



City of Colleyville Planning and Zoning Commission Agenda

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

Monday, August 12, 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 Phelps
PLEDGE OF ALLEGIANCE**

- 1. APPROVAL OF MINUTES**
July 22, 2013
- 2. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON
THE AGENDA AS A PUBLIC HEARING ITEM AS A PUBLIC HEARING
ITEM**
- 3. CONTINUED PUBLIC HEARING AGENDA ITEMS**

- 3a** 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.

4. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards August 9, 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 08/12/2013	Number
Type Approval of Minutes		
Department Community Development		

Title

July 22, 2013

Explanation

Recommendation

Attachments

1. P&Z Meeting Minutes - July 22, 2013



City of Colleyville Planning and Zoning Commission Minutes

City Hall
100 Main Street
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Monday, July 22, 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 July 22, 2013 at 7:10 p.m.

Roll Call

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

Staff Present: Ron Ruthven, Taci Wrisley, Dale Crown, Rob McKeown, Marty Wieder, and Matt Butler (City Attorney)

INVOCATION

The invocation was given by Commissioner Davis

1. APPROVAL OF MINUTES

Commissioner Knox moved to approve the June 24, 2013 meeting minutes. Commissioner Davis seconded.

The motion to approve carried with the following vote:

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

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

There were no 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.

Ron Ruthven presented the case and briefed the Commission.
The applicant did not come forward to speak.

Commissioner Wheelwright moved to approve case PC13-009. Commissioner Gotcher seconded.

The motion to approve carried with the following vote:

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

- 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.

Ron Ruthven presented the case and briefed the Commission.

The applicant did not come forward to speak.

Commissioner Davis moved to approve case PC13-011. Commissioner Gotcher seconded.

The motion to approve carried with the following vote:

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

- 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.

Ron Ruthven presented the case and briefed the Commission.

Keith Hamilton, representing the applicant, came forward for questions.

Commissioner Davis moved to approve case PC13-012. Commissioner Byerly seconded.

The motion to approve carried with the following vote:

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

- 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.

Ron Ruthven presented the case and briefed the Commission.

John Staab, the applicant, came forward and briefed the Commission.

Commissioner Davis questioned Mr. Staab regarding the request for the waiver and he willingness to escrow. Mr. Staab replied yes, the property owner would like to escrow the sidewalk in lieu of construction.

Commissioner Phelps moved to deny case GC13-016 with the option to build the sidewalk or to pay the escrow amount. Commissioner Davis seconded.

The motion to deny with the option to construct the sidewalk or to pay the escrow amount carried with the following vote:

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

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.

Ron Ruthven presented the case and briefed the Commission.

Commissioner Phelps questioned staff regarding where the setbacks for the property were measured from, the edge of the pavement or the edge of the right-of-way. Ron Ruthven replied the setbacks are measured from the edge of the right-of-way.

Commissioner Gotcher questioned staff regarding the lots meeting the Land Development Code requirements with the exception of Lots 1, 2, & 3. Ron Ruthven replied correct.

The public hearing was opened at 7:32 p.m.

Bryan Holland, on behalf of the applicant, came forward and briefed the Commission.

Commissioner Gotcher questioned Mr. Holland regarding the location of the drainage outlet and if the drainage outlet was run under a house in the Covington addition. Mr. Holland replied the drainage outlet runs between two houses and is in the backyard of one of them but is not fenced in with the rest of the yard. He further explained he

did not believe it was being maintained by anyone.

Commissioner Dudziak questioned Mr. Holland regarding whether it was possible to continue the drainage along the backside of the development. Mr. Holland replied he believes what they have proposed will solve the drainage issue better than running the drainage along the backside of the properties.

Discussion continued between Commissioner Dudziak and Mr. Holland regarding drainage possibilities.

Commissioner Phelps questioned Mr. Holland regarding the number of proposed lots. Mr. Holland replied they were proposing five lots due to financial reasons with regard to reconstructing an entire street and the infrastructure requirements that are being put upon them.

Discussion continued between Commissioner Phelps and Mr. Holland regarding potential issues of the use of a bar ditch.

Chairman Byerly questioned Mr. Holland regarding the depth of Lot 6 and was it 121 feet deep? Mr. Holland replied 286 feet deep. Chairman Byerly further questioned how many lots he believed would fit on Lot 6, if it were ever to be divided. Mr. Holland replied approximately three more lots.

Chairman Byerly questioned Mr. Holland regarding why this development was not brought forward as a Planned Unit Development-Residential. Mr. Holland replied after working with staff he believes this request accomplishes the same result as a Planned Unit Development-Residential. Chairman Byerly stated a Planned Unit Development-Residential assures the requirements will be met, the chosen route does not.

Discussion continued between Chairman Byerly and Mr. Holland regarding the chosen process.

Mark Bauer, 6009 Colts Neck Court, came forward and spoke in opposition to the request with regards to decrease in value and two-story homes being built that may look into his backyard.

Rob Tomerlin, 2 Country Way, came forward and spoke in support of this request.

Ronald Carroll, 1 Country Way, came forward and spoke in support of this request.

Mary Carroll, 1 Country Way, did not wish to speak but recorded her support for this request.

There being no one else wishing to speak, the public hearing was closed at 8:01 p.m.

Mr. Holland came forward and addressed comments and concerns.

Commissioner Phelps questioned the Civil Consultant for the applicant, Brett Blankenship, regarding the use of a bar ditch versus an underground drainage system. Mr. Blankenship explained the bar ditch was more cost effective and would be a way to safely direct water downstream; an underground drainage system would create other problems downstream.

Commissioner Davis questioned Mr. Blankenship regarding the thought process for putting the sewer under the street. Mr. Blankenship explained typically utilities run in the space between a curb and a sidewalk, however, in this case they are not using curbs. He further explained if they did run the utilities in the same location as a typical development, there would be manholes in the bar ditch.

Commissioner Davis questioned Mr. Blankenship regarding the depth of the bar ditches. Mr. Blankenship replied from the edge of the pavement, approximately two feet in depth.

Commissioner Davis questioned Mr. Blankenship regarding ownership of the street once it was constructed and what would happen once the street is constructed and there was a sewer line break. Mr. Blankenship replied it would be a public street, city maintained. He further explained if there ever were a sewer line break, the street would need to be torn up to make repairs.

Discussion occurred between Commissioner Davis and Mr. Holland regarding placement of sewer lines.

Commissioner Davis stated he did not know how to get where the applicant wanted to go and what he felt. He further explained he felt this request should be a request for a Planned Unit Development-Residential.

Commissioner Byerly questioned Mr. Holland regarding whether the reason the developer was not proposing curb and gutter streets and sidewalks was because of economic feasibility. Mr. Holland replied correct.

Commissioner Knox questioned Mr. Holland regarding the addition of stub outs for future lots on Lot 6. Mr. Holland replied he did not feel it would be an issue to add two or three more stub outs.

Discussion occurred between the Commission and Mr. Holland regarding what was enforceable by city staff and the Commission.

Commissioner Gotcher questioned staff regarding the sidewalk waiver that was proposed as part of the applicant's request. Ron Ruthven replied it would be decided on along with the decision made for this request.

Commissioner Phelps questioned staff regarding the applicant's options after the Commission voted. Ron Ruthven explained what options the applicant had and the appeal process.

Commissioner Byerly questioned staff regarding the applicant's option to come back at any time to request a Planned Unit Development-R. Ron Ruthven replied yes, the applicant has the option to request a Planned Unit Development-R because the current case is not a zoning case.

Discussion continued between staff and the Commission regarding procedures.

Commissioner Dudziak made a motion to deny case PC13-006. Commissioner Phelps seconded the motion.

The motion to deny carried with the following vote:

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

Nay: 2 – Gotcher and Davis

- 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.

Ron Ruthven presented the case and briefed the Commission.

The public hearing was opened at 8:27 p.m.

Mark Howe, the applicant, came forward and briefed the Commission. Mr. Howe made a correction to the ordinance to read "There will be

no second story balconies on Lot 5 through Lot 9.”

Commissioner Dudziak questioned Mr. Howe regarding whether or not there be verandas on the second story of any of the proposed homes. Mr. Howe replied there will not be verandas or balconies on the second stories.

Commissioner Dudziak questioned Mr. Howe regarding where the masonry wall would be located. Mr. Howe replied along Cheek-Sparger Road there will be a combination of brick and stone columns and along San Bar Lane there will be brick panels and stone columns. Mr. Howe further explained for the open space they are proposing using wrought iron so that the open space is not closed off and is visible.

Commissioner Gotcher questioned Mr. Howe regarding how close the proposed wall would be to the sidewalk. Mr. Howe replied along San Bar Lane there would be approximately 24 feet between the roadway and the wall. He further explained along Cheek-Sparger Road he was not certain what the distance from the sidewalk to the wall would be.

Commissioner Gotcher questioned staff regarding what the distance from the wall to the sidewalk would possibly be. Ron Ruthven replied according to Public Works standards, the minimum distance the sidewalk could be constructed along the wall is 18 inches.

Commissioner Dudziak questioned Mr. Howe regarding the possibility of adding more open space that the public would be able to use. Mr. Howe replied proposed open space is not designed to hold water unless there is a rain event. Mr. Howe further explained there will be a park bench and the open space will be useable when it is not raining.

Discussion continued between Commissioner Dudziak and Mr. Howe regarding the open space and the required percentages for open space.

Steve Isbell, development engineer for the developer, came forward and explained the design of the detention pond in the open space.

Discussion continued between Commissioner Dudziak, Mr. Howe, and Mr. Isbell regarding the open space and the required percentages for open space.

Commissioner Gotcher questioned Mr. Howe regarding whether the

developer had a "Plan B" if this Commission or City Council did not like the proposed density. Mr. Howe replied he did not believe he would be able to afford to lower the density.

Discussion continued between Commissioner Gotcher, Mr. Howe, and Mr. Isbell regarding density.

Mike Davila, 100 Greenbriar Lane, came forward and expressed his concerns.

Daniel Morrison, 123 Felps Court, came forward and expressed his support for this case.

James Beville, 119 Cheek-Sparger Road, came forward and expressed his support for this case.

Claudia Beville, 119 Cheek-Sparger Road, came forward and expressed her support for this case.

Gary Guthrie, 505 Greenbriar Lane, came forward and spoke in opposition of this case.

Greg Howell, 104 Cheek-Sparger Road, came forward and spoke in opposition of this case.

Cynthia Wallace and Elizabeth Guest did not wish to speak but wished to record their opposition.

There being no one else wishing to speak, the public hearing was closed at 9:12 p.m.

Mr. Howe and Mr. Isbell came forward and addressed comments and concerns.

Keith Hamilton, project engineer for the developer, came forward and explained the drainage for this development.

Chairman Byerly questioned staff regarding Cheek-Sparger Road being a minor collector. Ron Ruthven explained according to the Master Thoroughfare Plan, Cheek-Sparger Road shows to be a minor collector. He further explained that means, in an improved state, Cheek-Sparger Road would be no wider than a two lane road.

Commissioner Byerly questioned Mr. Howe regarding lowering the number of lots to eight, instead of nine; Is this achievable? Mr. Howe

replied probably not, however, he was willing to look into it.

Chairman Byerly stated he did not believe he could support the request as proposed. He further explained that if the number of lots was decreased and the percentage of open space increased, he could support the request.

Commissioner Dudziak stated he concurred with Chairman Byerly and would like to see more open space and little more creativity.

Commissioner Knox stated he also felt the density was high.

Commissioner Phelps concurred with the other Commissioners.

Chairman Byerly made a motion to continue case ZC13-008 to the August 12, 2013 meeting. Commissioner Dudziak seconded the motion.

Commissioner Wheelwright concurred with the other Commissioners.

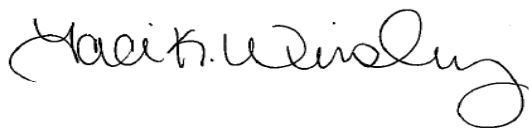
The motion to continue carried with the following vote:

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

5. ADJOURNMENT

The meeting adjourned at 9:27 p.m.

The minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on August 12, 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 08/12/2013	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

Update. The Planning and Zoning Commission voted to continue this item at the July 22, 2013 meeting to the August 12, 2013 meeting in order to allow the applicant time to modify the proposal based on concerns raised at the July 22, 2013 meeting regarding the density and open space.

The applicant has submitted a revised Statement of Planning Objectives and revised site plans. These items are attached to the briefing.

The following is a summary of the modifications from the original proposal:

1. Total number of homes: reduced from nine to eight homes.
2. Total density: reduced from 4.54 dwelling units per acre to 4.4 dwelling units per acre.
3. Minimum Lot Size: increased from 5,072 square feet to 6,216 square feet.
4. Minimum Lot Width: increased from 50 feet to 55 feet.
5. Minimum Lot Depth: increased from 119 feet to 120 feet.
6. Total Open Space: reduced from 14.52% to 14.02%. The two open space lots that were located along San Bar have been removed in order to increase the lot sizes including the open space lot shown as Lot 3a on the revised conceptual site plan.

The proposed ordinance has been modified to reflect the modifications above. The remainder of the briefing remains unchanged from the July 22, 2013 Planning and Zoning Commission meeting.

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 eight (8) detached single family dwelling units, constructed at a gross maximum density of 4.4 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 55 feet in width as measured at the building setback line.

2. The minimum lot size shall be 6,216 square feet.

3. The minimum lot depth shall be 120 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: 80 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 shall not contain any balconies and verandas constructed on the second floor.

6. OPEN SPACE

a. This development shall provide a minimum of 14.02 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. 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. Aerial
3. Buffer Map
4. Notification List
5. Letters of Opposition
6. Letters of Support
7. Revised Statement of Planning Objectives
8. Revised Conceptual Site Plan
9. Revised Zoning Exhibit
10. Statement of Planning Objectives
11. Conceptual Site Plan
12. Zoning Exhibit
13. Small Lot Development Comparison Chart - 1996 to 2013
14. Ordinance O-85-600
15. Proposed Ordinance

City of Hurst

GRAPEVINE HWY

FELPS DR

ACUFF LN

PUD - C

CC - 3

CN

PUD - R

Subject Property

Cheek-Sparger Road

PUD - C

PUD - C

R - 20

FELPS CT

W GREENBRIAR LN

PUD - R

WOODCREST DR

GREENBRIAR LN

WOODBINE DR

R - 15

SAN BAR

GREENBRIAR CT

SWEETBRIAR LN

ROSEBRIAR LN

BRIARWICK

R - 20

R - 40

Aerial



The map shows a residential area with the following features:

- Streets:** ACUFF, FELPS, GREENBRIAR LN, WOODBINE DR.
- Proposed Subdivision:** A large area outlined in red, containing several lots. The lots within the subdivision are numbered 100, 104, 105, 106, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 8

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

Letters of Opposition

From: [keith.h.](#)
To: [Taci Wrisley](#); [Bill Elliott](#); [Ron Ruthven](#)
Subject: Notice of Protest ;case # zc13-008
Date: Saturday, July 20, 2013 9:53:10 PM

19july2013

Notice of Protest

Please accept this Notice of Protest from me on the re-zone request on the property at ;
105 Cheek sparger rd.
Colleyville Tx.

case # ; ZC13-008
Applicant ; Mark Howe
requested zoning ; PUD-R

From ; D. Keith Harris
108 Cheek sparger rd.
Colleyville Tx. 76034

thank you; D.keith harris
19july2013

Letters of Opposition

From: [greg.howell](#)
To: [Taci Wrisley](#)
Cc: [Bill Elliott](#); [Ron Ruthven](#)
Subject: 105 Cheek sparger rd
Date: Sunday, July 21, 2013 10:55:46 AM

July 21st 2013

RE: zoning case ZC13-008

Dear sir and madam,

Please let this server as my written protest to the zoning change requested by Mark Howe for the 1.94 acre lot located at 105 cheek sparger rd to change to PUD_R.

I as the owner of 104 cheek sparger rd think that the purposed change would not be in the best interest of the neighborhood..

Greg Howell

Letters of Opposition

July 23, 2013

Colleyville Planning & Zoning Commission
100 Main St.
Colleyville, TX 76034

To Whom it May Concern:

First, I apologize for not being able to deliver this message in person. I am getting on a plane to leave for vacation one hour before your meeting. Otherwise, I would be there.

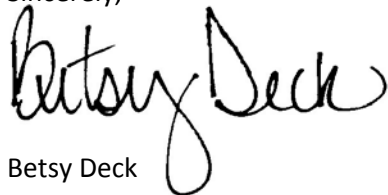
I have some concerns about the proposed development on the corner of San Bar and Cheek-Sparger Road. The conceptual site plan paints a picture of a high-density development in a low-density neighborhood. Nine homes on nearly two acres with a potential height of 35 feet will be a visual eye sore at the entrance of a beautiful, established neighborhood. I believe that will be higher than the commercial development next to it.

The building setbacks on the front and rear property lines are entirely too small. This will not be appealing visually or for resale value. In addition, the developer is only allowing for one way in and one way out of the neighborhood. The intersection of San Bar and Cheek-Sparger is an unusual one at best and currently causes challenges, especially during rush hour, with traffic suddenly merging out of the right turn only lane and into through traffic on Cheek-Sparger. Now, the cars that queue up along San Bar in the mornings will be forced to wait even longer to get on the main road. Furthermore, there are beautiful trees on the property and I don't see any intention of saving the existing trees on this plan.

I fell in love with our neighborhood because of the mature trees, wide roads and well built homes. The setbacks are appropriate for the neighborhood and allow neighbors to feel secluded in their own yards. I have many older neighbors that have recently moved out of our neighborhood, who didn't want to venture far away because they loved it so much. There is a great opportunity here to construct homes for an older demographic. However, I feel certain they would not purchase 2.5 story homes.

Please carefully evaluate this development and make sure it is a good fit for the neighborhood. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Betsy Deck". The signature is fluid and cursive, with the first name "Betsy" and the last name "Deck" clearly distinguishable.

Betsy Deck
3601 Cliffwood Dr.
Colleyville, TX 76034
817-832-7783

Letters of Opposition

Date: 7/22/2013

SPEAKER CARD

☐ I will speak **In Support** of this item.
☐ I will speak **In Opposition** to this item.
☒ I do not wish to speak, but please record my: ☐ support ☒ **Opposition**

Agenda Item Number: 4b

Name: Cynthia Wallace

Address: 104 Greenbriar Lane

City: Colleyville State: TX Zip Code: 76034

Telephone Number: 214-707-4903 Representing: self
(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: Cynthia Wallace
This information is a Public Record.

Date: 7-22-2013

SPEAKER CARD

☐ I will speak **In Support** of this item.
☐ I will speak **In Opposition** to this item.
☒ I do not wish to speak, but please record my: ☐ support ☒ **Opposition**

Agenda Item Number: 4b

Name: Elizabeth Guest

Address: 106 Greenbriar Lane

City: Colleyville State: TX Zip Code: 76034

Telephone Number: 817-503-8750 Representing: Self
(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: Elizabeth Guest
This information is a Public Record.

Date: _____

SPEAKER CARD

☐ I will speak **In Support** of this item.
☐ I will speak **In Opposition** to this item.
☐ I do not wish to speak, but please record my: ☐ support ☐ **opposition**

Agenda Item Number: _____

Name: GARY GUTHRIE

Address: 505 WOODBRIDGE LN

City: COLLEYVILLE State: TX Zip Code: 76034

Telephone Number: _____ Representing: _____
(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: Gary Guthrie
This information is a Public Record.

Date: 7/22/13

SPEAKER CARD

☐ I will speak **In Support** of this item.
☒ I will speak **In Opposition** to this item.
☐ I do not wish to speak, but please record my: ☐ support ☐ **opposition**

Agenda Item Number: 4b

Name: Mike Davila

Address: 100 Greenbriar Ln

City: Colleyville State: TX Zip Code: 76034

Telephone Number: 214-563-2211 Representing: Self
(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: Mike Davila
This information is a Public Record.

Letters of Opposition

SPEAKER CARD	
Date: <u>7-22-13</u>	
☐ I will speak In Support of this item.	
☒ I will speak In Opposition to this item.	
☐ I do not wish to speak, but please record my: ☐ support ☐ opposition	
Agenda Item Number: <u>7C13-008</u>	
Name: <u>GREG HOWELL</u>	
Address: <u>104 Cheek SPAN</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>8177885493</u>	Representing: <u>owner</u> (organization/self)
I understand I am limited to speaking for five minutes.	
For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.	
Signed: <u>[Signature]</u>	
This information is a Public Record.	

Letters of Support

Date: 2-22-13

SPEAKER CARD

☒ I will speak **In Support** of this item.
☐ I will speak **In Opposition** to this item.
☐ I do not wish to speak, but please record my: ☐ support ☐ opposition

Agenda Item Number: 4B

Name: JAMES BEVILL

Address: 119 CHEEK SPARGER

City: COLLEYVILLE **State:** TX **Zip Code:** 76034

Telephone Number: 817-849-1360 **Representing:** _____
 (organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: [Signature]

This information is a Public Record.

Date: 2/22/13

SPEAKER CARD

☐ I will speak **In Support** of this item.
☐ I will speak **In Opposition** to this item.
☐ I do not wish to speak, but please record my: ☐ support ☐ opposition

Agenda Item Number: 4b

Name: Daniel Morrison

Address: 223 Felps Ct.

City: Colleyville **State:** TX **Zip Code:** 76034

Telephone Number: 852-651-5326 **Representing:** _____
 (organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: [Signature]

This information is a Public Record.

Date: _____

SPEAKER CARD

☒ I will speak **In Support** of this item.
☐ I will speak **In Opposition** to this item.
☐ I do not wish to speak, but please record my: ☐ support ☐ opposition

Agenda Item Number: 4b

Name: Claudia Bevill

Address: 119 Cheek Sparger Rd

City: Colleyville **State:** TX **Zip Code:** 76034

Telephone Number: 817-849-1360 **Representing:** self
 (organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: [Signature]

This information is a Public Record.

Revised Statement of Planning Objectives

July 30, 2012

Briar Grove

Located at the SEC of Cheek-Sparger and San Bar

Zoning change from PUD-C to PUD-R

Revised 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 revised plan proposes 8 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 8 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; 8 homes averaging 3200 sf at \$150/sf = \$3,840,000
2. Estimated sell out for the entire project is 18 months

Revised Statement of Planning Objectives

PUD Single Family - 8 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 4.40 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 | 6216 square feet |
| b. Minimum Lot Width | 55 feet |
| c. Minimum Lot Depth | 120 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 (except for lot 4 which can have side yards of 5' and 3' or 1' and 7') |
| 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 14.02 % 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.

Revised Statement of Planning Objectives

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.

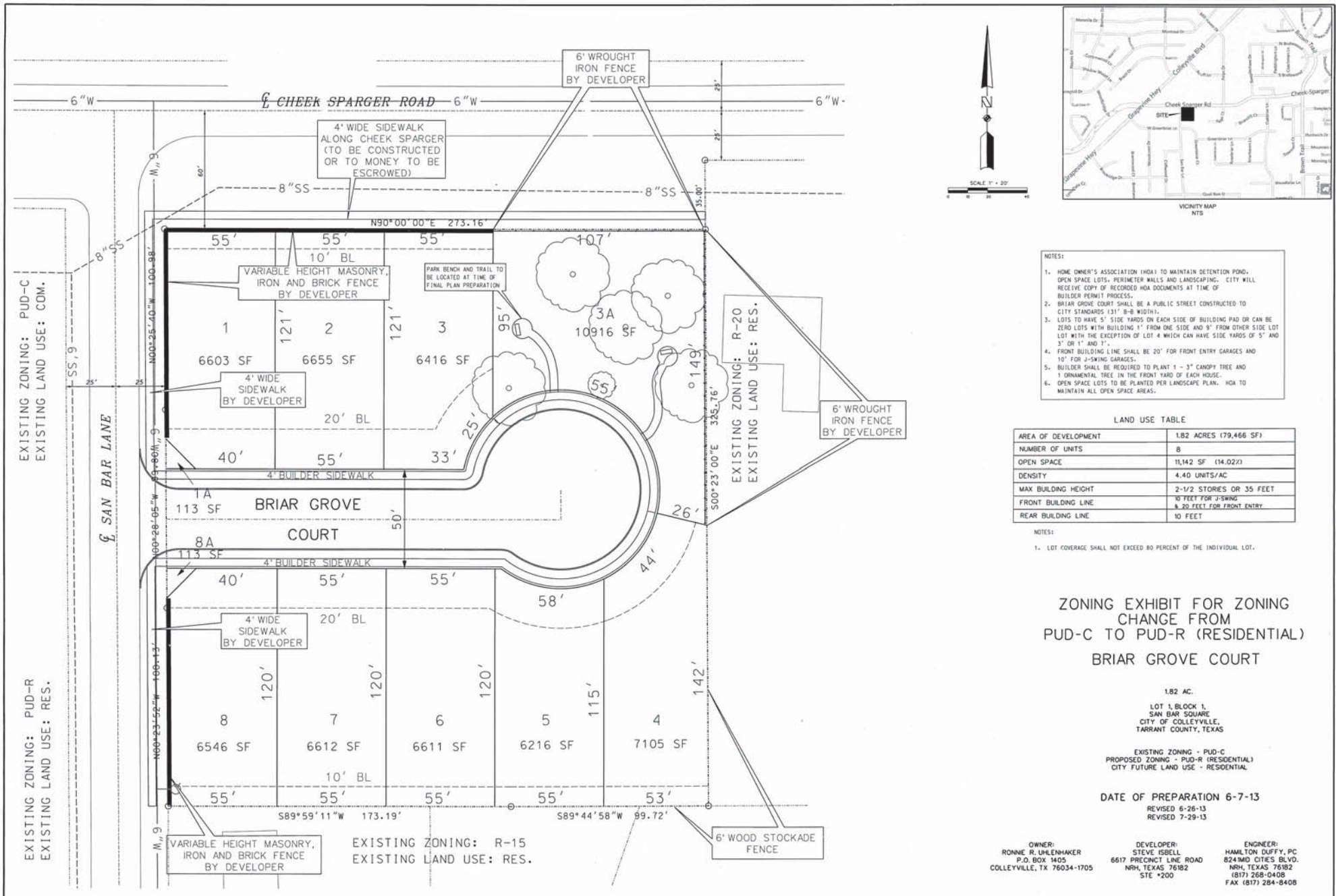
b. For two story homes there will be no balconies or verandas on the second floor of lots 4-8.

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.

Revised Site Plan



Revised Zoning Exhibit



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.

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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.

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- 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

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- 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.
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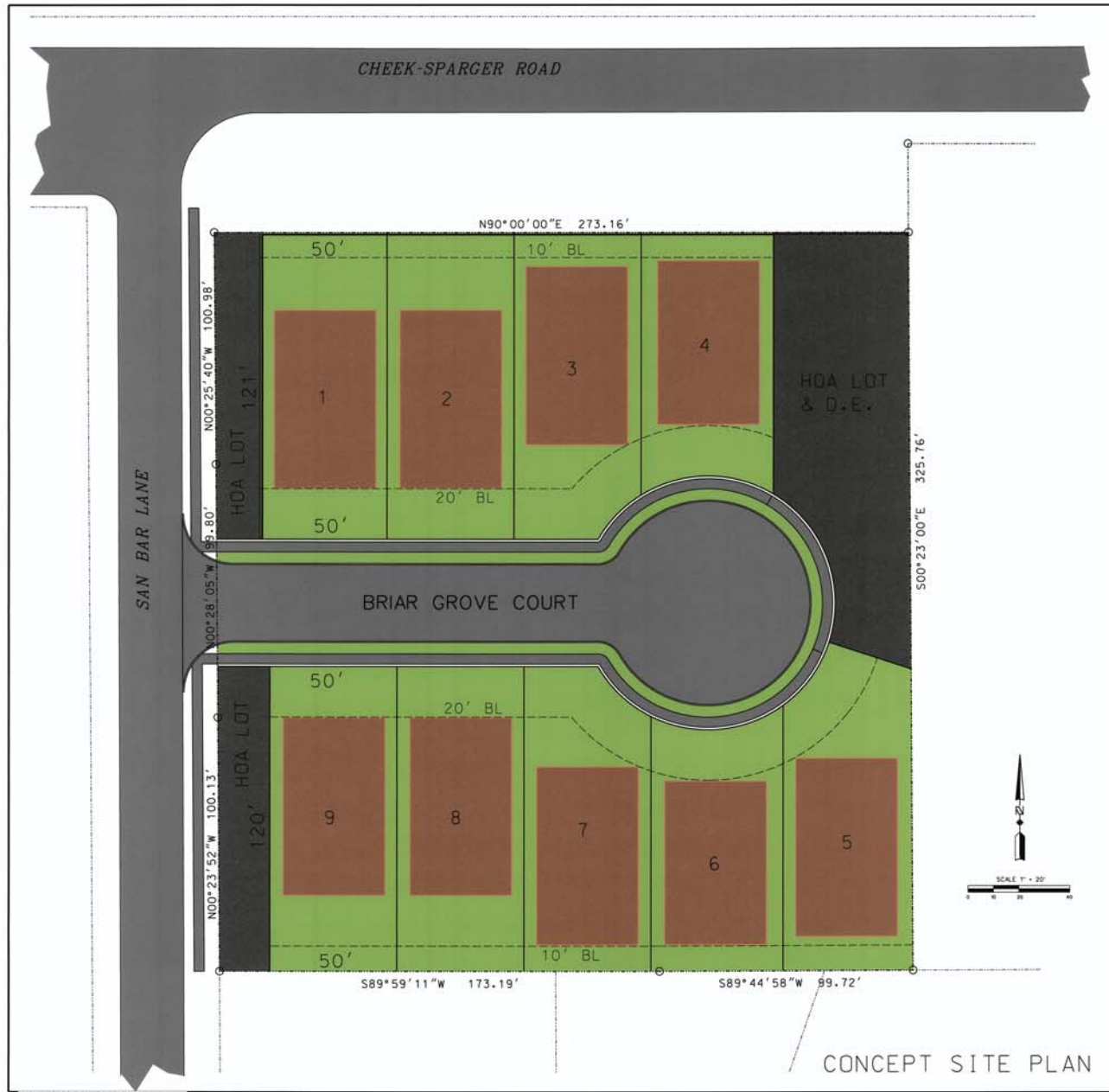
7. SIDEWALKS

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

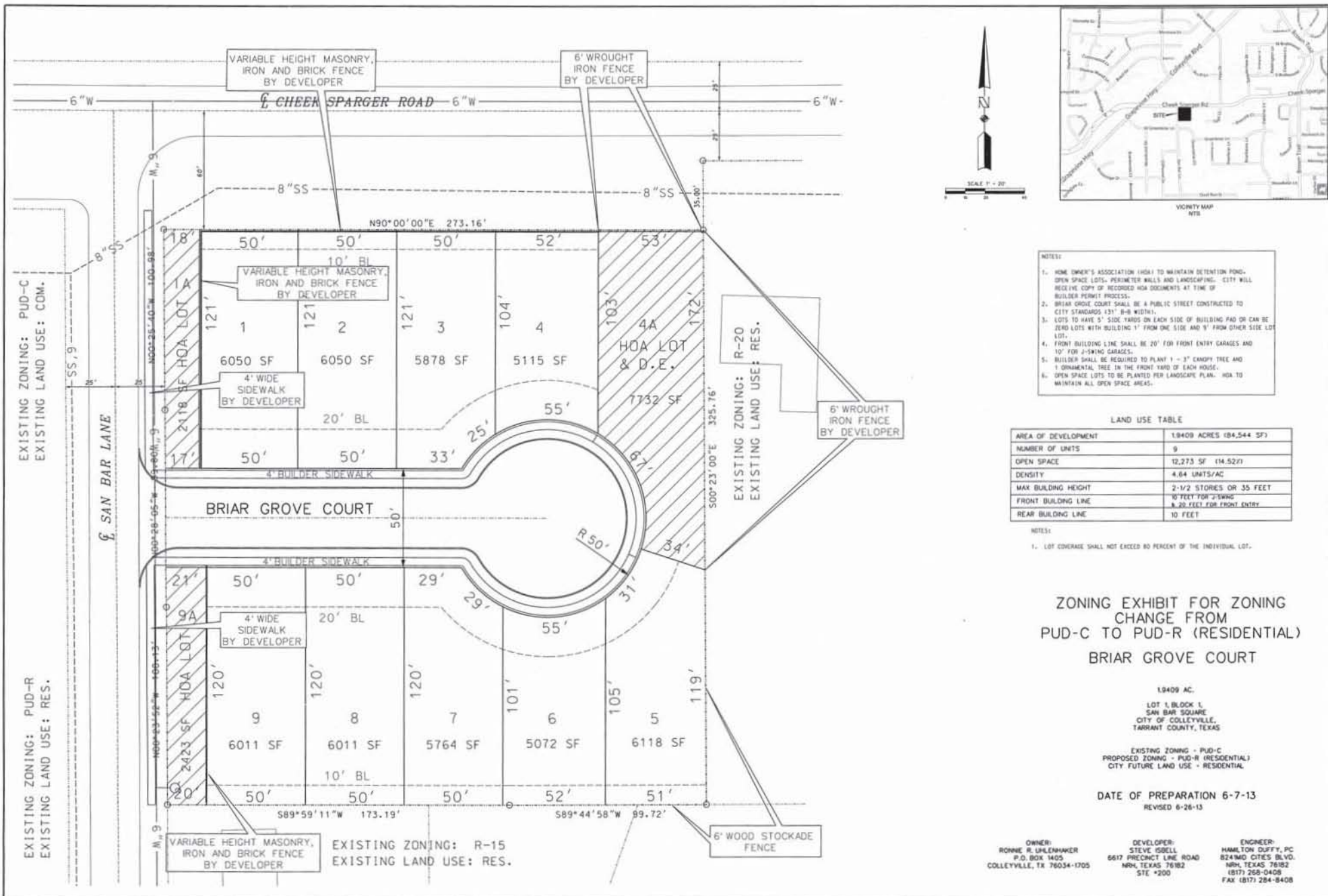
8. OTHER

- 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
Creeside 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	5,890	8,200	65%	3.4	5.3	3.0	20.0%	03.05.13	O-13-1864
The Preservation	36	60	140	8,500	9,170	50%	3	4.7	12.0	23.0%	05.14.13	O-13-1867
Average	59	56	106	6,207	6,866	57%	3.8	7.0	17.6	20.8%		
Zoning Case ZC13-008	8	55	120	6,216	6,596	80%	4.4	6.6	1.8	14.0%		

* 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
day of December, 1985.
The ^{7th} second reading and public hearing being conducted on the
day of January, 1986.
The ^{21st} third reading and public hearing being conducted on the
day of 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 eight (8) detached single family dwelling units, constructed at a gross maximum density of 4.4 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 55 feet in width as measured at the building setback line.
 2. The minimum lot size shall be 6,216 square feet.
 3. The minimum lot depth shall be 120 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: 80 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 shall not contain any balconies and verandas constructed on the second floor.

6. OPEN SPACE

- a. This development shall provide a minimum of 14.02 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. 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 3rd day of September 2013.

The second reading and public hearing being conducted on the 17th 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

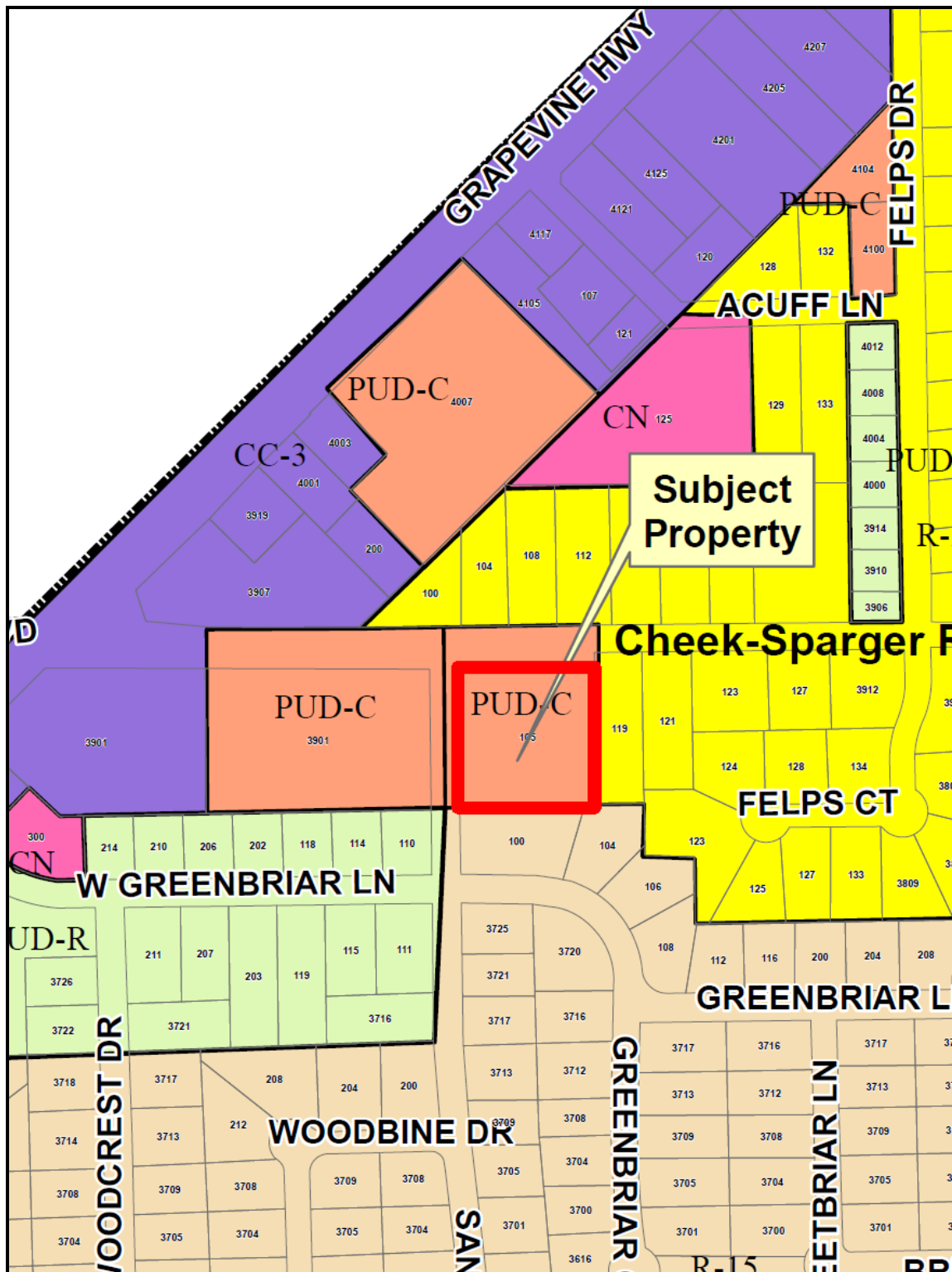


Exhibit B – Statement of Planning Objectives

July 30, 2012

Briar Grove

Located at the SEC of Cheek-Sparger and San Bar

Zoning change from PUD-C to PUD-R

Revised 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 revised plan proposes 8 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 8 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; 8 homes averaging 3200 sf at \$150/sf = \$3,840,000
2. Estimated sell out for the entire project is 18 months

Exhibit B – Statement of Planning Objectives (Cont.)

PUD Single Family - 8 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 4.40 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 | 6216 square feet |
| b. Minimum Lot Width | 55 feet |
| c. Minimum Lot Depth | 120 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 (except for lot 4 which can have side yards of 5' and 3' or 1' and 7') |
| 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 14.02 % 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 no balconies or verandas on the second floor of lots 4-8.

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.

[illegible]