



City of Colleyville Planning and Zoning Commission Agenda

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

Monday, September 23, 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 Wheelwright
PLEDGE OF ALLEGIANCE**

- 1. APPROVAL OF MINUTES**
September 9, 2013
- 2. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON
THE AGENDA**
- 3. REGULAR AGENDA ITEMS**

- 3a** Consideration of a waiver request to the sidewalk requirements on Lot 1, Block 1, of the Hodgson Addition located at 4609 Behrens Road, case GC13-018.
- 3b** Approval of a minor plat for 1.029 acres on Tracts 2K02, 2K01, and 2B01 of Abstract 1692 of the Joseph White Survey, located at 900, 904, and 908 Tinker Road, case PC13-018.

4. PUBLIC HEARING AGENDA ITEMS

- 4a** Request for an amendment to the PUD-C-Planned Unit Development Commercial zoning and development requirements for Lot 1R, Block 1, of the Wildwood Estates Addition located at 5700 Pool Road, case ZC13-010.

5. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards September 20, 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 09/23/2013	Number
Type Approval of Minutes		
Department Community Development		

Title

September 9, 2013

Explanation

Recommendation

Attachments

1. Planning and Zoning Commission Meeting Minutes - September 9, 2013



City of Colleyville Planning and Zoning Commission Minutes

City Hall
100 Main Street
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Monday, September 9, 2013

City Council Chambers

CALL MEETING TO ORDER

The Planning and Zoning Commission meeting of the City of Colleyville was called to order by Commissioner Dudziak on September 9, 2013 at 7:00 p.m.

Roll Call

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

Absent: Commissioners David Phelps and Jeff Byerly

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

1. APPROVAL OF MINUTES

Commissioner Knox made a motion to approve the minutes as written. Commissioner Davis seconded.

The motion to approve the minutes as written carried by the following vote:

Aye: 5 – Knox, Dudziak, Wheelwright, Gotcher, and Davis

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 final plat on 10.07 acres on Lot 1, Block 1, Stajduhar Addition located at 816 W. L. D. Lockett Road, Case PC13-015.

Ron Ruthven presented the case and briefed the Commission.

The applicant was available but did not wish to speak.

Commissioner Davis questioned staff regarding any changes that may have been made to the final plat. Ron Ruthven replied there were only minor changes such as corner clips at the intersections.

Commissioner Wheelwright made a motion to approve case PC13-015. Commissioner Davis seconded.

The motion to approve case PC13-015 carried by the following vote:

Aye: 5 – Knox, Dudziak, Wheelwright, Gotcher, and Davis

- 3b** Approval of a final 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 PC13-016.

Ron Ruthven presented the case and briefed the Commission.

The applicant was available but did not wish to speak.

Commissioner Davis questioned staff regarding any changes that may have been made to the final plat. Ron Ruthven replied no.

Commissioner Dudziak questioned staff regarding when the City Developer Agreement needed to be submitted. Ron Ruthven replied before the final plat is filed with the County.

Commissioner Davis made a motion to approve case PC13-016. Commissioner Gotcher seconded.

The motion to approve case PC13-016 carried by the following vote:

Aye: 5 – Knox, Dudziak, Wheelwright, Gotcher, and Davis

4. PUBLIC HEARING AGENDA ITEMS

- 4a** Request for a Special Use Permit for an accessory building on Lot 10, Block 4, of the Ashmore Addition located at 2713 Highgrove Court, case ZC13-011.

Ron Ruthven presented the case and briefed the Commission.

Commissioner Dudziak questioned staff regarding whether the entire

footprint would be covered. Ron Ruthven replied approximately 712 square feet that would be unenclosed and the rest would be enclosed. Commissioner Davis added the unenclosed square footage would be a porch. Ron Ruthven concurred.

The public hearing was opened at 7:15 p.m.

Perry Roberts, the applicant, and Zachary Johnson, the property owner, came forward to answer questions from the Commission.

Commissioner Gotcher questioned Mr. Johnson regarding whether he had made contact with the adjacent property owners to brief them on his plans. Mr. Johnson replied he has made contact with the neighbor to the east but has not made contact with the neighbor to the west.

There being no one else wishing to speak, the public hearing was closed at 7:16 p.m.

Commissioner Davis made a motion to approve case ZC13-011. Commissioner Knox seconded.

The motion to approve case ZC13-011 carried by the following vote:

Aye: 5 – Knox, Dudziak, Wheelwright, Gotcher, and Davis

- 4b** Request for a zoning change from AG-Agricultural to R-40 Residential on 1.06 acres on Lot 8 of the Mrs. Eva Paul's Subdivision located at 1105 Tinker Road, case ZC13-012.

Ron Ruthven presented the case and briefed the Commission.

The public hearing was opened at 7:20 p.m.

Frank Ritz, the applicant and property owner, came forward to answer any questions.

Commissioner Gotcher questioned Mr. Ritz regarding whether this would be his private residence or a build and sale. Mr. Ritz replied it will be his private residence.

There being no one else wishing to speak, the public hearing was closed at 7:20 p.m.

Commissioner Gotcher made a motion to approve case ZC13-012. Commissioner Wheelwright seconded.

The motion to approve case ZC13-012 carried by the following vote:

Aye: 5 – Knox, Dudziak, Wheelwright, Gotcher, and Davis

- 4c** Request for a Special Use Permit for a dance studio on Lot 1, Block 1, of the Ratliff Addition, located at 5310 Pleasant Run Road, case ZC13-013.

Ron Ruthven presented the case and briefed the Commission.

Commissioner Wheelwright questioned staff regarding whether the property owner of 5300 and 5310 Pleasant Run Road were the same. Ron Ruthven replied yes.

Commissioner Phelps questioned staff regarding the process for permitting any exterior modifications. Ron Ruthven replied a building permit would need to be applied for and approved by city staff. He further explained if the improvements total valuation exceeded the current building valuation, the property owner would be required to bring the building up to the requirements in the Land Development Code.

Commissioner Davis questioned staff regarding the driveway entrance/exit along Central Drive and whether it met code. Ron Ruthven replied yes.

Commissioner Gotcher questioned Rob McKeown, the fire marshal, regarding whether he would be calculating the building occupancy. Rob McKeown replied yes, as part of the Certificate of Occupancy process, the building official will determine the classification and group in which the building shall be labeled as.

The applicant was not present.

The public hearing was opened at 7:29 p.m.

Robert Figueroa, 817 Central Drive, came forward and spoke in opposition.

There being no one else wishing to speak, the public hearing was closed at 7:31 p.m.

Commissioner Wheelwright questioned staff regarding the possibility of patrons parking on the adjacent lot, 5300 Pleasant Run Road. Ron Ruthven replied the property would have to be developed. He further

explained if anyone were to park on the adjacent property as it is today, they would be in violation of the Land Development Code.

Discussion continued between staff and the Commission regarding parking on the adjacent property.

Commissioner Dudziak questioned staff regarding whether there would be any type of productions planned for this location; would this violate the ordinance? Ron Ruthven replied if the production or showcase was for the students, no.

Commissioner Dudziak questioned staff regarding whether the building could be rented out to other organizations. Ron Ruthven replied no.

Commissioner Dudziak questioned staff regarding another business moving into the building; would they also need to apply for a special use permit? Ron Ruthven replied as long as it is a use that is allowed by right in the Commercial Neighborhood zoning district, they would only need to apply for a Certificate of Occupancy.

Discussion continued between Commissioner Dudziak and staff regarding allowed uses.

Commissioner Wheelwright made a motion to approve case ZC13-013 with the condition that Sections 4(1) d and e in the proposed ordinance be removed. Commissioner Gotcher seconded.

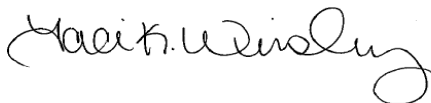
The motion to approve case ZC13-013 with the condition that Sections 4(1) d and e in the proposed ordinance be removed carried by the following vote:

Aye: 5 – Knox, Dudziak, Wheelwright, Gotcher, and Davis

5. ADJOURNMENT

The meeting adjourned at 7:42 p.m.

The minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on September 23, 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 09/23/2013	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 Hodgson Addition located at 4609 Behrens Road, case GC13-018.

Explanation

Wes and Wendy Poole are requesting a waiver to the construction of a sidewalk for a new home located at 4609 Behrens Road.

Summary. The newly constructed single family home triggered the sidewalk requirements.

According to the Supplemental Sidewalk System Map and the Land Development Code standards, for lots located along Behrens Road - on which the subject property is located - construction of a five (5) foot wide sidewalk along Behrens Road is required. The Land Development Code gives the Planning and Zoning Commission authority to review and consider all requests for waivers to the new Supplemental Sidewalk System Map and Land Development Code regulations.

The applicant has provided a Statement of Planning Objectives describing the request. The applicant is requesting the variance due to Behrens containing a bar ditch where the sidewalk would be built, the fact that there are no other sidewalks in the neighborhood and the negative aesthetic look of a sidewalk in a rural neighborhood.

The applicant is requesting a full waiver but states that they are willing to pay into escrow in lieu of construction if required.

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 and trail 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 not to exceed \$3,325.44.

District Neighborhood. If the Planning and Zoning Commission gives the applicant the option for paying into escrow versus constructing the sidewalk, the monies received will be available for any future sidewalks and/or trails located within District Neighborhood #3.

Recommendation

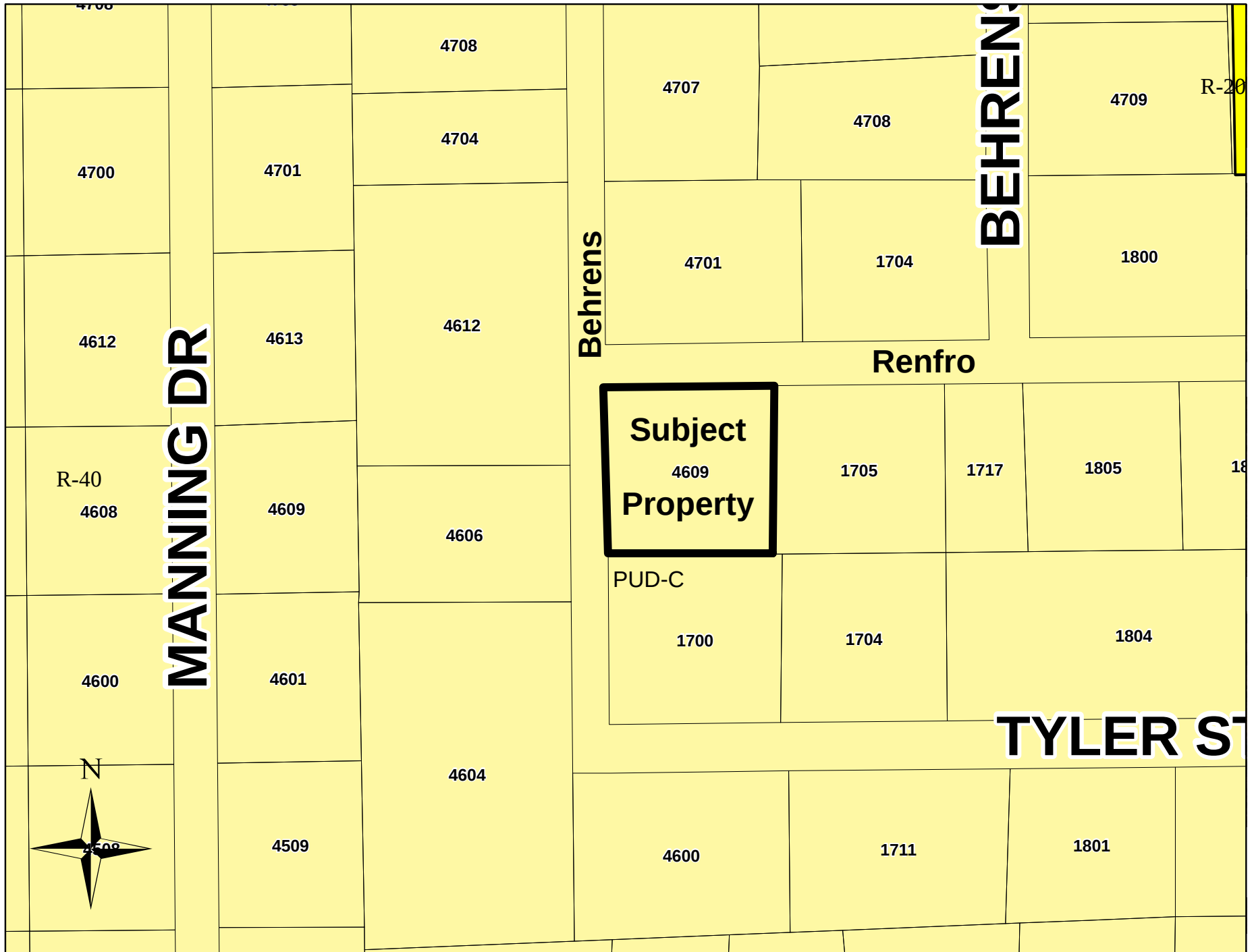
Denial

Staff recommends that construction of a five (5) foot wide sidewalk along Behrens Road is required as recommended by the Supplemental Sidewalk System Map.

Attachments

1. Location and Zoning Map
2. Aerial
3. Statement of Planning Objectives
4. Supplemental Sidewalk System Map

Location and Zoning Map



Aerial



Statement of Planning Objectives

September 8, 2013

Mr. Ron Ruthven, AICP, Director
Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034

Sidewalk waiver request 4609 Behrens Road

Dear Mr. Ruthven:

I am writing the Planning and Zoning Committee requesting a waiver for a sidewalk on 4609 Behrens Road. We chose where we are building as it has a wonderful country feel while having the amenities offered by the City of Colleyville. I would like to point out that none of our neighbors on Behrens Road or the streets that dead into Behrens Road (Tyler and Renfro) have sidewalks, and we did not become aware of this matter until we had purchased the lot and began construction on our home.

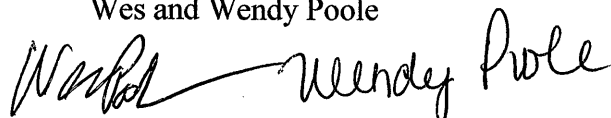
The current city-approved plan requiring a sidewalk presents many problems and issues. First, Behrens Road has no curb or guttering system and uses bar ditches to provide drainage. The plan as drawn requires the sidewalk to be built in the bar ditch creating drainage issues as well as structural and maintenance issues for the sidewalk. In addition, if additional sidewalks are to be built, the entire neighborhood will need to have the costs of adding curbs and guttering which would be a substantial cost of city funds. Second, as mentioned above, none of our neighbors have sidewalks, so constructing a sidewalk in the neighborhood would result in a "sidewalk to nowhere" and provide no benefit to the city or the neighborhood. Third, the aesthetic look of having only one sidewalk in the entire neighborhood is not appealing and detracts from the country feel of the area. The Smith's, Clancy's, Brandt's and Chambers, who live on either side of us and across the street from us, are concerned with the aesthetics of having 1 sidewalk in the entire neighborhood.

We understand that if a waiver cannot be provided that the city has established a program where money can be placed in escrow. We are prepared if an outright waiver cannot be provided to participate in such system and would ask that we be allowed to access this immediately.

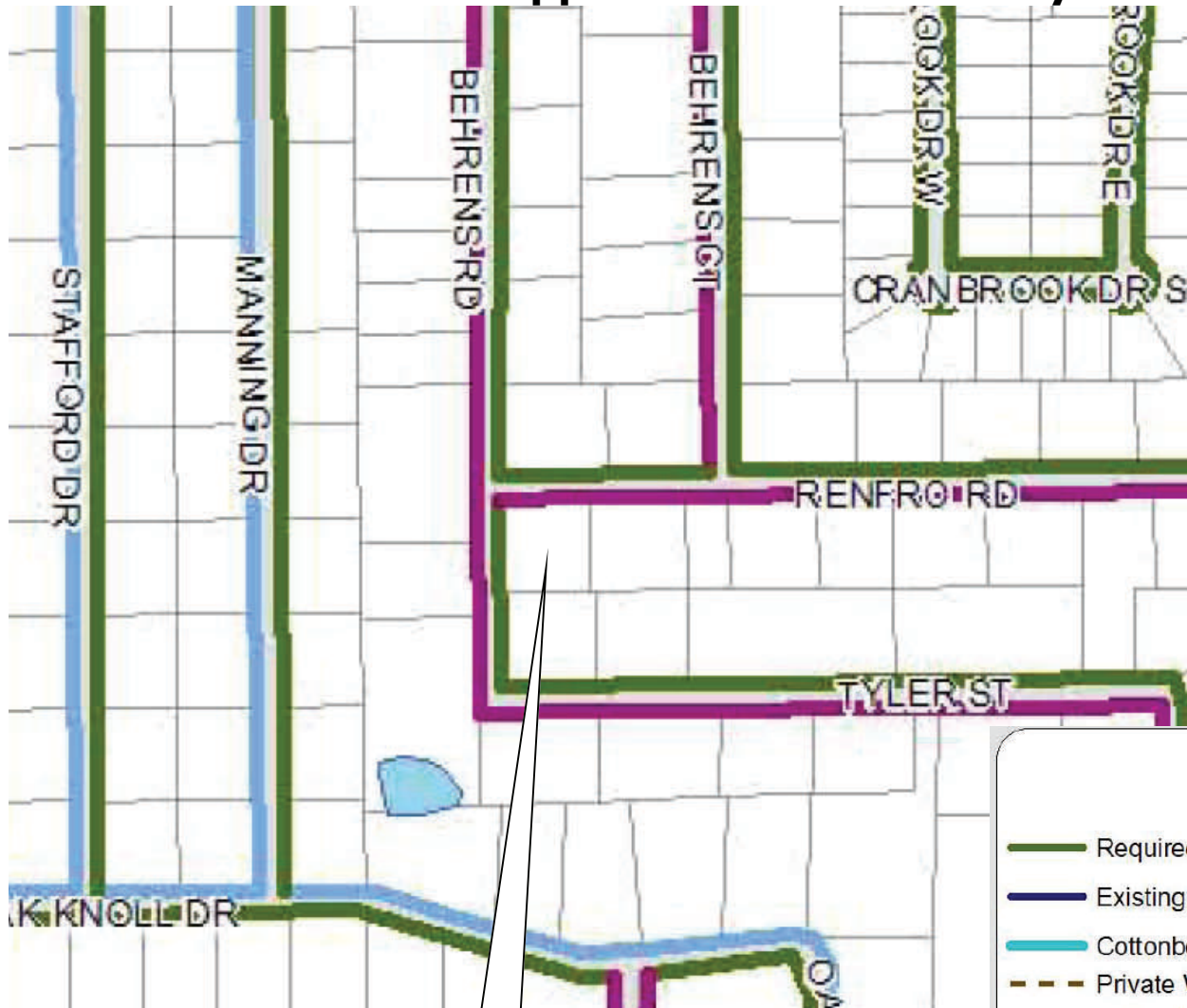
We appreciate your attention to this matter and quick resolution so we can move forward with completing our house and moving to Colleyville.

Sincerely

Wes and Wendy Poole

Handwritten signatures of Wes and Wendy Poole in black ink.

Supplemental Sidewalk System Map



**Subject
Property**

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
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Agenda Number 3b	Agenda Date 09/23/2013	Number
Type Regular Agenda Items		
Department Community Development		

Title

Approval of a minor plat for 1.029 acres on Tracts 2K02, 2K01, and 2B01 of Abstract 1692 of the Joseph White Survey, located at 900, 904, and 908 Tinker Road, case PC13-018.

Explanation

Father Richard Eldredge, applicant, submitted a request for approval of a minor plat for three lots totaling 0.66 acres that will be redeveloped as a parking lot extension for the Good Shepherd Catholic Church. The properties are currently not platted.

Zoning. The properties are 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 lots do not meet the minimum requirements of the zoning district. However, the properties are recognized as lots of record and are, therefore, exempt from the lot dimension requirements of the AG district given that lot sizes are not being modified from their current configuration. The subject properties are allowed to be developed as planned.

Existing Conditions. The lots are currently vacant. A single family home located at 900 Tinker Road was demolished in June in preparation for the parking lot expansion.

Plat Request. Per the attached site plan, the applicant is requesting the minor plat in order to expand the parking lot for the Good Shepherd Catholic Church, located adjacent to the subject properties at 1000 Tinker Road. No structures are planned for the subject properties.

Surrounding Properties. Surrounding properties to the north and east are developed at the Good Shepherd Catholic Church. Properties to the west and south are developed as single family homes.

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.

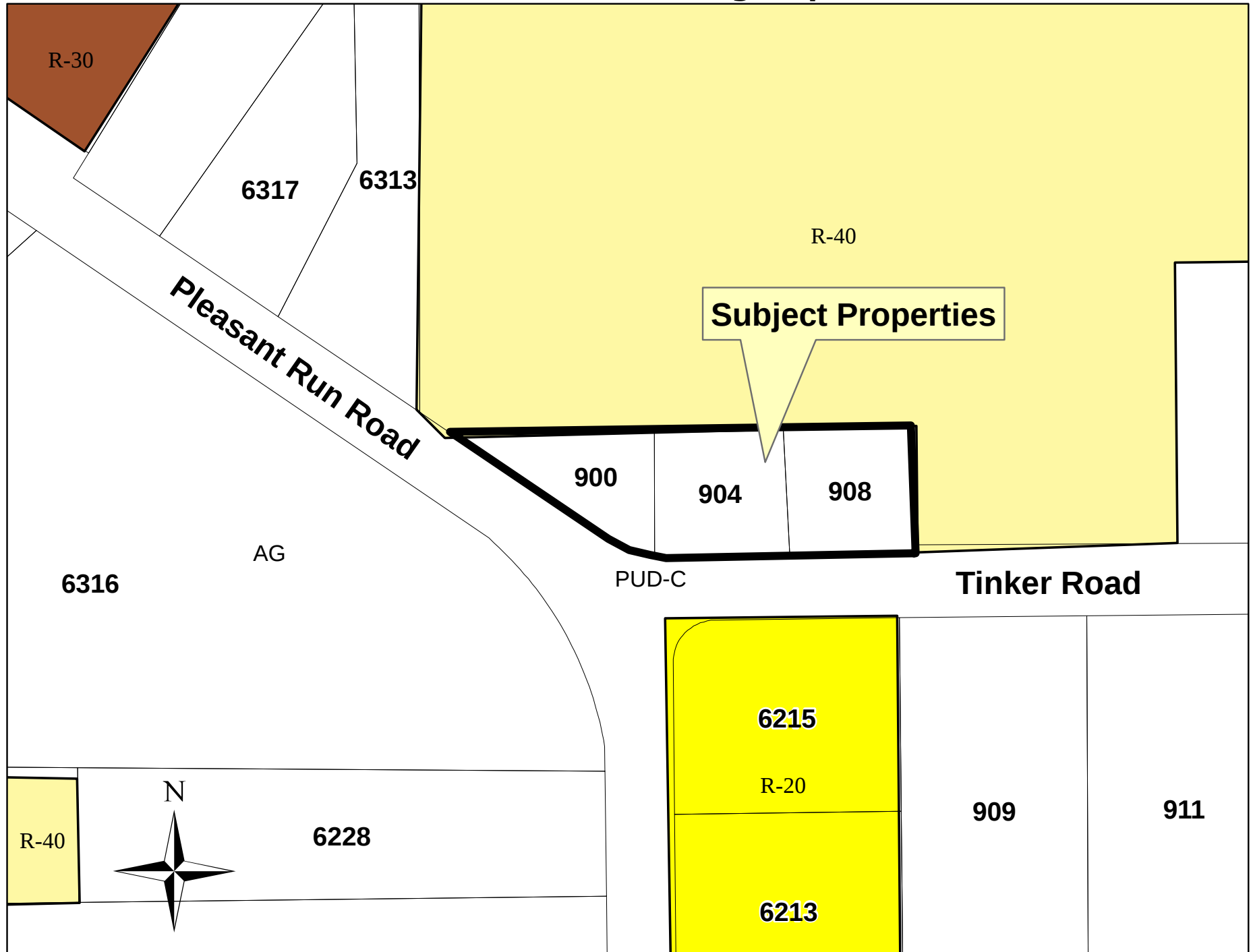
Recommendation

Approve

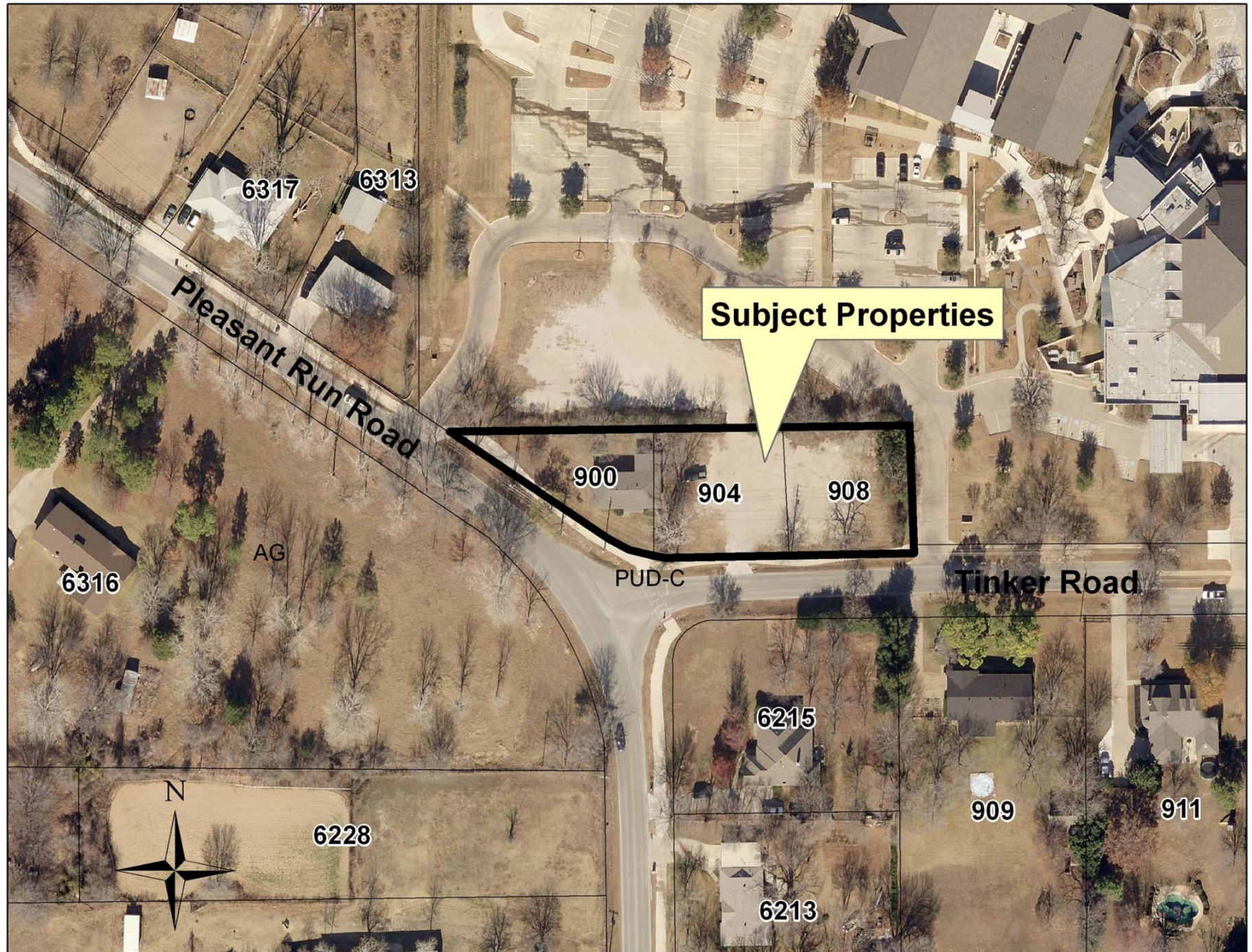
Attachments

1. Location and Zoning Map
2. Aerial
3. Plat Exhibit
4. Proposed Site Plan

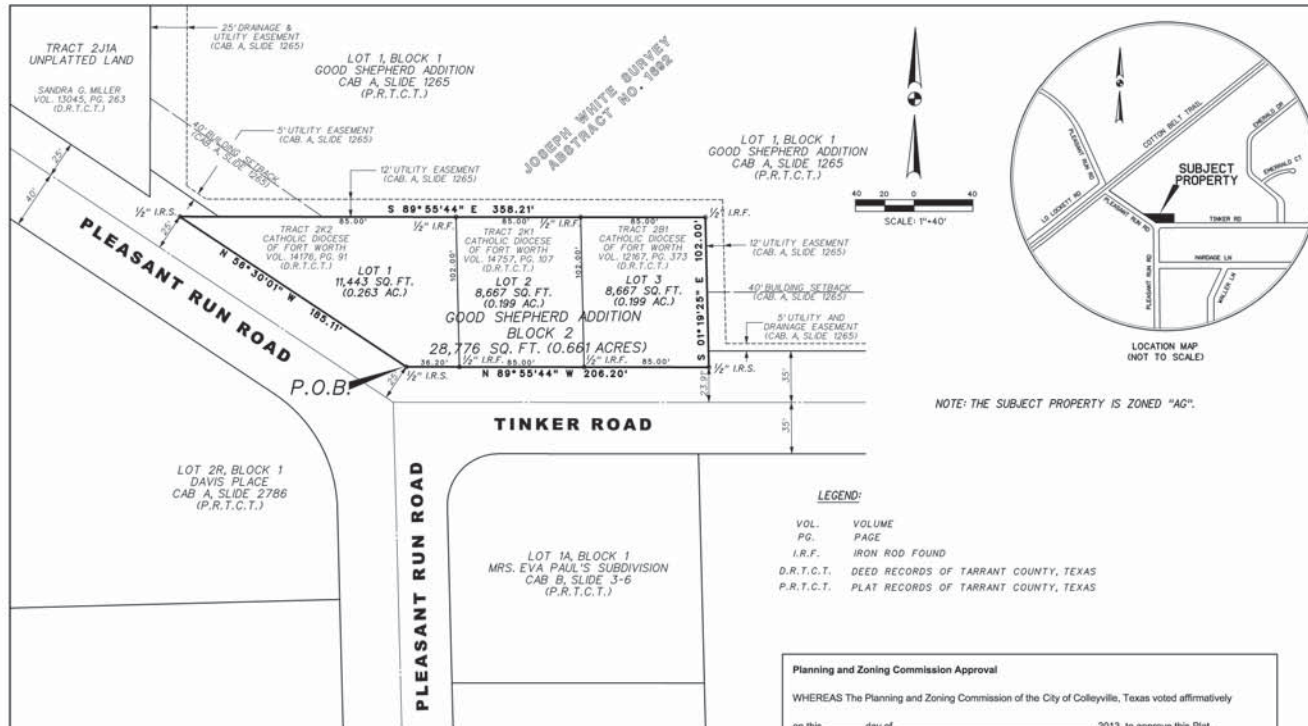
Location and Zoning Map



Aerial



Plat Exhibit



NOTE: THE SUBJECT PROPERTY IS ZONED "AC".

DEDICATION CERTIFICATE

WHEREAS, The Catholic Diocese of Fort Worth, is the owner of a tract of land situated in the Joseph White Survey, Abstract No. 1692, Tarrant County, Texas, and being all of those tracts of land conveyed to The Catholic Diocese of Fort Worth, according to the deeds thereof recorded in Volume 12167, Page 373; Volume 14176, Page 91; Volume 14757, Page 107 of the Deed Records of Tarrant County, Texas (D.R.T.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod set at the intersection of the north right-of-way line of Tinker Road (a variable width right-of-way) and the northeastern right-of-way line of Pleasant Run Road (a variable width right-of-way);

THENCE North 56 degrees 30 minutes 01 second West, along the northeastern right-of-way line of said Pleasant Run Road, a distance of 185.11 feet to a 1/2-inch iron rod set for corner;

THENCE South 89 degrees 55 minutes 44 seconds East, departing the northeastern right-of-way line of said Pleasant Run Road, at a distance of 26.55 feet passing thru an internal corner in the southerly line of Lot 1, Block 1 of the Good Shepherd Addition, an addition to the City of Colleyville, according to the plat thereof recorded in Cabinet A, Slide No. 1265 of the Plat Records of Tarrant County, Texas (P.R.T.C.T.), thence continuing along the southerly line of said Lot 1, a distance of 358.21 feet to a 1/2-inch iron rod found for corner, said point being an internal corner in the southerly line of said Lot 1;

THENCE South 01 degree 19 minutes 25 seconds East, at a distance of 90.91 feet passing thru a 1/2-inch iron rod found in the most southerly southwest corner of said Lot 1, thence departing the southerly line of said Lot 1, for a total distance of 102.00 feet to a 1/2-inch iron rod set for corner in the northerly line of said Tinker Road;

THENCE North 89 degrees 55 minutes 44 seconds West, along the north line of said Tinker Road, a distance of 206.20 feet to THE POINT OF BEGINNING AND CONTAINING 28,776 square feet or 0.661 acres of land, more or less.

NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:

That The Catholic Diocese of Fort Worth, Owner, does hereby adopt this plat designating the hereinbefore described property as **LOTS 1, 2 & 3, BLOCK 2, GOOD SHEPHERD ADDITION**, an addition to the City of Colleyville, Tarrant County, Texas, and do hereby dedicate fee simple to the public use forever all streets, rights-of-way, and alleys shown thereon, and do hereby reserve the easements shown on this plat for the mutual use and accommodation of all public utilities desiring to use or using the same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Colleyville, Texas.

Witness our hands this _____ day of _____, 2013.

MONSIEUR STEVE BERG
THE CATHOLIC DIOCESE OF FORT WORTH

STATE OF TEXAS)
COUNTY OF TARRANT)

Before me, the undersigned Notary Public in and for said county and State on this day personally appeared MONSIEUR STEVE BERG, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2013.

Notary Public in and for Tarrant County

My printed name

My commission expires:

Planning and Zoning Commission Approval

WHEREAS The Planning and Zoning Commission of the City of Colleyville, Texas voted affirmatively on this _____ day of _____, 2013, 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 _____, 2013, to approve of this Plat.

Mayor, City of Colleyville

Attest: City Secretary

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

That I, Siang W. Lim, a Registered Professional Land Surveyor licensed in the State of Texas, do hereby certify that this Plat is true and correct and was prepared from an actual survey made under my supervision on the ground. Further, this survey conforms to the general rules of procedures and practices of the most current Professional Land Surveying Practices Act.

Dated this the _____ day of _____, 2013.

SIANG W. "DANIEL" LIM
Texas Registered Professional Land Surveyor No. 5322

STATE OF TEXAS)
COUNTY OF TARRANT)

Before me, the undersigned Notary Public in and for said county and State on this day personally appeared SIANG W. "DANIEL" LIM, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2013.

Notary Public in and for Tarrant County

My printed name

My commission expires:

APPLICANT

GOOD SHEPHERD CATHOLIC CHURCH
1000 TINKER ROAD
COLLEYVILLE, TX 76034
ATTN: FATHER RICHARD ELDREDE
(817) 421-1387

OWNER:

CATHOLIC DIOCESE OF FORT WORTH
800 W LOOP 820 S
FORT WORTH, TX 76108
ATTN: MONSIEUR STEVE BERG
(817) 560-3300

SURVEYOR:

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPB Reg. F-3232, TBPLS Reg. 101236-00
1731 N. Market Street, Suite 310 / L820
Dallas, Texas 75202
Tel. (214) 698-0888 • Fax (214) 698-9888
LimTx.com
Contact: Daniel Lim, 214-255-2488 ext.

MINOR PLAT SHOWING

**LOTS 1, 2 & 3, BLOCK 2
GOOD SHEPHERD ADDITION**
AN ADDITION TO THE CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS

BEING

28,776 SQ. FT. OR 0.661 ACRES
OF UNPLATTED LAND

OUT OF

JOSEPH WHITE SURVEY, ABSTRACT NO. 1692
CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

AUGUST 21, 2013

23322\COLLEYVILLE-PLAT.DGN



GOOD SHEPHERD CATHOLIC
COMMUNITY PARISH CENTER
1000 TINKER ROAD,
COLLEYVILLE, TEXAS 76034

PARKING LOT LAYOUT

[illegible]

PROJECT NO:	12084.00
DESIGNED BY:	PJP
DRAWN BY:	JDS
CHECKED BY:	JP
DATE:	8-29/10/2013
SHEET TITLE	

PARKING LOT

SHEET NO.

C-102



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 09/23/2013	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Request for an amendment to the PUD-C-Planned Unit Development Commercial zoning and development requirements for Lot 1R, Block 1, of the Wildwood Estates Addition located at 5700 Pool Road, case ZC13-010.

Explanation

The applicant is requesting an amendment to PUD-C Ordinance O-12-1822 in order to modify certain conditions for 5700 Pool Road, located at the southwest corner of Pool Road and Hall-Johnson Road.

Existing Conditions and Zoning. The subject property is zoned PUD-C-Planned Unit Development Commercial and contains an athletic field, basketball court, covered pavilion and parking lot. The zoning was approved on February 21, 2012 by Ordinance O-12-1822 (attached) and allows parking, athletic, and outdoor activities in conjunction with the Compass Church located across Hall-Johnson Road at 2600 Hall-Johnson Road. The development of the property was completed on July 19, 2013 but has not received final approval from the City pending the approval of the applicant's request.

The entire zoning case briefing from the February 21, 2013 City Council meeting is attached.

Applicant's Request. Per the attached Statement of Planning Objectives, the applicant is requesting the following modifications to the conditions in Ordinance O-12-1822:

1. Section 4(5)a- The applicant requests that the support columns for the pavilion be clad with masonry materials only up to approximately 6 feet in height. The applicant states that they are requesting this "for the aesthetic desires of the church". Section 4(5)a currently requires that all columns shall be constructed of masonry materials. Attached is an exhibit that shows the amended elevations for the pavilion. The columns currently contain no masonry and, instead, are composed of painted metal.

2. Section 4(6)b- The applicant requests that the requirement for an eight foot masonry screening fence along the southern property line be removed. The applicant states that since Ordinance O-12-1822 was passed, Compass Church has acquired the property to the south so there is no longer a need to screen the property to the south.

The fence has not been built.

3. Section 4(6)c- The applicant requests that the requirement for a decorative eight foot tall open rail fence be revised to a six foot tall open rail fence. The applicant states that, "given the location and intended use, the fence will act as a sufficient barrier for ball and players entering the vehicular parking area as well as the street". The fence is currently constructed as a six foot high wrought iron fence.

4. Section 4(7)b- The applicant requests that the requirement for a 20 foot landscape buffer along the southern property line be removed. Since Ordinance O-12-1822 was passed, Compass Church has acquired the property to the south and the applicant states that there is no longer a need to screen the property to the south. There is currently no landscape buffer along the southern property line. However, the required landscape buffer along the western property line is complete.

5. Section 4(8)a- The applicant requests that the verbiage "the developer shall replace and/or repair the existing five (5) foot sidewalk along Hall-Johnson Road and Pool Road" be revised to "the developer shall replace and/or repair the existing sidewalk along Hall-Johnson Road and Pool Road". The sidewalks along Hall-Johnson Road and Pool Road were in place prior to the development of the subject property. The sidewalk along Hall-Johnson Road is five (5) in width will the sidewalk along Pool Road is four (4) feet in width. Given the development of the property, all required sidewalks and trails must be built where none exist or improved to current standards where there are existing sidewalks or trails. Along Pool Road, according to both the Supplemental Sidewalk System Map and the Colleyville Pathways Plan (Trail #5), a ten (10) foot wide trail is required. As such, the existing four (4) foot sidewalk is not in compliance. The applicant is requesting the option to place the money for the trail into escrow in lieu of construction and leave the four foot sidewalk in place. The applicant has already repaired the damaged portions of the sidewalk per the requirements of Section 4(8)a.

The only ten foot wide portions of Trail #5 that currently exist are along the frontages of 5200 to 5212 Pool Road, approximately 2,200 feet south of the subject property.

All of the requested amendments above are reflected in the proposed ordinance. All other development conditions of Ordinance O-12-1822 and the Land Development are in compliance on the subject property.

Surrounding Properties. The surrounding properties include the following uses: a Compass Church annex to the east in the City of Grapevine, the primary Compass Church campus to the north, and single family residential uses to the west and south of the subject property.

Public Notification. Staff mailed notices to 15 adjacent property owners regarding this request and a courtesy notice were mailed to the City of Grapevine. All school

districts within the City of Colleyville were notified per State law. Notice was published in the Fort Worth Star-Telegram as required by state law and the Land Development Code. Staff has received no correspondence regarding this request to date.

Summary. The development of the property is complete and the proposed amendments relate to conditions that are currently not in compliance on the subject property. If the request is approved, a final inspection may be approved on the subject property.

Recommendation

Approval with the following conditions:

1. AMENDMENTS TO ORDINANCE O-12-1822

a. The following amendments to Ordinance O-12-1822 are hereby authorized:

(1) Section 4(5)a: the exterior surface of all columns shall be composed of masonry material to minimum height of six feet above the floor per Exhibit "B".

(2) Section 4(6)b: this section is hereby deleted.

(3) Section 4(6)c: A decorative six (6) foot open rail steel panel fence shall extend along the northern property line along Hall-Johnson Road.

(4) Section 4(7)b: The requirement for a 20 foot landscape buffer along the southern property line is hereby deleted.

(5) Section 4(8)a: the term "five (5) feet" is hereby deleted from this section.

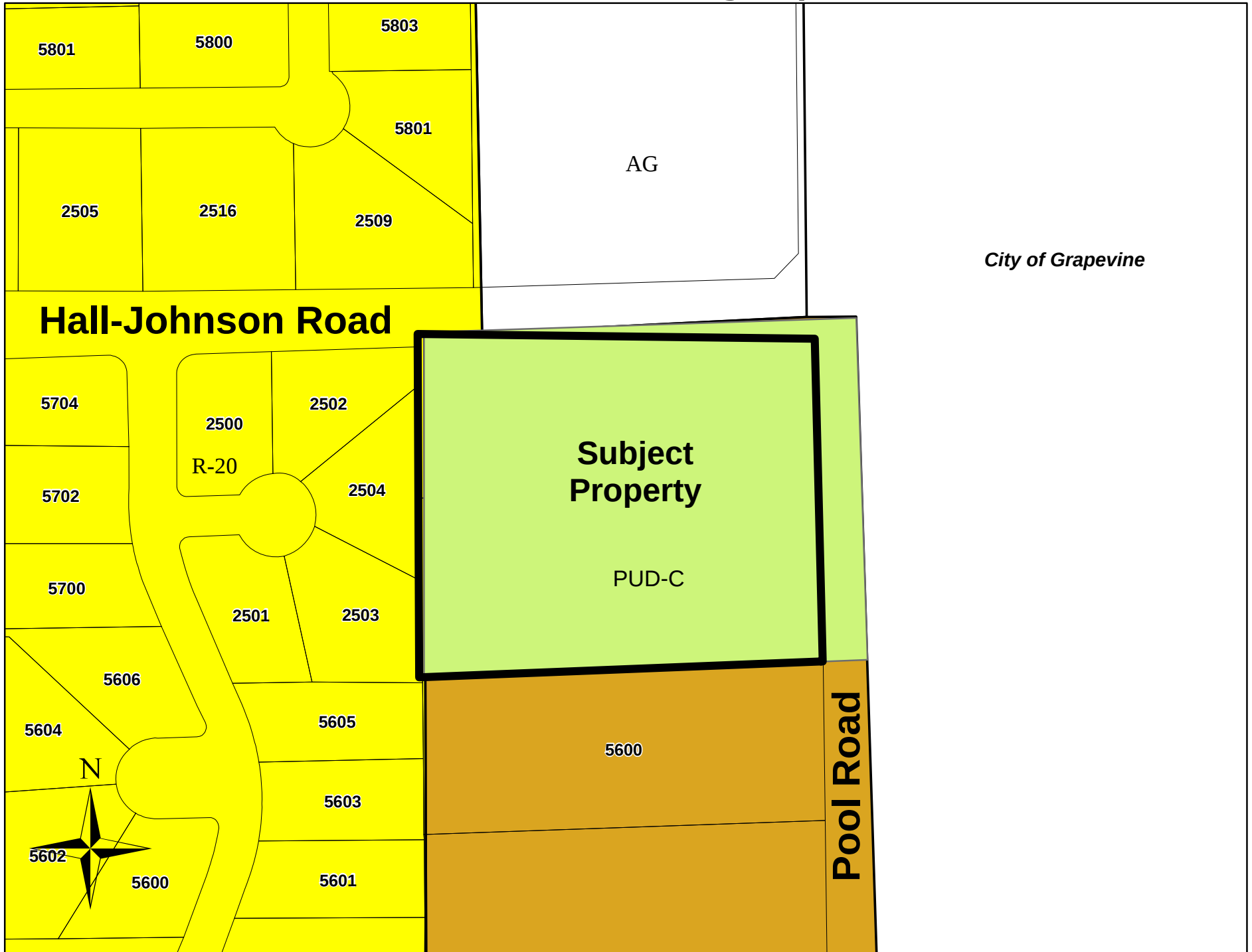
2. GENERAL

a. In lieu of construction, the developer may place into escrow the cost to construct the required ten (10) foot trail along Pool Road per the requirements of the Land Development Code. Said escrow payment, or construction, shall occur prior to the issuance of the final certificate of occupancy.

Attachments

1. Location and Zoning Map
2. Aerial
3. Buffer Map
4. Notification List
5. Statement of Planning Objectives
6. Amended Site Plan
7. Amended Pavilion Elevations
8. Original Case Briefing - 2/21/2012 City Council Meeting
9. Ordinance O-12-1822
10. Proposed Ordinance

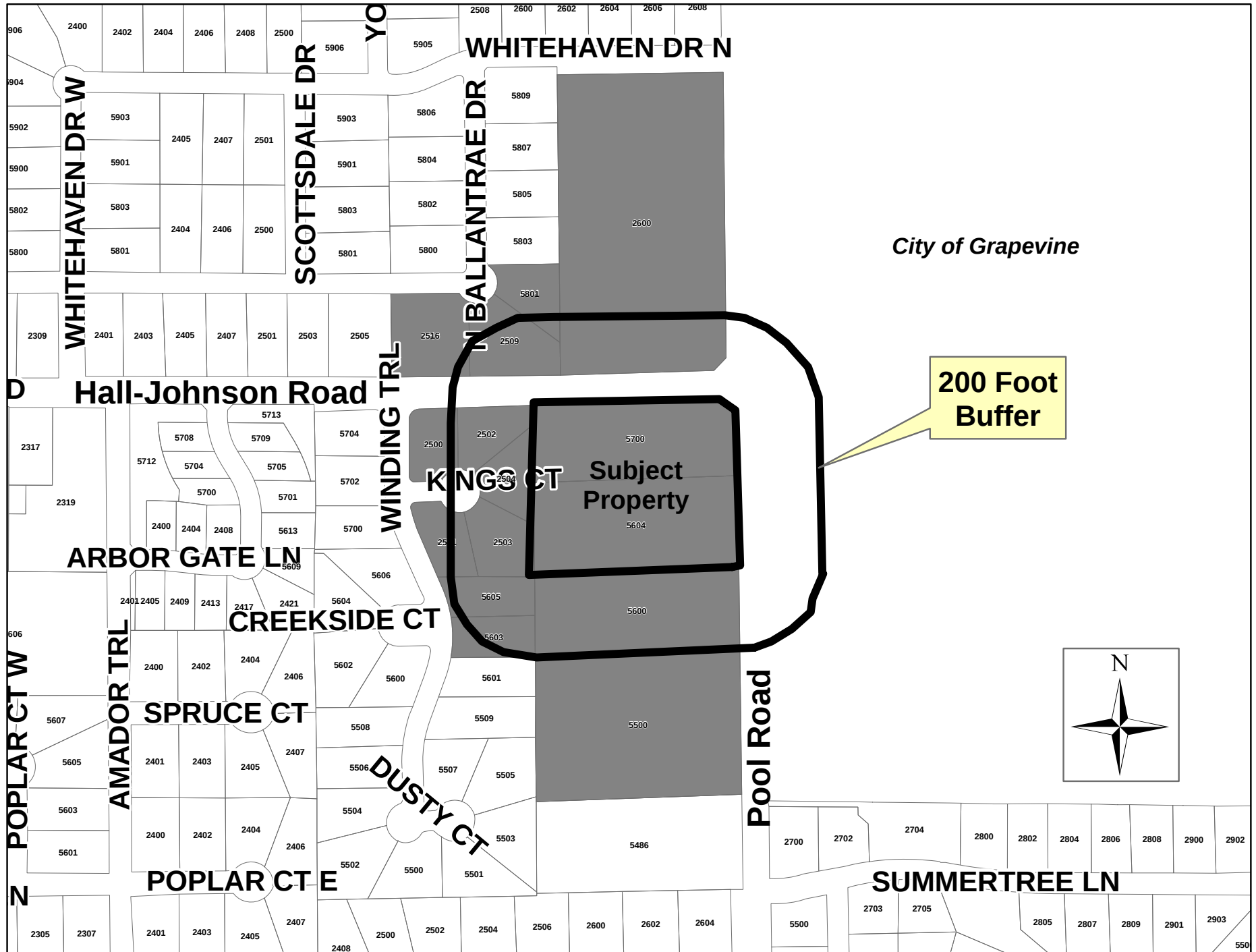
Location and Zoning Map



Aerial



Buffer Map



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
Pearson, Patrick L & Celestine	2500 Kings Ct	Colleyville	Texas	76034	2500 Kings Ct
Lucart, Sean T Etux Linda A	2504 Kings Ct	Colleyville	Texas	76034	2504 Kings Ct
Highland Meadows Christian Ch	2600 Hall Johnson Rd	Colleyville	Texas	76034	5604 Pool Rd
Neisius, Brandon Etux Carolyn	2503 Kings Ct	Colleyville	Texas	76034	2503 Kings Ct
Cohen-Wullaert, Allison Etvir	2502 Kings Ct	Colleyville	Texas	76034	2502 Kings Ct
Highland Meadows Christian Ch	2600 Hall Johnson Rd	Colleyville	Texas	76034	5500 Pool Rd
Intfen, Christopher Etux Marga	5603 Winding Trl	Colleyville	Texas	76034	5603 Winding Tr
Yin, Hai-Kuang Etux Nanyi	2501 Kings Ct	Colleyville	Texas	76034	2501 Kings Ct
Highland Meadows Christian Ch	2600 Hall Johnson Rd	Colleyville	Texas	76034	5600 Pool Rd
Henderson, Gary R Etux Julie	5605 Winding Trl	Colleyville	Texas	76034	5605 Winding Tr
Highland Meadows Christian Ch	2600 Hall Johnson Rd	Colleyville	Texas	76034	5700 Pool Rd
Przano, Anthony P Etux D Dawan	2509 Ballantrae Dr	Colleyville	Texas	76034	2509 Ballantrae Dr
Cloud, Ryan P Etux Britney R	5801 N Ballantrae Dr	Colleyville	Texas	76034	5801 N Ballantrae Dr
Pennington, David Franklin	2516 Hall Johnson Rd	Colleyville	Texas	76034	2516 Hall Johnson Rd
Highland Meadows Christian Ch	2600 Hall Johnson Rd	Colleyville	Texas	76034	2600 Hall Johnson Rd
Grapevine-Colleyville ISD	3051 Ira E. Woods Aven	Grapevine	Texas	76051	Courtesy Notice
Keller ISD	350 Keller Parkway	Keller	Texas	76248	Courtesy Notice
Hurst Euless Bedford ISD	1501 Central Drive	Bedford	Texas	76022	Courtesy Notice
City of Grapevine	P. O. Box 95140	Grapevine	Texas	76099	Courtesy Notice
Louie Murillo, Applicant	2600 Hall Johnson Rd	Colleyville	Texas	76034	Applicant

Public hearing notices were mailed
Friday, September 13, 2013 by Taci Wrisley

Statement of Planning Objectives



STATEMENT OF PLANNING OBJECTIVES

08-05-2013

5700 Pool Road
Colleyville, TX 76034

Compass Christian Church is the owner of lots 1&2 of Block 1 of the S.C.H. Witten Survey A-1740. The approximate 4.8 acres was made a PUD per Ordinance 0-12-1822. The property is being developed for athletic and outdoor activities as a compliment to the main worship and Christian education facility to the north and Compass Center, a youth and community outreach center to the east. The church respectfully requests that the PUD be amended to reflect the following modifications:

1. Section 4(5)a- We request that the support columns for the pavilion be clad with masonry materials up to approximately 6 feet in height. We are requesting this for the aesthetic desires of the church.
2. Section 4(6)b- We request the requirement for an eight foot masonry screening fence along the southern property line be removed. Since the Ordinance was passed, the Church has acquired the property to the south so there is no longer a need to screen the property to the south.
3. Section 4(6)c- We request the requirement for a decorative eight foot tall open rail fence be revised to a six foot tall open rail fence, which given the location and intended use will act as a sufficient barrier for ball and players entering the vehicular parking area as well as the street.
4. Section 4(7)b- We request the requirement for a 20 foot landscape buffer along the southern property line be removed. Since the Ordinance was passed, the Church has acquired the property to the south so there is no longer a need to screen the property to the south.
5. Section 4(8)a- We request the verbage 'the developer shall replace and or repair the existing five (5) foot sidewalk along Hall-Johnson Road and Pool Road' be revised to 'the developer shall replace and or repair the existing sidewalk along Hall-Johnson Road and Pool Road'. The church has repaired and replaced the existing sidewalk as damage has occurred during the construction process, however the existing sidewalk width is not currently five feet. Replacing the entire sidewalk to be five feet in width was not indicated as a requirement including any of the Permit plan reviews nor site inspections until the zoning review occurred for final review and occupancy. The church would like to provide earnest money or show funds allocated for future sidewalk replacement when future development of the land may occur.

End of Memo

PAVILLION AND PARKING EXPANSION
POOL ROAD AND HALL JOHNSON
COMPASS CHRISTIAN CHURCH
COLLEYVILLE, TEXAS



LAKESIDE MAINTENANCE.

ALL LAKESIDE MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE HOMEOWNER. THE FOLLOWING ITEMS STRADDLE THE LINE BETWEEN THE CITY AND HOMEOWNER:

- ALL LAKESIDE SHALL BE PERMANENTLY PLANTING AND SHALL HAVE AN UNDERGROUND IRRIGATION SYSTEM INSTALLED TO WATER THE PLANTING. THE CITY WILL PROVIDE THE REPAIRS AND MAINTENANCE OF THE CITY-OWNED SIDEWALKS OF THE CITY.
- REGARDING TREES, THE CITY WILL MAINTAIN TREES PLANTED IN THE PUBLIC RIGHT-OF-WAY. TREES PLANTED IN THE HOMEOWNER'S LOT ARE THE HOMEOWNER'S RESPONSIBILITY. THE CITY CAN REMOVE TREES PLANTED IN THE HOMEOWNER'S LOT THAT ARE A HAZARD TO THE HOMEOWNER OR NEIGHBORS. TREES PLANTED IN THE HOMEOWNER'S LOT THAT ARE A HAZARD TO THE HOMEOWNER OR NEIGHBORS WILL BE REMOVED AT THE HOMEOWNER'S EXPENSE. TREES PLANTED IN THE HOMEOWNER'S LOT THAT ARE A HAZARD TO THE HOMEOWNER OR NEIGHBORS WILL BE REMOVED AT THE HOMEOWNER'S EXPENSE.
- THE LAKESIDE SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR. TREES PLANTED IN THE HOMEOWNER'S LOT THAT ARE A HAZARD TO THE HOMEOWNER OR NEIGHBORS WILL BE REMOVED AT THE HOMEOWNER'S EXPENSE.
- PLANTING OF SPECIFIC VARIETY AND GROWN WITHIN A SIX (6) FOOT RADIUS.

NOTE: THE OWNER REQUESTS THAT THE REQUIREMENT FOR A 5' SIDEWALK BE WAIVED AS THE EXISTING WALK WAS REPAIRED AS WRITTEN IN THE PUD. THE OWNER IS WILLING TO PROVIDE EARNST MONEY TO ASSURE THE CITY THAT IT WILL BE WIDENED IN THE FUTURE.

[illegible]

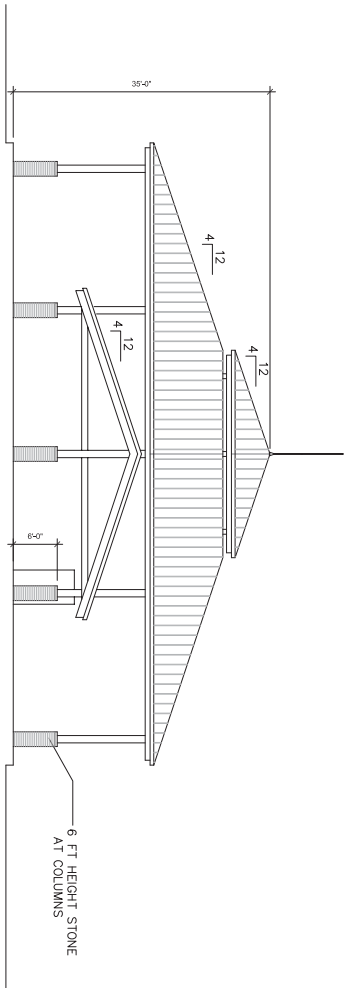
WARD ARCHITECTURE PLLC
609 CHEEK SPARGER ROAD SUITE 110
COLLEVILLE, TEXAS 76034

ISSUED FOR INTERIM REVIEW
THIS DOCUMENT IS NOT TO
BE USED FOR CONSTRUCTION,
BIDDING OR PERMIT PURPOSES.
GERALD A. WARD, MA
DATE: 10-31-2012

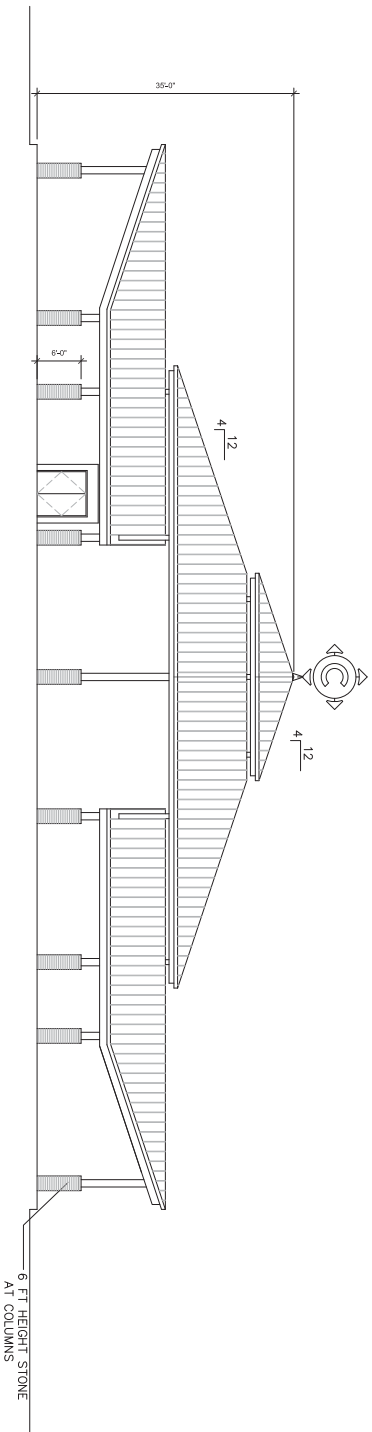


07

Amended Pavilion Elevations



02 SIDE ELEVATION



01 FRONT ELEVATION (REAR ELEVATION OPP HAND)



WARD ARCHITECTURE PLLC
600 COLLEYVILLE, TEXAS 75044

ISSUED FOR INTERIM REVIEW
THIS DOCUMENT IS NOT TO BE USED FOR CONSTRUCTION
GORDON A. WARD, AIA
DATE: 06-05-2013



PAVILLION AND PARKING EXPANSION
POOL ROAD AND HALL JOHNSON
COMPASS CHRISTIAN CHURCH
COLLEYVILLE, TEXAS

ELEVATIONS

A4

Sheet Title

Original Case Briefing - 2/21/2012 City Council Meeting



City of Colleyville City Council Agenda Briefing

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

Agenda Number 5a

Agenda Date 02/21/2012

Number Ordinance O-12-1822

Type Ordinance

Department Community Development

Title

Approval of a request to rezone 4.8 acres from RE-Single Family 'Estate' Residential to PUD-C-Planned Unit Development Commercial on Lots 1A and 2, Block 1, of the Wildwood Estates Addition, located at 5604 and 5700 Pool Road, Case ZC11-027

Explanation

Second Reading and Public Hearing

There were two people who spoke at the February 7, 2012 meeting; one person in favor of the request and one person in opposition of the request.

First Reading and Public Hearing

Dave Toney, on behalf of Compass Christian Church, submitted a request to change the zoning of 4.8 acres, located on the southwest corner of Hall-Johnson Road and Pool Road. The applicant is requesting to rezone the property from the RE-Single Family 'Estate' Residential zoning district to the PUD-C-Planned Unit Development Commercial zoning district. The applicant is seeking a zoning change in order to develop the property for athletic and outdoor activities and a parking lot to support the overflow parking of the church.

Proposed Development. The applicant proposes an open green space for athletic and outdoor activities, an open basketball court, a 7,200 square foot covered pavilion, and approximately 166 parking spaces for support of the proposed land uses as well as overflow parking for the adjacent church facilities. The use of athletic facilities would be for congregation members, community groups and athletic leagues.

Lighting proposed for the site would illuminate the parking lot, basketball court and covered pavilion. The athletic field would not be illuminated. These provisions have been added to the proposed ordinance.

Religious institutions are allowed in all zoning districts. However, given the accessory nature of the proposed use to the primary use of the Compass Church campus located across the street at 2600 Hall-Johnson Road, the accessory use effectively becomes the actual primary use on the subject property. Therefore, a zoning change is required in order to permit the proposed use.

Existing Conditions. The property is currently vacant, and is platted. Approval of a subdivision amending plat will be required at a later date, upon approval of the

Original Case Briefing - 2/21/2012 City Council Meeting

rezoning

request.

Pavilion Building Design. The applicant has provided elevations for a proposed pavilion building. These elevations have been added to the proposed ordinance. All buildings will be restricted to the building area proposed by the applicant, and all buildings will be required to meet the building height requirements of the Land Development Code.

Parking and Access. The applicant intends to provide 166 parking spaces, which meet the minimum requirements of the Land Development Code.

The property will be accessed by a continuous 24 foot wide fire lane linking the south side of Hall-Johnson Road to the west side of Pool Road. Currently, the property is undeveloped and does not contain any driveway access.

Staff recommends that any parking lot and exterior building/security lighting be directed away from residential areas with a minimum of 0.5 foot-candle illumination as measured at the property line. These provisions have been added to the proposed ordinance.

Sidewalks and Trails. There is an existing sidewalk located on this site along both Hall-Johnson and Pool Roads. The developer will be responsible for replacing or repairing the sidewalk should damage occur during the construction process. The sidewalk must be repaired or replaced prior to the final inspection on the site.

Surrounding Properties. The surrounding properties include the following uses: a Compass Church annex to the east in the City of Grapevine, the primary Compass Church campus to the north, and single family residential uses to the west and south of the subject property.

Master Plan. The 2004-2025 Future Land Use Plan designates the subject property for future residential uses. This rezoning request is not consistent with the *Future Land Use Plan*.

Drainage and Stormwater Runoff. The developer has submitted a preliminary drainage analysis of the site, which has been reviewed and accepted by the Colleyville Public Works Department. Construction plans for drainage improvements will be submitted as part of the building permit process.

Fencing and Screening. The applicant is proposing to construct a ten foot masonry and wood fence with a 20 foot wide evergreen landscape buffer along the western property line. The applicant is proposing to have a 20 foot landscape buffer along the western and southern property lines. Staff recommends that an eight (8) foot masonry screening fence be constructed along the southern property line adjacent to the residentially zoned properties. Additionally, staff recommends that the landscape

Original Case Briefing - 2/21/2012 City Council Meeting

buffers contain live plant material of the evergreen variety, which is expected to grow to six (6) feet height in two (2) years, a minimum of three (3) feet in height at the time of installation and planted on six (6) foot centers.

The applicant is proposing to construct an eight (8) foot open rail steel panel fence with hedges along the northern property line along Hall-Johnson Road to help keep errant balls from making their way into traffic. This provision has been added to the proposed ordinance.

Landscaping. The applicant states that general landscaping and landscaping accents will be provided throughout the site for enhancement and beautification of the land. The site plan provided by the applicant shows the general distribution of the proposed landscaping. Staff recommends that all landscaping, at a minimum, meet the requirements of Chapter 4-Landscaping and Buffering in the Land Development Code including street, buffering and parking lot landscaping.

Open Space. The Land Development Code requires that Planned Unit Developments contain a minimum of 20 percent of open space. Given the recreational nature of the proposed use, there will be over 50 percent of open space on the subject property.

Tree Preservation. As required by Chapter 5-Tree Preservation of the Land Development Code, approval of a tree survey and mitigation plan will be required upon submittal of a building permit for any new structure.

Public Notification. Staff mailed notices to 16 adjacent property owners regarding this request and a courtesy notice was mailed to the City of Grapevine. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. Staff has received two letters of opposition to the rezoning request and one letter to withdraw their opposition. Both letters are within the notification area.

Planning and Zoning Commission Recommendation. The Planning and Zoning Commission recommended approval of the rezoning request at the January 9, 2012 meeting by a vote of 4-2 subject to the following conditions:

1. The athletic fields will not have lighting, stadium seating, score boards or signage.
2. There shall be no lighting within 50 feet of the west and south property line.
3. This rezoning request shall revert back to the RE- Single Family 'Estate' Residential zoning if there are no building permits issued for the proposed development within two years of approval of this ordinance.

Supermajority Vote Requirement. Since the opposition within 200 feet of the

Original Case Briefing - 2/21/2012 City Council Meeting

subject property exceeds 20%, the request can only be approved by a supermajority vote by the City Council. This request must receive at least six (6) affirmative votes in order to be approved.

Summary. The proposed use is not consistent with the *Future Land Use Plan*, as the subject properties are designated for single family uses. However, the Land Development Code allows the primary use of a religious institution in all zoning districts in order to remain consistent with the Religious Land Use and Institutionalized Persons Act (RLUIPA) passed by the United States Congress in 2000. Religious institutions are designated as institutional uses on the Future Land Use Plan. Religious institutions tend to have development characteristics that more resemble commercial as opposed to residential uses. That said, given the detached (or accessory) nature of the proposed use from the primary use of the church across the street at 2600 Hall-Johnson Road, as well as the proposed primary use of the property for a parking lot and athletic uses for use by the greater community, staff agrees that the proposed use is not consistent with the land use policies of the Colleyville Plan and the Land Development Code.

Financial Impact

There is no financial impact to the City.

Recommendation

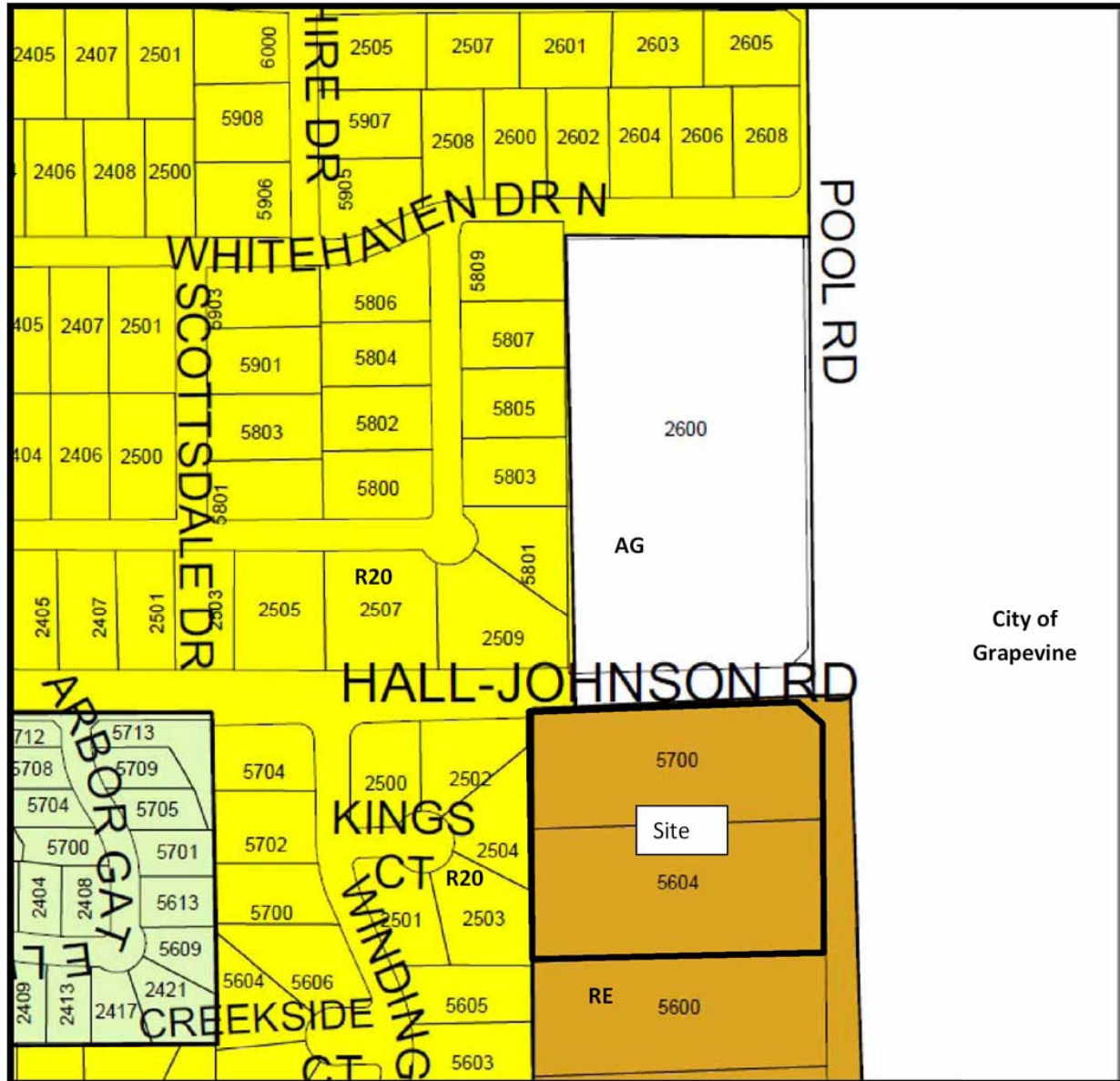
Denial

Attachments

1. Location and Zoning Map
2. Notification List
3. Buffer Map
4. Letters of Opposition
5. Letter Withdrawing Opposition
6. Aerial
7. Statement of Planning Objectives
8. Site Plan
9. Pavillion Exhibit
10. Lighting Exhibit
11. Open Rail Fence Exhibit
12. Ordinance O-12-1822

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Location and Zoning Map



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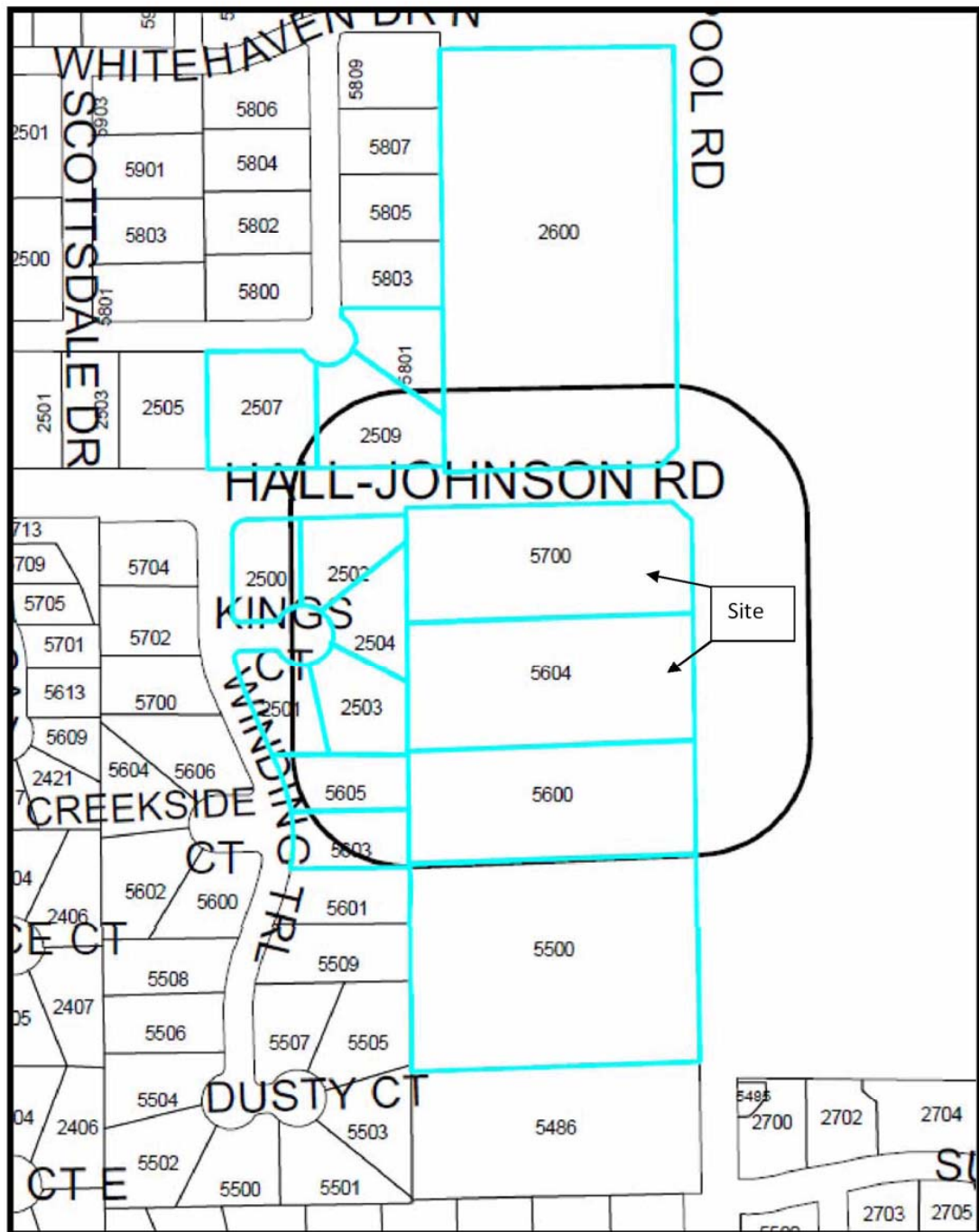
Notification List

OWNER NAME	OWNER ADDRESS	OWNER CITY	OWNER STATE	OWNER ZIP	SITUS ADDR
Highland Meadows Christian Ch	2600 Hall Johnson Rd	Colleyville	TX	76034	002600 Hall Johnson Rd
Gray, Travis P Etux Kathleen	5801 N Ballantrae Dr	Colleyville	TX	76034	005801 N Ballantrae Dr
Przano, Anthony P Etux D Dawan	2509 Ballantrae Dr	Colleyville	TX	76034	002509 Ballantrae Dr
Pennington, David F Etux Marie	2516 Hall Johnson Rd	Colleyville	TX	76034	002516 Hall Johnson Rd
Cohen-Wullaert, Allison Etvir	2502 Kings Ct	Colleyville	TX	76034	002502 Kings Ct
Pearson, Patrick L & Celestine	2500 Kings Ct	Colleyville	TX	76034	002500 Kings Ct
Lucart, Sean T Etux Linda A	2504 Kings Ct	Colleyville	TX	76034	002504 Kings Ct
Baca, Richard Jr & Patricia J	4801 Behrens Ct	Colleyville	TX	76034	005604 Pool Rd
Baca, Richard Jr Etux Patricia	4801 Behrens Ct	Colleyville	TX	76034	005700 Pool Rd
Neisius, Brandon Etux Carolyn	2503 Kings Ct	Colleyville	TX	76034	002503 Kings Ct
Yin, Hai-Kuang Etux Nanyi	2501 Kings Ct	Colleyville	TX	76034	002501 Kings Ct
Sanders, Billie Joyce	5500 Pool Rd	Colleyville	TX	76034	005600 Pool Rd
Henderson, Gary R Etux Julie	5605 Winding Trl	Colleyville	TX	76034	005605 Winding Tr
Intfen, Christopher Etux Marga	5603 Winding Trl	Colleyville	TX	76034	005603 Winding Tr
Sanders, Billie Joyce	5500 Pool Rd	Colleyville	TX	76034	005500 Pool Rd
City of Grapevine	P.O. Box 95140	Grapevine	TX	76099	courtesy notice
Dave Toney, applicant	2600 Hall Johnson Rd	Colleyville	TX	76034	applicant

Public hearing notices were mailed on Thursday, December 22, 2011 by Amy Shelley.

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Buffer Map



Original Case Briefing - 2/21/2012 City Council Meeting

Letters of Opposition

From:

Sent: Monday, January 02, 2012 8:29 AM

To: Amy Shelley

Subject: Zoning case number ZC11-027

Amy,

Please accept this as written notice that we do not want a zoning change to Commercial from residential at this location.

Thank you,

Anthony Przano
2509 Ballantrae Drive
Colleyville, Texas 76034
817-269-6588

Original Case Briefing - 2/21/2012 City Council Meeting

January 6, 2012

Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034

To Whom It May Concern:

I currently have property located at 5500 and 5600 Pool Road in Colleyville and would like to protest the following rezoning request submitted by Dave Toney.

Zoning Case Number: ZC11-027

Location: 5604 & 5700 Pool Road

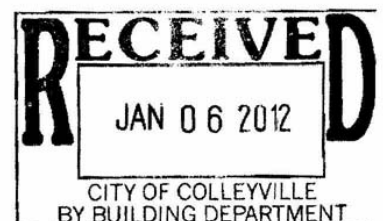
Requested Zoning: PUD-C-Planned Unit Development Commercial

My mother, Billie Sanders, recently deceased on December 18, 2011, but has on record where she has previously protested the rezoning on this same property. I am now trustee of her estate and would like to protest this rezoning request.

Please let me know if any further actions are needed to protest the rezoning.

Sincerely,

Billy Sanders
Billy Sanders



Original Case Briefing - 2/21/2012 City Council Meeting

Amy Shelley

Letter Withdrawing Opposition

Subject: FW: RE: Zoning case number ZC11-027

From:

Sent: Thursday, January 12, 2012 2:40 PM

To: Amy Shelley

Subject: Re: RE: Zoning case number ZC11-027

Thank you Amy,
This looks to be a good thing. I am not opposed.
Tony

From:

Sent: Thursday, January 12, 2012 10:07 AM

To: Amy Shelley

Subject: Fwd: Zoning case number ZC11-027

Amy,

I was not able to attend the hearing. Did this case pass? What did they want to build?

Thank you,

Tony

-----Original Message-----

From: tprzano@verizon.net

Date: Jan 2, 2012 8:29:23 AM

Subject: Zoning case number ZC11-027

To: ashelley@colleyville.com

Amy,

Please accept this as written notice that we do not want a zoning change to Commercial from residential at this location.

Thank you,

Anthony Przano

2509 Ballantrae Drive

Colleyville, Texas 76034

817-269-6588

Original Case Briefing - 2/21/2012 City Council Meeting

Aerial



Original Case Briefing - 2/21/2012 City Council Meeting

Statement of Planning Objectives

Statement of Planning Objectives Compass Christian Church Southwest Corner of Pool Rd and Hall Johnson Rd

Compass Christian Church is in process of acquiring lots 1 & 2 of Block 1 of the S.C.H. Witten Survey A-1740. The approximately 4.8 acres is across Hall Johnson from the existing Compass Christian Church main facility and across Pool Road from Compass Center, the Youth and Community Outreach facility also owned by the church.

The land uses proposed include an open green space for athletic and outdoor activities, an open basketball court, a 7200 square foot covered pavilion, and an approximately 166 space surface parking lot for support of the proposed land uses as well as overflow parking for the adjacent church facilities.

The intended land uses will allow the church ministry to expand outdoor options for not only the congregation but also for community outreach including educational meetings, athletic league use, and recreation.

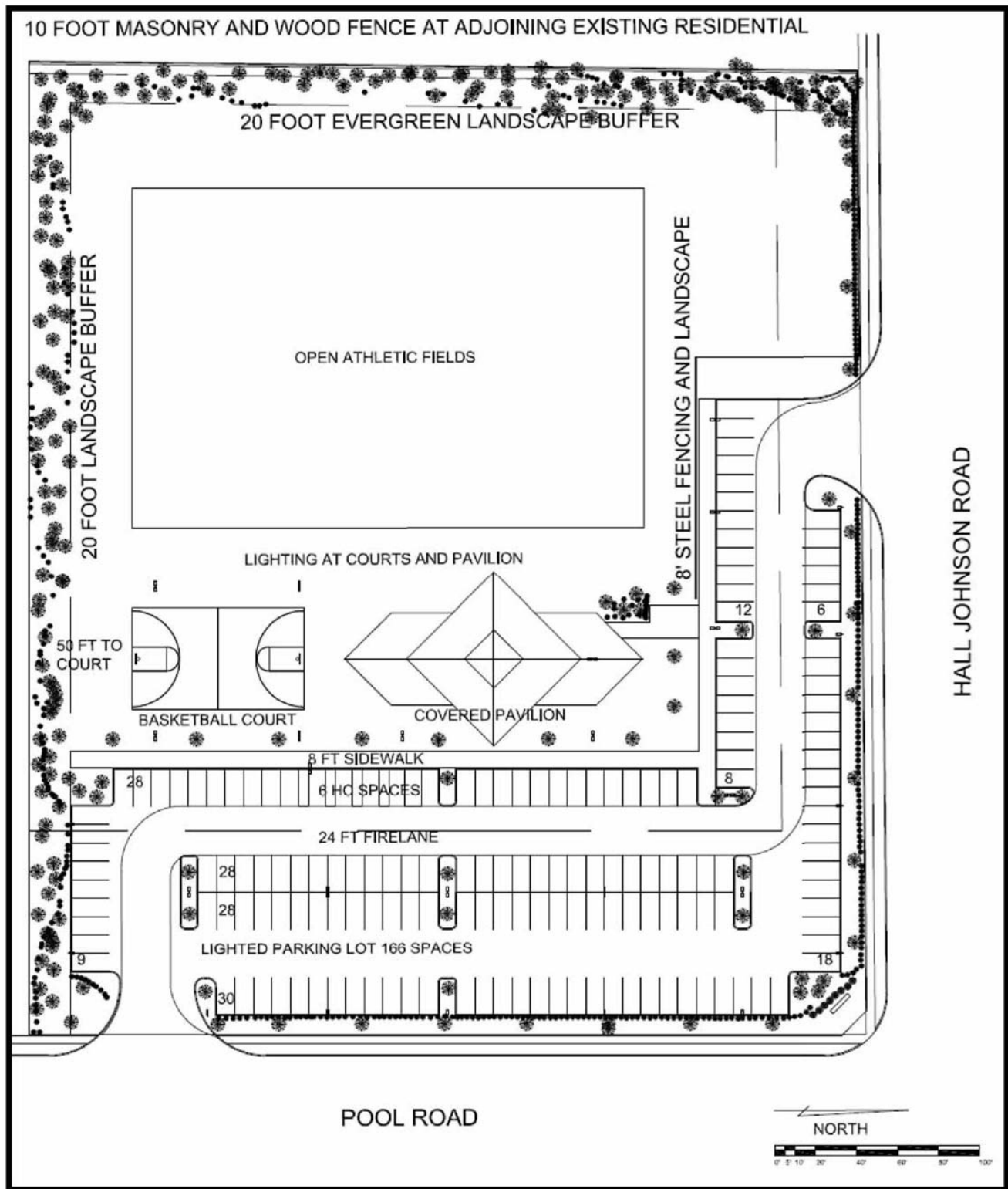
Impact to neighboring communities has been carefully reviewed and is important to the churches emphasis on being a good neighbor. The existing residential community to the west will have ten foot masonry and wood fence barrier as well as a twenty foot minimum deep evergreen landscape buffer planted in a free form or natural style. The land to the south currently zoned residential estate will have a 20 foot minimum deep landscape buffer. Currently the church is looking at an option of lighting the Pool Road side of the site (away from the existing residential area) to include the parking lot, pavilion, and basketball court, but not the open green area. No sound system is being considered at this time.

Safety is also a concern of the church. Currently on worship service or special events, the church does employ security personnel to help with both traffic flow and pedestrian traffic crossing the Hall Johnson — Pool Road intersection. This would continue for this property as well. As a border to the open green space athletic fields, an 8 foot open rail steel panel fence with hedges will be provided down Hall Johnson to help keep errand balls from making their way into traffic. The street scape will include trees and plantings as required by landscape ordinances and hedges at the perimeter of the parking lot.

General landscaping and landscaping accents will be provided throughout the site for enhancement and beautification of the land. The site will be irrigated including the existing landscape near the city sign. A landscape backdrop will be provided for the sign to allow the sign to maintain its identity and shield it from any proposed site lighting that may occur.

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Site Plan



Original Case Briefing - 2/21/2012 City Council Meeting

Covered Pavilion Exhibit



Original Case Briefing - 2/21/2012 City Council Meeting

Lighting Exhibit



Original Case Briefing - 2/21/2012 City Council Meeting

Open Rail Fence Exhibit



Original Case Briefing - 2/21/2012 City Council Meeting

ORDINANCE O-12-1822

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF APPROXIMATELY 4.8 ACRES ON LOTS 1A AND 2, BLOCK 1, OF THE WILDWOOD ESTATES ADDITION FROM THE RE-SINGLE FAMILY 'ESTATE' RESIDENTIAL ZONING DISTRICT TO THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT LOCATED AT 5604 AND 5700 POOL ROAD; 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. ZC11-027; 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

Original Case Briefing - 2/21/2012 City Council Meeting

Ordinance O-12-1822

Page 2 of 5

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 official zoning map on 4.8 acres on Lots 1A and 2, Block 1, of the Wildwood Estates Addition from the RE-Single Family 'Estate' Residential zoning district to the PUD-C-Planned Unit Development Commercial zoning district located at 5604 and 5700 Pool Road, as depicted on Exhibit "A" and described in Exhibit "B".
- 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 purpose of this PUDC is for parking, athletic, and outdoor activities in conjunction with the Compass Christian Church located at 2600 Hall-Johnson Road.
- b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.

2. SITE PLAN AND PLATTING

- a. The development of this property shall be generally consistent with the site plan attached as Exhibit "C".
- b. Prior to the issuance of any building permit, an amending plat of the subject properties must be submitted and approved. No building permit may be issued until said plat is filed with the County Clerk.

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3. PERMITTED USES

- a. Athletic field
- b. Covered pavilion, not to exceed 7,200 square feet
- c. Basketball court
- d. Parking spaces

4. LIGHTING

- a. All lighting including parking lot, building and security lighting shall be directed away from residential areas and shall provide a maximum candle illumination of 0.5 foot candles as measured from the property line.
- b. There shall be no nighttime illumination of any kind for the athletic field.
- c. There shall be no lighting within 50 feet of the west and south property lines.

5. COVERED PAVILION

- a. The covered pavilion area shall be generally consistent with the site plan attached as Exhibit "D" with all support columns and walls constructed of masonry materials. The pavilion shall be required to meet the building height requirements of the Land Development Code.

6. SCREENING

- a. A ten (10) foot masonry and wood fence shall extend along the western property line.
- b. An eight (8) foot masonry screening fence shall extend along the southern property line.
- c. A decorative eight (8) foot open rail steel panel fence shall extend along the northern property line along Hall-Johnson Road to keep errant balls from making their way into traffic as attached Exhibit "E".

7. LANDSCAPING, BUFFERING AND OPEN SPACE

- a. The development shall provide a minimum of 50 percent of open space.
- b. A 20 foot landscape buffer shall be maintained along the western and southern property lines. Additionally, the landscape buffers shall contain live plant material of the evergreen variety, which is expected to

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grow to six (6) feet height in two (2) years, a minimum of three (3) feet in height at the time of installation and planted on six (6) foot centers. The required plantings shall be required in the buffer along the western property line prior to the completion of the athletic field.

8. SIDEWALKS

- a. The developer shall replace and/or repair the existing five (5) foot sidewalk along Hall-Johnson Road and Pool Road should damage occur during the construction process. The sidewalk must be repaired or replaced prior to the final inspection on the site.
- b. All requirements of the Land Development Code shall be met, except where amended herein.

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 _____ day of _____ 2012.

The second reading and public hearing being conducted on the _____ day of _____ 2012.

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Ordinance O-12-1822

Page 5 of 5

ATTEST:

CITY OF COLLEYVILLE

Cynthia Singleton, TRMC, CMC
City Secretary

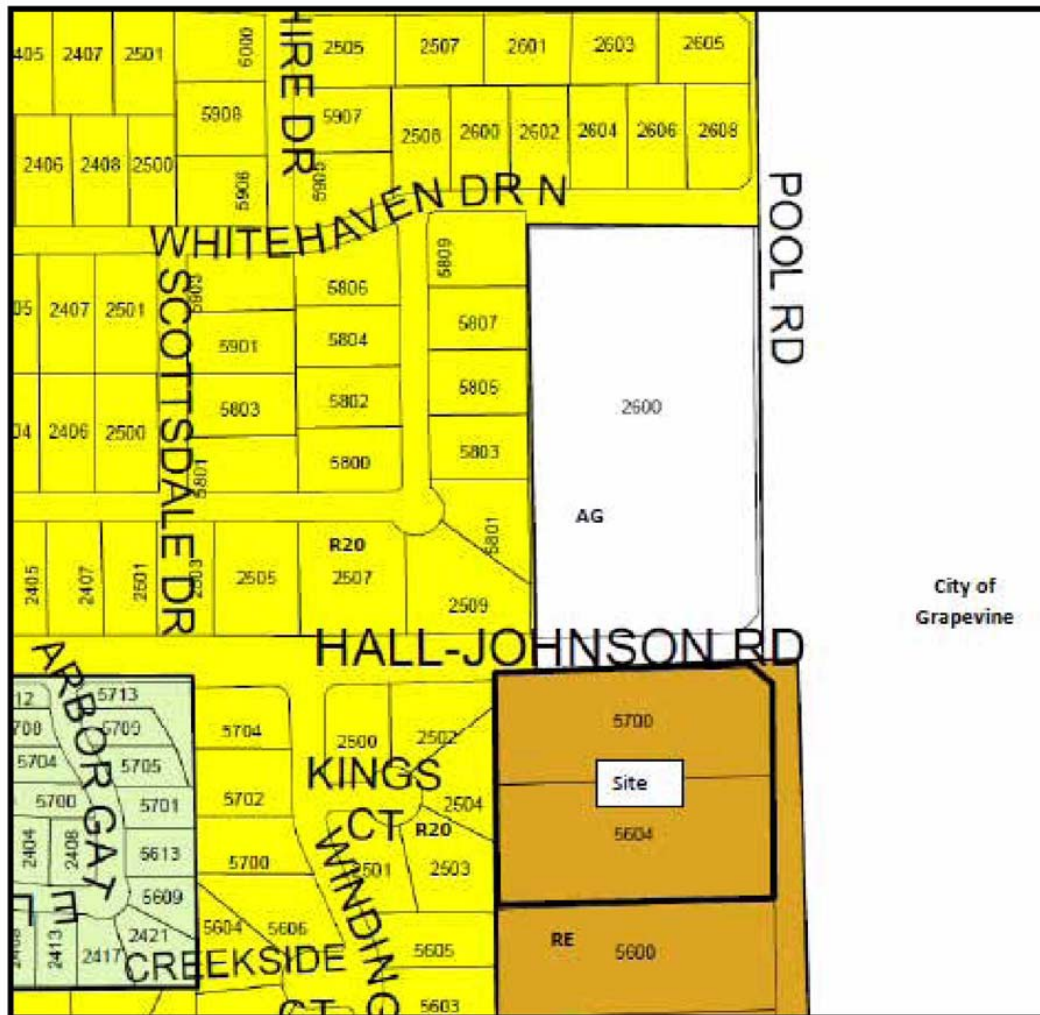
David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Original Case Briefing - 2/21/2012 City Council Meeting

Exhibit "A" - Location and Zoning Map



Original Case Briefing - 2/21/2012 City Council Meeting

Exhibit "B" – Statement of Planning Objectives

Compass Christian Church is in process of acquiring lots 1 & 2 of Block 1 of the S.C.H. Witten Survey A-1740. The approximately 4.8 acres is across Hall Johnson from the existing Compass Christian Church main facility and across Pool Road from Compass Center, the Youth and Community Outreach facility also owned by the church.

The land uses proposed include an open green space for athletic and outdoor activities, an open basketball court, a 7200 square foot covered pavilion, and an approximately 166 space surface parking lot for support of the proposed land uses as well as overflow parking for the adjacent church facilities.

The intended land uses will allow the church ministry to expand outdoor options for not only the congregation but also for community outreach including educational meetings, athletic league use, and recreation.

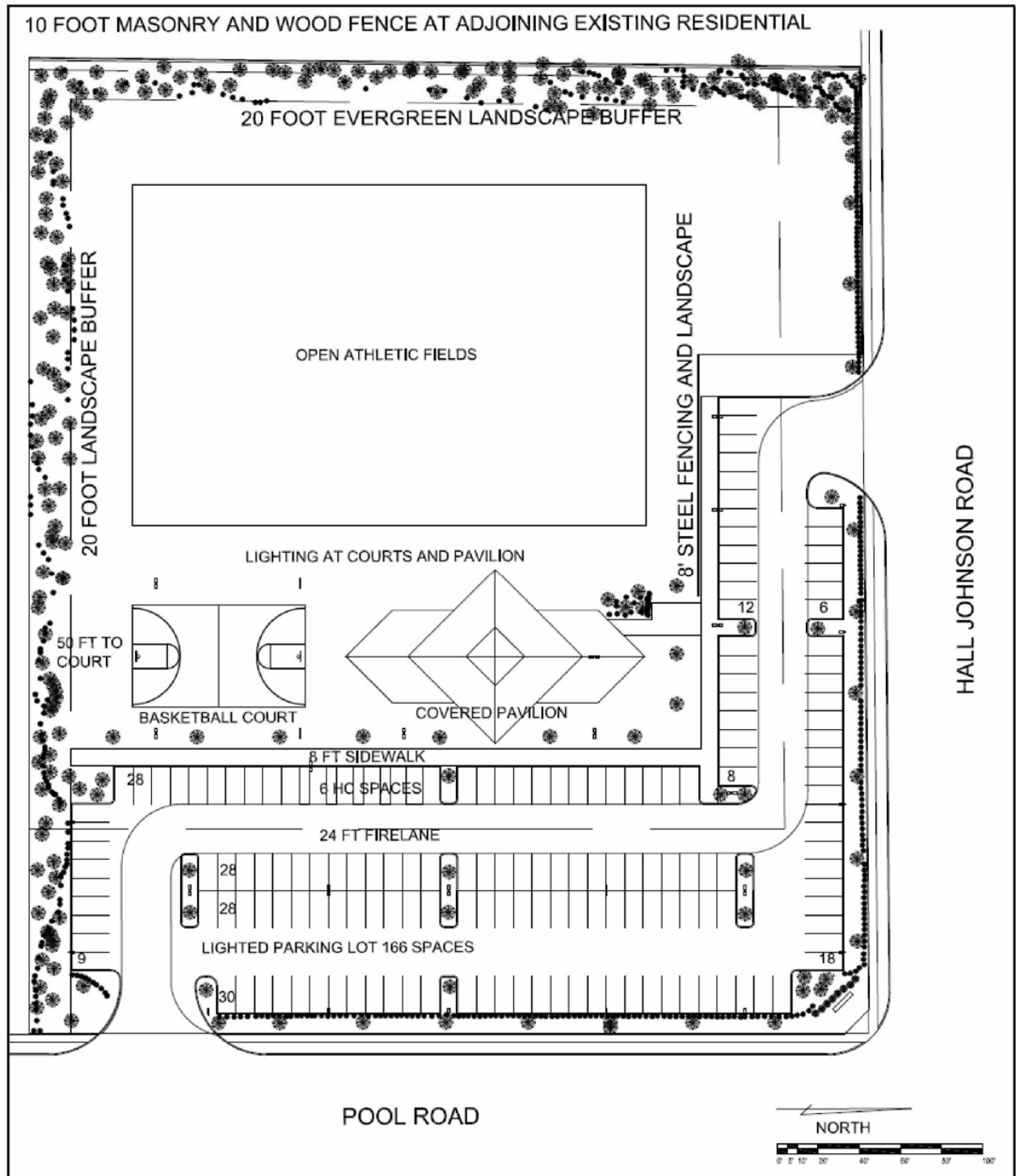
Impact to neighboring communities has been carefully reviewed and is important to the church's emphasis on being a good neighbor. The existing residential community to the west will have ten foot masonry and wood fence barrier as well as a twenty foot minimum deep evergreen landscape buffer planted in a free form or natural style. The land to the south currently zoned residential estate will have a 20 foot minimum deep landscape buffer. Currently the church is looking at an option of lighting the Pool Road side of the site (away from the existing residential area) to include the parking lot, pavilion, and basketball court, but not the open green area. No sound system is being considered at this time.

Safety is also a concern of the church. Currently on worship service or special events, the church does employ security personnel to help with both traffic flow and pedestrian traffic crossing the Hall Johnson – Pool Road intersection. This would continue for this property as well. As a border to the open green space athletic fields, an 8 foot open rail steel panel fence with hedges will be provided down Hall Johnson to help keep errand balls from making their way into traffic. The street scape will include trees and plantings as required by landscape ordinances and hedges at the perimeter of the parking lot.

General landscaping and landscaping accents will be provided throughout the site for enhancement and beautification of the land. The site will be irrigated including the existing landscape near the city sign. A landscape backdrop will be provided for the sign to allow the sign to maintain its identity and shield it from any proposed site lighting that may occur.

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Exhibit "C" –Site Plan



Original Case Briefing - 2/21/2012 City Council Meeting

Exhibit "D" – Pavilion Exhibit



Original Case Briefing - 2/21/2012 City Council Meeting

Exhibit "E" – Open Rail Fence Exhibit



ORDINANCE O-12-1822

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF APPROXIMATELY 4.8 ACRES ON LOTS 1A AND 2, BLOCK 1, OF THE WILDWOOD ESTATES ADDITION FROM THE RE-SINGLE FAMILY 'ESTATE' RESIDENTIAL ZONING DISTRICT TO THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT LOCATED AT 5604 AND 5700 POOL ROAD; 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. ZC11-027; 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 changing the official zoning map on 4.8 acres on Lots 1A and 2, Block 1, of the Wildwood Estates Addition from the RE-Single Family 'Estate' Residential zoning district to the PUD-C-Planned Unit Development Commercial zoning district located at 5604 and 5700 Pool Road, as depicted on Exhibit "A" and described in Exhibit "B".
- 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 purpose of this PUDC is for parking, athletic, and outdoor activities in conjunction with the Compass Christian Church located at 2600 Hall-Johnson Road.
- b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.

2. SITE PLAN AND PLATTING

- a. The development of this property shall be generally consistent with the site plan attached as Exhibit "C".
- b. Prior to the issuance of any building permit, an amending plat of the subject properties must be submitted and approved. No building permit may be issued until said plat is filed with the County Clerk.

3. PERMITTED USES

- a. Athletic field
- b. Covered pavilion, not to exceed 7,200 square feet
- c. Basketball court
- d. Parking spaces

4. LIGHTING

- a. All lighting including parking lot, building and security lighting shall be directed away from residential areas and shall provide a maximum candle illumination of 0.5 foot candles as measured from the property line.
- b. There shall be no nighttime illumination of any kind for the athletic field.
- c. There shall be no lighting within 50 feet of the west and south property lines.

5. COVERED PAVILION

- a. The covered pavilion area shall be generally consistent with the site plan attached as Exhibit "D" with all support columns and walls constructed of masonry materials. The pavilion shall be required to meet the building height requirements of the Land Development Code.

6. SCREENING

- a. A ten (10) foot masonry and wood fence shall extend along the western property line.
- b. An eight (8) foot masonry screening fence shall extend along the southern property line.
- c. A decorative eight (8) foot open rail steel panel fence shall extend along the northern property line along Hall-Johnson Road to keep errant balls from making their way into traffic as attached Exhibit "E".

7. LANDSCAPING, BUFFERING AND OPEN SPACE

- a. The development shall provide a minimum of 50 percent of open space.
- b. A 20 foot landscape buffer shall be maintained along the western and southern property lines. Additionally, the landscape buffers shall contain live plant material of the evergreen variety, which is expected to

grow to six (6) feet height in two (2) years, a minimum of three (3) feet in height at the time of installation and planted on six (6) foot centers. The required plantings shall be required in the buffer along the western property line prior to the completion of the athletic field.

8. SIDEWALKS

- a. The developer shall replace and/or repair the existing five (5) foot sidewalk along Hall-Johnson Road and Pool Road should damage occur during the construction process. The sidewalk must be repaired or replaced prior to the final inspection on the site.
- b. All requirements of the Land Development Code shall be met, except where amended herein.

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.

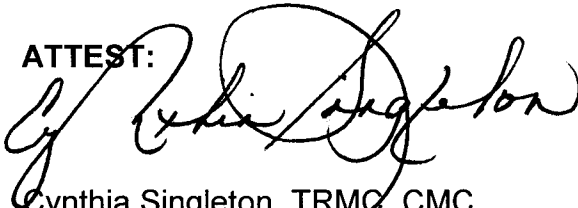
Sec. 8. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires 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 4th day of February 2012.

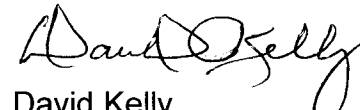
The second reading and public hearing being conducted on the 21st day of February 2012.

ATTEST:



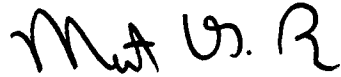
Cynthia Singleton, TRMO, CMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:



Matthew C. G. Boyle
City Attorney

Exhibit "A" - Location and Zoning Map

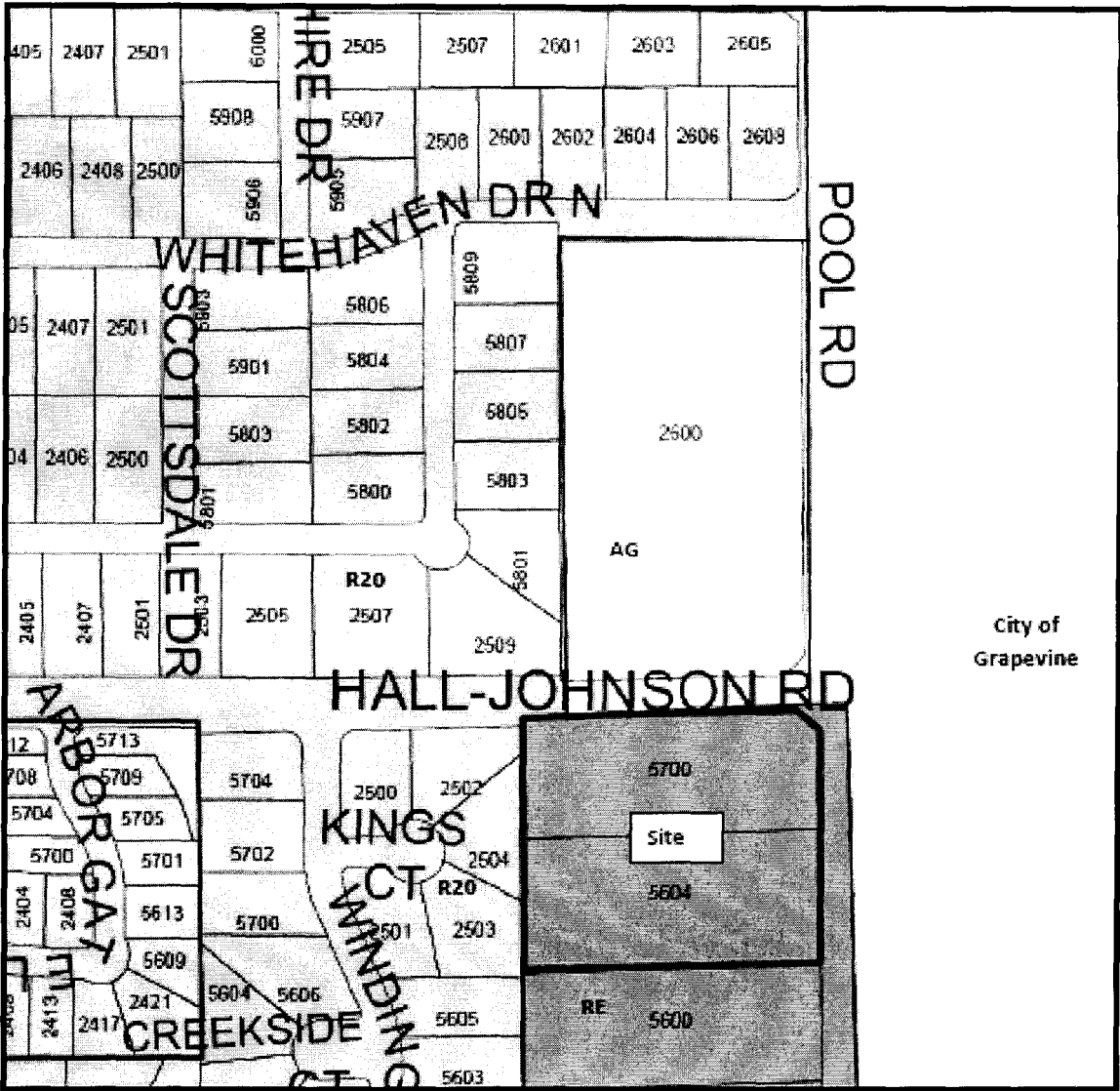


Exhibit "B" – Statement of Planning Objectives

Compass Christian Church is in process of acquiring lots 1 & 2 of Block 1 of the S.C.H. Witten Survey A-1740. The approximately 4.8 acres is across Hall Johnson from the existing Compass Christian Church main facility and across Pool Road from Compass Center, the Youth and Community Outreach facility also owned by the church.

The land uses proposed include an open green space for athletic and outdoor activities, an open basketball court, a 7200 square foot covered pavilion, and an approximately 166 space surface parking lot for support of the proposed land uses as well as overflow parking for the adjacent church facilities.

The intended land uses will allow the church ministry to expand outdoor options for not only the congregation but also for community outreach including educational meetings, athletic league use, and recreation.

Impact to neighboring communities has been carefully reviewed and is important to the churches emphasis on being a good neighbor. The existing residential community to the west will have ten foot masonry and wood fence barrier as well as a twenty foot minimum deep evergreen landscape buffer planted in a free form or natural style. The land to the south currently zoned residential estate will have a 20 foot minimum deep landscape buffer. Currently the church is looking at an option of lighting the Pool Road side of the site (away from the existing residential area) to include the parking lot, pavilion, and basketball court, but not the open green area. No sound system is being considered at this time.

Safety is also a concern of the church. Currently on worship service or special events, the church does employ security personnel to help with both traffic flow and pedestrian traffic crossing the Hall Johnson – Pool Road intersection. This would continue for this property as well. As a border to the open green space athletic fields, an 8 foot open rail steel panel fence with hedges will be provided down Hall Johnson to help keep errand balls from making their way into traffic. The street scape will include trees and plantings as required by landscape ordinances and hedges at the perimeter of the parking lot.

General landscaping and landscaping accents will be provided throughout the site for enhancement and beautification of the land. The site will be irrigated including the existing landscape near the city sign. A landscape backdrop with be provided for the sign to allow the sign to maintain its identity and shield it from any proposed site lighting that may occur.

Exhibit "C" -Site Plan

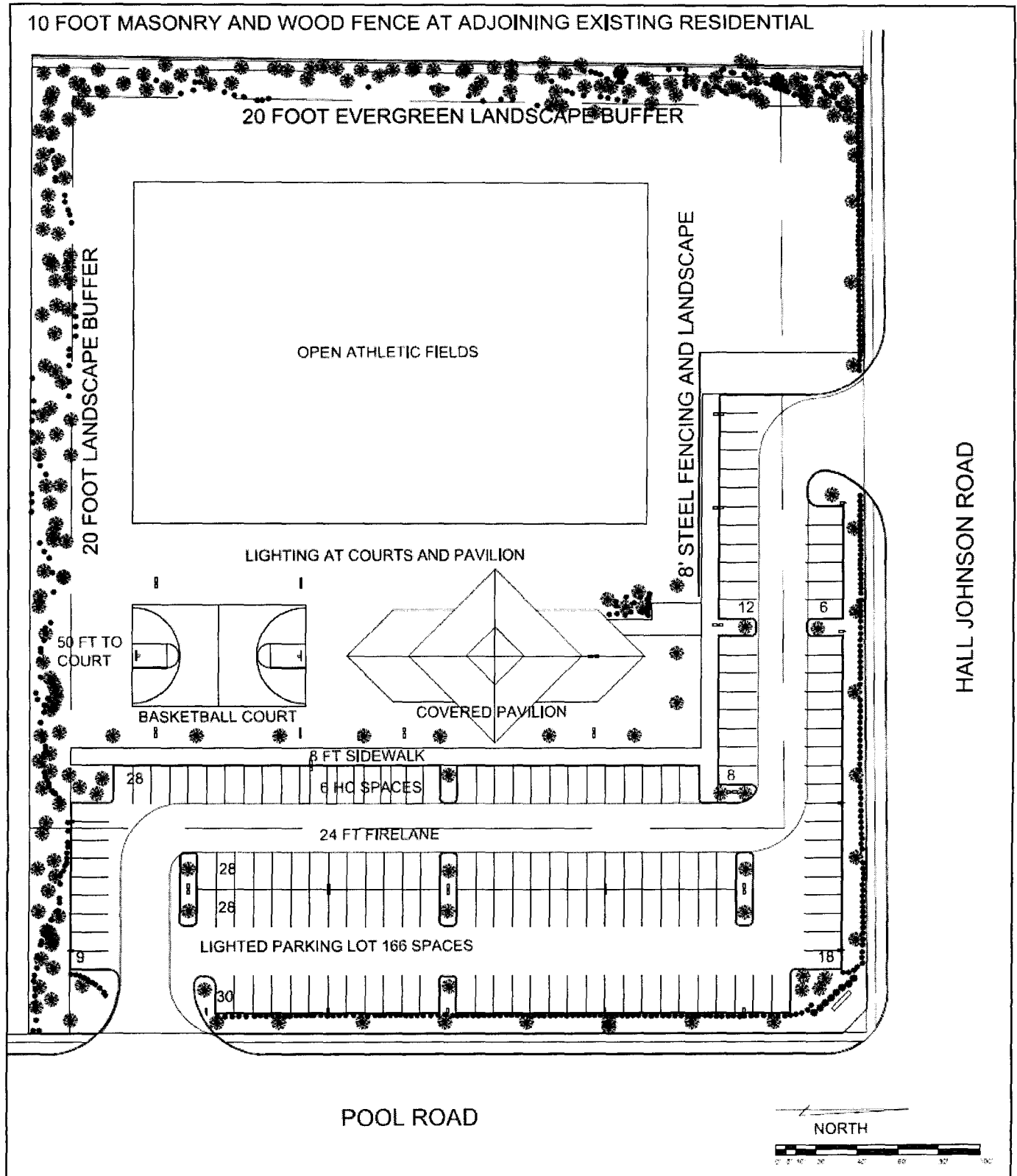


Exhibit "D" – Pavilion Exhibit



Exhibit "E" – Open Rail Fence Exhibit



ORDINANCE O-13-XXXX

AN ORDINANCE AMENDING ORDINANCE O-12-1822 CONDITIONS; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; 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 Council approved Ordinance O-12-1822 on February 21, 2012, to establish the zoning of 4.8 acres on Lots 1A and 2, Block 1, of the Wildwood Estates Addition; and

WHEREAS, the applicant has requested an amendment to Ordinance O-12-1822; 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 amending Ordinance O-12-1822.
- Sec. 3. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by amending the zoning and development requirements on 4.8 acres on Lot 1R, Block 1, of the Wildwood Estates Addition as depicted on Exhibit "A".
- Sec. 4. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 5. THAT the above described tract of land shall be subject to the following conditions:

1. AMENDMENTS TO ORDINANCE O-12-1822

- a. The following amendments to Ordinance O-12-1822 are hereby authorized:

- (1) Section 4(5)a: the exterior surface of all columns shall be composed of masonry material to minimum height of six feet above the floor per Exhibit "B".

- (2) Section 4(6)b: this section is hereby deleted.
- (3) Section 4(6)c: A decorative six (6) foot open rail steel panel fence shall extend along the northern property line along Hall-Johnson Road.
- (4) Section 4(7)b: The requirement for a 20 foot landscape buffer along the southern property line is hereby deleted.
- (5) Section 4(8)a: the term “five (5) feet” is hereby deleted from this section.

2. GENERAL

- a. In lieu of construction, the developer may place into escrow the cost to construct the required ten (10) foot trail along Pool Road per the requirements of the Land Development Code. Said escrow payment, or construction, shall occur prior to the issuance of the final certificate of occupancy.
- Sec. 6. 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. 7. 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. 8. 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. 9. 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. 10. 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.

Sec. 11. THAT Ordinance O-12-1822 shall remain in full force and effect, except where amended by this ordinance.

AND IT IS SO ORDERED.

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

The second reading and public hearing being conducted on the 15th day of October 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, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit "A" -Location and Zoning Map

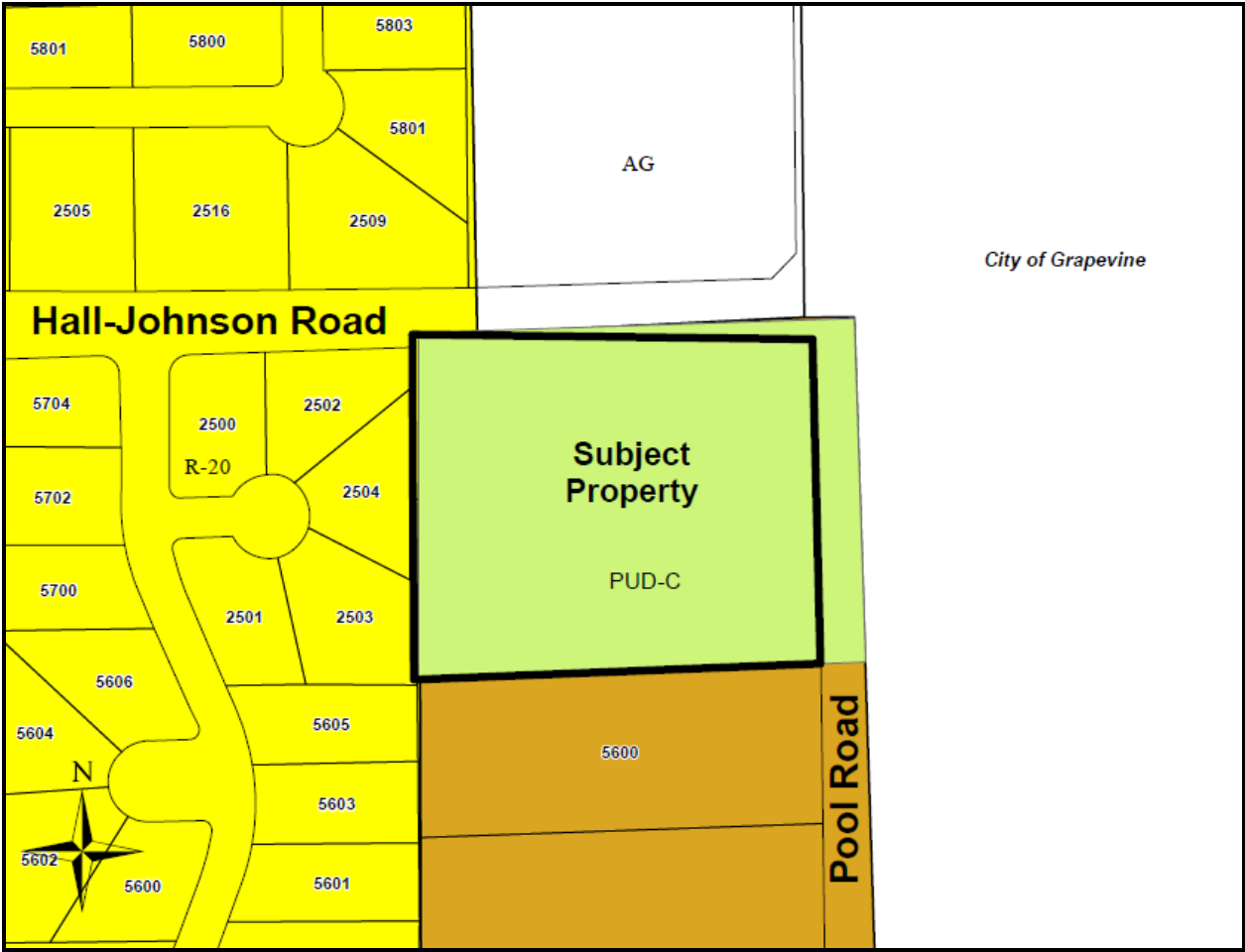
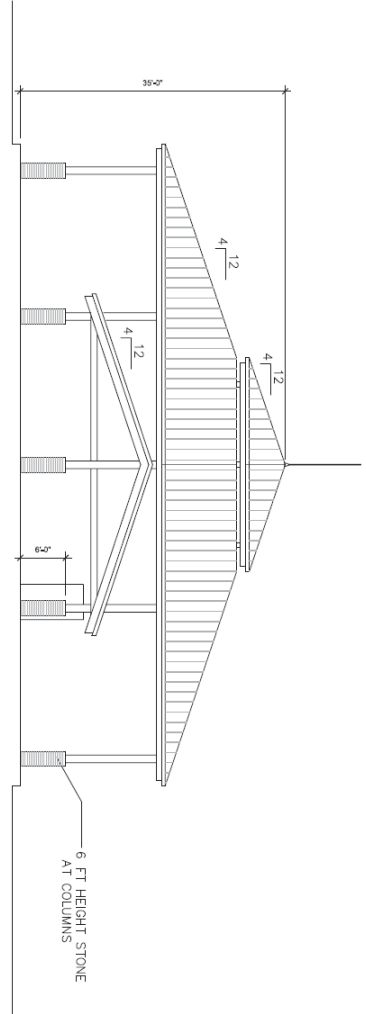


Exhibit “B” – Amended Pavilion Elevations

02 SIDE ELEVATION



01 FRONT ELEVATION (REAR ELEVATION OPP HAND)

