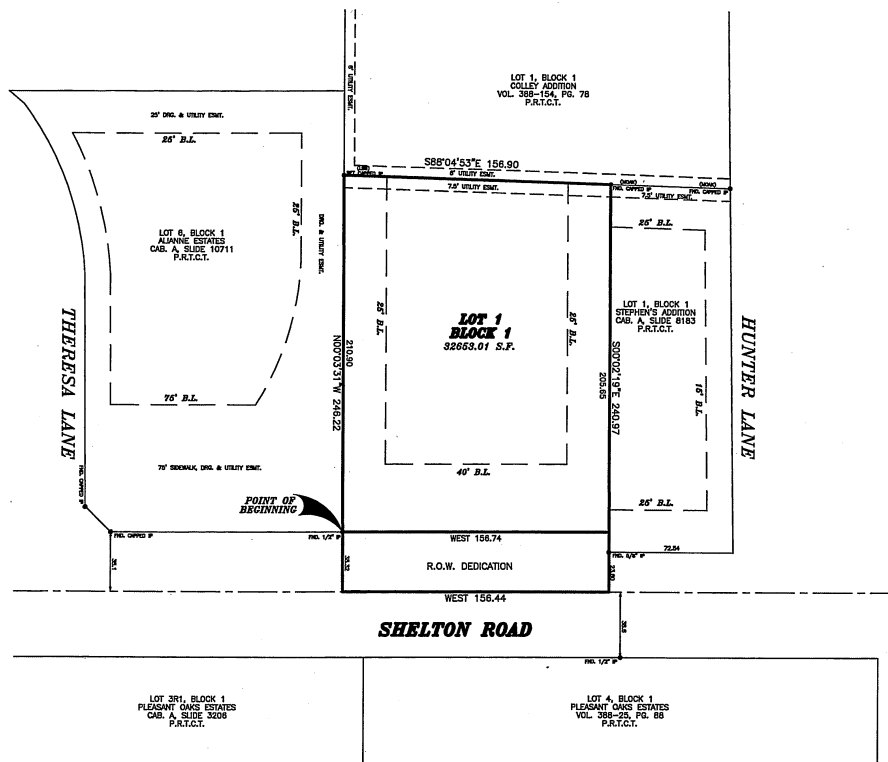
Aerial



Plat Exhibit

**VICINITY MAP**

NOTE:
1/2" CAPPED IRON PEGS 24" LONG SET (STAMPED LBS #3440)
AT ALL INTERMEDIATE PROPERTY CORNERS AND OTHER
SURVEY POINTS IN PLACE (ANGLE POINTS, PC
AND PTA'S OF CURVES) AND DRIVEN FLUSH WITH THE
GROUND OR COUNTERSUNK, IF NECESSARY, IN ORDER
TO AVOID BEING DISMISSED.



OWNER:
LARRY YAFFA
808 SHELTON DRIVE
COLLEYVILLE, TEXAS 76034

OWNERS REP.:
D.W. DISTINCTIVE PROPERTIES
DAN WHIFFIN
6020 FROST STREET
NRH, TEXAS 76180
817.980.0577

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

STAFF APPROVAL AUTHORITY	
THIS AMENDING PLAT IS APPROVED IN ACCORDANCE WITH SECTION 212.0085 OF THE TEXAS LOCAL GOVERNMENT CODE AND THE CITY OF COLLETVILLE SUBDIVISION REGULATIONS.	
DATE	_____
COMMUNITY DEVELOPMENT MANAGER	_____
DIRECTOR OF PUBLIC SERVICES	_____

STATE OF TEXAS

COUNTY OF TARRANT

DEDICATION CERTIFICATE

BEFORE ME, the undersigned authority, on this _____ day of _____, 20____, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, acknowledged to me that he executed the same for the purposes and consideration therein expressed, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this _____ day of _____, 20____.

Notary Public in and for the State of Texas, My Commission Expires _____

NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:

THAT I, LARRY YATFA, OWNER, DO HEREBY ACCEPT THIS PLAT DESIGNATING THE MEMORANDUM DESCRIBED PROPERTY AS LOT 1, BLOCK 1, YATFA ADDITION, AN ADDITION TO THE CITY OF COLLEVILLE, DALLAS COUNTY, TEXAS, AND DO HEREBY DESIGNATE THIS SAME TO THE PUBLIC USE FORWARD ALL STREETS, ALLEYS, AND EASEMENTS THEREON TO THE PUBLIC USE, AND DO HEREBY AGREE TO SUBMIT THIS PLAT FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR CROSS THE SAME, AND DO HEREBY AGREE TO SUBMIT THIS PLAT TO THE CITY OF COLLEVILLE FOR THE BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS IN WHICH ANY WAREHOUSE OR OTHER BUILDING OR STRUCTURE OR OTHER IMPROVEMENTS OR GROWTHS ARE LOCATED ON ANY OF THESE EASEMENTS, AN ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF PRIORITY AND EGRESS OF APPROVED AND OBTAIN THE SAME EGRESS FOR THE PURPOSES OF CONSTRUCTION, RECONSTRUCTION, REPAIRING, MAINTAINING, OPERATING, AND USING SUCH UTILITY, AND DO HEREBY AGREE TO SUBMIT THIS PLAT APPROVED SUBJECT TO ALL PLANNING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF COLLEVILLE, TEXAS.

WITNESS OUR HANDS THIS _____ DAY OF _____, 2013.

LARRY YAFFA

STATE OF TEXAS X
COUNTY OF TARRANT X

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED LARRY YAFFA, 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 _____

MY COMMISSION EXPIRES:

MINOR PLAT

LOT 1, BLOCK 1
YAFFA ADDITION
AN ADDITION TO THE CITY OF COLLEYVILLE,
TARRANT COUNTY, TEXAS

BEING A TRACT OF LAND SITUATED IN THE JOSEPH WHITE SURVEY, ABSTRACT NO. 1692,
TARRANT COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND AS DESCRIBED IN COUNTY
CLERKS NO. 0304252179, DEED RECORDS, TARRANT COUNTY, TEXAS

THIS IS TO CERTIFY THAT I, CHARLES B. MOORE, JR., A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, HAVING PLATTED THE ABOVE SUBDIVISION FROM A ACTUAL SURVEY ON THE GROUND, AND THAT ALL LOT CORNERS, AND ANGLE POINTS, AND POINTS OF CURVE SHALL BE PROPERLY MARKED ON THE GROUND, BY RECORDED MONUMENTS AND MARKERS IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 5 OF THE CITY OF COLLEAVEILLE CODE; AND THAT THIS PLAT CORRECTLY REPRESENTS THAT SURVEY MADE BY ME ON

06-14-13
CHARLES B. HOOKS, JR. RPLS
TOLSON RESTORATION INC. 201-223-8888

THIS PLAT FILED IN INSTRUMENT NO. _____ DATE _____



City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall
100 Main Street
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Agenda Number 3b	Agenda Date 07/22/2013	Number
Type Regular Agenda Items		
Department Community Development		

Title

Request for a replat on Lot 1, Blk 1, Baylor Health Care System & Lot 2, Blk 1, Linton Addition located at 5408 & 5500 Colleyville Boulevard, Case PC13-011.

Explanation

Brian Jaffe, Dowdy, Anderson & Associates, Inc., has submitted a replat consisting of 2.3 acres located at 5408 and 5500 Colleyville Boulevard. The replat combines Lot 1, Block 1 of the Baylor Healthcare System Addition and Lot 2R, Block 1 of the Linton Addition into a single lot for the purpose of constructing a new hospital with the primary use as an emergency room. The existing Baylor Family Medicine building located at 5408 Colleyville Boulevard will be demolished.

Zoning. The base zoning of the subject property is CC1-Village Retail, for which the following lot dimensions are required:

Minimum Lot Size:	15,000	square	feet
Minimum Lot Width:	150	feet	
Minimum Lot Depth:	120	feet	

The proposed lot complies with the above minimum requirements.

The hospital with the primary use as an emergency room was approved on May 7, 2013 as a Special Use Permit under Ordinance O-13-1872 (attached). The proposed hospital will contain 16,165 square foot facility with 17 beds, which will include emergency room (ER) beds, inpatient beds, triage beds, semi-private room beds, or other beds.

Existing Conditions. 5408 Colleyville Boulevard is currently developed with the vacant Baylor Family Medical office building and 5500 Colleyville Boulevard is currently vacant.

Surrounding Properties. Properties to the north, east and south are zoned commercial and contain a mix of retail and institutional uses. Properties to the west are zoned AG-Agricultural and CC1-Village Retail and are developed as institutional and office uses.

Tree Preservation. Chapter 5-Tree Preservation in the Land Development Code

requires any tree six (6) caliper inches or greater that is removed, destroyed, or more than 50% damaged and does not meet the exemption provisions of the code, be mitigated per Section 5.10. According to the tree survey, the applicant will remove 10 non-exempt trees, a total of 135.5 caliper inches and be subject to mitigation requirements. A tree survey and a mitigation plan are required prior to issuance of any site development permits.

Summary. The proposed replat meets the minimum requirements of the Land Development Code and Ordinance O-13-1872. This item only requires approval by the Planning and Zoning Commission.

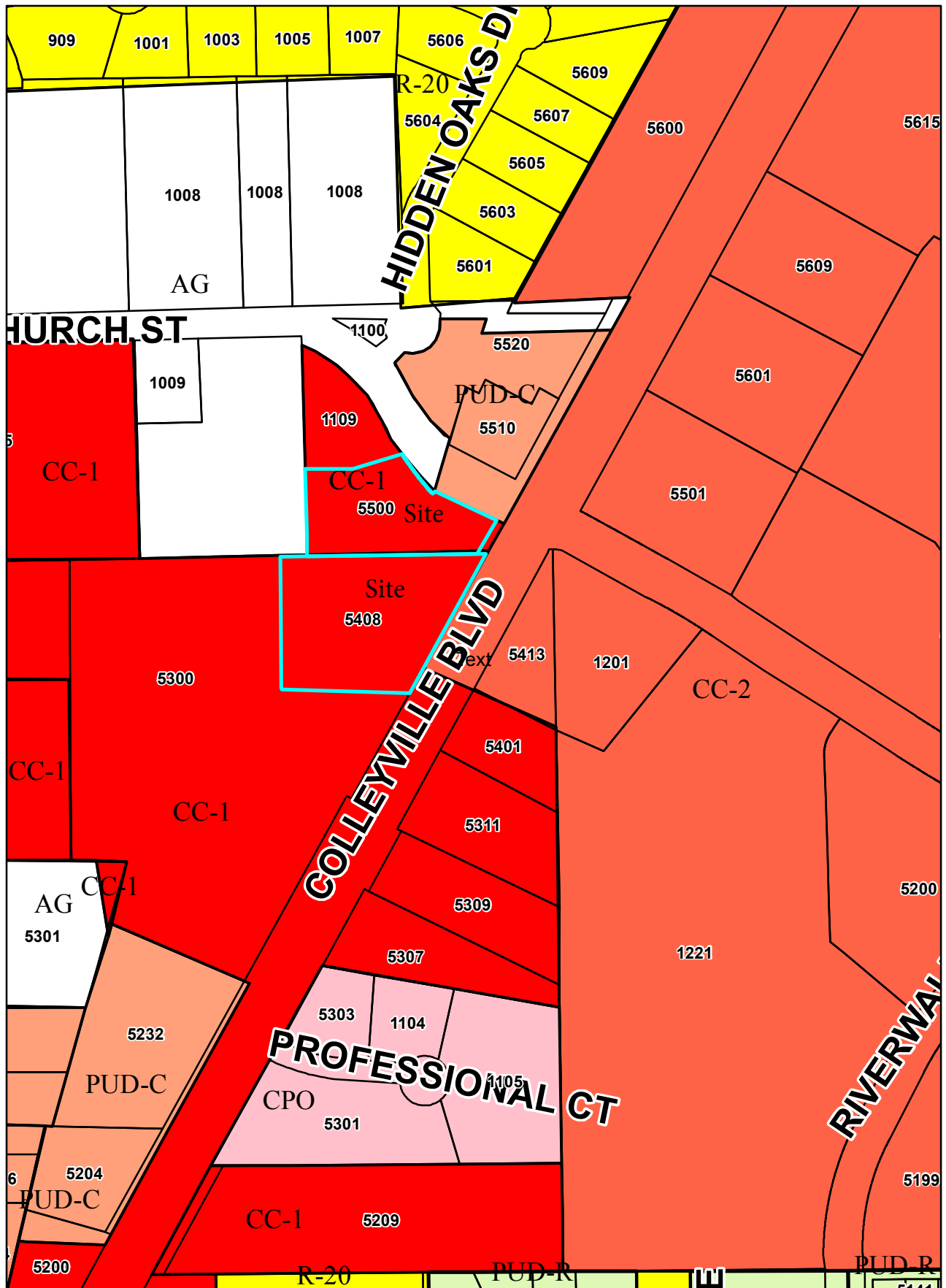
Recommendation

Approve

Attachments

1. Location and Zoning Map
2. Aerial
3. Conceptual Site Plan
4. Ordinance O-13-1872
5. Replat Exhibit

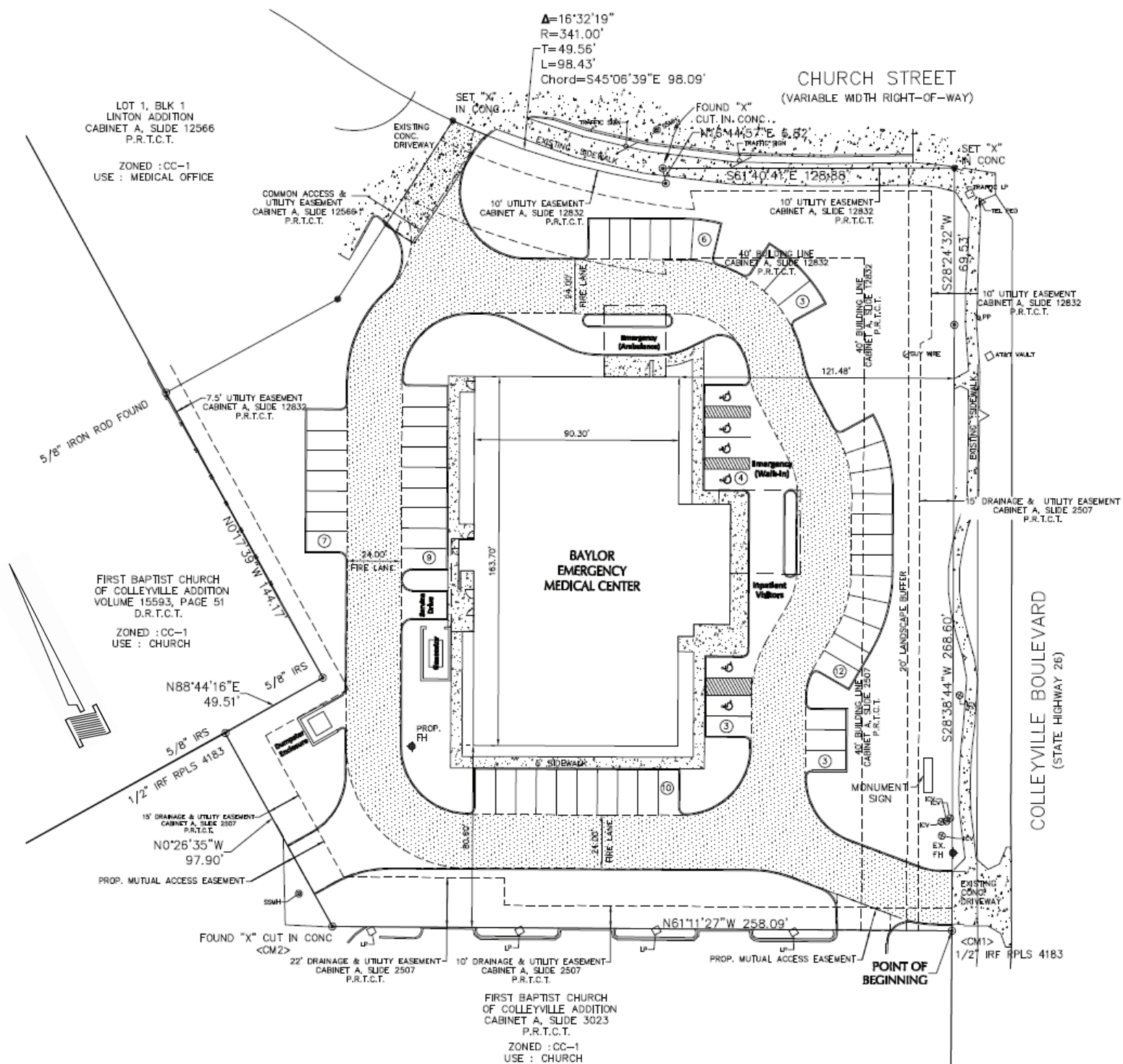
Location and Zoning Map



Aerial



Conceptual Site Plan—Close-Up View



ORDINANCE O-13-1872

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF LOT 1A, BLOCK 1, OF THE BAYLOR HEALTH CARE SYSTEM ADDITION AND LOT 2R, BLOCK 1 OF THE LINTON ADDITION LOCATED AT 5408 AND 5500 COLLEYVILLE BOULEVARD BY AUTHORIZING A SPECIAL USE PERMIT FOR A HOSPITAL WITH A PRIMARY USE AS AN EMERGENCY ROOM; 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 No. ZC13-002; 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 and designed to lessen congestion in the streets; 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 amending the official zoning map by authorizing a Special Use Permit for a hospital with a primary use as an emergency room on Lot 1A, Block 1, of the Baylor Health Care System Addition and Lot 2R, Block 1, of the Linton Addition located at 5408 and 5500 Colleyville Boulevard, as depicted on the location and zoning map, 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 the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The hospital with a primary use as an emergency room facility authorized by this special use permit shall not exceed 16,165 feet in area.
- b. The bed count in this emergency room facility shall not exceed a total of 17 beds, which shall include emergency room (ER) beds, inpatient beds, triage beds, exam room for the semi-

private rooms, or other beds.

- c. The layout shall be generally consistent with Exhibit "B," conceptual site plan.
- d. The specific use shall be for emergency room medical care only, as referenced in Exhibit "C," Statement of Planning Objectives.
- e. The operating hours for this establishment shall be 24 hours a day, seven (7) days a week.

2. PARKING AND ACCESS

- a. A minimum of 57 parking spaces shall be required.

3. LANDSCAPING

- a. All landscaping and buffering shall meet the minimum requirements of Chapter 4-Landscaping and Buffering in the Land Development Code.

4. BUILDING DESIGN AND CONSTRUCTION

- a. The building design of the business shall be generally consistent with the attached Exhibit "D". Otherwise the final design shall, at a minimum, have a design score of at least 30 as required in Chapter 6 of the Land Development Code. All exterior surfaces shall adhere to the design standards as required by Chapter 6 of the Land Development Code.
- b. All dumpsters shall, at a minimum, be screened with a minimum eight foot high masonry wall and shall, otherwise, meet the requirements for dumpster screening in the Land Development Code.
- c. This Special Use Permit shall automatically expire upon the abandonment of the business known as "Baylor Emergency Medical Center," a change in the use, or upon the expiration or termination of the Certificate of Occupancy.

Sec. 5. 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. 6. 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. 7. 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. 8. 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.

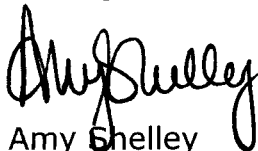
AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 16th day of April, 2013.

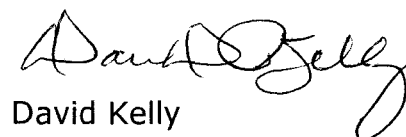
The second reading and public hearing being conducted on the 7th day of May, 2013.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 7th day of May 2013.

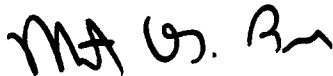
ATTEST:


Amy Shelley
City Secretary

CITY OF COLLEYVILLE


David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, appearing to read "MA G. Boyle".

Matthew C. G. Boyle
City Attorney

Exhibit "A" - Location and Zoning Map

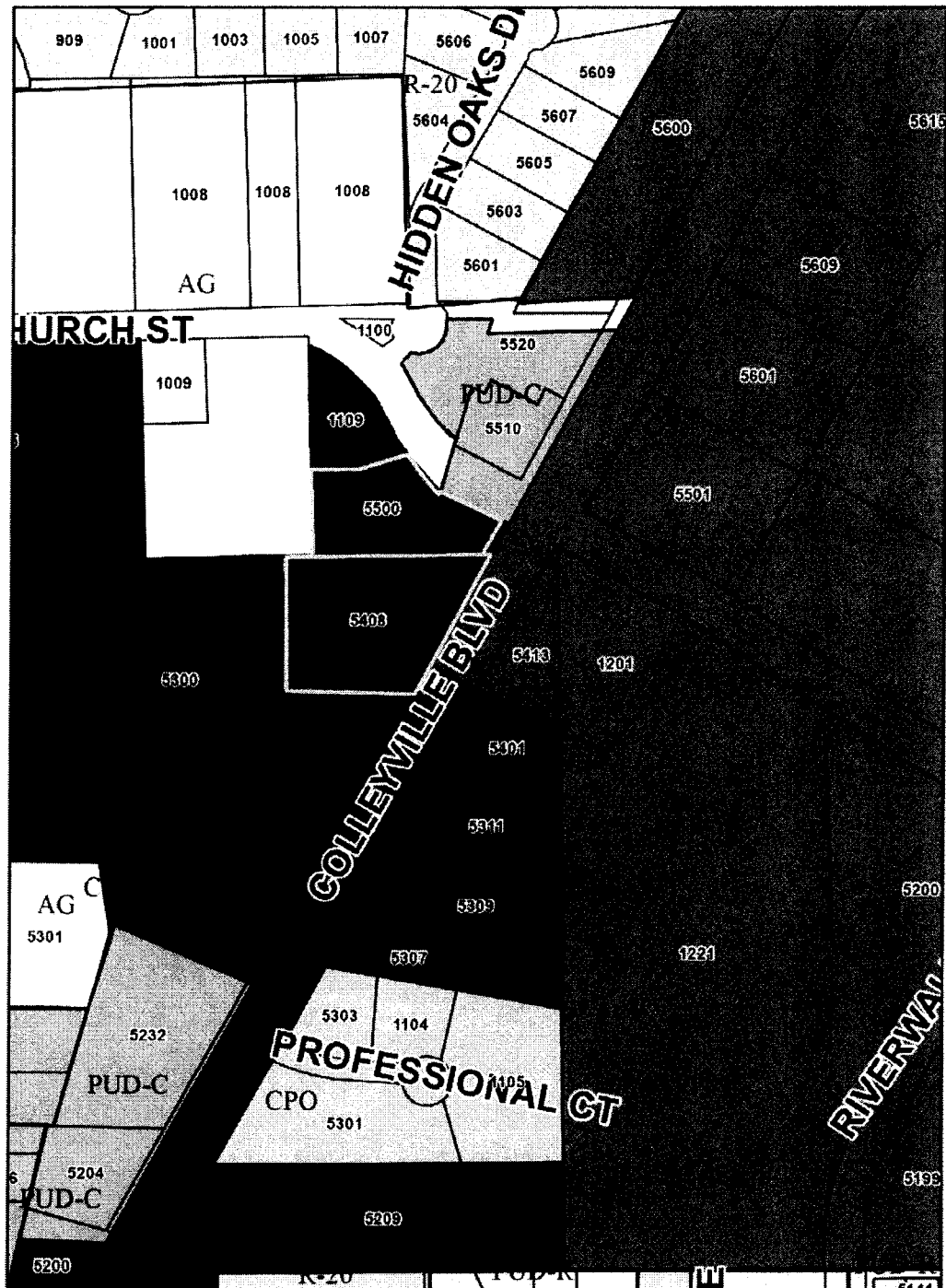


Exhibit “B” – Conceptual Site Plan

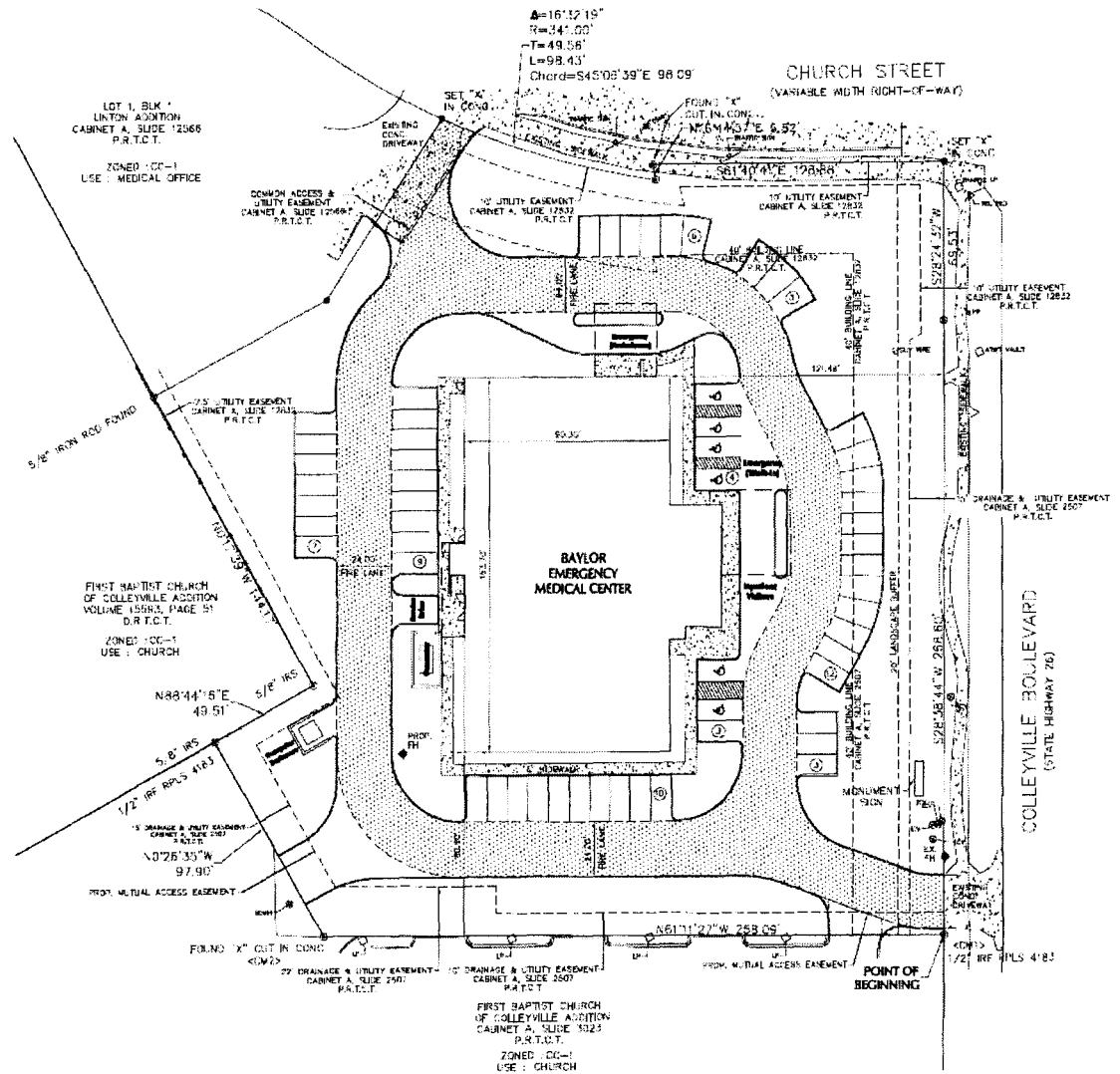


Exhibit "C" – Statement of Planning Objectives

Statement of Planning Objectives

The objective of this Special Use Permit request is to allow a hospital use on the subject property currently zoned Village Retail (CC1). The Baylor Health Care System has selected Colleyville as a market to construct a new 16,165 square foot hospital facility. This small, boutique hospital will include 7 exam room beds and 8 inpatient beds. Approximately 30- 40 associates will be employed at the new facility. Each associate may participate in a comprehensive medical plan along with other competitive benefits. Baylor Emergency Medical Center brings an efficient and patient centered approach to the delivery of emergency care. On average, Baylor Emergency Medical Center patients see an ER physician within 15 minutes of check-in. Our facility will be staffed with a board certified ER physician 24 hours a day, 7 days a week. Services at this facility will include:

- High quality care, 24 hours a day, 7 days a week. Our facility never closes.
- ER lab results in under 15 minutes on average.
- On site X-ray and CT facilities.
- Certification at the highest level of emergency room medicine.

Approximately 25 patients will visit the facility each day. 75% of those patients are located within 18 minutes of this facility.

The following preliminary construction schedule has been established by the design team:

Permit Submittal Date:	June, 2013
Construction Start:	August, 2013
Building Turnover:	March, 2014
Opening:	May, 2014

Although this Baylor facility will have no Sales Tax impact as we are selling medical services and not equipment or goods, our estimated annual revenue is projected to be \$6,000,000-\$9,000,000. The estimated development cost will be approximately \$10,000,000. This facility is a for-profit entity and therefore will be subject to property and personal property taxes. Our facility will enhance the City's objective of becoming a medical center for the region.

A vacant Baylor Family Care facility currently exists on the southern portion of this property. This facility will be demolished as part of the site improvements.

We respectfully request the City allow a hospital use on this property.

Exhibit "D" Exterior Elevations and Renderings

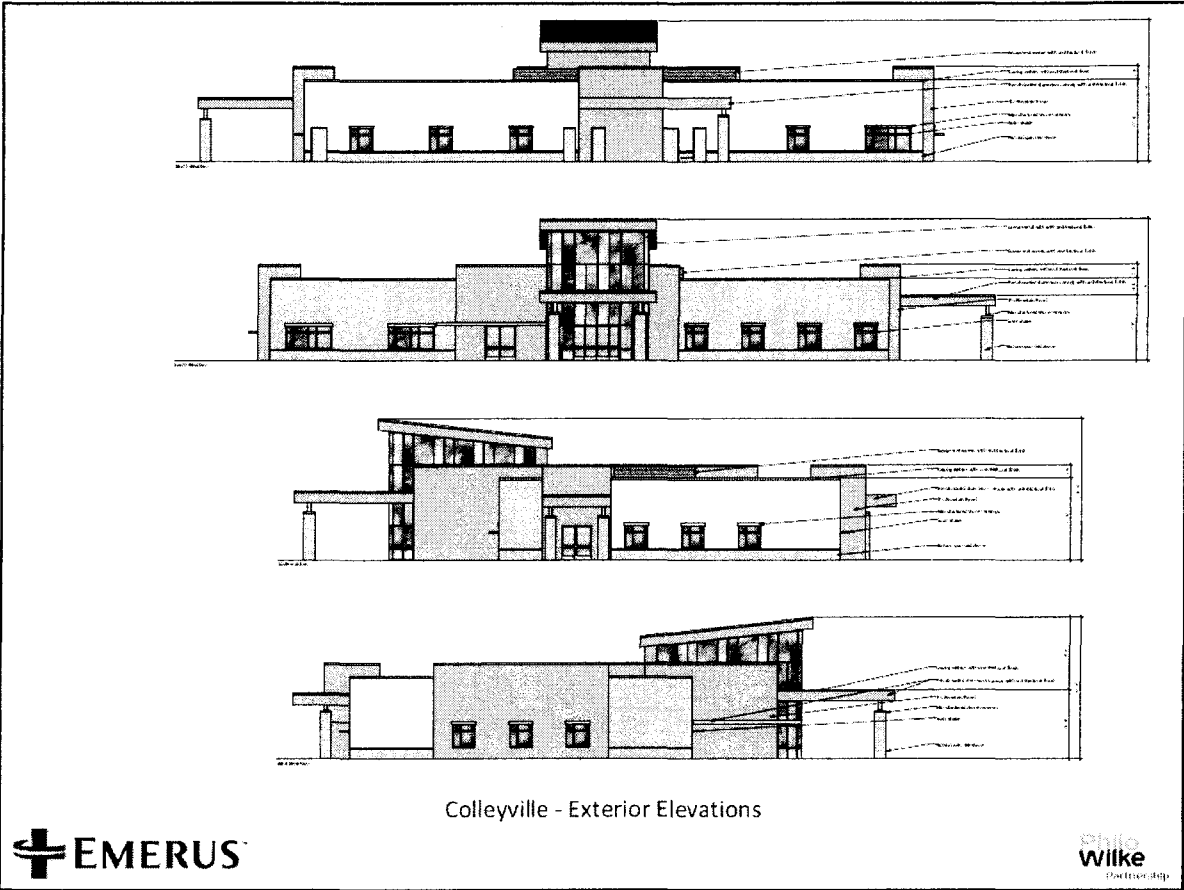
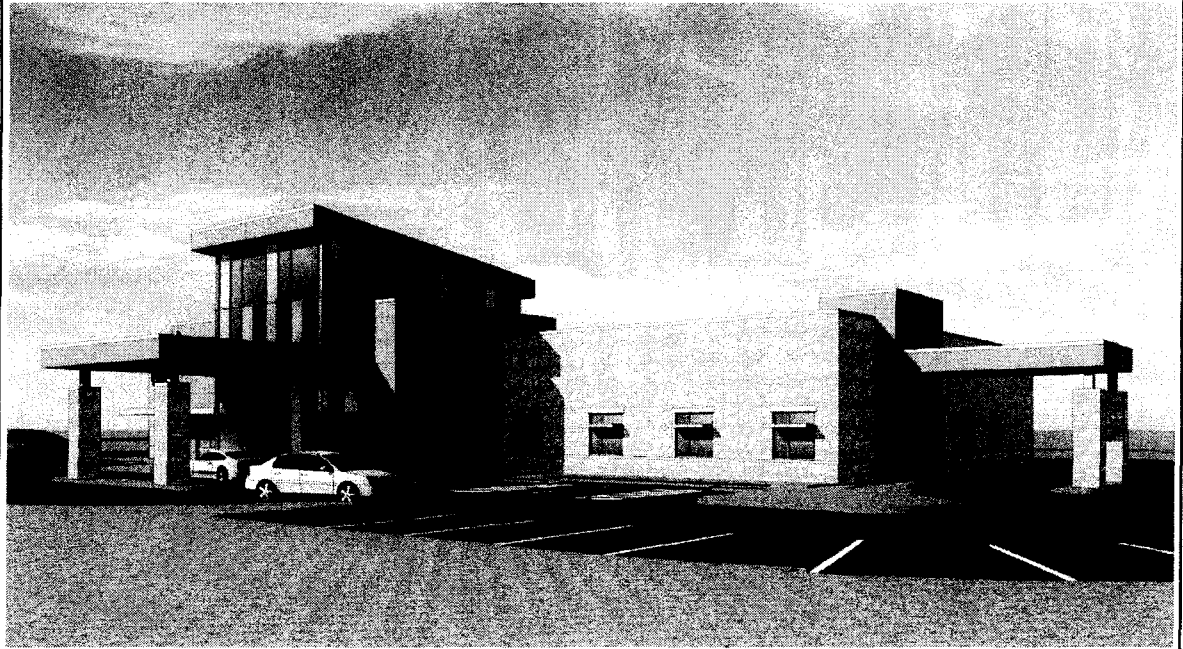


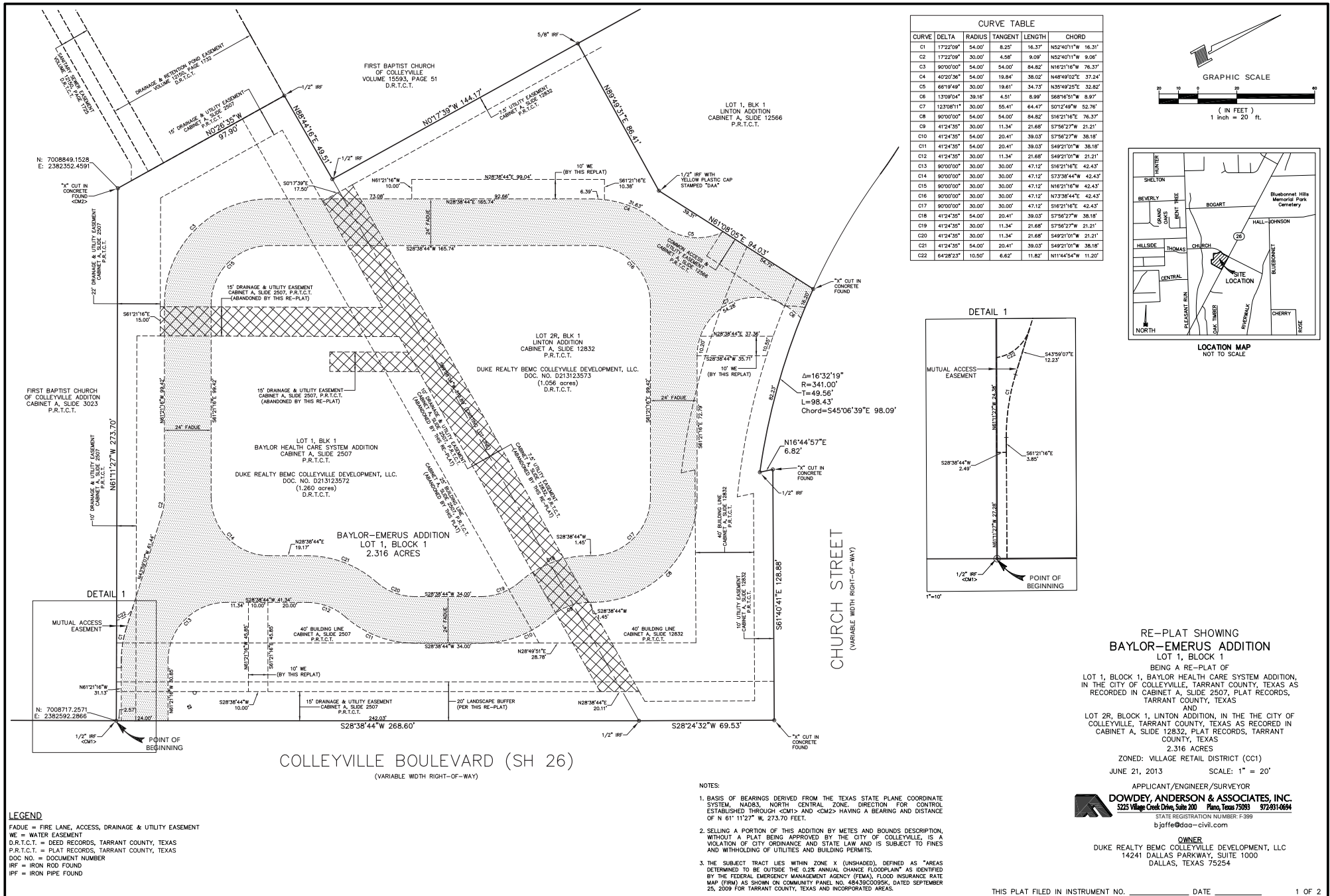
Exhibit "D" Exterior Elevations and Renderings - Continued



Colleyville - Perspective



Replat Exhibit





City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 3c	Agenda Date 07/22/2013	Number
Type Regular Agenda Items		
Department Community Development		

Title

Approval of a preliminary plat on 10.07 acres on Lot 1, Block 1, Stajduhar Addition located at 816 W. L. D. Lockett Road, Case PC13-012.

Explanation

John Dickerson has submitted a request to approve the preliminary plat for 10.2 acres, located at 816 L.D. Lockett Road, which includes 17 single family residential lots and open space.

The following is an analysis of the issues associated with this preliminary plat.

Zoning. A re-zoning request from R40-Single Family Residential to R20-Single Family Residential was approved by City Council on July 16, 2013 under Ordinance O-13-1880.

Lot Dimensions and Setbacks. The R20 zoning 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 Lot Coverage: 30 Percent

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

Open Space. The R20 zoning district regulations, in the Land Development Code, do not require a minimum percentage of open space. However, 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. Both open space lots will contain detention ponds. According to the Land Development Code, retention ponds located in open space lots

are required to be maintained by the homeowner's association. This requirement will be added to the final plat.

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

Development Fees. Parkland dedication fees are required, in the amount of \$1,802.00 per residential lot, for the 17 lots where new homes are proposed. Parkland dedication fees are due at the time of final plat and must be paid before the final plat is recorded with the County Clerk's office.

Roadway impact fees are due in the amount of \$4,941 per residential lot at the time of the building permit application, which amounts to a total of \$83,997 for this development.

Water and Wastewater impact fees are due at the time of the building permit application. Fees for a typical 5/8 inch meter are \$2,491 for the water impact fee and \$643 for the wastewater impact fee.

Perimeter street improvement fees are due at the time of approval of the final plat for L.D. Lockett Road. Perimeter street improvements are required for the newly created lots since L.D. Lockett Road is considered unimproved adjacent to the subject property. The developer's portion of the costs for infrastructure improvements may not exceed the amount that is roughly proportionate to the projected impact of the proposed development, as determined by a professional engineer, licensed in the State of Texas, and who is retained by the City of Colleyville. In making the rough proportionality determination, consideration shall be given to the availability of adequate and minimum levels of public facilities and accessibility to the site for the delivery of emergency services.

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.

Tree Preservation. As required by Chapter 5-Tree Preservation of the Land Development Code, approval of a tree survey and mitigation plan is required upon approval of the final plat for the property. A tree survey and tree mitigation plan have been submitted.

Drainage and Stormwater Runoff. As required by the Land Development Code, drainage and engineering plans have been submitted with the proposed plat. The development will provide on-site retention.

Summary. The proposed preliminary plat satisfies the requirements of Ordinance O-13-1880 and the Land Development Code. Since the plat contains more than four (4) lots, the preliminary plat will require additional approval by City Council.

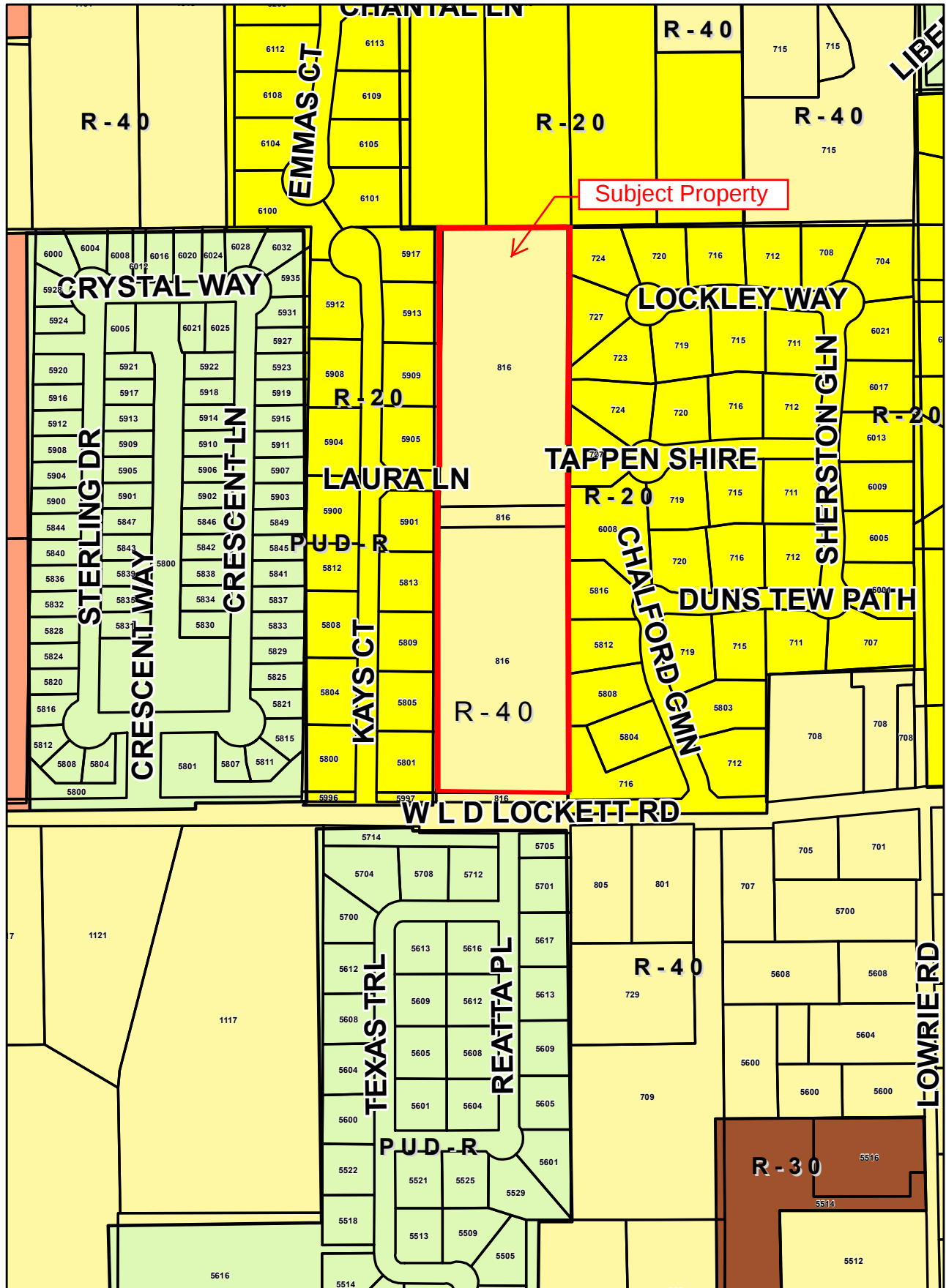
Recommendation

Approve

Attachments

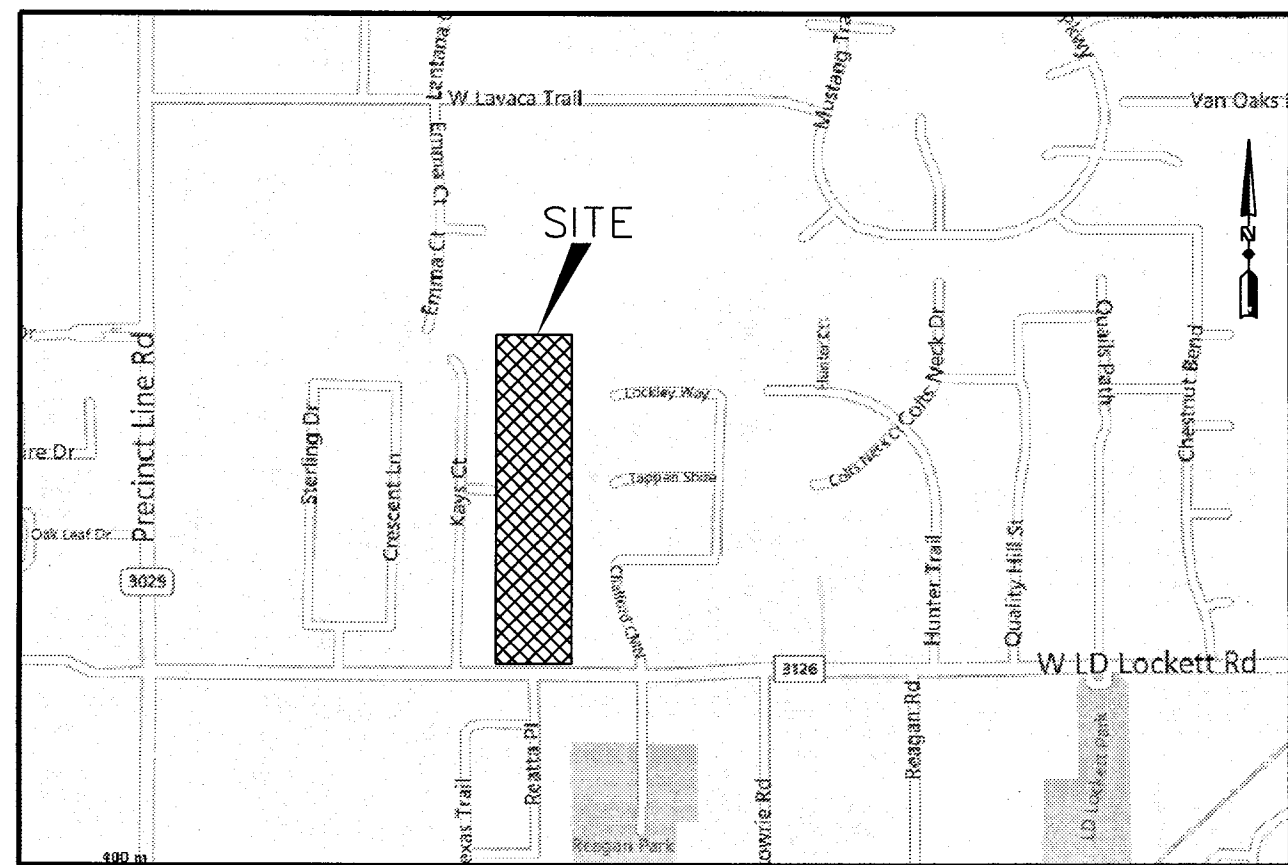
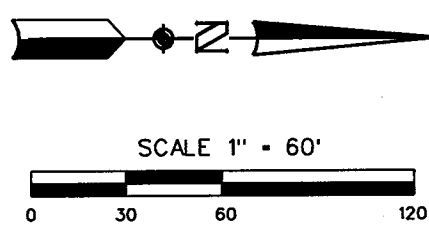
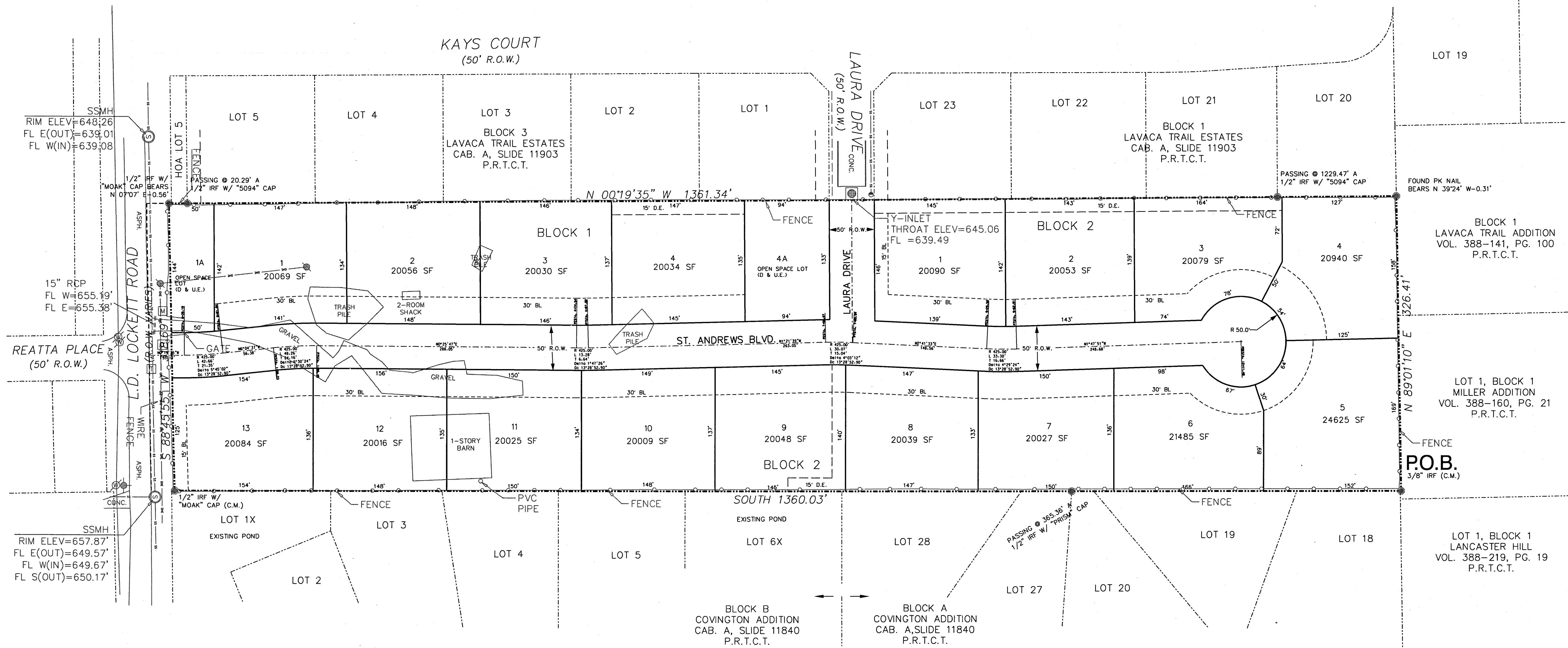
1. Location and Zoning Map
2. Aerial
3. Preliminary Plat Exhibit

Location and Zoning Map



Aerial Looking North





METES AND BOUNDS DESCRIPTION
10.07 ACRES
LOT 1, BLOCK 1, STADJUHAR ADDITION
IN THE W. C. NEWTON SURVEY, A-1182
CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

All that certain 10.07 acres of land, which is Lot 1, Block 1, Stadjuhar Addition, described in the plat recorded in Document Number D215003960 in the Deed Records of Tarrant County, Texas (D.R.T.C.T.), City of Colleyville, Tarrant County, Texas and more particularly described by metes and bounds as follows: (all bearings shown hereon are based on the east line of said Lot 1, Block 1, Stadjuhar Addition):

BEGINNING at a 3/8" iron rod found for the northeast corner of said Stadjuhar Addition, common to the northwest corner of Covington Addition, recorded in Cabinet A, Slide 11840 in the Plat Records of Tarrant County, Texas, and in the south line of Lot 1, Block 1, Miller Addition, recorded in Volume 388-160, Page 21 P.R.T.C.T.;

THENCE South along the common line of said Stadjuhar Addition and said Covington Addition, passing at a distance of 365.36' a found 1/2" iron rod with a cap stamped "PRISM", continuing along said common line for a total distance of 1360.03' to a 1/2" iron rod with a cap stamped "MOAK" found for the southeast corner of said Lot 1, Block 1, Stadjuhar Addition, in the north right-of-way line of L. D. Lockett Road (R.O.W. Varies);

THENCE South 88° 45' 55" West - 318.69' along the north right-of-way line of said L. D. Lockett Road to the southwest corner of said Lot 1, Block 1, Stadjuhar Addition, from which a found 1/2" iron rod with a cap stamped "MOAK" bears North 07° 07' East - 0.56';

THENCE North 00° 19' 35" West along the west line of said Stadjuhar Addition, passing at a distance of 20.29' a 1/2" iron rod with cap stamped "5094" found for the southeast corner of Lot 5, Block 3, Lavaca Trail Estates, recorded in Cabinet A, Slide 11903 P.R.T.C.T., passing at a distance of 1229.47' a 1/2" iron rod with a cap stamped "5094" found for the common east corner of Lot 20 and Lot 21, Block 1 of said Lavaca Trails, continuing for a total distance of 1361.34' to the northwest corner of said Stadjuhar Addition, in the south line of Lot 1, Block 1, Lavaca Trail Addition, recorded in Volume 388-141, Page 100 P.R.T.C.T., from which a found P.K. Nail in a fence post bears North 39° 24' West - 0.31';

THENCE North 89° 01' 10" East - 326.41' along the north line of said Stadjuhar Addition, to the POINT OF BEGINNING and containing 10.07 acres of land.

Planning and Zoning Commission Approval

WHEREAS The Planning and Zoning Commission of the City of Colleyville, Texas voted affirmatively on this _____ day of _____, 20____ to approve this Plat.

Chairman, Planning and Zoning Commission _____

Attest: Secretary, Planning and Zoning Commission _____

City Council Approval

Whereas the City Council of the City of Colleyville, Texas voted affirmatively on this _____ day of _____, 20____ to approve this Plat.

Mayor, City of Colleyville _____

Attest: City Secretary _____

Staff Approval Authority

This amending plat is approved in accordance with Section 212.008 of the Texas Local Government Code and the City of Colleyville Subdivision Regulations.

City Engineer _____

City Attorney _____

Community Development Director _____

Public Works Director _____

PRELIMINARY FOR REVIEW ONLY

THESE DOCUMENTS ARE FOR DESIGN REVIEW AND NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES. THEY WERE PREPARED BY, OR UNDER SUPERVISION OF:

KEITH M. HAMILTON 87384

PE NO. _____ DATE _____

PRELIMINARY PLAT FOR ST. ANDREWS ESTATES

A PROPOSED 17 LOT RESIDENTIAL SUBDIVISION

BLOCK 1, LOTS 1-4,
BLOCK 1, LOTS 1A & 4A, OPEN LOTS
BLOCK 2, LOTS 1-13
(10.07 ACRES)

CURRENTLY
LOT 1, BLOCK 1
STADJUHAR ADDITION
IN THE W.C. NEWTON SURVEY, A-1182

CITY OF COLLEYVILLE,
TARRANT COUNTY, TEXAS

DATE OF PREPARATION 6-21-13

APPLICANT:
DICKERSON DEVELOPMENT, INC.
CONTACT: JOHN DICKERSON
8333 DOUGLAS, STE 1300
DALLAS, TX 75225
214-691-5300
FAX 214-691-8899

OWNER:
MARTY & LISA STADJUHAR
PO BOX 323
COLLEYVILLE, TX 76034
817-454-4141

ENGINEER:
HAMILTON DUFFY PC
8241 MID-CITIES BLVD., #100
N. RICHLAND HILLS, TX 76182
TEXAS FIRM REG. NO. F-5260
(817) 268-0408
FAX (817) 284-8408
Contact: Keith Hamilton, P.E.



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 3d	Agenda Date 07/22/2013	Number
Type Regular Agenda Items		
Department Community Development		

Title

Consideration of a waiver request to the sidewalk requirements on Lot 1, Block 1, of the Maciley Addition located at 2800 Glade Road, Case GC13-016.

Explanation

John Staab is requesting a waiver to the construction of a trail for a new home located at 2800 Glade Road. Specifically, the applicant is requesting to pay into escrow in lieu of constructing the trail.

Requirements. The newly constructed single family home triggered the trail requirements. The home is located on the north side of Glade Road just east of the intersection with Pool/Jackson Road.

According to the Supplemental Sidewalk System Map approved by the City Council on November 18, 2008 and March 3, 2009, respectively, for lots located along the north side of Glade Road, construction of a ten (10) foot trail is required. The Land Development Code gives the Planning and Zoning Commission authority to review and consider all requests for waivers to the Supplemental Sidewalk System Map.

The Planning and Zoning Commission options in this case are as follows:

- (1) Approve the Waiver - This action would waive sidewalk and trail construction, which is required by the Supplemental Sidewalk System Map.
- (2) Deny the Waiver - The applicant would be required to build a sidewalk on the property. This option adheres to the Supplemental Sidewalk System Map recommendations.
- (3) Require Escrow - The Planning and Zoning Commission may require payment into escrow in an amount to be determined by the City Engineer.

District Neighborhood. If the Planning and Zoning Commission gives the application the option for paying into escrow versus constructing the sidewalk, the funds received will be available for any future sidewalks and/or trails located within District Neighborhood #1.

Summary. Staff recommends that construction of a ten (10) foot wide trail along Glade Road be required as recommended by the Supplemental Sidewalk System Map.

Recommendation

Denial

Attachments

1. Location Map
2. Aerial
3. Statement of Planning Objectives
4. Plat
5. Supplemental Sidewalk System Map

Aerial



Statement of Planning Objectives

July 9, 2013

Statement of Planning Objective

Maciley Residence – 2800 Glade Road, Colleyville, TX

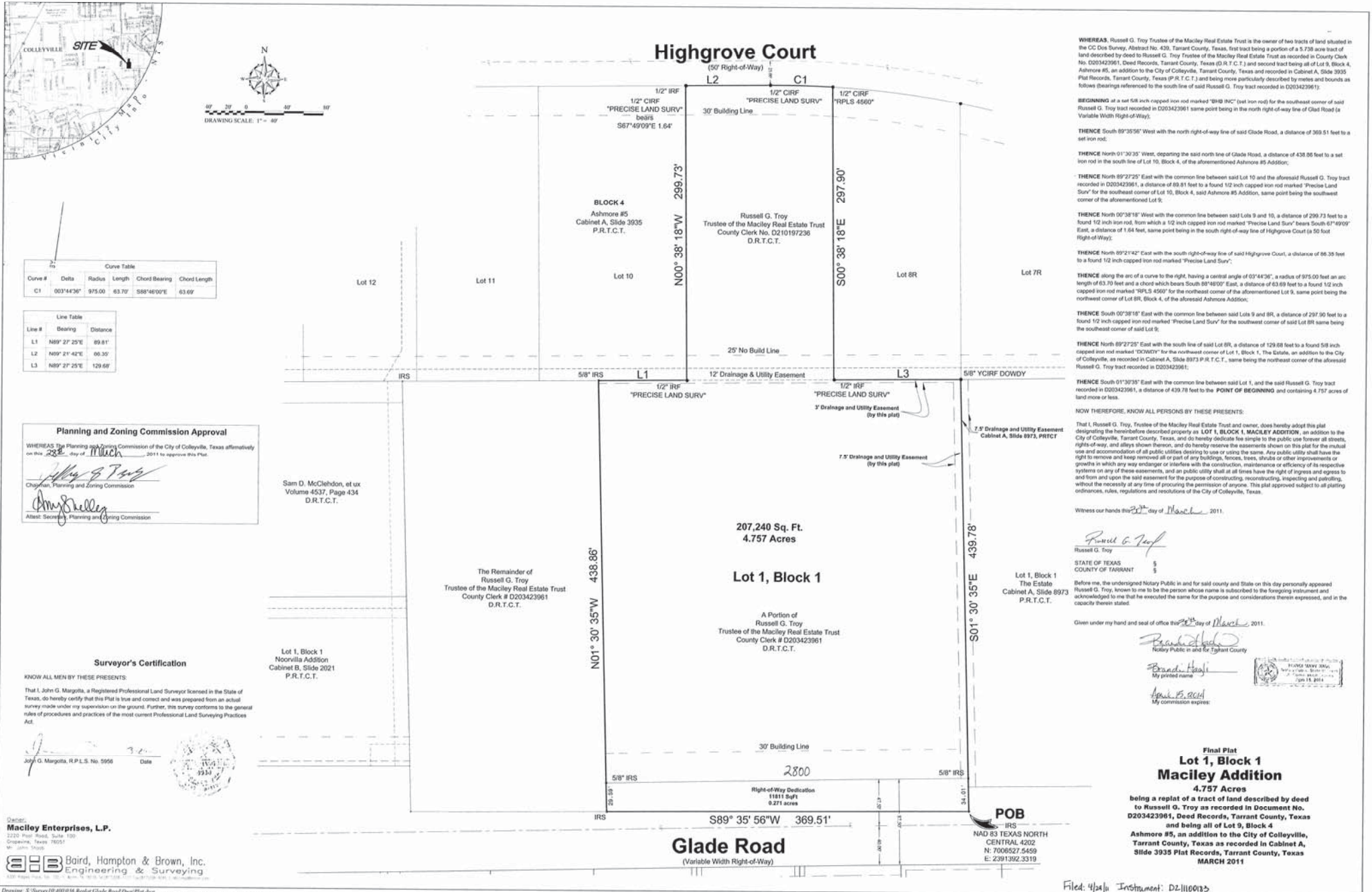
Lot 1, Block 1, Maciley Addition

In light of the planned Glade Road Expansion project, the property owner is seeking a variance on the requirement to construct the 10' wide nature path on the front of the property located at 2800 Glade Road. In lieu of constructing the path at this time, the owner would like to deposit funds in escrow for the path so it can be built in conjunction with the expansion project.

The property owner has the following concerns regarding the path if it were to be built now:

- 1.) The upcoming Glade Road Expansion project and the new footprint of the road would likely result in the path needing to be moved.
- 2.) It will be unlikely that the finished elevation of the path, if constructed now, will be in the correct location when the road is expanded and the remainder of the sidewalk is installed.
- 3.) The construction process could also damage the path.

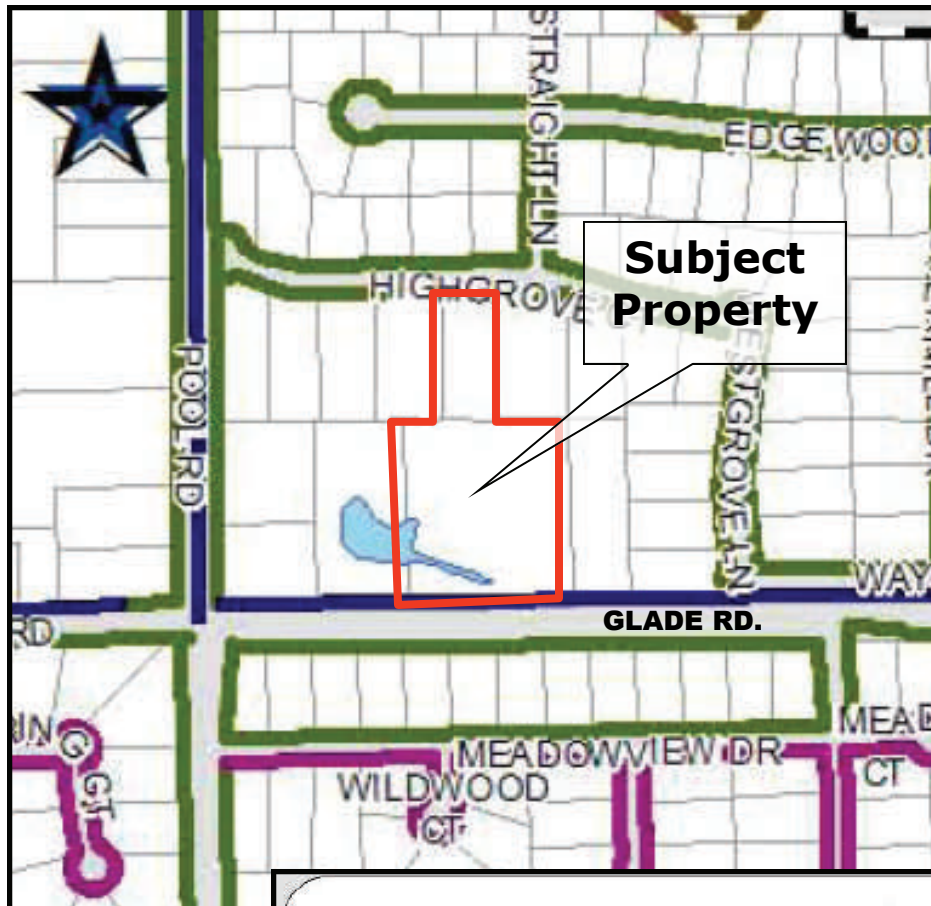
Plat



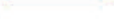
Filed: 4/26/11 Instrument: D21100135

Maciley Addition Lot 1 Bl. 1

Supplemental Sidewalk System Map



Legend

-  Required Sidewalks (Between 4' & 6' in Width)
-  Existing and Proposed Trails (Between 8' & 12' in Width)
-  Cottonbelt Trail (10' Walk connect Grapevine and Hurst)
-  Private Walking Paths (May be any size)
-  Sidewalks NOT Required
-  Escrow Option for Sidewalk
-  Municipal Locations
-  Parks
-  Schools
-  Water Features
-  City Limit
-  Railroad



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 07/22/2013	Number
Type Regular Agenda Items		
Department Community Development		

Title

Approval of a preliminary plat for 5.7 acres located on Lots A1, B1 and B1A of The Oaks Addition, located at One and Two Country Way, Case PC13-006.

Explanation

Tyson Thompson has submitted a request to approve the preliminary plat for 5.7 acres, located at One and Two Country Way, which includes six single family residential lots.

The following is an analysis of the issues associated with this preliminary plat.

Zoning. The subject property is zoned R20-Single Family Residential.

Existing Conditions. The subject property currently contains two single family homes on two separate lots. The applicant intends to demolish the home at One Country Way (Lots 1 through 5 on the proposed plat) upon approval of the final plat. The home located at Two Country Way (Lot 6 on the proposed plat) is not scheduled to be demolished at this time.

Lot Dimensions and Setbacks. The R20 zoning 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 Lot Coverage: 30 Percent

Lots one, two and three do not comply with the minimum lot width requirement of 100 feet. All other requirements noted above are in compliance.

Waiver Requests. The applicant is requesting the following waivers to the Land

Development Code as part of this plat submittal

1. A professional engineer designed rural street section that is currently not part of the city's development standards that eliminates traditional standup curve and instead utilizes bar ditches on each side of the road. Therefore, the proposed street would be 31 feet wide with a 9.5 foot wide bar ditch on both sides of the street in place of the required underground drainage system. Section 14-140(D) requires that all new streets must be constructed with curbs and gutters as specified in the section.
2. That sanitary sewer is allowed to be constructed under the improved roadway as opposed to behind curve. The applicant states that with a rural street design this is necessary to allow room for the bar ditches and will also allow for the preservation of some very old oak trees in the area.
3. A variance to lot width as required by the R20-Single Family Residential District from 100 feet to 95 feet.
4. A variance from the sidewalk construction requirement for new streets. The applicant states that "with a rural street design there is little room for a sidewalk and this will also allow for the preservation of the country feel and some very old oak trees in the area".

Waiver requests one and two above will require approval by the City Council. Waiver request three may be approved by the Planning and Zoning Commission as part of the approval of the preliminary and final plat. Waiver request four will require approval by the Planning and Zoning Commission as part of a separate sidewalk waiver request.

Sidewalks and Trails. A four foot sidewalk is 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 L.D. Lockett Road and must be built upon redevelopment of Lot 6. As stated above, the applicant requests a waiver to the sidewalk construction requirement, which will require approval by the Planning and Zoning Commission under a separate request.

Development Fees. Parkland dedication fees are required, in the amount of \$1,802.00 per residential lot, for the five lots where new homes are proposed. Parkland dedication fees are due at the time of final plat and must be paid before the final plat is recorded with the County Clerk's office.

Roadway impact fees are due in the amount of \$4,941 per residential lot at the time of the building permit application, which amounts to a total of \$24,705 for this development.

Water and Wastewater impact fees are due at the time of the building permit application. Fees for a typical 5/8 inch meter are \$2,491 for the water impact fee and

\$643 for the wastewater impact fee.

Infrastructure. Water and sanitary sewer services will be installed as part of the development process. As stated above, the applicant proposes to place the sanitary sewer main under the proposed new street rather than alongside the street given the proposed bar ditch. This will require approval of a waiver by the City Council. The developer is responsible for the extension of water and sewer service lines to the individual lots.

Streets. As stated above, the applicant is requesting a waiver to the curb and gutter requirement on both sides of the new street and, instead, proposes to construct a 9.5 foot wide bar ditch on both sides of the new street. This waiver will require approval by the City Council.

Tree Preservation. As required by Chapter 5-Tree Preservation of the Land Development Code, approval of a tree survey and mitigation plan is required upon approval of the final plat for the property. A tree survey and tree mitigation plan have been submitted.

Drainage and Stormwater Runoff. As required by the Land Development Code, drainage and engineering plans have been submitted with the proposed plat.

Summary. Given the waivers requested by the applicant, the proposed plat does not comply with the minimum requirements of the Land Development Code. Therefore, staff recommends denial due to technical non-compliance with the Land Development Code.

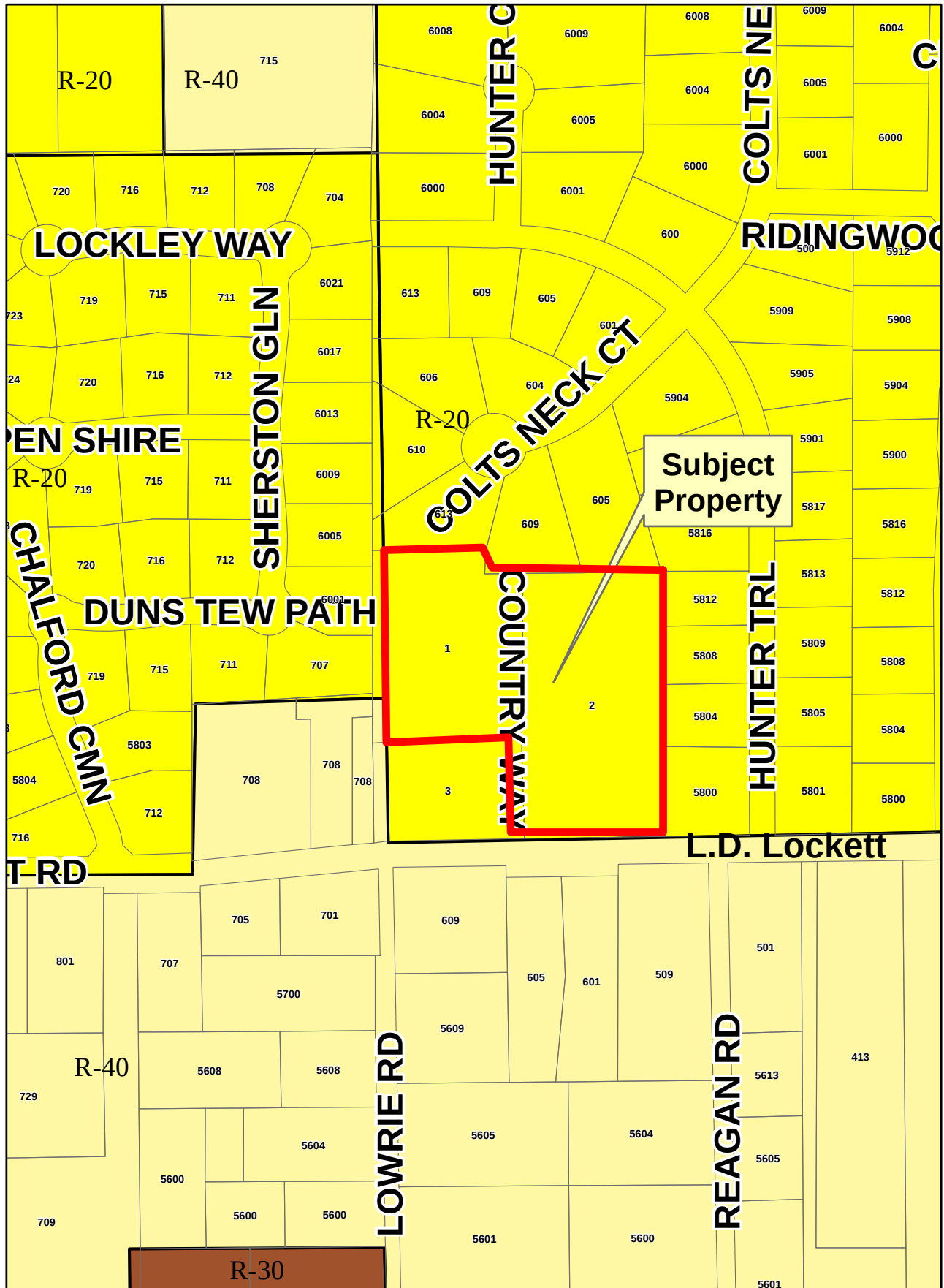
Recommendation

Denial

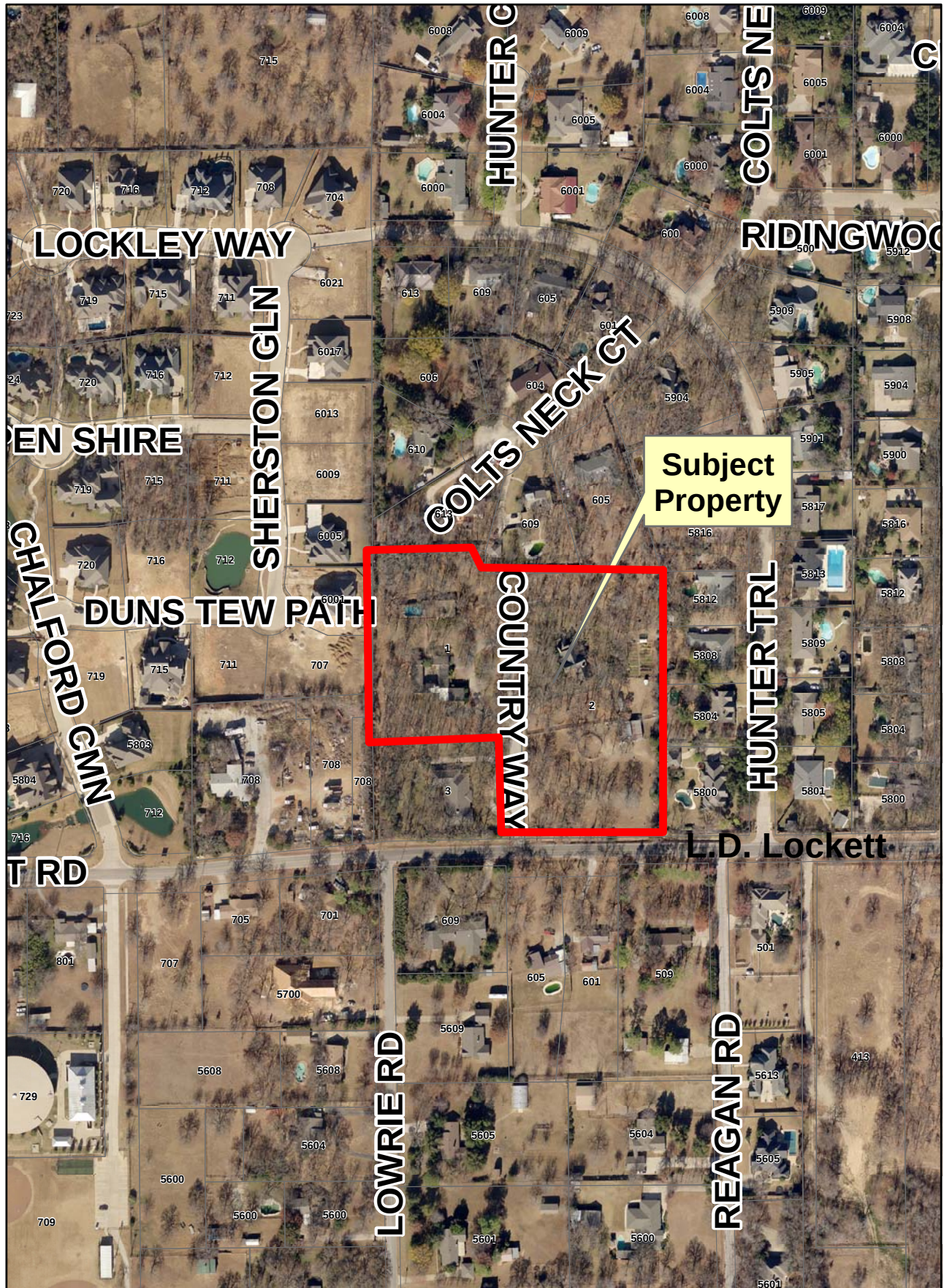
Attachments

1. Location and Zoning Map
2. Aerial
3. Applicant's Request
4. Proposed Roadway Cross-Section
5. Plat Exhibit

Location and Zoning Map



Aerial



Applicant's Request

Date: July 18, 2013
To: City Staff, Planning & Zoning Commission & City Council
From: Bryan Holland, Director of Acquisition & Development
Re: Preliminary Plat for Country Way Addition and Requested Variances

Dear Staff, P&Z Commissioners & Council Members:

We have been working with staff and the surrounding property owners on Country Way in an effort to successfully plat the property for five new residential homes. Unfortunately, we are running in to some constraints regarding drainage, street design and utility location which we will attempt to outline below. We are confident that these issues can be resolved through coordination, common sense and flexibility on behalf of the city and ourselves. If this can occur, we can make an unmanageable situation manageable, allow for the redevelopment of a beautiful area of the city and drastically increase the amount of taxable revenue over what is currently existing.

First off, what we are requesting . . .

1. A professional engineer designed rural street section that is currently not part of the city's development standards that eliminates traditional standup curve and instead utilizes bar ditches on each side of the road. This street section is indicated on the plans submitted.
2. That sanitary sewer is allowed to be constructed under the improved roadway as opposed to behind curve.
 - a. With a rural street design this is necessary to allow room for the bar ditches and will also allow for the preservation of some very old oak trees in the area.
3. A slight variance to lot widths in the current zone (R20) from a 100' width to a 95' width.
 - a. The lots greatly exceed minimum depth and overall square footage requirement.
4. A variance from the sidewalk requirement installation
 - a. With a rural street design there is little room for sidewalk and this will also allow for the preservation of the country feel and some very old oak trees in the area.

To better understand our proposed design criteria and requested variances particularly regarding the street section, we would like to first look historically at this property.

1. The properties surrounding Country Way were initially platted some thirty years ago in Hurst, Texas because at the time, Colleyville did not have the ability to review and approve plats.
2. When the property was initially platted, the owners created a thirty foot wide "ingress/egress easement" to access the properties instead of a traditional public right-of-way because the city of Colleyville did not have the services available to maintain a publicly dedicated street.
3. Since that time, the surrounding owners on Country Way have owned and maintained the ingress/egress easement at their expense.

Applicant's Request

4. The existing ingress/egress easement does not meet city standards for a new subdivision.
5. Historically, the County Way properties have received drainage flows from the north and the west as indicated on the submitted Preliminary Drainage Map. There was a lot of water from these surrounding properties which historically sheet flowed on to the Country Way Properties.
6. Twenty plus years ago, The Oaks development north of the Country Way properties developed; which, according to the property owners on Country Way, helped to alleviate some of the historic flow across the Country Way properties. In other words, it made it better.
7. Some 6-7 years ago, the City of Colleyville approved the development plans and plat for the Covington Addition, directly to the west of the Country Way properties. The problem is that, even though the undeveloped and developed flows from the Covington Addition are approximately the same, the developed flows are concentrated, channelized and directed to one point on the Country Way property. This increases the velocity of the water to one point as opposed to the property sheet flowing across several hundred feet which causes a much more unmanageable situation. In other words, this made the drainage problem worse.
8. According to the professional engineer of record on this project, what the Covington Addition did and was allowed to do (by concentrating its flows), is technically illegal. They should have been required to work with the downstream property owner to secure a drainage easement and then determine how to get the redirected and concentrated water from Point A (their outflow location) to Point B (bar ditch in L.D. Lockett) without adversely affecting those in its path. This did not occur.
9. The resulting affect is an unmanageable drainage situation which is putting a burden upon the properties along Country Way, making it difficult for them to sell their properties and therefore causing diminished property values.

How do we propose to solve these issues?

1. The existing property owners along Country Way have agreed to dedicate enough property to allow for a fifty foot (50') public right-of-way.
2. In order to manage the drainage and solve the problem created by an adjacent development we are proposing to create a professional engineer designed rural street section with bar ditches that can effectively and cost efficiently handle the water flow and get it from Point A to Point B. The subject site collects runoff from adjacent single family developments to the north and west. Specifically, runoff from the western property is discharge from an outlet structure at a point along the adjoining property line, see preliminary engineering for more information. This created a concentrated point discharge to the subject site that previously entered as sheet flow. The current owner has noted flooding issues after the construction of the adjacent property not observer prior. In order to properly mitigate this concentrated flow and convey runoff to L.D. Lockett with creating future erosive conditions, a non-typical roadway section is required. The use of storm sewer conduit from the existing discharge point to L.D. Lockett would only pass the issue onto the City and potential compound drainage issues for the subject site and upstream

Applicant's Request

properties north of L.D. Lockett. The current section will manage the point discharge to mitigate existing flooding conditions along the western property line for the proposed and existing residents. Further, the open channel or “bar ditch” section will convey water to L.D. Lockett more efficiently without creating another concentrated discharge point within City Right of Way. Therefore this roadway section alternative addresses the existing conditions without creating future potential problems for someone else to manage. This design would be reviewed and approved by the City Engineer prior to construction.

3. Construct the new sanitary sewer under the new improved roadway. This has been done recently on other projects currently under construction in Colleyville to protect native trees. In addition, with a rural street section, the areas behind curb are being utilized for the bar ditch and the handling of drainage.
4. Sidewalk does not lend itself to a rural street section and there is not room within the proposed street section to allow for the construction of sidewalk. In addition, there is not existing sidewalk either on Country Way or L.D. Lockett and therefore it would be sporadically built along only the newly developed lots (since we don't own or control the balance of the property along Country Way) and lead to nowhere. We are requesting a variance on this item.

We respectfully request that you review our proposed development plan and allow us to work with you to build some beautiful new homes in Colleyville and make a problem situation go away. This proposed course of action will limit interruption to existing residents and the City by modifying existing conditions and mitigate drainage issues without creating a burden for the City or downstream properties.

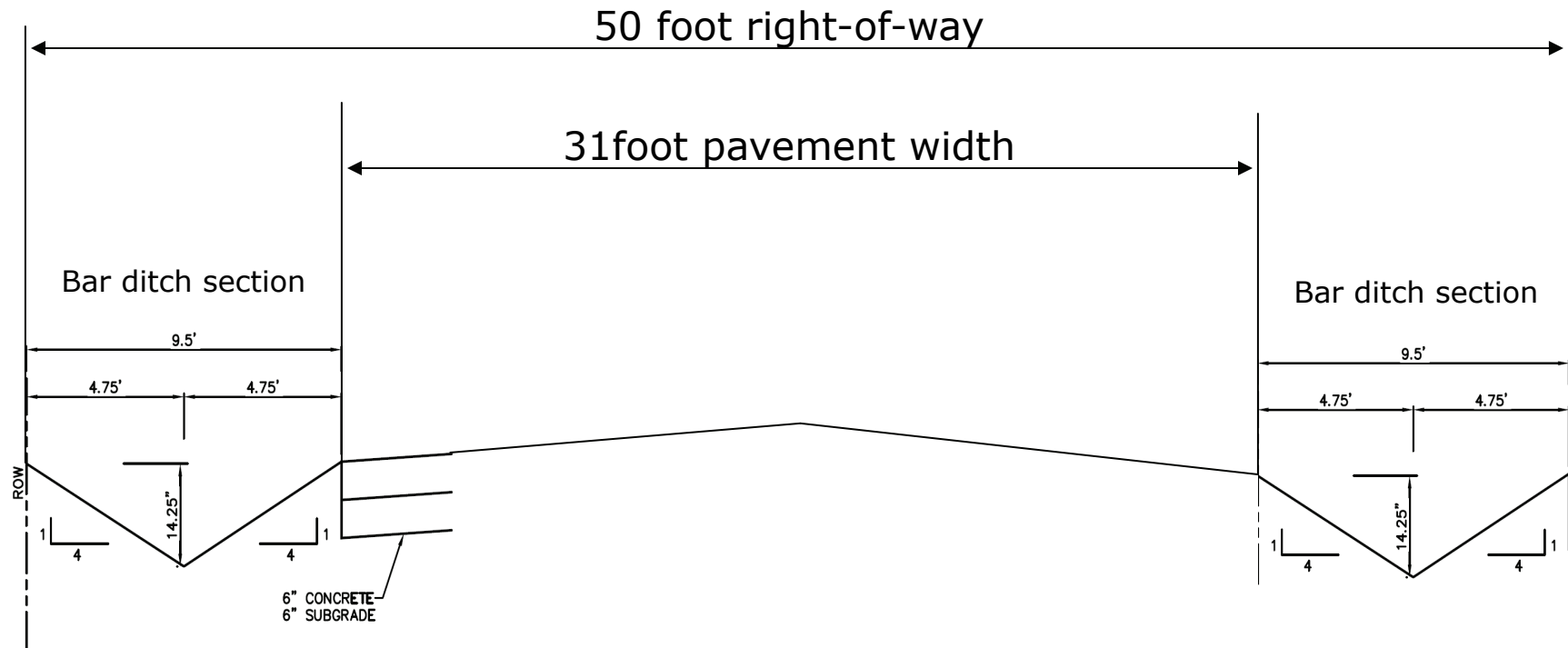
If you have questions or concerns regarding this memorandum or our proposed development please do not hesitate to contact me.

Cordially,

Graham Hart, Ltd.

Bryan Holland
Director of Acquisitions & Development

Proposed Roadway Cross-Section





City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 4b	Agenda Date 07/22/2013	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration for a zoning change from PUD-C-Planned Unit Development Commercial to PUD-R-Planned Unit Development Residential on 1.94 acres on Lot 1, Block 1 of the San Bar Square Addition located at 105 Cheek-Sparger Road, Case ZC13-008.

Explanation

Mark Howe, applicant, has submitted a request to change the zoning on 1.94 acres, located at 105 Cheek-Sparger Road. The applicant is requesting to rezone the property from PUD-C-Planned Unit Development Commercial to PUD-R-Planned Unit Development Residential zoning district. The applicant is seeking a zoning change in order to develop the property for 9 new residential lots and open space.

Existing Conditions and Zoning. The subject property is currently vacant and is platted. The property is currently zoned PUD-C under Ordinance O-85-600 (attached). The uses allowed under Ordinance O-85-600 are "shopping centers, commercial or service centers, office parks, major recreation and entertainment facilities and other similar business and commercial centers or facilities when such uses are in conformance with the various commercial zoning district regulations" of the zoning ordinance as it existed in 1985. It should be noted that these uses are not listed in Ordinance O-85-600. In 1985 the PUD-C uses listed above were allowed by right as part of the PUD-C ordinance approval unless a particular use was specifically prohibited by the PUD-C ordinance. In the case of Ordinance O-85-600, no uses were prohibited.

The applicant purchased the property and has decided to pursue a residential use. Additional approval of a preliminary and final plat will be required upon approval of the rezoning request.

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 PUD-R regulations require a minimum lot size of 13,000 square feet with a minimum lot width of 100 feet, and lot depth of 120 feet. Per the details of the Statement of Planning Objectives and the Conceptual Site Plan, the applicant proposes the following development standards:

Minimum lot width: 50 feet

Minimum Lot Depth: 119 feet (Except for lot lines on cul-de-sac)

Lot area is proposed as follows:

The minimum lot size is proposed at 5,072 square feet (Lot 6) and increasing to 6,052 square feet (Lots 1 and 2). The average lot size is 5,785 square feet.

Setbacks are proposed as follows:

Front Yard Setbacks:

For lots with a J-Swing garage: 10 feet

For lots with a front entry garage: 20 feet

Rear Yard Setback: 10 feet

Side Yard Setbacks: Five (5) feet for center placed structure and one (1) foot and nine (9) feet for other placements; Minimum of 10 feet between structures

Maximum Lot coverage: 80 percent

Maximum Height: 35 feet

Residential Design Requirements. Homes will be both single and two story construction. For two-story homes there will be balconies or verandas on the second floor of lots 5-9.

Screening. A wood screening fence, not to exceed six (6) feet in height, will be constructed at the property lines adjacent to other residential properties to the east and south, as shown on the site plan. A variable height screening fence, constructed of a combination of brick, stone, and wrought iron will be constructed along the north and west portion of the property adjacent to Cheek Sparger Road and San Bar Lane. The screening will be continuous along the boundary with the exception of entry road right-of-way.

Open Space. The PUD-R regulations require a minimum 20 percent of the development be reserved for open space for use by the residents of the development. The Statement of Planning Objectives states the development shall provide 14.52 percent open space, which is not in compliance with code. All open space shall be landscaped and maintained by the HOA. The proposed open space area is generally confined to the east of lot 4 and the western frontage of the development, with the

space located along Cheek Sparger Road west of Lots 1 and 9.

Per the Statement of Planning Objectives, a dry detention basin will be constructed in the open space lot to the east of lot 4. The applicant proposes to utilize up to 50% of the open space for detention purposes. The Land Development Code requires that no more than 25% of the open space may be used for detention.

Preliminary Drainage Analysis. The developer has submitted a Preliminary Drainage Analysis of the site, which is to be reviewed by the Engineering Division of the Public Works Department. 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 any new internal streets at the time of new home construction. According to the Colleyville Pathways Plan, sidewalks are required to be constructed along the frontage of Cheek Sparger Road and San Bar Lane. The sidewalk along Cheek-Sparger Road is required to be five feet in width and the sidewalk along San Bar Lane is required to be four feet in width. The sidewalks along the property frontages must be installed prior to the acceptance of final public improvements.

Development Schedule. The applicant provided the following preliminary schedule of key development dates:

- Zoning Approval: September 2013
- Preliminary and Final Plat Approval: October 2013
- Construction Commencing: November 2013
- Construction Completing: May 2014

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 9 lot development would add approximately 86 vehicle trips per day to the surrounding roadways.

Only one means of ingress and egress is required for subdivisions with 12 lots or less.

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 of 9 residential units on the 1.94 acre property will produce a residential density of 4.6 dwelling units per acre based upon the density calculation method prescribed by the Master Plan. The proposed residential density is greater than other approved small lot PUD-R developments within the City of Colleyville. The Small Lot Development Comparison, attached to this briefing, provides a comprehensive listing of approved developments since 1996 with residential densities which exceed 1.8 dwelling units per acre.

Surrounding Development Trends. Properties to the north are zoned R20-Single Family Residential and developed as single family homes. Properties to the south are zoned R15-Single Family Residential and developed as single family homes, and properties to the east are zoned R-20 Single Family Residential and developed as single family homes. The property to the west is zoned PUD-C Planned Unit Development Commercial and is developed as an office-showroom, multi-tenant retail and self-storage business.

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

Public Notification. Staff mailed notices to 18 adjacent property owners 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. While the proposed development exceeds the residential density of 1.8 dwelling units per acre, the proposed density is generally consistent with other small lot subdivisions approved throughout the City of Colleyville, as referenced in the attached "Small Lot Subdivision Comparison" chart. The location of the proposed development will provide a viable transitional element between the commercial uses along Colleyville Boulevard to the west, and the collection of single family residential properties to the east and south. The proposed open space does not meet the minimum requirements of the PUD-R zoning district.

Recommendation

Approval with the following conditions:

1. GENERAL

a. The purpose of this PUD-R is for a single-family residential development of detached dwelling units, constructed at a gross maximum density of 4.6 dwelling units per acre.

b. This development shall be generally consistent with the Statement of Planning Objectives, Exhibit "B".

c. The proposed development is subject to all the regulations contained in the Land Development Code, except as amended by this Ordinance.

2. DEVELOPMENT PLAN AND PLATTING

a. The development shall be generally consistent with the conceptual site plan, Exhibit "C", which shall not be considered the preliminary plat. The actual street and lot arrangement may differ from that shown on the conceptual site plan to accommodate topographic, drainage, or other conditions.

b. The developer shall submit and receive approval from the City, a preliminary and final plat, approved as a single phase, in accordance with the requirements of the Land Development Code prior to development of this PUDR.

3. PERMITTED USES

a. Single-family residences, detached

b. Common open space areas

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

a. Residential lot requirements and setbacks shall comply with the following provisions:

1. All lots shall be a minimum of 50 feet in width as measured at the building setback line.

2. The minimum lot size shall be 5,072 square feet, with an average lot size of 5,785 square feet.

3. The minimum lot depth shall be 119 feet, except for lots which front the cul-de-sac.

4. Front Yard Setbacks:

a. For lots that have a J-Swing garage: 10 feet

b. For lots that have a front entry garage: 20 feet

5. Minimum Rear Yard Setback: 10 feet

6. Minimum Side Yard Setbacks:

a. 10 feet between structures; One (1) foot and nine (9) feet, or five (5) feet each side

property line.

7. Maximum Lot coverage: 65 percent

5. RESIDENTIAL DESIGN REQUIREMENTS

The following requirements shall apply to all homes constructed in this development:

- a. Homes may be both single and two-story construction.
- b. Two-story homes on lots 5-9 may have balconies and verandas constructed on the second floor.

6. OPEN SPACE

a. This development shall provide a minimum of 14.24 percent common open space, which shall be configured as shown on Exhibit "C". All open space areas shall be landscaped and maintained by the HOA.

b. There shall be a dry retention basin constructed in open space lot 4a, located to the east of lot 4.

c. No more than 50% of the open space area may be utilized for detention.

7. SCREENING AND TREES

a. A wood screening fence, not to exceed six (6) feet in height, shall be constructed at the property lines adjacent to other residential properties to the east and south. A six foot wrought iron fence may be constructed adjacent to the open space lot 4a.

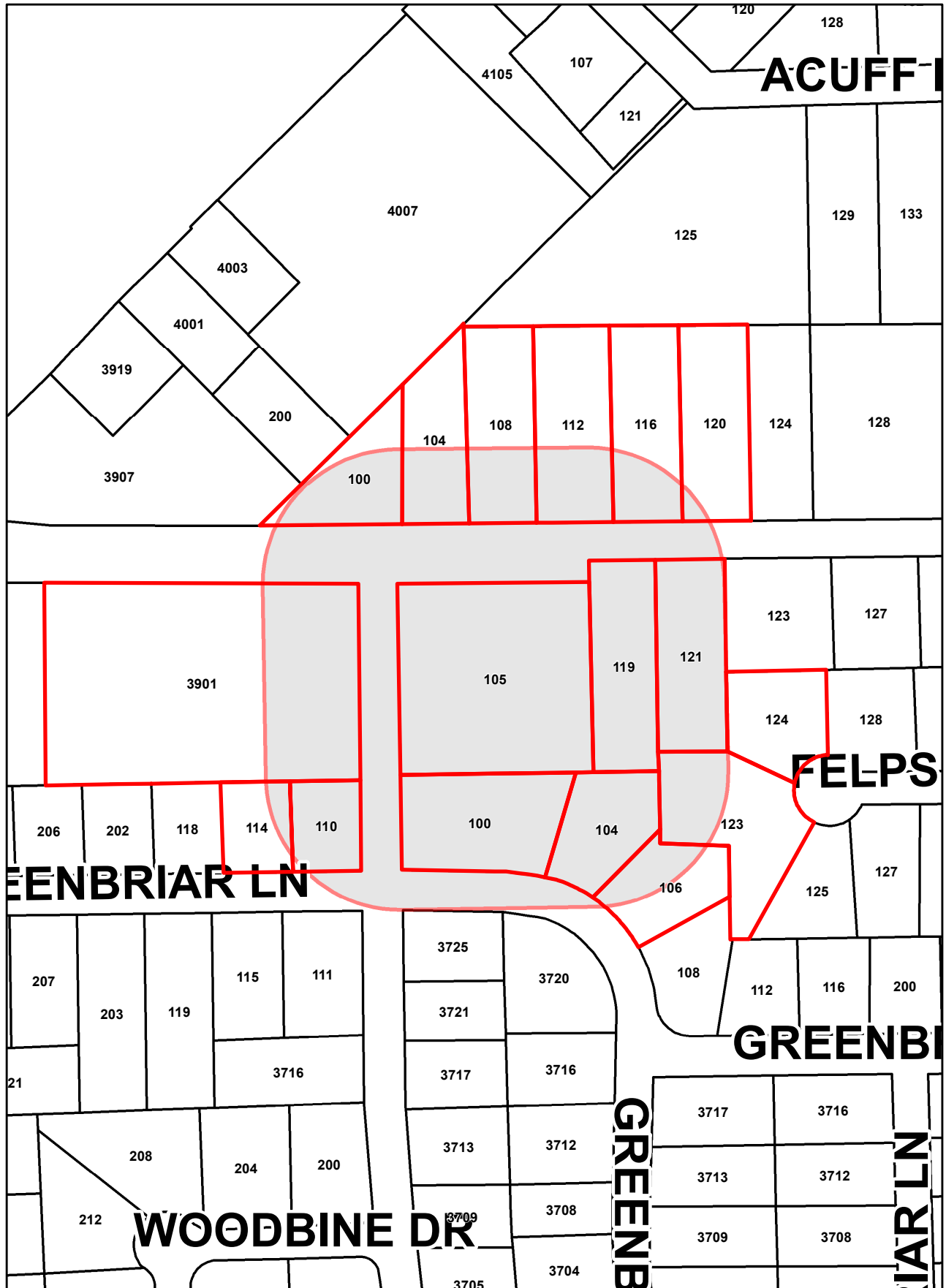
b. A variable height screening fence, constructed of a combination of brick, stone, and wrought iron will be constructed along the north and west portion of the property adjacent to Cheek-Sparger road and San Bar Lane. The screening shall be continuous along the boundary with the exception of entry road right-of-way.

Attachments

1. Location and Zoning Map
2. Buffer Map
3. Notification List
4. Aerial
5. Statement of Planning Objectives
6. Conceptual Site Plan
7. Zoning Exhibit
8. Small Lot Development Comparison Chart 1996-2013
9. Ordinance O-85-600
10. Proposed Ordinance

This is a detailed plat map of a portion of the City of Hurst, Texas. The map shows various land parcels, streets, and zoning designations. A red box highlights a specific parcel at 105 Cheek-Sparger Road, labeled "Subject Property". The map includes the following streets: Grapevine Hwy, Felps Dr, Felps Ct, Greenbriar Ln, Woodbine Dr, Woodcrest Dr, and Briarwick Dr. Zoning designations include PUD-C, CC-3, CN, R-20, R-15, and R-40. Parcel numbers are visible on many lots.

Buffer Map



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
Wallace, David A Etux Cynthia	104 Greenbriar Ln	Colleyville	TX	76034	104 Greenbriar Ln
Brand, Donald R	121 Cheek Sparger Rd	Colleyville	TX	76034	121 Cheek Sparger Rd
Bevill, James H Etux Claudia M	119 Cheek Sparger Rd	Colleyville	TX	76034	119 Cheek Sparger Rd
Blue Star Land Lp	1 Cowboys Pkwy	Irving	TX	75063	3901 Colleyville Blvd
Harris, D Keith	108 Cheek Sparger Rd	Colleyville	TX	76034	108 Cheek Sparger Rd
Hahn, Edward & Doris Est	7500 Windswept Trl	Colleyville	TX	76034	100 Cheek Sparger Rd
Callaway, Curtis L & Trisha	124 Felps Ct	Colleyville	TX	76034	124 Felps Ct
Morrison, Pamela M	710 Whispering Wood Cir	Southlake	TX	76092	123 Felps Ct
Guest, Elizabeth V	106 Greenbriar Ln	Colleyville	TX	76034	106 Greenbriar Ln
Uhlenhaker, Ronnie R	PO Box 1705	Colleyville	TX	76034	105 CHEEK-SPARGER RD
Davila, Michael Etux Jennifer	100 Greenbriar Ln	Colleyville	TX	76034	100 Greenbriar Ln
Skinner, Edna Etvir Floyd D	110 W Greenbriar Ln	Colleyville	TX	76034	110 W Greenbriar Ln
Rhodes, Gregory Etux Frances	114 W Greenbriar Ln	Colleyville	TX	76034	114 W Greenbriar Ln
Howell, Dean G	104 Cheek Sparger Rd	Colleyville	TX	76034	104 Cheek Sparger Rd
Chatsworth Enterprises Llc	4413 Bowman Dr	Colleyville	TX	76034	112 Cheek Sparger Rd
Burns, Edward H	7713 Lexus Dr	Fort Worth	TX	76137	120 Cheek Sparger Rd
Woodbriar Estates HOA	412 Woodbriar Court	Colleyville	TX	76034	Courtesy Notice
Mark Howe, Applicant	6617 Precinct Line Road, Suite 200	North Richland Hills	TX	76182	Applicant

Public Hearing notices were mailed
Friday, June 21, 2013 by Taci Wrisley

Aerial



Statement of Planning Objectives

June 25, 2012

Briar Grove

Located at the SEC of Cheek-Sparger and San Bar

Zoning change from PUD-C to PUD-R

Statement of objectives

Steve Isbell and Mark Howe have a contract to acquire approximately 2 acres of land at the southeast corner of Cheek Sparger and San Bar. They are requesting a zoning change from PUD-C to PUD-R. The current site is vacant and has been vacant for many years. The property was zoned several years ago and planned for an office type development. Over the years that has proven to not be the highest and best use for the property and the property has never been developed. The new plan proposes 9 single family homes with open space, all to be accessed off San Bar by constructing a new Cul-De-Sac from San Bar East across the property. The open space will be owned by a Home Owners Association established for this project. Where drainage and utility easements are proposed, the City of Colleyville will provide normal city services to the open areas. The plan will provide a wrought iron fence along the open space lot backing to Cheek Sparger and a masonry fence along the balance of the perimeter of the property with the entry being on San Bar.

Through the planning process, we are planning on saving as many trees as possible and most of the trees on the perimeter will be retained. Drainage will be address by constructing a dry detention basin in the open space lot. The open space lot will have a sitting area with two park benches with a side walk to their location which will be selected to be in an area of the open space that will have appropriate shade.

The site is located just east of a self- storage project and the 99 cent store on Hwy 26 and to the south, north and east of the property are residential homes.

This project will provide 9 new households close to Hwy 26 and provide additional buying power for the proposed retail along the center corridor of Colleyville.

It is the developers' anticipation that these will be lifestyle type homes for empty nesters that want to downsize and still live in Colleyville. It is anticipated that the homes will sell from the mid \$400's – mid \$500's

Development Schedule:

Zoning approval: September 2013

Preliminary and Final Plat: October 2013

Construction Commencing: November 2013

Construction Completing: May 2014

Economic Development Information:

1. Total Square footage; 9 homes averaging 3200 sf at \$150/sf = \$4,320,000
2. Estimated sell out for the entire project is 18 months

PUD Single Family - 9 lots

1. GENERAL

- a. The purpose of PUD-R is for a single-family residential development of detached dwelling units, constructed at a gross maximum density of 4.54 dwelling units per acre.
- b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.

2. CONCEPTUAL PLAN AND PLATTING

- a. The street layout and arrangement of lots of the subdivision shall be generally consistent with the Conceptual Site Plan.
- b. The developer shall submit and receive approval from the City a Preliminary and Final Plat in accordance with the requirements of the Land Development code prior to development of this PUDR.

3. PERMITTED USES

- a. Single-family residences, detached
- b. Common open space areas

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

Single-family detached residential lot requirements and setbacks shall comply with the following provisions. Building line setbacks established by the Conceptual Site Plan, shall control where such building line setback is different from the following requirements.

- | | |
|-------------------------|---|
| a. Minimum Lot Size | 5072 square feet |
| b. Minimum Lot Width | 50 feet |
| c. Minimum Lot Depth | 119 feet (exception for lot lines on cul-de-sac) |
| d. Front Building Line | 10 feet for J-Swing Garage/ 20 feet for Front Entry |
| e. Side Building Line | 5 feet for center placed structure and 1' and 9' for zero |
| f. Rear Building Line | 10 feet |
| g. Maximum Lot Coverage | 80 percent |
| h. Maximum Height | 35 feet |

5. OPEN SPACE

- a. This development shall provide not less than 14.52 % common open space, which will generally be configured as shown on the Conceptual Site Plan. All open space areas shall be landscaped and maintained by the Homeowners Association.

- b. No more than 50 percent of the open space area shall be utilized for storm water detention or retention.

6. SCREENING

- a. A wood screening fence, not to exceed six feet in height will be constructed at the property lines adjacent to other residential properties to the east and south, as shown on the Conceptual Site Plan. At a minimum the pole side of the screen fence will face into the new development along the south and east property lines.
- b. A variable height screening fence, constructed of a combination of brick, stone and wrought iron will be constructed along the north and west portion of the property adjacent to Cheek Sparger Road and San Bar. The screening will be continuous along the boundary with the exception of entry road right-of-way.

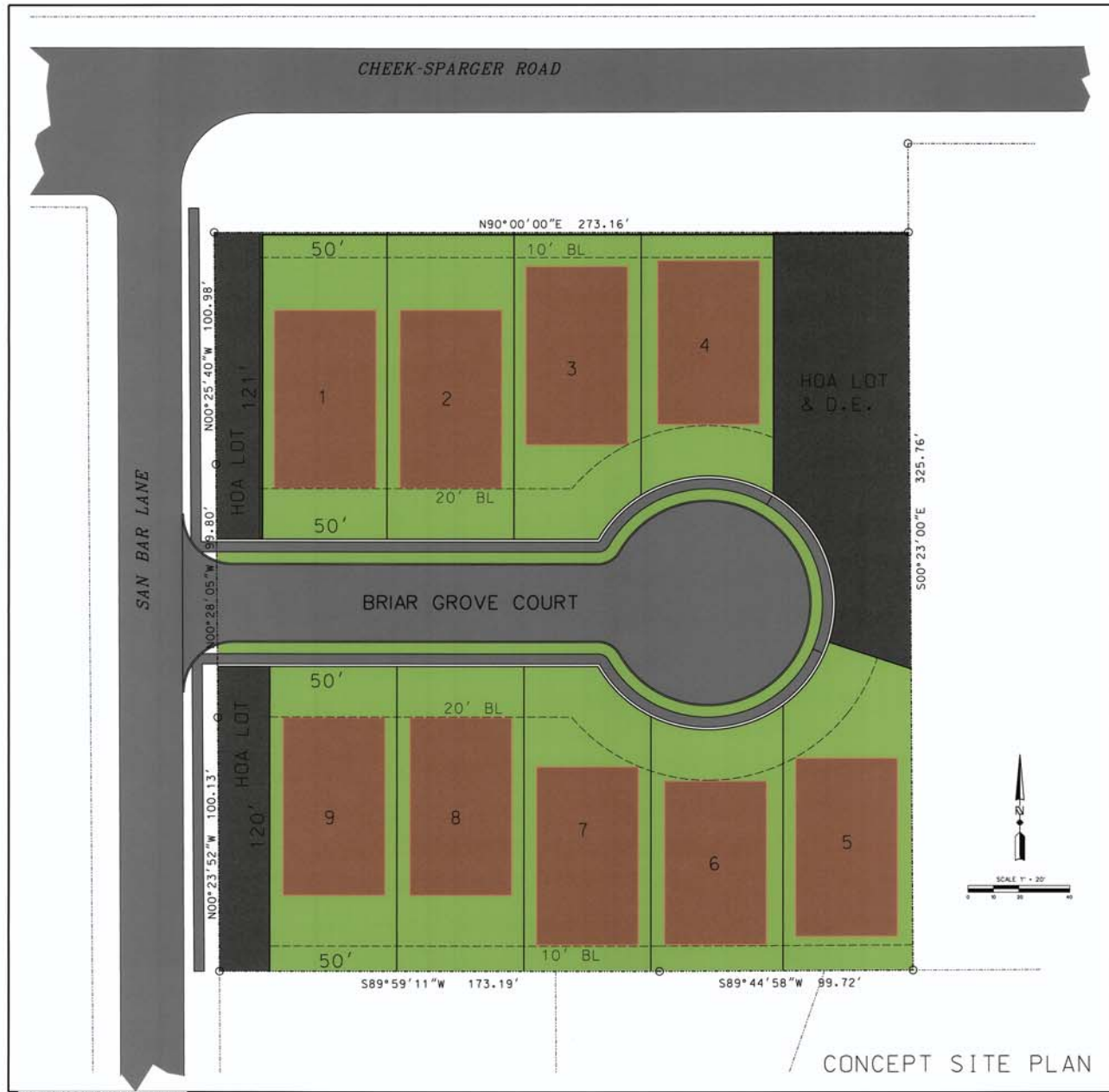
7. SIDEWALKS

Sidewalks will be constructed in accordance with the requirements of the Colleyville Land Development Code.

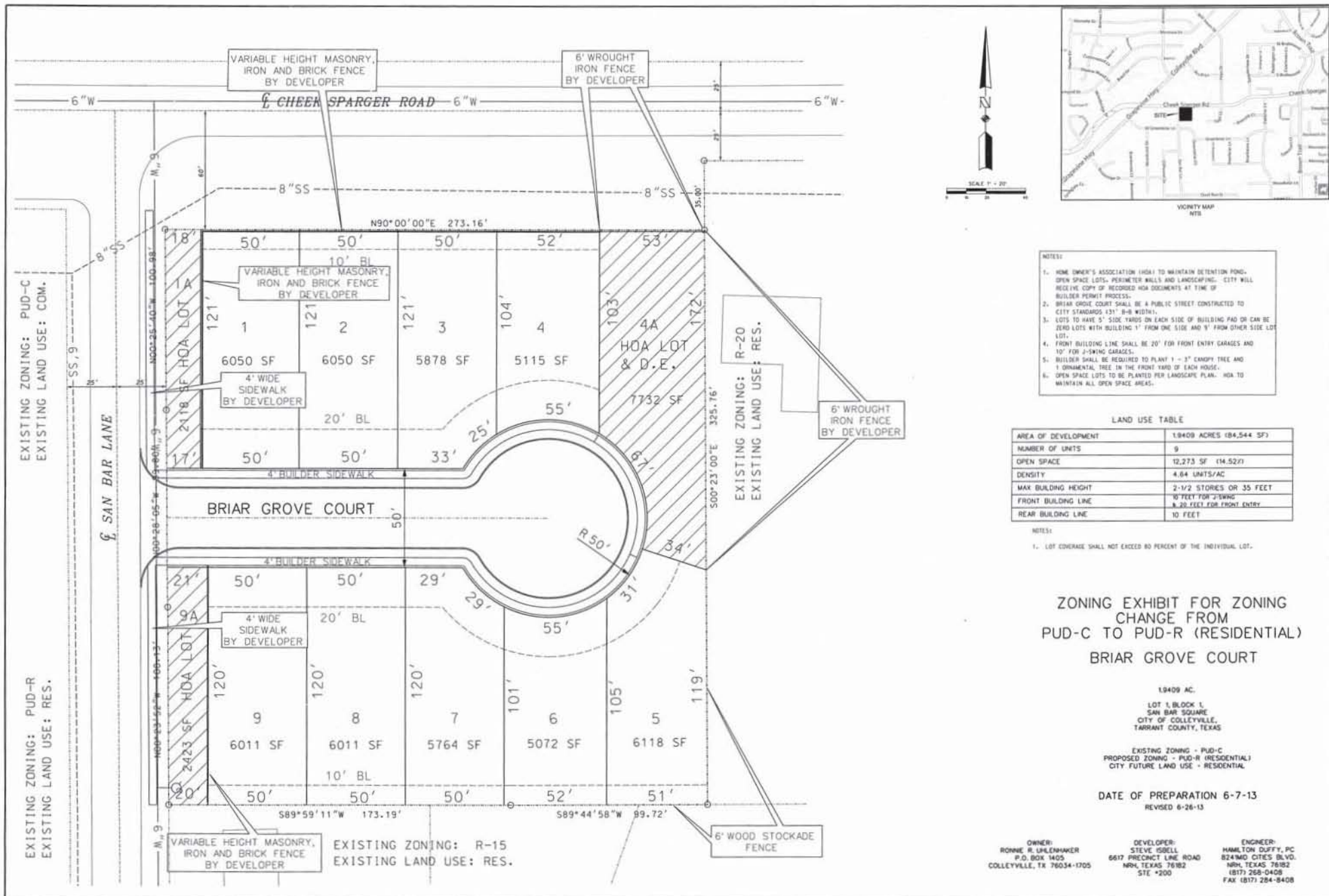
8. OTHER

- a. Homes will be both single and two story construction.
- b. For two story homes there will be balconies or verandas on the second floor of lots 5-9
- c. Maintenance of the wood fence, masonry fence, open space and landscaping will be the responsibility of the HOA governing the new sub-division.
- d. Construction times would be limited to City of Colleyville rules and regulations (Monday - Saturday 7:00am - 7:00pm)
- e. All agreements made between the home owners to the east and south of development will be recorded in the final development documents/ restrictions.

Conceptual Site Plan



Zoning Exhibit



Small Lot Development Comparison Chart - 1996 to 2013

Subdivision Name	Total Lots	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Lot Size (square feet)	Average Lot Size (square feet)	Maximum Lot Coverage	Master Plan Density - Dwelling Units Per Acre *	Land Development Code Density - Dwelling Units Per Acre **	Total Acres	Open Space	Approval Date	Ordinance
Spring Garden	45	36	70	2,520	2,700	90%	8	16.1	5.4	31.3%	12.17.96	O-96-1052
Villas of Caldwell Creek	43	59	115	6,594	7,408	50%	3.7	5.9	11.6	18.3%	4.1.97	O-97-1062
Bridges at Riverwalk	32	56	106	6,001	6,479	50%	3	6.7	10.0	24.0%	12.21.99	O-99-1192
Riverwalk at Colleyville	53	60	115	6,331	7,666	50%	3.2	5.7	20.0	20.0%	4.4.00	O-00-1210
Rosewood Villas	53	59	110	6,482	6,899	60%	3.6	6.3	14.8	21.4%	8.8.01	O-01-1286
Emerald Park	72	60	120	7,200	7,508	50%	3.5	5.8	20.2	19.6%	10.1.02	O-02-1366
Tiffany Park	25	60	100	7,200	7,580	50%	3.5	5.7	7.2	20.0%	10.21.03	O-04-1487
Tuscany	35	60	110	6,600	7,878	50%	3.9	5.5	8.8	6.6%	2.17.04	O-04-1442
Cambridge Place	38	50	58	4,500	5,300	60%	4.2	8.2	9.0	22.0%	7.6.04	O-04-1467
Heritage Oaks	103	30/40	90	2,700/3,600	3,600	90% and 75%	4.6	12.1	22.9	25.0%	03.21.06	O-09-1715
Villas at Oak Pointe	74	30/56	90/95/115	2,700/6,440	5,000	90% and 58%	3.7	8.7	13.6	22.0%	08.02.06	O-06-1584
Copperglen	22	55	105	5,924	6,650	65%	3.9	6.6	5.6	20.0%	10.17.06	O-06-1595
Villas of Colleyville	67	59	115	6,655	8,936	60%	3.4	4.9	19.8	21.0%	08.21.07	O-07-1627
Enclave at Arbor Estates	16	65	120	8,700	9,350	50%	2.9	4.7	5.6	19.3%	09.18.07	O-07-1634
Creekside at Colleyville	269	50	105	5,000	7,257	65%	2.4	6.0	108.5	20.0%	11.27.07	O-07-1645
Somerset Manor	77	50/60	100/110	5,000/6,600	6,000	50%	4	7.3	18.2	20.3%	05.05.08	O-08-1672
Ivy Glen	10	55	110	5890	8,200	65%	3.4	5.3	3.0	20.0%	03.05.13	O-13-1864

Average	61	56	103	6031	6,730	58%	3.8	7.1	17.9	20.6%		
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* Master Plan Density is calculated by dividing the total units in the development by the total acreage of the development

** Land Development Code Density is calculated by dividing the total units in the development by the total development acreage minus open space and right-of-way acreage



ORDINANCE 0-85-600 ✓✓✓

Posted
12-13-85
4:30 P.M.
by

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF A TRACT OF LAND SITUATED IN THE JONATHON RILEY SURVEY, ABSTRACT 1356, TRACT 3G AND WOODBRIAR ESTATES ADDITION, BLOCK 7, LOTS 20,21, AND 22 TO THE CITY OF COLLEYVILLE, TEXAS FROM R-15 AND R-20 TO PUD-C; PROVIDING A PENALTY AND AUTHORIZING PUBLICATION.

WHEREAS, an application for zoning change was filed by C. M. Bollinger, Inc. , October 22, 1985 under Case No. Z-85-547; and,

WHEREAS, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 10 days before such hearing; and,

WHEREAS, notice of a public hearing before the City Council was published in a newspaper of general circulation in Colleyville at least 15 days before such hearing; and,

WHEREAS, notices were posted on the subject land as provided by the zoning ordinance; and,

WHEREAS, public hearings to change the zoning on the property herein described were held before both the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation concerning the zone change; and,

WHEREAS, the City Council is of the opinion that the zone change herein effectuated furthers the purpose of zoning as set forth in the Zoning Ordinance and is in the best interest of the citizens of the City of Colleyville;

NOW, THEREFORE,

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

Sec. 1. THAT Zoning Ordinance of the City of Colleyville, Texas, and the accompanying Zoning Map are hereby amended insofar as they relate to certain land located in Colleyville, Tarrant County, Texas, and described as follows:

1
2 BEING a tract of land in the JONATHON RILEY SURVEY,
3 Abstract NO. 1356, City of Colleyville, Tarrant
4 County, Texas, as surveyed by C.K. Vermillion,
Registered Public Surveyor No. 552, in August 1966,
and being more particularly described as follows:

5 BEGINNING at an iron pin in the South line of
6 Cheek-Sparger Road, said point being 202.0 feet
east and 15.0 feet south of the most westerly NW
corner of said Riley survey;

7 Thence East 100.00 feet along the south line of
said Cheek-Sparger Road to an iron pin;

8 Thence S 00° 23' E, 325.9 feet to an iron pin;

9 Thence S 89° 42' W, 100.0 feet to an iron pin;

10 Thence N 89° 36' W, 173.4 feet to an iron pin;

11 Thence N 00° 06' E, 300.00 feet to a point;

12 Thence S 89° 36' E, 173.4 feet to a point;

13 Thence N 00° 06' W, 23.60 feet to the point of
beginning and containing 1.943 acres of
land.

14 by changing the zoning thereof from R-15 and R-20
15 to PUD-C. **

16 Sec. 2. Any person, firm or corporation violating any of
17 the provisions of this ordinance as read together
18 with the Zoning Ordinance of the City of Colleyville
19 and accompanying official Zoning Map thereto shall
be guilty of a misdemeanor and upon conviction thereof
shall be fined in a sum not to exceed Two Hundred
Dollars (\$200.00). Each and every day such violation
continues shall constitute a separate offense and
shall be punishable as such.

20 Sec. 3. The City Secretary is hereby authorized and directed
21 to cause publication of the descriptive caption
and penalty clause hereof as an alternative method
of publication provided by law.

22 AND IT IS SO ORDERED.
23
24
25
26

The ^{17th} first reading and public hearing being conducted on the December, 1985.
The ^{7th} second reading and public hearing being conducted on the January, 1986.
The ^{21st} third reading and public hearing being conducted on the January, 1986.

ATTEST:

CITY OF COLLEYVILLE

Lavada Johnson
Lavada Johnson
City Secretary

J.R. "Buck" Hubbard
J.R. "Buck" Hubbard
Mayor

Approved as to Form and Legality:

Ross T. Foster
Ross T. Foster, City Attorney

**together with all site plans, supporting documents,
and other conditions and restrictions imposed by
and approved by the Council, which are incorporated
herein by reference.

ORDINANCE O-13-xxxx

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 1.94 ACRES ON LOT 1, BLOCK 1 OF THE SAN BAR SQUARE ADDITION SURVEY, LOCATED AT 105 CHEEK-SPARGER ROAD FROM THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT TO THE PUD-R-PLANNED UNIT DEVELOPMENT RESIDENTIAL ZONING 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 a rezoning under Case No. ZC13-008; 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; 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, among other things, to 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 on 1.94 acres on Lot 1, Block 1 of the San Bar Square Addition Survey, located at 105 Cheek-Sparger Road from the PUD-C-Planned Unit Development Commercial zoning district to the PUD-R-Planned Unit Development Residential zoning district, as depicted in the attached Exhibit "A" and "C", and as described in Exhibit "B".
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The purpose of this PUD-R is for a single-family residential development of detached dwelling units, constructed at a gross maximum density of 4.6 dwelling units per acre.
- b. This development shall be generally consistent with the Statement of Planning Objectives, Exhibit "B".
- c. The proposed development is subject to all the regulations contained in the Land Development Code, except as amended by this Ordinance.

2. DEVELOPMENT PLAN AND PLATTING

- a. The development shall be generally consistent with the conceptual site plan, Exhibit "C", which shall not be considered the preliminary plat. The actual street and lot arrangement may differ from that shown on the conceptual site plan to accommodate topographic, drainage, or other conditions.
- b. The developer shall submit and receive approval from the City, a preliminary and final plat, approved as a single phase, in accordance with the requirements of the Land Development Code prior to development of this PUDR.

3. PERMITTED USES

- a. Single-family residences, detached
- b. Common open space areas

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

- a. Residential lot requirements and setbacks shall comply with the following provisions:
 1. All lots shall be a minimum of 50 feet in width as measured at the building setback line.
 2. The minimum lot size shall be 5,072 square feet, with an average lot size of 5,785 square feet.
 3. The minimum lot depth shall be 119 feet, except for lots which front the cul-de-sac.
 4. Front Yard Setbacks:
 - a. For lots that have a J-Swing garage: 10 feet
 - b. For lots that have a front entry garage: 20 feet
 5. Minimum Rear Yard Setback: 10 feet
 6. Minimum Side Yard Setbacks:
 - a. 10 feet between structures; One (1) foot and

nine (9) feet, or five (5) feet each side property line.

7. Maximum Lot coverage: 65 percent

5. RESIDENTIAL DESIGN REQUIREMENTS

The following requirements shall apply to all homes constructed in this development:

- a. Homes may be both single and two-story construction.
- b. Two-story homes on lots 5-9 may have balconies and verandas constructed on the second floor.

6. OPEN SPACE

- a. This development shall provide a minimum of 14.24 percent common open space, which shall be configured as shown on Exhibit "C". All open space areas shall be landscaped and maintained by the HOA.
- b. There shall be a dry retention basin constructed in open space lot 4a, located to the east of lot 4.
- c. No more than 50% of the open space area may be utilized for detention.

7. SCREENING AND TREES

- a. A wood screening fence, not to exceed six (6) feet in height, shall be constructed at the property lines adjacent to other residential properties to the east and south. A six foot wrought iron fence may be constructed adjacent to the open space lot 4a.
- b. A variable height screening fence, constructed of a combination of brick, stone, and wrought iron will be constructed along the north and west portion of the property adjacent to Cheek-Sparger road and San Bar Lane. The screening shall be continuous along the boundary with the exception of entry road right-of-way.

Sec. 5. 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. 6. 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. 7. 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. 8. 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. 9. 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 20th day of August 2013.

The second reading and public hearing being conducted on the 3rd day of September 2013.

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

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit “A” – Location and Zoning Map

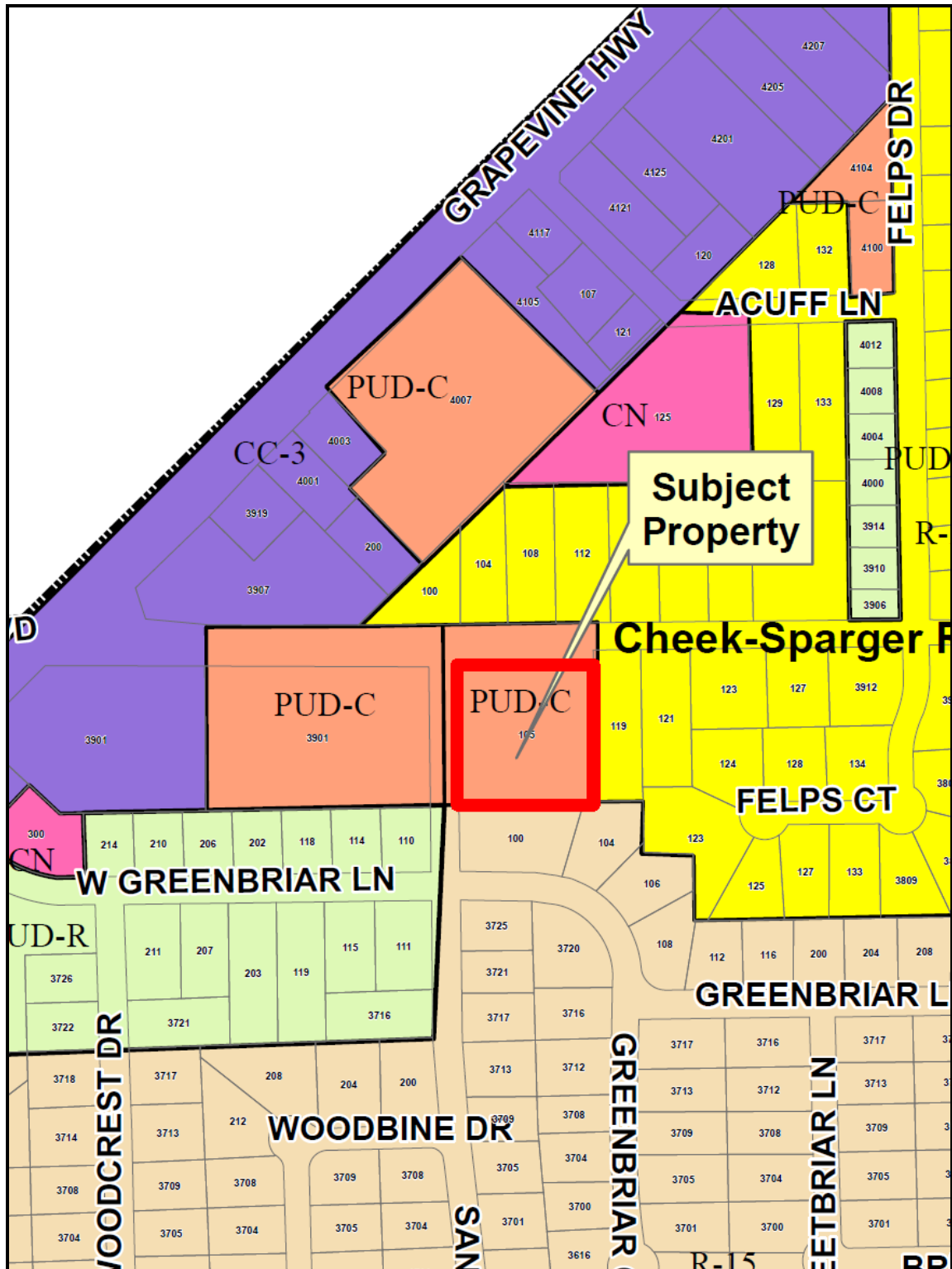


Exhibit B – Statement of Planning Objectives

June 25, 2012

Briar Grove

Located at the SEC of Cheek-Sparger and San Bar

Zoning change from PUD-C to PUD-R

Statement of objectives

Steve Isbell and Mark Howe have a contract to acquire approximately 2 acres of land at the southeast corner of Cheek Sparger and San Bar. They are requesting a zoning change from PUD-C to PUD-R. The current site is vacant and has been vacant for many years. The property was zoned several years ago and planned for an office type development. Over the years that has proven to not be the highest and best use for the property and the property has never been developed. The new plan proposes 9 single family homes with open space, all to be accessed off San Bar by constructing a new Cul-De-Sac from San Bar East across the property. The open space will be owned by a Home Owners Association established for this project. Where drainage and utility easements are proposed, the City of Colleyville will provide normal city services to the open areas. The plan will provide a wrought iron fence along the open space lot backing to Cheek Sparger and a masonry fence along the balance of the perimeter of the property with the entry being on San Bar.

Through the planning process, we are planning on saving as many trees as possible and most of the trees on the perimeter will be retained. Drainage will be address by constructing a dry detention basin in the open space lot. The open space lot will have a sitting area with two park benches with a side walk to their location which will be selected to be in an area of the open space that will have appropriate shade.

The site is located just east of a self- storage project and the 99 cent store on Hwy 26 and to the south, north and east of the property are residential homes.

This project will provide 9 new households close to Hwy 26 and provide additional buying power for the proposed retail along the center corridor of Colleyville.

It is the developers' anticipation that these will be lifestyle type homes for empty nesters that want to downsize and still live in Colleyville. It is anticipated that the homes will sell from the mid \$400's – mid \$500's

Development Schedule:

Zoning approval: September 2013

Preliminary and Final Plat: October 2013

Construction Commencing: November 2013

Construction Completing: May 2014

Economic Development Information:

1. Total Square footage; 9 homes averaging 3200 sf at \$150/sf = \$4,320,000
2. Estimated sell out for the entire project is 18 months

Exhibit B – Statement of Planning Objectives (Cont.)

PUD Single Family - 9 lots

1. GENERAL

- a. The purpose of PUD-R is for a single-family residential development of detached dwelling units, constructed at a gross maximum density of 4.54 dwelling units per acre.
- b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.

2. CONCEPTUAL PLAN AND PLATTING

- a. The street layout and arrangement of lots of the subdivision shall be generally consistent with the Conceptual Site Plan.
- b. The developer shall submit and receive approval from the City a Preliminary and Final Plat in accordance with the requirements of the Land Development code prior to development of this PUDR.

3. PERMITTED USES

- a. Single-family residences, detached
- b. Common open space areas

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

Single-family detached residential lot requirements and setbacks shall comply with the following provisions. Building line setbacks established by the Conceptual Site Plan, shall control where such building line setback is different from the following requirements.

- | | |
|-------------------------|---|
| a. Minimum Lot Size | 5072 square feet |
| b. Minimum Lot Width | 50 feet |
| c. Minimum Lot Depth | 119 feet (exception for lot lines on cul-de-sac) |
| d. Front Building Line | 10 feet for J-Swing Garage/ 20 feet for Front Entry |
| e. Side Building Line | 5 feet for center placed structure and 1' and 9' for zero |
| f. Rear Building Line | 10 feet |
| g. Maximum Lot Coverage | 80 percent |
| h. Maximum Height | 35 feet |

5. OPEN SPACE

- a. This development shall provide not less than 14.52 % common open space, which will generally be configured as shown on the Conceptual Site Plan. All open space areas shall be landscaped and maintained by the Homeowners Association.
- b. No more than 50 percent of the open space area shall be utilized for storm water detention or retention.

**Exhibit B – Statement of Planning Objectives
(Cont.)**

6. SCREENING

a. A wood screening fence, not to exceed six feet in height will be constructed at the property lines adjacent to other residential properties to the east and south, as shown on the Conceptual Site Plan. At a minimum the pole side of the screen fence will face into the new development along the south and east property lines.

b. A variable height screening fence, constructed of a combination of brick, stone and wrought iron will be constructed along the north and west portion of the property adjacent to Cheek Sparger Road and San Bar. The screening will be continuous along the boundary with the exception of entry road right-of-way.

7. SIDEWALKS

Sidewalks will be constructed in accordance with the requirements of the Colleyville Land Development Code.

8. OTHER

a. Homes will be both single and two story construction.

b. For two story homes there will be balconies or verandas on the second floor of lots 5-9

c. Maintenance of the wood fence, masonry fence, open space and landscaping will be the responsibility of the HOA governing the new sub-division.

d. Construction times would be limited to City of Colleyville rules and regulations (Monday - Saturday 7:00am - 7:00pm)

e. All agreements made between the home owners to the east and south of development will be recorded in the final development documents/ restrictions.

Exhibit C – Conceptual Site Plan

