



City of Colleyville Planning and Zoning Commission Agenda

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

Monday, October 14, 2013

City Council Chambers

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

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

**REVIEW OF REGULAR AGENDA ITEMS AND DISCUSSION OF PREVIOUS
MEETING MINUTES**

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

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

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

- 1. APPROVAL OF MINUTES**
- 2. SWEARING IN OF NEWLY APPOINTED MEMBERS**
 - Carel Tornes, Place 5
 - Don Davis, Place 6
 - Larry Knox, Place 7
- 3. ELECTION OF OFFICERS**

Chairman
Vice-Chairman
Recording Secretary

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

5. REGULAR AGENDA ITEMS

- 5a** Approval of a preliminary plat for 53.2 acres on Tract 1G, Abstract 1038 of the Hall Medlin Survey and Tracts 1A02 & 1C, Abstract 295 of the William E Crooks Survey located at 7612 & 7624 Pleasant Run Road, Case PC13-020
- 5b** Approval of a minor plat for 3.02 acres on Tract 2B, of Abstract 328 of the Simon Cotrail Survey, located at 5016 Montclair Drive, Case PC13-022

6. PUBLIC HEARING AGENDA ITEMS

- 6a** Request for a zoning change from R-40 Single Family Residential to PUD-R-Residential on 15.4 acres of Lot 1, Block 1 of the Breezy Lake Estates, Lots 1A and 1B, Block 1 of the Meadowlake Addition and Tract 2B, McNary Acres Addition located at 1117, 1121 and 1217 W. L. D. Lockett Road and a portion of Lot 1, Block 1 of the Bear Valley Community Church Addition located at 7900 Precinct Line Road, Case ZC13-014

7. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards October 11, 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
100 Main Street
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Agenda Number	Agenda Date 10/14/2013	Number
Type Approval of Minutes		
Department Community Development		

Title

September 23, 2013

Explanation

Recommendation

Attachments

1. Planning and Zoning Commission Meeting Minutes - September 23, 2013



City of Colleyville Planning and Zoning Commission Agenda

City Hall
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Monday, September 23, 2013

City Council Chambers

CALL MEETING TO ORDER

The Planning and Zoning Commission meeting of the City of Colleyville was called to order by Chairman Byerly on September 23, 2013 at 7:00 p.m.

Roll Call

Present: Commissioners Larry Knox, Don Davis, David Phelps, and Jeff Byerly

Absent: Commissioners Dave Dudziak, David Wheelwright, and Jim Gotcher

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

1. APPROVAL OF MINUTES

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

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

Aye: 4 – Knox, Davis, Phelps, and Byerly

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

There were no citizen comments/presentations regarding items not on the agenda as a public hearing item.

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

Ron Ruthven presented the case and briefed the Commission.

Wes Poole, the applicant and the property owner, came forward and

briefed the Commission.

Commissioner Davis questioned Mr. Poole regarding what his understand of the escrow fees were and did he believe at some point those fees would be refunded to him? Mr. Poole replied he was not sure what would happen to the fees but he would like a better understanding of what would happen with them. Ron Ruthven explained how sidewalk escrow works.

Mr. Poole stated that while they would prefer a waiver, they have no issues participating in escrow for the neighborhood sidewalks.

Discussion occurred between Chairman Byerly, Ron Ruthven, and Mr. Poole regarding procedure for paying into escrow and determining the amount that will be due.

Commissioner Davis made a motion to deny the waiver request with the requirement to escrow as determined by the City Engineer in the amount of \$3,325.44. Commissioner Phelps seconded.

The motion to deny the waiver request with the requirement to escrow as determined by the City Engineer in the amount of \$3,325.44 carried with the following vote:

Aye: 4 – Knox, Byerly, Davis, and Phelps

- 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

Ron Ruthven presented the case and briefed the Commission.

Commissioner Phelps questioned staff regarding whether the applicant was proposing to cover this area in cement, not asphalt. Ron Ruthven replied correct.

The applicant did not wish to come forward and speak.

Commissioner Phelps made a motion to approve Case PC13-018. Commissioner Knox seconded.

The motion to approve Case PC13-018 carried with the following vote:

Aye: 4 – Knox, Byerly, Davis, and Phelps

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

Ron Ruthven presented the case and briefed the Commission.

Commissioner Phelps questioned staff regarding the lots included in the request; had the applicant purchased 5600 & 5500 Pool Road and not 5486 Pool Road? Ron Ruthven replied correct. Commissioner Phelps also questioned staff regarding the demolition of the house that was on 5600 Pool Road. Ron Ruthven replied yes, the house has been demolished.

The public hearing was opened at 7:18 p.m.

Matt Watterson, on behalf of Compass Church, came forward and briefed the Commission.

Dave Tony, Pastor at Compass Church, and Gerald Ward, Architect for the project, was also present.

Commissioner Davis questioned Mr. Tony regarding the church's plans for the two additional lots that were purchased to the south of 5700 Pool Road. Mr. Tony replied they currently do not have plans for the recently purchased lots. Commissioner Davis stated that he felt he could make a better decision on a waiver to the fence if he knew what was being proposed for the lots in question. Mr. Tony replied he could suggest putting wordage in the ordinance that says they shall construct a fence if they decide to sell those properties.

Commissioner Davis questioned Mr. Watterson regarding the proposed materials to be used on the pavilion; would it be rock? Mr. Watterson replied, if required, they would use rock.

Commissioner Davis questioned Mr. Watterson regarding the reason for not wanting to use masonry. Mr. Watterson replied they feel that it is a clash of styles to use masonry with their structure.

Mr. Ward came forward and explained the thought process for making the decision to not use masonry.

Discussion continued between the Commission and Mr. Watterson regarding the materials and the height of the pavilion.

Commissioner Phelps stated he felt that adding masonry only six (6) foot up the columns would make them look spindly.

Commissioner Knox stated he felt it was better to leave the structure as is. Commissioner Davis concurred.

Commissioner Phelps questioned Mr. Tony regarding would the church extend the buffer between the residential properties and their property if they decided to develop their newly acquired lots? Mr. Tony replied yes.

There being no one else wishing to speak, the public hearing was closed at 7:34 p.m.

Commissioner Knox questioned staff regarding was the required width for the trail on Pool Road ten (10) foot? Ron Ruthven replied correct.

Discussion occurred amongst the Commission on how to word the motion.

Mr. Watterson came forward to get clarification on how the sidewalk escrow would work. Chairman Byerly explained how escrow would work.

Commissioner Phelps made a motion to approve Case ZC13-010 with the following conditions: 1) The requirement that the support columns for the main pavilion be composed of masonry materials is hereby deleted 2) The deletion of the screening fence and landscape buffer requirement on the south property line of the subject property is approved until such time that the adjacent properties south of the subject property are developed as residential properties; wherein said requirement shall apply. Commissioner Davis seconded.

The motion to approve Case ZC13-010 with the following conditions: 1) The requirement that the support columns for the main pavilion be composed of masonry materials is hereby deleted 2) The deletion of the screening fence and landscape buffer requirement on the south property line of the subject property is approved until such time that the adjacent properties south of the subject property are developed as residential properties; wherein said requirement shall apply

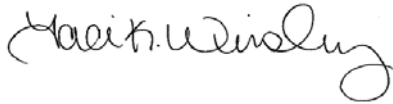
carried with the following vote:

Aye: 4 – Knox, Byerly, Davis, and Phelps

5. ADJOURNMENT

The meeting adjourned at 7:43 p.m.

The minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on October 14, 2013 by a vote of _____.



City of Colleyville Planning and Zoning Commission Agenda Briefing

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Agenda Number	Agenda Date 10/14/2013	Number
Type Presentation and Discussion		
Department Community Development		

Title

Carel	Tornes,	Place	5
Don	Davis,	Place	6
Larry Knox, Place 7			

Explanation

Recommendation

Attachments



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Chairman

Vice-Chairman

Recording Secretary

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Recommendation

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City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall
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Agenda Number 5a	Agenda Date 10/14/2013	Number
Type Regular Agenda Items		
Department Community Development		

Title

Approval of a preliminary plat for 53.2 acres on Tract 1G, Abstract 1038 of the Hall Medlin Survey and Tracts 1A02 & 1C, Abstract 295 of the William E Crooks Survey located at 7612 & 7624 Pleasant Run Road, Case PC13-020

Explanation

Pleasant Run Colleyville, Inc. has submitted a request to approve the preliminary plat for The Overlook at Big Bear Creek, located at 7612 and 7624 Pleasant Run Road, which includes 73 single family residential lots and two open space lots. Per the preliminary plat, the developer proposes to plat the subject properties in two phases.

Zoning. A rezoning request for PUD-R-Planned Unit Development Residential was approved by City Council on June 18, 2013 under attached Ordinance O-13-1875.

Lot Dimensions and Setbacks. Ordinance O-13-1875 prescribes the following lot development standards:

Minimum Lot Area: 13,000 square feet

Average Lot Size: 16,050 square feet

Minimum Lot Width: 90 feet

Minimum Lot Depth: 70 feet

Minimum Front Yard Setback: 20 feet for lots with side facing garages so long as the distance from the back of curb to the primary structure is at least 30 feet, and 30 feet for lots with front facing garages.

Minimum Side Yard Setback: 9 feet

Minimum Rear Yard Setback: 25 feet for main structure; 10 feet for accessory structures

Maximum building Height: 35 feet

Street Design. The streets in the development will be public and meet the minimum requirements of the Land Development Code, which includes a 31 foot wide curb and

gutter street with a 50 foot right-of-way.

Open Space. Ordinance O-13-1875 requires that a minimum 30 percent of open space be provided in the development. According to the preliminary plat, 37 percent of the development will be designated as open space.

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

Ordinance O-13-1875 requires a minimum ten (10) foot tree preservation buffer to be maintained along the entire western boundary of the development. This buffer is depicted on the plat.

Development Fees. Parkland dedication fees are due in the amount of \$1,802 per residential lot.

Roadway impact fees are due in the amount of \$4,941 per residential lot at the time of the building permit application.

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

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

Sidewalks and Trails. According to the Supplemental Sidewalk System Map and the 2005 Colleyville Pathways Plan, a ten (10) foot trail is required to be constructed along Pleasant Run Road depicted as Trail 14 on the plan. Ordinance O-13-1875 states that "in lieu of constructing the required ten (10) foot trail along Pleasant Run Road, the developer shall pay into escrow the cost of constructing the trail as determined by the City Engineer, prior to the filing of the final plat for the development.

Ordinance O-13-1875 also states that "the portion of the proposed interior park trail that traverses the open space of the development that is closest to Pleasant Run Road shall provide a stub for future connection to the Pleasant Run Road trail shown in the

Colleyville Pathways Plan. Said portion of the interior park trail shall be located within a public access easement and shall be constructed by the developer prior to acceptance of final public improvements and shall be maintained by the homeowner's association. The centerline of this easement is shown on the preliminary plat. The easement will be required to be depicted on the final plat.

Drainage and Stormwater Runoff. As required by the Land Development Code, drainage and engineering plans have been submitted with the proposed plat. The development will provide on-site retention where necessary. Residential Density. The development of 73 residential units on the 53.2 acre property will produce a residential density of 1.37 dwelling units per acre based upon the density calculation method prescribed by the Master Plan. Ordinance O-13-1875 allows a maximum residential of 1.4 dwelling units per acre. Therefore, the plat complies with the density requirements of Ordinance O-13-1875.

Summary. The preliminary plat complies with the requirements of Ordinance O-13-1875 and the Land Development Code.

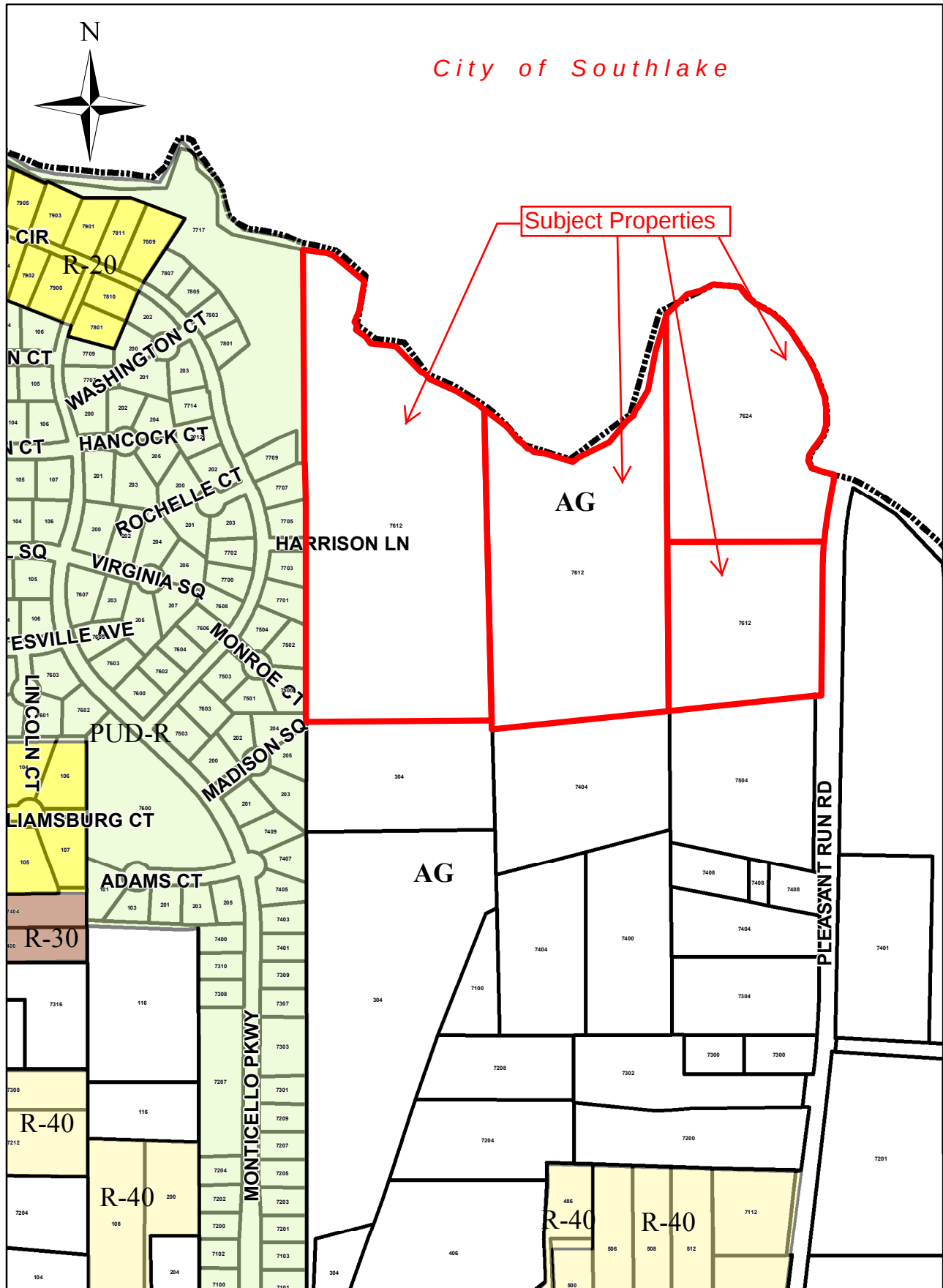
Recommendation

Approve

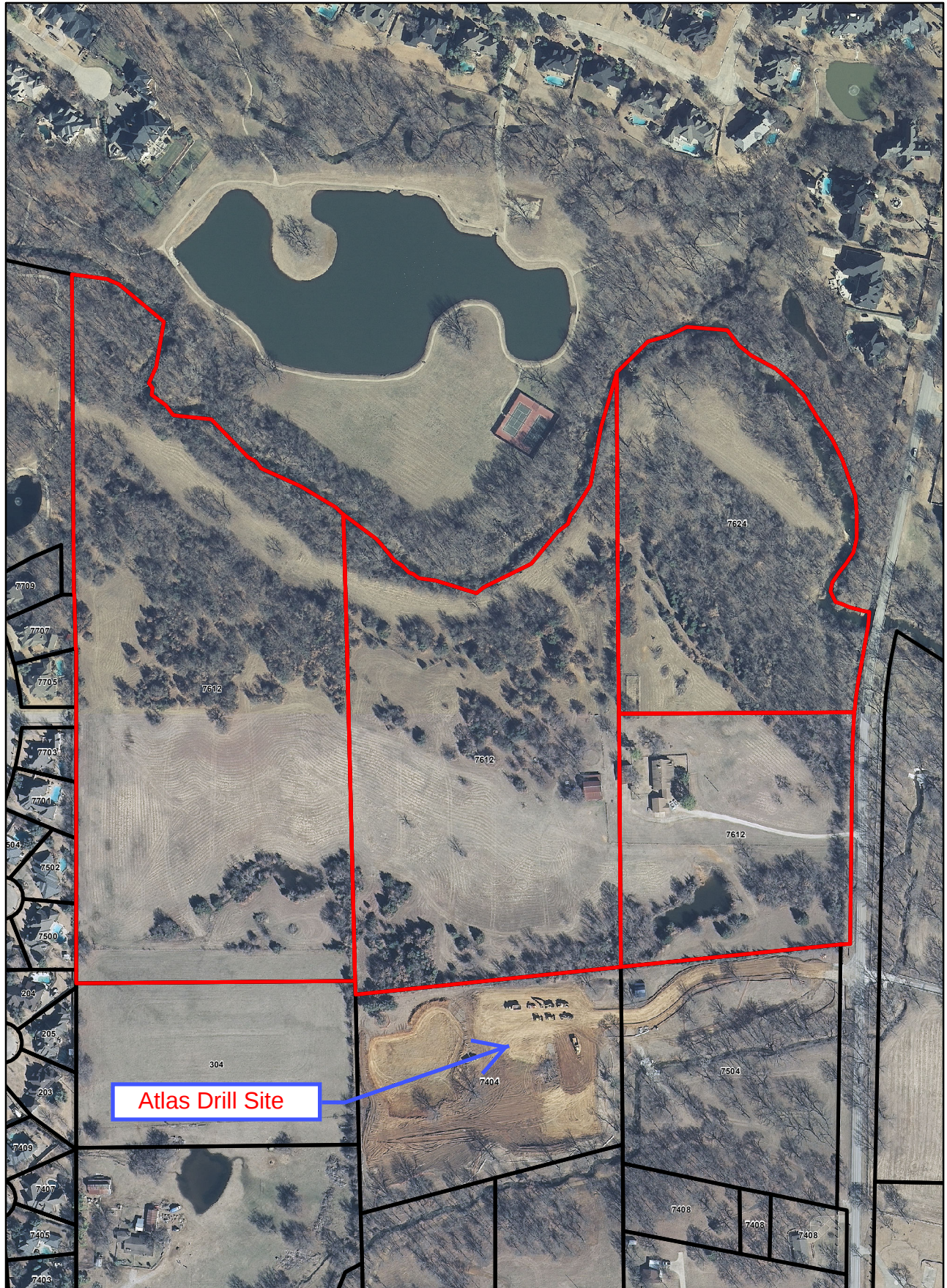
Attachments

1. Location and Zoning Map
2. Aerial
3. Ordinance O-13-1875
4. Preliminary Plat Exhibit

Location and Zoning Map



Aerial



ORDINANCE O-13-1875

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 53.2 ACRES ON TRACTS 1F AND 1G, ABSTRACT 1038 OF THE HALL MEDLIN SURVEY AND TRACTS 1A02 AND 1C, ABSTRACT 295 OF THE WILLIAM E. CROOKS SURVEY LOCATED AT 7612 AND 7624 PLEASANT RUN ROAD FROM THE AG-AGRICULTURAL 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. ZC13-001; 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 53.2 acres on Tracts 1F and 1G, Abstract 1038 of the Hall Medlin Survey and Tracts 1A02 and 1C, Abstract 295 of the William E. Crooks Survey located at 7612 and 7624 Pleasant Run Road from the AG-Agricultural zoning district to the PUD-R-Planned Unit Development Residential zoning district, as depicted in the attached Exhibit "A" and as described in Exhibit "B".
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The purpose of this PUD-R is for a single-family residential development of detached dwelling units, constructed at a gross maximum density of 1.4 dwelling units per acre as described in Exhibit "C". Exhibit "C" is attached herein for descriptive purposes only and shall not be referenced as a regulatory guide for the purpose of this ordinance.

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

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. The minimum lot width shall be 90 feet and the minimum lot depth shall be 70 feet.
 - 2. The minimum lot size shall be 13,000 square feet, with an average lot size of 16,050 square feet.
 - 3. The minimum front yard setbacks shall be 20 feet for lots with side facing garages so long as the distance from the back of curb to the primary structure is at least 30 feet, and 30 feet for lots with front facing garages.
 - 4. The minimum rear yard setbacks shall be:

- a. From the main structure: 25 feet
 - b. From an accessory structure: 10 feet
- 5. The minimum side yard setbacks shall be 9 feet.
- 6. The maximum building height shall be 35 feet.
- 7. For lots located on cul-de-sacs and half cul-de-sacs, the minimum lot width shall be 70 feet measured at the front yard setbacks and 35 feet measured at the right-of-way line.

5. RESIDENTIAL DESIGN REQUIREMENTS

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

- a. The surface area of the front exterior wall, excluding windows, doors, gables, and covered porches shall be at least 85 percent masonry or hand-troweled, cement-based, three-coat stucco.
- b. The surface area of all side and rear walls shall be at least 75 percent masonry or hand-troweled, cement-based, three-coat stucco.
- c. Approved masonry materials shall adhere to the masonry materials allowed in Chapter 6-Building Design of the Land Development Code.
- d. Each residence shall contain a minimum of 3,000 feet of gross floor area.

6. OPEN SPACE

- a. This development shall provide a minimum of 30 percent common open space, which shall be configured as shown on Exhibit "D". All open space areas shall be landscaped and maintained by the homeowners association.

7. RESIDENTIAL DENSITY REQUIREMENTS

- a. Residential density shall not exceed 1.4 dwelling units per acre.

8. FENCING, SCREENING, BUFFERING AND TREES

- a. A wrought iron fence shall be constructed between the common open space in the Monticello development and common open space on the subject property. Said fence shall be constructed by the developer prior to the acceptance of final public improvements.
- b. A minimum of two, three (3) inch caliper, hardwood shade trees shall be planted on each lot at the time of new home construction.
- c. All lots shall be equipped with an irrigation system per the requirements of Chapter 4-Landscaping and Buffering in the Land Development Code.
- d. A minimum eight (8) foot solid masonry wall shall be constructed along the common property line of the development and the adjacent property to the south located at 7504 and 7404 Pleasant Run Road prior to the acceptance of final public improvements. Where adjacent to lots not used for residential purposes within this development, the wall may be constructed of wood. The wall shall be maintained by the homeowner's association.
- e. A minimum ten (10) foot tree preservation buffer shall be located along the entire length of the western boundary of the development. All trees located within said buffer shall be preserved in place as shown on the required tree survey at the time of platting. No trees may be removed from this buffer area without a tree removal permit. Section 5(8)C(5) of the Land Development Code exempting residents from the removal requirements shall not apply to said buffer area. Maintenance of the buffer shall be the responsibility of each homeowner.

9. SIDEWALKS AND TRAILS

- a. In lieu of constructing the required ten (10) foot trail along Pleasant Run Road, the developer shall pay into escrow the cost of constructing the trail as determined by the City Engineer, prior to the filing of the final plat for the development.

- b. The portion of the proposed interior park trail that traverses the open space of the development that is closest to Pleasant Run Road shall provide a stub for future connection to the Pleasant Run Road trail shown in the Colleyville Pathways Plan. Said portion of the interior park trail shall be located within a public access easement and shall be constructed by the developer prior to acceptance of final public improvements and shall be maintained by the homeowner's association.

10. GENERAL

- a. No building, structure, or other development within this PUD, including any roads and parks, shall trigger any setback requirement for future gas wells and related equipment located on the existing 13.2-acre pad site located directly south of the boundaries of this PUD (the "Existing Pad Site"), regardless of whether such gas wells and equipment are authorized by Ordinance O-10-1779 approving a Special Use Permit for the Existing Pad Site or are authorized by future approvals (if any) for the Existing Pad Site only by the City Council.
- b. Prior to the recordation of a final plat for any property within this PUD, an instrument shall be recorded in the deed records of Tarrant County, Texas, for the property within this PUD, providing all future purchasers of such property with notice of this paragraph. The form of such instrument shall be approved by the City Attorney. In addition, any rezoning of the property governed by this PUD, including, but not limited to, an amendment to this PUD, shall require that written notice be given to the gas well operator in the same manner that is required by Chapter 211 of the Texas Local Government Code for all property owners. Notices shall be sent to the gas well permittee based on the address on file with the City.

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.

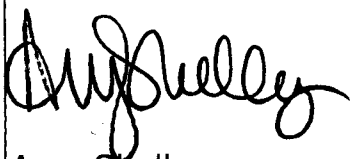
- Sec. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two 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.

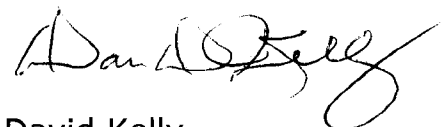
The first reading and public hearing being conducted on the 4th day of June 2013.

The second reading and public hearing being conducted on the 18th day of June 2013.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 18th day of June 2013.

ATTEST:

Amy Shelley
City Secretary

CITY OF COLLEYVILLE

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Colby Cunningham

for Matthew C. G. Boyle
City Attorney

Exhibit "A" – Location and Zoning Map

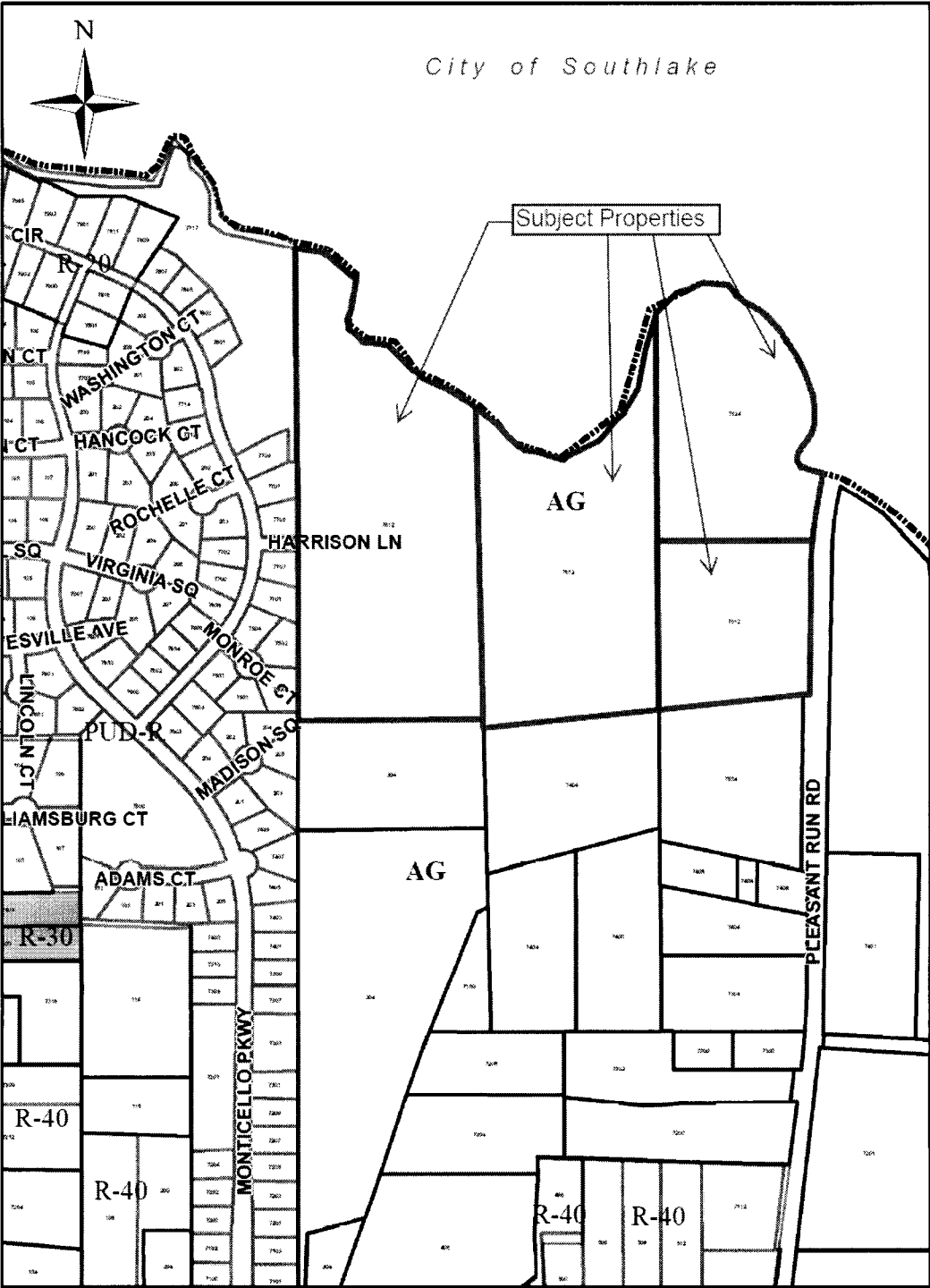


Exhibit "B" – Legal Description

BEING THAT CERTAIN TRACT OF LAND SITUATED IN THE WM. E. CROOKS SURVEY, ABSTRACT NUMBER 295 AND THE HALL MEDLIN SURVEY, ABSTRACT NUMBER 1038, CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS AND BEING ALL OF THOSE CERTAIN TRACTS OF LAND CONVEYED TO JOHN W. QUENICHET AND WIFE OBURN QUENICHET RECORDED IN VOLUME 4384, PAGE 871, TRACTS 1, 2 AND 3 AND IN VOLUME 4957, PAGE 297 OF COUNTY RECORDS, TARRANT COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A 3/4 INCH IRON ROD, FOUND AT THE SOUTHWEST CORNER OF SAID QUENICHET TRACT RECORDED IN VOLUME 4957, PAGE 297 AND BEING THE NORTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO THE ROBERT HIGHTOWER TESTAMENTARY TRUST, RECORDED IN VOLUME 13475, PAGE 388 OF SAID COUNTY RECORDS AND BEING IN THE WEST LINE OF MONTICELLO ADDITION, AN ADDITION TO THE CITY OF COLLEYVILLE, RECORDED IN VOLUME 388-209, PAGE 12 OF PLAT RECORDS, TARRANT COUNTY, TEXAS;

THENCE N 00°11'48" W, WITH THE WEST LINE OF SAID QUENICHET TRACT, AT 1548.07 FEET A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "JACOBS" SET, IN ALL 1648.07 FEET TO THE CENTERLINE OF BIG BEAR CREEK;

THENCE WITH THE CENTERLINE OF BIG BEAR CREEK THE FOLLOWING BEARINGS AND DISTANCES;

S 64°57'48" E, 130.00 FEET;
S 50°01'23" E, 140.00 FEET;
S 10°11'53" W, 174.00 FEET;
S 52°32'20" E, 86.00 FEET;
S 83°50'13" E, 104.00 FEET;
S 37°43'15" E, 143.00 FEET;
S 65°44'16" E, 104.00 FEET;
S 57°57'16" E, 140.00 FEET, THE NORTHWEST CORNER OF AFORESAID TRACT 3, FROM WHICH A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "JACOBS" SET, BEARS 00°29" W, 100.00 FEET;
S 40°13'40" E, 146.00 FEET;
S 59°50'53" E, 67.00 FEET;
S 74°42'01" E, 67.00 FEET,
N 89°44'42" E, 115.00 FEET;
N 47°35'35" E, 213.00 FEET;
N 27°22'07" E, 102.00 FEET;
N 15°46'45" E, 122.00 FEET;
N 21°31'34"E, AT 155.7 FEET THE NORTHEAST CORNER OF SAID TRACT 3 AND THE NORTHWEST CORNER OF SAID TRACT 1, FROM WHICH A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "JACOBS" SET, BEARS S 00°49" E, 100.00 FEET, IN ALL 171.00 FEET;
N 55°19'48" E, 100.00 FEET;
N 72°17'18" E, 100.00 FEET;
S 74°09'29" E, 75.00 FEET;
S 30°07'44" E, 69.00 FEET;
S 53°03'32" E, 180.00 FEET;
S 28°28'40" E, 170.00 FEET;
S 20°31'03" E, 105.00 FEET;
S 00°16'51" E, 80.00 FEET;
S 41°40'16" W, 109.00 FEET;
S 45°24'40" E, 115.00 FEET;

Exhibit "B" – Legal Description Continued

THENCE S 75°34'46" E, 61.00 FEET TO THE INTERSECTION OF SAID BIG BEAR CREEK AND THE APPROXIMATE CENTERLINE OF PLEASANT RUN ROAD (A VARIABLE WIDTH RIGHT-OF-WAY);

THENCE S 10°21'30" W, 160.00 FEET WITH SAID APPROXIMATE CENTERLINE, TO THE SOUTHEAST CORNER OF AFOREMENTIONED TRACT 1 AND THE NORTHEAST CORNER OF SAID TRACT 2, FROM WHICH A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "JACOBS" SET, BEARS S 88°36" W, 100.00 FEET;

THENCE S 01°29'24" W, 612.63 FEET CONTINUING WITH SAID APPROXIMATE CENTERLINE TO THE SOUTHEAST CORNER OF SAID TRACT 2;

THENCE S 84°10'42" W, WITH THE SOUTH LINE OF SAID TRACT 2, AT 40.10 FEET THE NORTHEAST CORNER OF PARK PLACE ESTATES, AN ADDITION TO THE CITY OF COLLEYVILLE, RECORDED IN VOLUME 388-178, PAGE 14 OF SAID PLAT RECORDS, AT 100 FEET A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "JACOBS" SET, IN ALL 558.48 FEET TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "JACOBS" SET, AT THE SOUTHWEST CORNER OF SAID TRACT 2 AND THE SOUTHEAST CORNER OF SAID TRACT 3;

THENCE S 84°37'58" W, 654.81 FEET WITH THE SOUTH LINE OF SAID TRACT 3 AND THE NORTH LINE OF THAT TRACT OF LAND CONVEYED TO TRINITY CHRISTIAN CENTER OF SANTA ANNA, INC., RECORDED IN VOLUME 9325, PAGE 1004 OF SAID COUNTY RECORDS, TO A 3/8 INCH IRON ROD, FOUND AND BEING THE SOUTHWEST CORNER OF SAID TRACT 3 IN THE EAST LINE OF THE AFOREMENTIONED HIGHTOWER TRACT;

THENCE N 01°58'48" W, 106.71 FEET, WITH THE WEST LINE OF SAID HIGHTOWER TRACT, TO A 5/8 INCH IRON ROD, FOUND AT THE SOUTHEAST CORNER OF AFOREMENTIONED QUENICHET TRACT RECORDED IN VOLUME 4957, PAGE 297 OF SAID COUNTY RECORDS;

THENCE N 89°57'05" W, 652.16 FEET, WITH THE NORTH LINE OF SAID HIGHTOWER TRACT AND THE SOUTH LINE OF SAID QUENICHET TRACT, TO THE POINT OF BEGINNING AND CONTAINING 2,318,598 SQUARE FEET OR 53.228 ACRES OF LAND MORE OR LESS.

Exhibit "C" – Statement of Planning Objectives

Planned Unit Development (PUD-R) for Overlook at Big Bear Creek Colleyville, Texas

HISTORY AND STATEMENT OF INTENT

Established in 1988, Wilbow Corporation, the Dallas based U.S. Operation, is a wholly-owned subsidiary of Wilbow Group Pty. Ltd. located in Melbourne, Australia. Wilbow is currently involved in numerous real estate developments in the Dallas/Fort Worth and Houston areas. Wilbow has been the recipient of numerous accolades and won Business and Industry Awards for Excellence in commercial property development including the Urban Design for Tribute at Mills Branch and the McSam award for Marketing of the Heritage residential community. Wilbow Corporation maintains an experienced and well-diversified professional staff with a combined 100 years of real estate development experience, and has consistently been ranked as one of north Texas' largest residential developers by the Dallas Business Journal. Wilbow's financial strength, experience and history of success mean that each development is thoughtfully planned and executed with efficiency and expertise that few other developers possess.

Wilbow Corporation, doing business as Pleasant Run Colleyville, Inc. (PRC), being the applicant and developer of the 53.2-acre "Overlook at Big Bear Creek" property, part of the Wm. E. Crooks Survey, Abstract No. 295, and part of the Hall Medlin Survey, Abstract No. 1038, hereby makes a request to rezone the property, currently zoned Agriculture (AG) per the August 2007 zoning map, to Planned Unit Development-Residential (PUD-R). With PUD-R zoning, the use will be consistent with the adjacent single-family zoning designations and Colleyville's Future Land Use Plan 2025 which designates the property as "Single Family Residential".

PROJECT LOCATION & DESCRIPTION

The Overlook at Big Bear Creek (The Overlook) is located along the north central Colleyville border with Southlake, adjacent to Pleasant Run Road on the east and the Monticello neighborhood to the west. The north property line generally follows the centerline of Big Bear Creek, the same being the municipal

Exhibit "C" – Statement of Planning Objectives (Continued)

boundary. The property is bordered on the south by the Titan well site and undeveloped agricultural land. The property is a generally rectangular, 53.228 acre tract that consists of four smaller parcels, each formally owned by John W. and Obum Quenichet. Overlook will be developed into approximately 73 single-family home sites and additional open space lots, for a density of **1.37 dwelling units per gross acre**, well below the allowed maximum residential density of 1.8 dwelling units per gross acre. Each home site shall be a minimum of 13,000 square feet however, the average lot size shall be approximately 16,000 square feet.

SITE ZONING AND PLANNED DEVELOPMENT STANDARDS

The zoning classification for The Overlook shall be Planned Unit Development-R "PUD-R" and shall be developed according to the following standards:

Item	PUD-R Zoning	Proposed Zoning
Minimum Lot Size	13,000 Square Feet	13,000 Square Feet
Average Lot Size	16,000 Square Feet	16,050 Square Feet
Minimum Lot Width	100 feet	90 feet
Minimum Front Yard	30 feet	20 feet
Minimum Side Yard	10 feet	9 feet
Minimum Rear Yard	25 feet	25 feet for main structure 10 feet for ancillary structures
Maximum Building Height	30 feet	35 feet measured from high point on lot to top of roof line

BUILDING SETBACK PROVISION

Special consideration of reduced lot width is hereby requested for lots located on cul-de-sacs and those located on 90-degree elbows in the streets. The minimum lot width for such lots measured at the building line shall be 70-feet. The minimum lot width for such lots measured at the right-of-way line shall be 35-feet.

Exhibit "C" – Statement of Planning Objectives (Continued)

IMPACT FEES

Because the calculated portion of the City's Perimeter Street Fee is less than the per lot road impact fees generated by this project, PRC shall bear no cost associated with the City's Perimeter Street Fee. Instead, the per lot road impact fee of \$4941.00 shall be paid for by the builder at the time of each applicable building permit. In addition, water and wastewater impact fees shall be paid for at the time of building permit by the builder. There shall be no park impact fee paid for by PRC. No other impact fees shall be applicable.

PARKLAND DEDICATION

In lieu of Park Dedication Fees, we will dedicate via final plat approximately 17 acres of private parkland/open space within the development, which shall include a permanent surface trail system, benches, native and picnic areas. We may elect to dedicate a public access easement over and across the trail system for use by all residents of Colleyville. In addition, we will dedicate approximately 3 acres of private parkland/open space adjacent to Forest Meadow Drive within the development. This 3 acres alone represents approximately ten (10) percent of the developable area of the subdivision. All private parkland/open space will be maintained by the Home Owner's Association (HOA) for the development, which will be created for the purpose of owning, operating and maintaining the common features within the community.

HOMEOWNERS ASSOCIATION

All property owners within The Overlook shall be required to be members of the HOA which shall assume ownership and responsibility for the open space areas, entry features, landscaping, irrigation and all fencing within the open space areas created via the Final Plat. The HOA shall also be responsible for enforcement of all deed restrictions for the community. PRC, as Declarant, shall regulate and approve new home architecture and plot plans in conformity with the deed restrictions for the community.

SUBDIVISION DESIGN CONSIDERATIONS

Streets shall be 31 foot, back to back concrete with curb and gutter within a 50 foot Right of Way. Streets shall be dedicated to the City of Colleyville (City). Similarly, all water lines, sanitary and storm sewer shall be

Exhibit "C" – Statement of Planning Objectives (Continued)

designed and constructed to City standards. Upon construction and inspection by the City, such infrastructure shall be dedicated to the City for continued maintenance and operation.

DRAINAGE DESIGN CONSIDERATIONS

The site generally slopes from south to north and is heavily wooded along the north and east boundaries. Big Bear Creek and its 100-year floodplain traverses the property on the northern boundary receiving the natural runoff from the property. The drainage system for the community shall be designed so that the storm water runoff continues to be conveyed directly into Big Bear Creek. The development of the property will not have significant impact on the total amount of runoff in this reach of Big Bear Creek due to the low density, large lot size and the relatively small contributing area of the project in relation to the entire watershed conveyed by Big Bear Creek, and therefore, no detention shall be required for this project. See accompanying exhibit of offsite drainage area. A small portion of the developable area lies within the FEMA designated 100-year floodplain. PRC intends to mitigate the small areas intended to be developed within the floodplain by providing comparable storage volume elsewhere on-site. The plan for such comparable storage shall be submitted for administrative review and approval by Colleyville's Certified Floodplain Manager (CFM).

LANDSCAPE AND TREE MITIGATION

No tree survey or tree mitigation shall be required for open space areas shown on the attached Development Plan. Areas within proposed rights-of-way, proposed building pads, public and private easements shall also be exempt from tree mitigation requirements; however an inventory of protected trees within such areas shall be shown on a tree survey. Builder installed trees located in front and rear yards shall count towards any mitigation required as a result of the development process so long as the tree species conform to the City's tree mitigation requirements. PRC shall require a minimum of 2 (two) 3" caliper hardwood shade trees be installed by the builder on each lot.

SUBDIVISION TRAFFIC AND CIRCULATION

PRC shall provide a stub-through road to connect to existing Harrison Lane to the west. Wildflower Way

Exhibit "C" – Statement of Planning Objectives (Continued)

shall stub to the property immediately to the south in anticipation of future single-family development. No traffic impact analysis (TIA) shall be required since the development is not projected to generate in excess of 1,000 vehicle trips per day.

SIDEWALKS

PRC hereby requests a variance from the sidewalk requirements and as such, no sidewalks will be constructed along the streets within the development. This request is consistent with adjacent neighborhoods, among them and adjacent to this proposed development is Monticello, which does not contain sidewalks along the streets. Further there is no existing sidewalk or trail along Pleasant Run Road. Due to lack of connectivity and challenging topography, we request a variance from the sidewalk/trail requirement.

TRAIL MASTERPLAN

PRC hereby requests a modification to the Trails and Sidewalk System Masterplan dated October 18, 2005 which shows a trail system along Pleasant Run Road. Due to the natural topography and lack of connectivity to other such facilities along Pleasant Run Road, construction of a trail system here is not viable. In lieu of the roadside location, PRC shall construct a trail system as a continuation of the neighboring Monticello trail system within the private parkland/open space located wholly within the community.

SCREEN WALLS AND FENCES

The existing natural vegetation/trees will provide a natural live screen for the entire property frontage along Pleasant Run Road. Therefore, PRC intends to construct an entry feature and monumentation only at the main entry at Pleasant Run Road as shown on the attached Site Plan. The entry feature shall incorporate masonry, brick, stone and wrought iron fence as necessary to 'tie' back into existing vegetation.

Wrought iron fencing shall be allowed, but not required, along the side and rear property lines of each lot and adjacent to and within the 100-year floodplain. Privacy fences shall not be allowed within the 100-year floodplain.

Exhibit "C" – Statement of Planning Objectives (Continued)

DEVELOPMENT SCHEDULE

PRC intends to obtain approval of zoning by July 2013 with platting and engineering plans to follow immediately thereafter. Construction of the first phase of approximately 33-39 lots to commence immediately following approval of engineering plans. Construction shall take approximately 9 months. Concurrent with development of the first phase, entitlements to include final platting of the second phase will be underway. Upon completion of the first phase and formal approval of the Phase II final plat, PRC will commence construction on Phase II. We anticipate construction on Phase II to commence in the fall of 2014 and be completed by summer 2015. Construction of homes within the first phase shall commence immediately upon City acceptance of the Phase I infrastructure. PRC requests that each phase be given consideration for an early release grading permit upon preliminary plan approval and early release building permits upon substantial completion of paving, as determined by the City inspector during the initial infrastructure walkthrough.

BUILDER PRODUCT

Homes within this community are expected to range in the \$500k to \$1MM+ range. Typical lot pads shall be approximately 70' wide by 70' deep. Minimum house size shall be 3,000 square feet. Maximum height for each home shall not exceed 35' as measured from the highpoint of the lot to the top of the roof.

The surface area of the first floor exterior wall (exclusive of openings for windows and doors, gables over wood framing, areas under covered porches, box and bay windows and other architectural projections) and all second story walls (exclusive of openings for windows and doors, gables over wood framing, areas under covered porches, box and bay windows and other architectural projections) in the same vertical plane as the first floor wall shall be veneered with a minimum of 85% (eighty-five percent) coverage of unit masonry (defined below) or hand troweled, cement-based 3-coat stucco on the front elevation and 75% (seventy-five percent) unit masonry or hand-troweled, cement-based, 3-coat stucco on the side and rear elevations.

Unit Masonry shall mean brick, natural stone, or concrete cast stone (or combination of these materials) laid up by unit and set in mortar.

ECONOMIC DEVELOPMENT INFORMATION

Exhibit "C" – Statement of Planning Objectives (Continued)

As envisioned, The Overlook will generate substantial tax revenue for Tarrant County and the City of Colleyville. PRC estimates homes will be completed according to the following schedule:

<u>Year</u>	<u>Homes Completed</u>	<u>Total</u>
2014	5	5
2015	20	25
2016	20	45
2017	20	65
2018	8	73

Based on the 2010 ad valorum tax rate of \$2.28/\$100 and an average home price of \$750k, estimated ad valorum taxes are as follows:

<u>Year</u>	<u>Ad Valorum Tax</u>
2015	\$86,000
2016	\$428,000
2017	\$770,000
2018	\$1,111,000
2019	\$1,248,300
2020	\$1,248,300

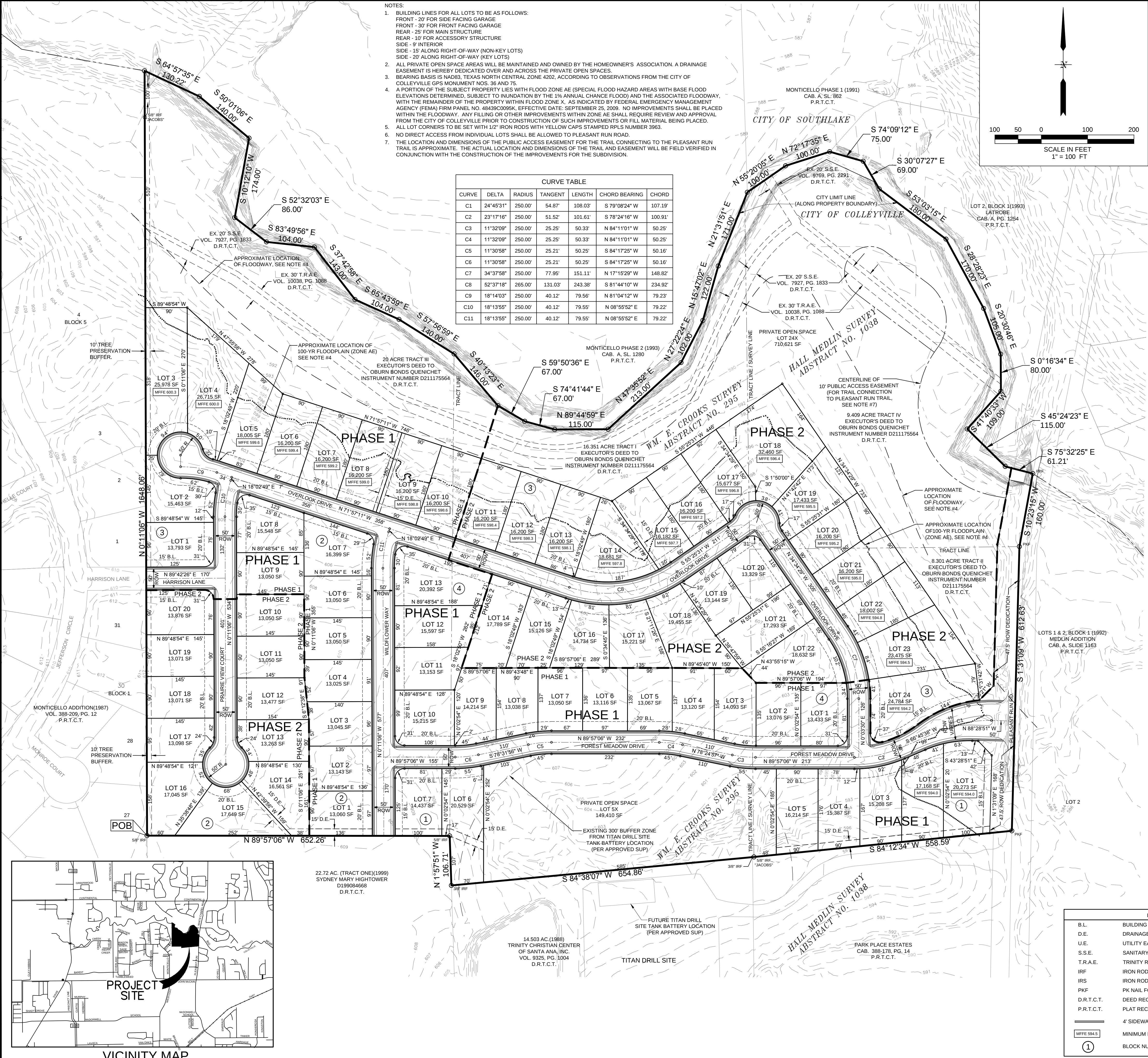
Note: Tax estimate assume a flat rate based on 2010 values.

SUMMARY

The Overlook, when developed, will be a large lot up-scale development featuring 73 residential lots containing custom and semi-custom homes from \$500k on up. PRC believes that The Overlook will be a meaningful contribution to the City of Colleyville, and provide consistency with the adjacent neighborhoods while complying with the City's Future Land Use Plan. The home values will generate significant tax revenues for the City and protect surrounding home values. The requests of the PUD-R made herein are consistent with the PUD-R provisions and have been thoughtfully construed so as to protect surrounding home and community values, while upholding the guidelines created by the City's comprehensive zoning ordinance. PRC respectfully requests the City of Colleyville Planning and Zoning Commission and City Council approve this PUD-R and allow The Overlook to move forward as planned herein.

Exhibit "D"- Conceptual Site Plan





OWNERS DEDICATION:

WHEREAS WPC ACQUISITIONS, INC IS THE OWNER OF THAT CERTAIN TRACT OF LAND SITUATED IN THE WM. E. CROOKS SURVEY, ABSTRACT NO. 295 AND THE HALL MEDLIN SURVEY, ABSTRACT NO. 1038, CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS AND BEING ALL OF THOSE CERTAIN TRACTS OF LAND DESCRIBED ON EXHIBIT "A" AS TRACT I (16.351 ACRES), TRACT II (8.301 ACRES), TRACT III (20.00 ACRES), AND TRACT IV (9.408 ACRES) IN AN EXECUTOR'S DEED TO OUBURN BONDS QUENCHET AND RECORDED AS INSTRUMENT NUMBER D21175564, OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" INCH IRON ROD FOUND AT THE SOUTHWEST CORNER OF SAID TRACT III COMMON TO THE NORTHWEST CORNER OF THAT 22.72 ACRE TRACT OF LAND CONVEYED TO SYDNEY MARY HIGHTOWER, TRUSTEE, RECORDED AS INSTRUMENT NUMBER D199084668, OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS AND ALSO BEING IN THE EAST LINE OF THE MONTICELLO ADDITION, AN ADDITION TO THE CITY OF COLLEYVILLE, RECORDED IN VOLUME 388-209, PAGE 12, OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS;

THENCE NORTH 00 DEGREES 11 MINUTES 06 SECONDS WEST, WITH THE WEST LINE OF SAID TRACT III AND THE EAST LINE OF SAID MONTICELLO ADDITION, AT 1548.06 FEET PASSING A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "JACOBS" FOUND FOR REFERENCE AND CONTINUING FOR A TOTAL DISTANCE OF 1648.06 FEET TO POINT NEAR THE CENTERLINE OF BIG BEAR CREEK;

THENCE ALONG AND NEAR THE CENTERLINE OF BIG BEAR CREEK AND TRACTS II, I, AND IV, RESPECTIVELY, THE FOLLOWING COURSES:

SOUTH 64 DEGREES 57 MINUTES 35 SECONDS EAST, A DISTANCE OF 130.22 FEET;
SOUTH 50 DEGREES 01 MINUTES 06 SECONDS EAST, A DISTANCE OF 140.00 FEET;
SOUTH 10 DEGREES 12 MINUTES 10 SECONDS WEST, A DISTANCE OF 174.00 FEET;
SOUTH 52 DEGREES 32 MINUTES 03 SECONDS EAST, A DISTANCE OF 86.00 FEET;
SOUTH 83 DEGREES 49 MINUTES 56 SECONDS EAST, A DISTANCE OF 104.00 FEET;
SOUTH 37 DEGREES 42 MINUTES 58 SECONDS EAST, A DISTANCE OF 143.00 FEET;
SOUTH 65 DEGREES 43 MINUTES 59 SECONDS EAST, A DISTANCE OF 104.00 FEET;
SOUTH 57 DEGREES 56 MINUTES 59 SECONDS EAST, A DISTANCE OF 140.00 FEET TO THE NORTHEAST CORNER OF SAID 20 ACRE TRACT III COMMON TO THE NORTHWEST CORNER OF SAID 16.351 ACRE TRACT I;
SOUTH 40 DEGREES 13 MINUTES 23 SECONDS EAST, A DISTANCE OF 146.00 FEET;
SOUTH 59 DEGREES 50 MINUTES 36 SECONDS EAST, A DISTANCE OF 67.00 FEET;
SOUTH 74 DEGREES 41 MINUTES 44 SECONDS EAST, A DISTANCE OF 67.00 FEET;
NORTH 89 DEGREES 44 MINUTES 59 SECONDS EAST, A DISTANCE OF 115.00 FEET;
NORTH 47 DEGREES 35 MINUTES 52 SECONDS EAST, A DISTANCE OF 213.00 FEET;
NORTH 27 DEGREES 22 MINUTES 24 SECONDS EAST, A DISTANCE OF 102.00 FEET;
NORTH 15 DEGREES 47 MINUTES 02 SECONDS EAST, A DISTANCE OF 122.00 FEET;
NORTH 21 DEGREES 31 MINUTES 51 SECONDS EAST, A DISTANCE OF 171.00 FEET;
NORTH 55 DEGREES 20 MINUTES 05 SECONDS EAST, A DISTANCE OF 100.00 FEET;
NORTH 72 DEGREES 17 MINUTES 35 SECONDS EAST, A DISTANCE OF 100.00 FEET;
SOUTH 74 DEGREES 09 MINUTES 12 SECONDS EAST, A DISTANCE OF 75.00 FEET;
SOUTH 30 DEGREES 07 MINUTES 27 SECONDS EAST, A DISTANCE OF 69.00 FEET;
SOUTH 53 DEGREES 03 MINUTES 15 SECONDS EAST, A DISTANCE OF 180.00 FEET;
SOUTH 28 DEGREES 28 MINUTES 23 SECONDS EAST, A DISTANCE OF 170.00 FEET;
SOUTH 20 DEGREES 30 MINUTES 46 SECONDS EAST, A DISTANCE OF 105.00 FEET;
SOUTH 00 DEGREES 16 MINUTES 34 SECONDS EAST, A DISTANCE OF 80.00 FEET;
SOUTH 41 DEGREES 40 MINUTES 33 SECONDS WEST, A DISTANCE OF 109.00 FEET;
SOUTH 45 DEGREES 24 MINUTES 23 SECONDS EAST, A DISTANCE OF 115.00 FEET AND;
SOUTH 75 DEGREES 32 MINUTES 25 SECONDS EAST, A DISTANCE OF 61.21 FEET TO A PK NAIL FOUND FOR CORNER ON AN ASPHALT SURFACE NEAR THE CENTER OF PLEASANT RUN ROAD, SAID POINT BEING THE NORTHEAST CORNER OF SAID 9.408 ACRE TRACT IV COMMON TO THE NORTHWEST CORNER OF THE MEDLIN ADDITION RECORDED IN CABINET A, SLIDE 1163, OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS;

THENCE ALONG AND NEAR THE CENTER OF SAID PLEASANT RUN ROAD, THE EAST LINES OF TRACTS IV AND II, RESPECTIVELY, AND THE WEST LINES OF SAID MEDLIN ADDITION THE FOLLOWING COURSES:

SOUTH 10 DEGREES 23 MINUTES 15 SECONDS WEST, A DISTANCE OF 160.00 FEET TO A PK NAIL FOUND AT AN ANGLE POINT AND;
SOUTH 01 DEGREES 31 MINUTES 09 SECONDS WEST, A DISTANCE OF 612.63 FEET TO A PK NAIL FOUND FOR CORNER AT THE SOUTHEAST CORNER OF SAID TRACT II COMMON TO THE NORTHEAST CORNER OF PARK PLACE ESTATES RECORDED IN CABINET 388-178, PAGE 14, OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS;

THENCE SOUTH 84 DEGREES 12 MINUTES 34 SECONDS WEST, WITH THE SOUTH LINE OF SAID TRACT II AND THE NORTH LINE OF PARK PLACE ESTATES, AT 40.10 FEET PASSING THE NORTHEAST CORNER OF A CALLED 14.503 ACRE TRACT DESCRIBED IN A DEED TO TRINITY CHRISTIAN CENTER OF SANTA ANA, INC. RECORDED IN VOLUME 9325, PAGE 1004, OF THE DEED RECORDS OF TARRANT COUNTY TEXAS AND CONTINUING ALONG THE COMMON LINE OF LAST THREE MENTIONED TRACTS FOR A TOTAL DISTANCE OF 558.59 FEET TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "JACOBS" FOUND FOR THE COMMON SOUTH CORNER OF SAID TRACT I AND II;

THENCE SOUTH 84 DEGREES 38 MINUTES 07 SECONDS WEST, CONTINUING WITH THE SAID SOUTH LINE OF SAID TRACT I AND THE NORTH LINE OF SAID PARK PLACE ESTATES AND 14.503 ACRE TRACT, AT 3.26 FEET PASSING A 3/8" IRON FOUND AT AN ANGLE POINT IN SAID 14.503 ACRE TRACT COMMON TO THE NORTHWEST CORNER OF SAID PARK PLACE ESTATES, AND CONTINUING ALONG THE COMMON LINE OF SAID 14.503 ACRE TRACT AND TRACT I FOR A TOTAL DISTANCE OF 654.86 FEET TO A 5/8 INCH IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID 14.503 ACRE TRACT COMMON TO THE SOUTHWEST CORNER OF TRACT I AND BEING IN THE EAST LINE OF SAID 22.72 ACRE HIGHTOWER TRACT.

THENCE NORTH 01 DEGREES 57 MINUTES 51 SECONDS WEST ALONG THE WEST LINE OF SAID TRACT I AND THE EAST LINE OF SAID HIGHTOWER TRACT A DISTANCE OF 106.71 FEET TO A 5/8 INCH IRON ROD FOUND FOR CORNER AT THE NORTHEAST CORNER THEREOF COMMON TO THE SOUTHEAST CORNER OF SAID TRACT III;

THENCE NORTH 89 DEGREES 57 MINUTES 06 SECONDS WEST, ALONG THE COMMON LINE OF SAID TRACT III AND SAID HIGHTOWER TRACT A DISTANCE OF 652.26 FEET TO THE POINT OF BEGINNING AND CONTAINING 2,318,904 SQUARE FEET OR 53.234 ACRES OF LAND.

NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:

THAT WPC ACQUISITIONS, INC, OWNER, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINBEFORE DESCRIBED PROPERTY AS THE OVERLOOK AT BIG BEAR CREEK, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, AND DOES HEREBY DEDICATE FEE SIMPLE TO THE PUBLIC USE FOREVER ALL STREETS, RIGHT-OF-WAY, AND ALLEYS SHOWN THEREON, AND DOES 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 NAME. 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 UPON THE SAID EASEMENTS 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.

WPC ACQUISITIONS, INC.

BY: _____
PRINTED NAME

SIGNATURE

STATE OF TEXAS)
COUNTY OF TARRANT)

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED
KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGE 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 THE STATE OF TEXAS

MY PRINTED NAME: _____

MY COMMISSION EXPIRES: _____

OWNER/DEVELOPER
WPC ACQUISITIONS, INC.
4131 N. CENTRAL EXPRESSWAY
SUITE 1140
DALLAS, TEXAS 75204
(972) 479-0697
FAX (972) 479-0397

PLANNER/ENGINEER
MLA CONSULTING, LLC
101 W. RENSER ROAD, SUITE 140
RICHARDSON, TEXAS 75082
(214) 952-0233
FAX (214) 242-2422

LAND SURVEYOR
R.C. MYERS SURVEYING, LLC
3400 OXFORD DRIVE
ROWLETT, TX 75088
(214) 532-0636
FAX (972) 412-4875

LEGEND

B.L. BUILDING LINE
D.E. DRAINAGE EASEMENT
U.E. UTILITY EASEMENT
S.S.E. SANITARY SEWER EASEMENT
T.R.A.E. TRINITY RIVER AUTHORITY EASEMENT
IRF IRON ROD FOUND
IRS IRON ROD SET
PKF PK NAIL FOUND
D.R.T.C.T. DEED RECORDS, TARRANT COUNTY, TEXAS
P.R.T.C.T. PLAT RECORDS, TARRANT COUNTY, TEXAS
4' SIDEWALK
MINIMUM FINISH FLOOR ELEVATION
BLOCK NUMBER



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 5b	Agenda Date 10/14/2013	Number
Type Regular Agenda Items		
Department Community Development		

Title

Approval of a minor plat for 3.02 acres on Tract 2B, of Abstract 328 of the Simon Cotrail Survey, located at 5016 Montclair Drive, Case PC13-022

Explanation

Nelson Mitchell, applicant, submitted a request for approval of a minor plat for a single lot totaling 3.02 acres for the purpose of constructing a new single family home in place of the existing home on the property.

Zoning. The property is zoned AG-Agricultural, which requires a minimum lot width of 200 feet and a minimum lot depth of 300 feet. The minimum lot area is 130,680 square feet. The proposed lot meets the minimum requirements of the AG district.

Existing Conditions. The lot currently contains a 1,864 square foot single family home.

Surrounding Properties. All properties that surround the subject property are developed as single family homes. The properties to the west are zoned R-20-Single Family Residential and the properties to the north, south and east are zoned R-40-Single Family Residential district.

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

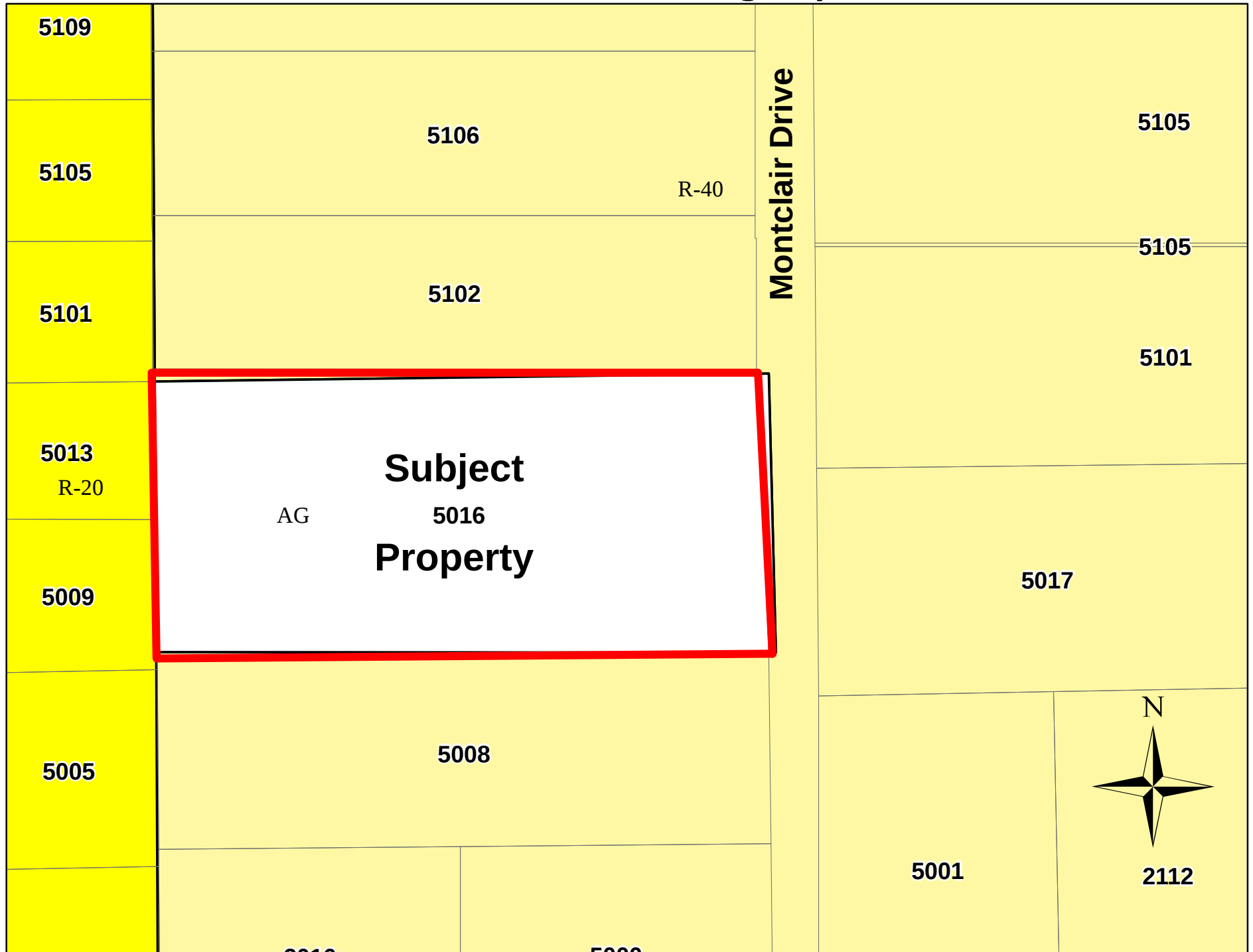
Recommendation

Approve

Attachments

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

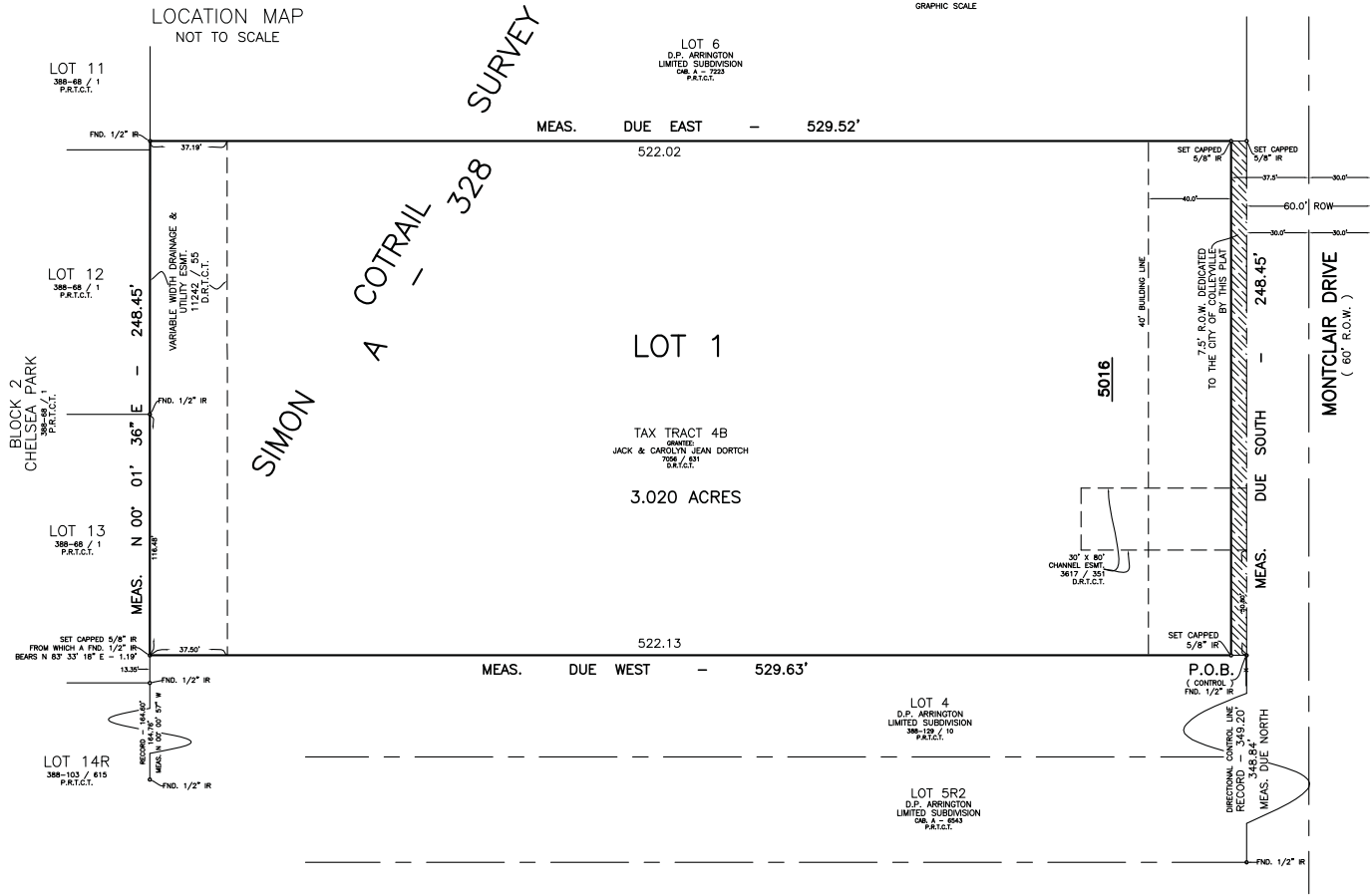
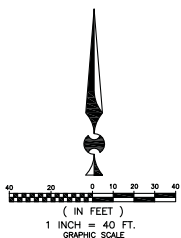
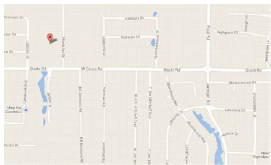
Location and Zoning Map



Aerial



Plat Exhibit



STATE OF TEXAS
COUNTY OF TARRANT

BEING all that certain lot, tract or parcel of land situated in the SIMON COTRAIL SURVEY, Abstract No. 328, in the City of Colleyville, Tarrant County, Texas, and being out of Block 5 of the Edinburg American Land Mortgage Company Limited Subdivision, and being described in Warranty Deed from D.P. Arrington and wife, Geraldine Arrington to Jack Dortch and wife, Carolyn Jean Dortch, dated January 6, 1981 and recorded in Volume 7056, Page 631, Deed Records, Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a found 1/2 inch iron rod for the southeast corner of the herein described Dortch tract of land, same being the northeast corner of that certain Lot 4, D.P. Arrington Limited Subdivision to the City of Colleyville, Tarrant County, Texas, according to the Plat recorded in Volume 388-129, Page 10, Plat Records, Tarrant County, Texas, and being in the west right-of-way line of Montclair Street having a 60 foot wide right-of-way;

THENCE Due West, departing the west right-of-way line of said Montclair Street and in the north boundary line of said Lot 4, a distance of 529.63 feet (529.23 feet by deed) to a set 5/8 inch capped iron rod for corner, same being the northwest corner of said Lot 4, in the east boundary line of that certain Lot 13, Block 2, Chelsea Park, an Addition to the City of Colleyville, Tarrant County, Texas, according to the Plat recorded in Volume 388-68, Page 1, Plat Records, Tarrant County, Texas, and from which a found 1/2 inch iron rod bears North 83 degrees 33 minutes 18 seconds East, a distance of 1.19 feet;

THENCE North 00 degrees 01 minutes 36 seconds East, in the east boundary line of said Lot 13, passing at a distance of 116.48 feet a found 1/2 inch iron rod on line for the common east corner of Lot 13 and 12, of said Block 2, Chelsea Park and continuing in the east boundary line of said Block 2 a total distance of 248.45 feet to a found 1/2 inch iron rod for corner, same being in the east boundary line of Lot 11, of said Block 2 and being the southwest corner of that certain Lot 6, D.P. Arrington Subdivision, an Addition to the City of Colleyville, Tarrant County, Texas, according to the Plat recorded in Cabinet A, Slide 7223, Plat Records, Tarrant County, Texas;

THENCE Due East, in the south boundary line of said Lot 6, a distance of 529.52 feet (529.23 feet by deed) to a set 5/8 inch capped iron rod for corner at the base of a 1.9 foot square stone column, same being the southeast corner of said Lot 6 and being in the west right-of-way line of said Montclair Street;

THENCE Due South, in the west right-of-way line of said Montclair Street, a distance of 248.45 feet to the POINT OF BEGINNING and containing 3.020 acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, Jack Dortch does hereby adopt this plat designating the hereinabove described real property as LOT 1, MITCHELL ESTATES, an addition to the City of Colleyville, Tarrant County, Texas, containing 3.020 acres of land, and hereby dedicate to the public use the streets and easements shown thereon. We hereby certify that no deed restrictions exist upon the property included within this plat which is in a platted subdivision at the present time wherein a lot thereof is limited to not more than two residential units per lot. We further certify that this property does not alter or remove existing deed restrictions or covenants, if any, on this property.

Pursuant to Section 12.002 of the Texas Property Code, as amended, I have obtained original tax certificates from each taxing unit with jurisdiction over each parcel of real property in said subdivision indicating that no delinquent ad valorem taxes are owned on the real property which is the subject of the plat or replat I have submitted to the City of Colleyville, Tarrant County, Texas for filing and recording with the Tarrant County Clerk's Office.

WITNESS OUR HANDS AT _____ County, Texas, this the _____ day of _____, 20____.

Owner

Jack Dortch

STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, the undersigned authority, on this day personally appeared Jack Dortch, 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 purposes and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND MY SEAL OF OFFICE on this the _____ day of _____, 20____.

Notary Public, The State of Texas

SURVEYOR'S CERTIFICATE

This is to certify that I, David J. Rose, a Registered Professional Land Surveyor of the State of Texas, have platted the above subdivision on the ground, and that this plat correctly represents that survey made by me or under my direction and supervision.

David J. Rose, R.P.L.S.
Texas Registration No. 5448



MINOR PLAT
LOT 1
MITCHELL ESTATES

Being all of Tract 4B, a tract of land in the SIMON COTRAIL SURVEY, Abstract No. 328, in the City of Colleyville, Tarrant County, Texas, and being out of Block 5 of the Edinburg American Land Mortgage Company Limited Subdivision, and being described in Warranty Deed from D.P. Arrington and wife, Geraldine Arrington to Jack Dortch and wife, Carolyn Jean Dortch, dated January 6, 1981 and recorded in Volume 7056, Page 631, Deed Records, Tarrant County, Texas

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

Chairman, Planning and Zoning Commission

Attest: Secretary, Planning and Zoning Commission

This plat is recorded in document # _____, Date _____.

PROLINE
SURVEYING LTD.
www.prolinesurveyors.com
Ph# 817-276-1148 Info@prolinesurveyors.com

OWNER / DEVELOPER

JACK DORTCH
PO BOX 29
COLLEYVILLE, TEXAS, 76034-0029



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 6a	Agenda Date 10/14/2013	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Request for a zoning change from R-40 Single Family Residential to PUD-R-Residential on 15.4 acres of Lot 1, Block 1 of the Breezy Lake Estates, Lots 1A and 1B, Block 1 of the Meadowlake Addition and Tract 2B, McNary Acres Addition located at 1117, 1121 and 1217 W. L. D. Lockett Road and a portion of Lot 1, Block 1 of the Bear Valley Community Church Addition located at 7900 Precinct Line Road, Case ZC13-014

Explanation

Curtis Young has submitted a request to change the zoning of approximately 15.4 acres, located at 1117, 1121 and 1217 West L.D. Lockett Road and a portion of 7900 Precinct Line Road. The applicant is requesting to rezone the property from the R-40-Single Family Residential to the PUD-R-Planned Unit Development Residential zoning district. The applicant is seeking a zoning change in order to develop the property for 49 single family residential lots and seven open space lots.

Existing Conditions. The subject property currently consists of four platted tracts of land including a 1.4 acre portion of another platted tract of land located at 7900 Precinct Line Road. 1117 West L.D. Lockett currently contains a commercial horse boarding business and a single family home. 1121 and 1217 West L.D. Lockett are vacant and 7900 Precinct Line Road is developed as Bear Valley Community Church. 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 (attached) that contains a detailed description of the proposed development. The original Statement of Planning Objectives has also been retained and is attached.

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 (attached) the applicant proposes the following development standards:

Planning Area "A"

Minimum House Size: 2,800 square feet

Minimum Lot Area: 9,000 square feet

Minimum Lot Width: 60 feet

Minimum Lot Depth: 120 feet

Front Building Line: 15 feet for a swing garage; 20 feet for a front facing garage.

Rear Building Line: 25 feet

Side Building Line: 5 feet

Maximum Building Height: 40 feet

Maximum Lot Coverage: 65%

Planning Area "B"

Minimum House Size: 2,500 square feet

Minimum Lot Area: 7,000 square feet

Minimum Lot Width: 47 feet

Minimum Lot Depth: 120 feet

Front Building Line: 15 feet for a swing garage; 20 feet for a front facing garage

Rear Building Line: 10 feet

Side Building Line: 0, 5, 9 or 10 feet with a minimum of 10 feet between primary structures

Maximum Building Height: 40 feet

Maximum Lot Coverage: 65%

Development Standards. The following development standards are proposed by the applicant:

Minimum Roof Pitch: Minimum of a 10:12 roof pitch.

Roofing Materials: Minimum 240 lb. dimensional shingle.

Garage Standard: Minimum of a two car garage, with enhanced decorative doors.

Masonry Requirement: 80 percent masonry minimum with a requirement that all siding shall be of a cementitious material.

Street Design and Landscaping. The streets in the development are proposed to be private. The gates must conform to the standards of the Land Development Code. The applicant proposes the following street design standards:

Right of Way: 40 feet. A five foot easement will be required on each side to accommodate sidewalks and utilities.

Pavement Width: 31 feet, back of curb to back of curb

Turning Radii: Twenty feet (20')

In terms of landscaping, the lots will contain a minimum of one (1) three-inch (3") caliper tree in the front yard adjacent to the street right of way and two (2) three-inch (3") caliper trees in each rear yard where trees do not exist for all lots that back to the eastern boundary of the development.

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 proposed site plan for the development indicates 22 percent of the total development as open space.

The applicant states that the pond shown on the Development Plan is an existing pond that will be improved and used as a visual amenity for the development. As such, they state that it is not required for detention and if any detention is required, it will be confined to Open Space Lot #2, which is less than the maximum allowance of 25% of the required open space which may be utilized for on-site retention.

All of the open spaces will be landscaped and maintained by the Homeowner's Association (HOA).

Sidewalks and Trails. Sidewalks, a minimum of four (4) feet in width, are required to be constructed on each individual lot at the time houses are constructed on the lots. Sidewalks required along open space lots are required to be constructed by the developer prior to the final acceptance of public improvements for the development.

The applicant states that a five (5) foot trail will be constructed around the interior pond.

According to the Supplemental Sidewalk System Map, a five (5) foot wide sidewalk is required to be built along West L.D. Lockett Road adjacent to the development prior to the acceptance of final public improvements.

Fences, Walls and Screening. The applicant proposes to construct a minimum six foot masonry screening wall along West L.D. Lockett Road adjacent to each entry.

Wood fencing between lots will be permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry. All lot boundaries along Common Open Space areas shall be open style fencing of Decorative Metal, and/or Masonry.

Where lots back to the existing residential lots in the Reatta Place development, the applicant proposed to construct a new 8' Cedar Fence on metal poles. Where open space lots border adjacent properties, either the existing fence will be maintained, or a decorative metal or wooden fence will be installed.

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 49 lot development would add approximately 469 vehicle trips per day to the surrounding roadways.

Development Fees. Parkland dedication fees are due in the amount of \$1,802 per residential lot.

Roadway impact fees are due in the amount of \$4,941 per residential lot at the time of the building permit application.

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

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

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

approval of the final plat for the property. The survey and mitigation plan shall be drawn and submitted according to the requirements of Chapter 5-Tree Preservation of the Land Development Code.

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

Drainage and Stormwater Runoff. The developer has submitted a preliminary drainage analysis and a hydrology analysis of the site, which has been reviewed by the Engineering Division of the Public Works Department. Details of the proposed drainage system and storm water retention ponds will be submitted as part of the platting process.

Master Plan. The Future Land Use Plan designates most of the subject property for retail uses with the portion of the development that will come from the Bear Valley Community Church property designated for institutional uses. The request is not consistent with the Future Land Use Plan. Therefore, an amendment to the Future Land Use Plan is required.

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 that densities higher than 1.8 units per acre would be acceptable in those areas deemed consistent with sound land use planning principles, such as a transitional area situated between commercial uses and less dense residential developments, or near major street intersections.

The proposed development would be situated between commercially zoned properties to the west along Precinct Line Road and existing residentially zoned and used properties to the east. The proposed development of 49 residential units on the 15.4 acre property will produce a residential density of 3.2 dwelling units per acre, based upon the density calculation method prescribed by the Master Plan; and will produce a residential density of 5.6 dwelling units per acre based upon the density calculation method prescribed by the Land Development Code.

The proposed residential density is comparable to other approved small lot PUD-R developments within the City. The adjacent PUD-R developments contain the following residential density:

- Emerald Park (directly north of the proposed development): 3.53 dwelling units per acre
- Reatta (east of the proposed development): 1.75 dwelling units per acre

The attached Small Lot Development Comparison, provides a comprehensive listing of approved developments since 1996 with residential densities that exceed 1.8 dwelling

units per acre.

Surrounding Development Trends. The properties to the north are zoned PUD-C-Planned Unit Development Commercial and PUD-R-Planned Unit Development Residential and contain the Emerald Park single family development. The PUD-C zoned properties are currently undeveloped. The properties to the south are zoned R-40-Single Family Residential and PUD-R-Planned Unit Development Residential and contain a portion of the Bear Valley Community Church property and the retention area for the Reata development. The properties to the east are zoned PUD-R-Planned Unit Development Residential and developed as single family uses in the Reata development. The properties to the west are zoned PUD-C-Planned Unit Development Commercial and R-40-Single Family Residential. The PUD-C properties contain a convenience store with gasoline sales and a package store at the corner of L.D. Lockett Road and Precinct Line Road, while the remainder of the PUD-C zoned property is vacant. The R-40 property is developed as the Bear Valley Community Church.

Public Notification. Staff mailed notices to 34 adjacent property owners as well as all Homeowners Associations within 500 feet of the subject property regarding this request. All school districts within the City were notified as required by State law. Notice was published in the Fort Worth Star-Telegram as required by state law and the Land Development Code. To date staff has received one (1) letter opposed to the request.

Summary. The proposed zoning change is not consistent with the recommendations of the Future Land Use Plan, which recommends retail and institutional uses on the subject properties. Given the topography of the subject properties with the location of the existing pond and the establishment of the majority of the properties to the north of the subject properties as residential uses, staff agrees the use of the properties for residential purposes would maintain a consistent pattern of residential development behind all of the commercial uses within the City that are either developed, zoned and/or recommended for the Precinct Line Road Corridor. Staff also agrees that there may be too much land designated for retail uses along the Precinct Line Road corridor given the existing and proposed retail within a one mile radius of the subject properties, the amount of traffic along Precinct Line Road, and the amount of residential capacity required to support such retail. As such these factors will be examined as part of the City's comprehensive plan process next year, which will include a comprehensive update to the Future Land Use Plan.

Finally, with regard to residential density, the proposed residential density of 3.2 dwelling units per acre is consistent with recommendations for transitional residential uses contained in the Master Plan. Staff agrees that the subject properties qualify as a transitional area.

Recommendation

Approval with the following conditions:

1. GENERAL

- a. The purpose of this PUD-R is for a single-family residential development of 49 detached dwelling units, constructed at a gross maximum density of 3.2 dwelling units per acre.
- b. This development shall be generally consistent with the Statement of Planning Objectives, attached as Exhibit "C".
- c. The subject property is subject to all the regulations contained in the Land Development Code, except where amended by this Ordinance.

2. DEVELOPMENT PLAN AND PLATTING

- a. The development shall be generally consistent with Exhibit "D", Conceptual Site Plan, which shall not be considered the preliminary plat. The actual street and lot arrangement may differ from that shown on Exhibit "D" to accommodate topographic, drainage or other conditions.
- b. The developer shall submit and receive approval from the City, a Preliminary and Final Plat, approved in one or more phases, in accordance with the requirements of the Land Development Code prior to development of this PUD-R.

3. PERMITTED USES

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

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

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

Planning Area "A"

- a. Minimum Lot Size: 9,000 square feet
- b. Minimum Lot Depth: 120 feet
- c. Minimum Lot Width: 60 feet
- d. Front Building Line: 15 feet for a swing garage; 20 feet for a front facing garage
- e. Side Building Line: 5 feet

- f. Rear Building Line: 25 feet
- g. Maximum Lot Coverage: 65 percent
- h. Minimum House Size: 2,800 feet

Planning Area "B"

- a. Minimum Lot Size: 7,000 square feet
- b. Minimum Lot Depth: 120 feet
- c. Minimum Lot Width: 47 feet
- d. Front Building Line: 15 feet for a swing garage; 20 feet for a front facing garage
- e. Side Building Line: 0, 5, 9 or 10 feet with a minimum of 10 feet between primary structures
- f. Rear Building Line: 10 feet
- g. Maximum Lot Coverage: 65 percent
- h. Minimum House Size: 2,500 feet

5. RESIDENTIAL DESIGN REQUIREMENTS

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

- a. Roofing Standards: Minimum roof pitch: 10:12. Roofing Materials: Minimum 240 lb. dimensional shingle.
- b. Garage Standard: A minimum two car garage shall be constructed with architecturally enhanced doors.
- c. Masonry: The exterior wall of all homes shall be composed of 80 percent masonry materials with a requirement that all siding shall be of a cementitious material.

6. OPEN SPACE

- a. This development shall provide a minimum of 22 percent common open space, as shown on Exhibit "D", which shall be for the leisure and recreational use of the development's residents. The open space shall comply with the provisions contained in the Land Development Code. All open space areas shall be landscaped.

7. PRIVATE STREETS AND SIDEWALKS

- a. Sidewalks along lot frontages shall be constructed by each homebuilder. All sidewalks shall be constructed in accordance with the requirements of the Land Development Code. A minimum foot wide trail shall be constructed within the open space area around and along the interior pond.
- b. All streets in this development shall be private. Right-of-way and pavement widths shall meet the following requirements: the minimum right-of-way for streets shall be 40 feet and the minimum pavement width for street shall be 31 feet, measured from back of curb to back of curb. A five foot utility easement shall be located along both sides of all internal streets.
- c. All gates shall meet the minimum requirements of Chapter 14-Engineering Design Standards in the Land Development Code.

8. FENCES, SCREENING AND LANDSCAPING

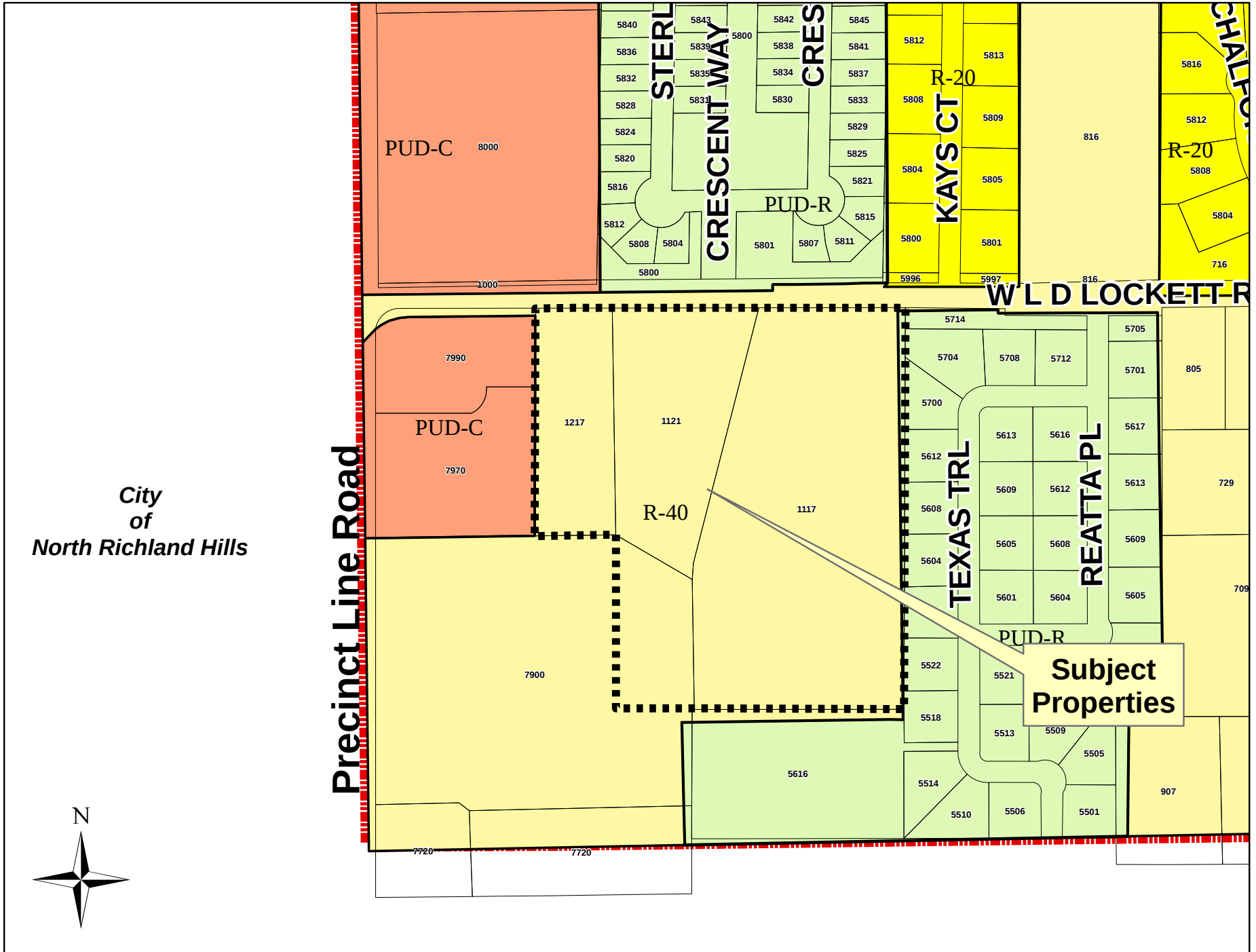
- a. Wood fencing between lots is permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry. All lot boundaries along Common Open Space areas shall be open style fencing of Decorative Metal, and/or Masonry.
- b. All lots backing to the Common Open Space shall be open style fencing of decorative metal, and/or Masonry.
- c. Where lots back to the existing residential lots in the Reatta Place development, the developer shall construct a new 8' Cedar Fence on metal poles. Said fence shall be constructed prior to the final acceptance of public improvements.
- d. All lots shall contain a minimum of one (1) three-inch (3") caliper tree in the front yard adjacent to the street right-of-way. Each lot shall be fully landscaped with an approved irrigation system in the front and rear yard prior to the final inspection.
- e. A minimum of two (2) three-inch (3") caliper trees shall be planted in each rear yard where trees do not exist for all lots that back to the eastern boundary of the development prior to the final inspection.

Attachments

- 1. Location and Zoning Map
- 2. Future Land Use Map
- 3. Aerial
- 4. Notification List
- 5. Buffer Map
- 6. Letter of Opposition
- 7. Statement of Planning Objectives

8. Development Plan
9. Small Lot Development Comparison Chart - 1996 to 2013
10. Proposed Ordinance

Location and Zoning Map



Future Land Use Map

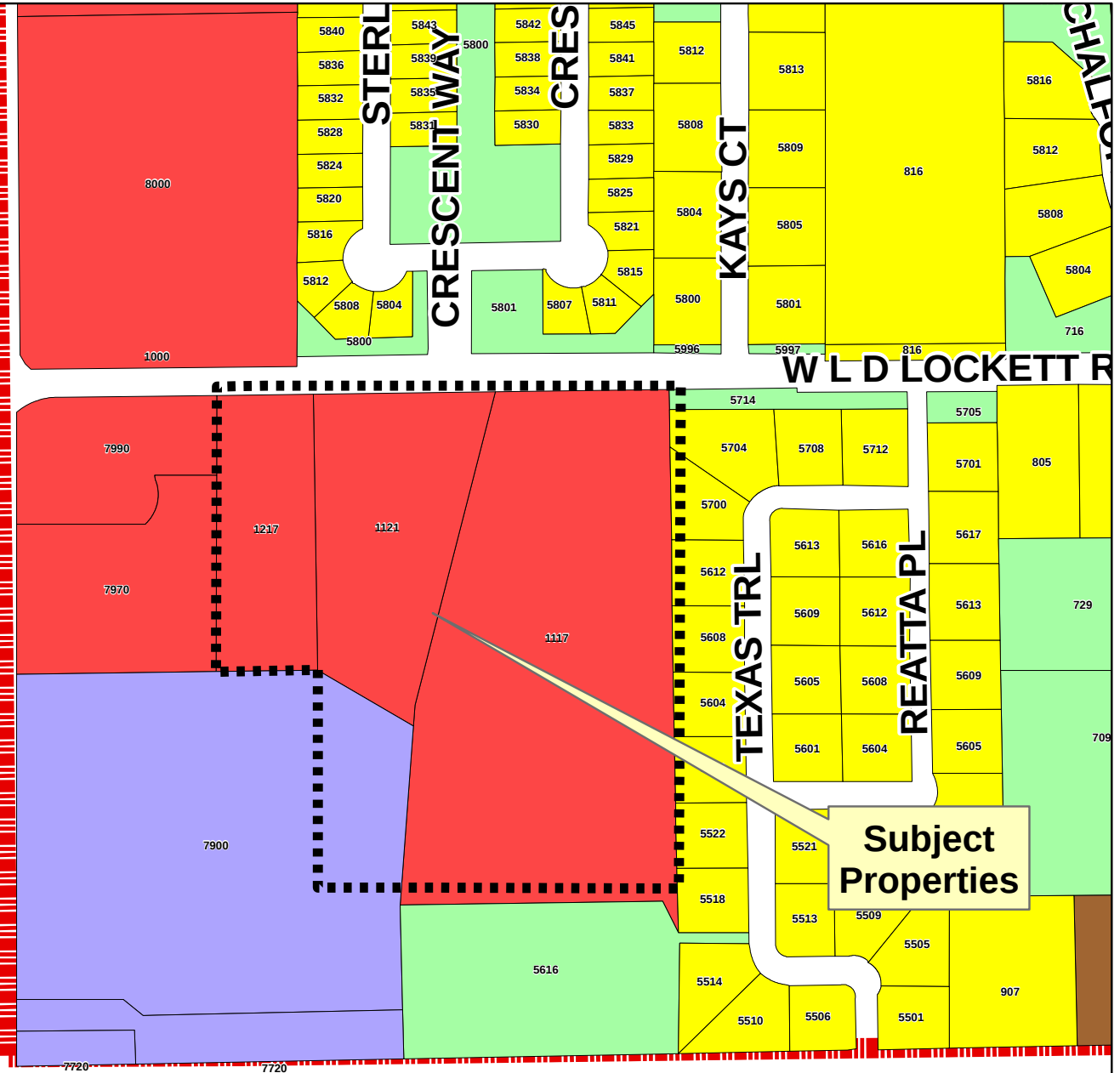
Legend

- Single Family
- Multi-Family
- Office
- Retail
- Institutional
- Industrial
- Roadway
- Utilities
- Parks
- Private Open Space
- Water

City
of
North Richland Hills



Precinct Line Road



Aerial



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
Victron Stores Lp	PO Box 2599	Waxahachie	Texas	75168	7990 Precinct Line Rd
Gulamhussain, Didar Etux Dola	5815 Crescent Ln	Colleyville	Texas	76034	5815 Crescent Ln
Emerald Park H A Inc	400 Country Pl	Colleyville	Texas	76034	5802 CRESCENT LN
L T Estates Hoa Inc	215 W College St	Grapevine	Texas	76051	5802 KAYS CT
Anderson, Jared Etux Heather	5800 Kays Ct	Colleyville	Texas	76034	5800 Kays Ct
Gandy, R Craig	1117 W Ld Lockett Rd	Colleyville	Texas	76034	1117 W L D Lockett Rd
Herron, Mark D Etux Bliss A	1500 Bluebonnet Dr	Fort Worth	Texas	76111	1201 W L D LOCKETT RD
Markham, Dian L Etal	5000 Gadsden Ave	Fort Worth	Texas	76244	8000 Precinct Line Rd
Vora, Jay Etux Renu	5808 Sterling Dr	Colleyville	Texas	76034	5808 Sterling Dr
Kuo, Man-Li Etvir L Fiorello	5812 Sterling Dr	Colleyville	Texas	76034	5812 Sterling Dr
American Homes 4 Rent	23815 Stuart Ranch Rd # 302	Malibu	California	90265	5807 Crescent Ln
Huynh, Tuan Q Etux Linh	5811 Crescent Ln	Colleyville	Texas	76034	5811 Crescent Ln
Belford, Christopher Etx Karen	1421 Shady Hollow Ct	Keller	Texas	76248	5700 Texas Tr
Smith, Ted Etux Michele	5704 Texas Trl	Colleyville	Texas	76034	5704 Texas Tr
Adams, Kenneth J Etux Barbara	5708 Texas Trl	Colleyville	Texas	76034	5708 Texas Tr
Bear Valley Community Church	7900 Precinct Line Rd	Colleyville	Texas	76034	7900 Precinct Line Rd
Callahan, Richard J	5600 Texas Trl	Colleyville	Texas	76034	5600 Texas Tr
Follis, Brad W Etux C Renee	5608 Texas Trl	Colleyville	Texas	76034	5608 Texas Tr
Cairns, Randy J Etux Rhonda E	5521 Reatta Pl	Colleyville	Texas	76034	5521 Reatta Pl
Gallagher, William A Etux Leah	5522 Texas Trl	Colleyville	Texas	76034	5522 Texas Tr
Upton, Jarrod & Amanda	5604 Texas Trl	Colleyville	Texas	76034	5604 Texas Tr
May, Ronald A Etux Amy C May	5612 Texas Trl	Colleyville	Texas	76034	5612 Texas Tr
Livingston, J M Etux Marissa	5513 Texas Trl	Colleyville	Texas	76034	5513 Texas Tr
Herron, Mark Etux Bliss	1500 Bluebonnet Dr	Fort Worth	Texas	76111	1121 W L D Lockett Rd
K & W Partnership	5514 Texas Trl	Colleyville	Texas	76034	5514 Texas Tr
Reatta Place Hmowners Assoc	5506 Texas Trl	Colleyville	Texas	76034	5616 Texas Tr
Freeman, Lou Ann	5518 Texas Trl	Colleyville	Texas	76034	5518 Texas Tr
Badders, Nolan	5601 Texas Trl	Colleyville	Texas	76034	5601 Texas Tr
McCure, James III Etux Krystal	5605 Texas Trl	Colleyville	Texas	76034	5605 Texas Tr
Tran, Ngoc Etux Lily	5609 Texas Trl	Colleyville	Texas	76034	5609 Texas Tr
Kim, Tae Woo Etux Hyo J K H	5804 Sterling Dr	Colleyville	Texas	76034	5804 Sterling Dr
Palmer, Lee	5613 Texas Trl	Colleyville	Texas	76034	5613 Texas Tr
Emerald Park H A Inc	400 Country Pl	Colleyville	Texas	76034	5800 Sterling Dr
Markham, Diana L Etal	5000 Gadsden Ave	Fort Worth	Texas	76244	1000 W L D Lockett Rd
L T Estates Hoa Inc	215 W College St	Grapevine	Texas	76051	5803 KAYS CT
A R A F Inc	17290 Preston Rd Ste 114	Dallas	Texas	75252	5801 Kays Ct
Atlantic Oil & Gas Inc	2220 Marsh Ln Ste 109	Carrollton	Texas	75006	7970 Precinct Line Rd
Grapevine-Colleyville ISD	3051 Ira E. Woods Avenue	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
Curtis Young, Applicant	1130 N. Carroll Ave., Suite 200	Southlake	Texas	76092	Applicant

Public hearing notices were mailed
Friday, October 4, 2013 by Taci Wrisley

Buffer Map

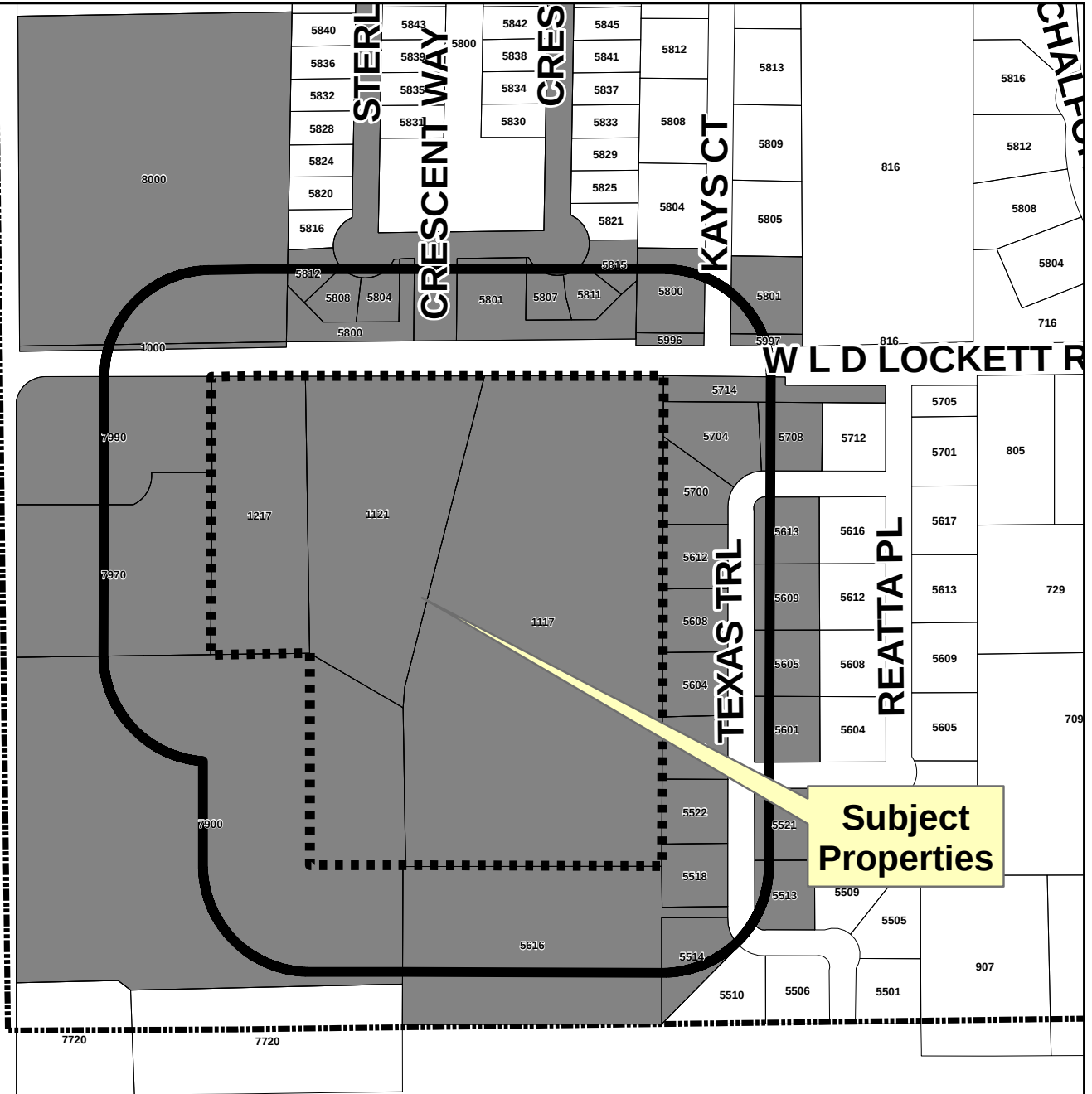
Legend

-  200 Foot Buffer
-  Zoning Case Boundary
-  Properties within 200 Feet
-  City Limit Boundary

City
of
North Richland Hills



Precinct Line Road



Letter of Opposition

RE: Zoning Case ZC13-014

I wish to express my opposition to the proposed plan for development known as Heron Park.

Although I am disappointed to see the Twisted G ranch leave, it is unreasonable to think the property would never be sold and developed. My opposition, is not that residential homes will replace this charming ranch, but the number of homes that are planned to be put on this property.

I wish the Commission to consider the following points.

1. **Side setbacks.** The propose plan allows for 5 foot minimums between homes. Presently my backyard has 120 feet of unobstructed view. The proposed plan would call for 1 and a half homes to be directly behind me. That means of my 120 feet, 105 feet will be structures with an average height of 30 feet tall.
2. **Financial impact.** I just had my home appraised for refinancing and asked the licensed appraiser what impact the proposed plan would have compared to 1/3 to ½ acre lots. His assessment is that the smaller lots and close proximity to each other would have a negative impact on the value of the homes that border it. It was not the quality or the price point, but the fact the homes are stacked slow close that would make it unappealing. This would affect the resale value of my home or at least impede the ability of a buyer to get proper financing if the home appraises for less than the sales price.
3. **Traffic.** The proposed 49 homes will add to an already congested traffic problem on LD Lockett. It is quite common to see cars, during the high morning and evening traffic, backed up almost to the entrance to our subdivision, as cars have a difficult time attempting to turn south on Precinct Line Road. Will we have to widen LD Locket to accommodate the traffic and will the residents on LD Locket welcome the increased traffic. Do we want LD Locket to become an east west major thoroughfare.
4. **Continuity.** Existing and adjacent properties are all larger lots. Our subdivision lots are all above 1/3 acre. Lavaca Trail is ½ acre lots. The new development on the former Stadjura property has been approved for 17 R20 lots, which to me tells me there is demand for larger lots.

Letter of Opposition

What is Colleyville's master plan. What do we wish to promote. In my conversations with zoning and planning it was expressed to me that the prevailing sentiment favors larger lots. What attracted me and others to this neighborhood was the fact the houses were not on top of each other with an open country feel. According to D Magazine, which yearly ranks the top communities, this is what they to say about Colleyville.

"Despite Colleyville's vigorous growth, residents of this primarily family community enjoy rural peace, safety, and charm." I believe this is a very important point. In fact the former Mayor Baker in the magazine is quoted to say.

"According to Mayor Baker, the city's big push will be toward attracting more quality retail establishments while maintaining a rural flavor." The good news is that there is room for growth-meaning a more recent survey by the city found 96 percent of residents are satisfied with Colleyville's quality of life, most enjoying the small-town environment. 49 homes stacked 10 feet apart does not reflect a rural small town environment.

Remember, we came and invested in this area for a reason and we were here first.

5. **Environment.** Again consider D Magazines comments from a previous year in it's rankings.

"The best parts of Colleyville are the mature trees that newer suburbs drool over." This plan would destroy all of the mature trees on the property, and along the creek. I believe Colleyville has a committee that seeks to preserve and maintain the trees in our city. Not to mention the creek area is home to beaver, foxes and geese and crane.

6. **Alternative plans.**

I asked the developer if he considered a plan featuring larger lots. He said he didn't feel the demand was there.

I find this hard to believe since Lavaca has only a few lots remaining and the new adjacent development will be R20 lots. Someone must think there is a demand for them and the zoning board approved the plan.

He said the larger lots would not be feasible. I contend a project would be feasible but may not be as profitable.

It is obvious that he wishes to make as much as he can on this project even though all evidence demonstrates that it will negatively impact the surrounding neighborhoods.

6. **Your role.**

I don't have to remind you that your obligation is to the future of Colleyville and it's present tax paying residents

Letter of Opposition

and not to outside developers. I don't have to remind you because you proclaim it so clearly in the community development web site as to your primary purpose and mission statement.

"Zoning regulates how land is used and protects the character of each district. It protects property value and the overall quality of the community as a whole by controlling density of construction and intensity of land use, as well as through setting development standards such as landscaping, screening, building setbacks and height, parking requirements and lot coverage."

7. I would ask that this committee deny this change and require the developer to modify his plan that would be more in line with interests of this city and its residents. I would be in favor of larger lots with greater side setbacks of at least 10 feet to create a more open feel. It is my understanding that Mr Maykus is a very successful and experienced developer. I truly believe it is possible for him to create a plan that will have a positive impact on all the existing residents while still achieving a profitable return on his investment.

I thank the committee for hearing my concerns.

Rich Callahan, 5600 Texas Trail

A handwritten signature in dark ink, appearing to read "Rich Callahan", with a long horizontal flourish extending to the right.

Statement of Planning Objectives

Heron Pond

Colleyville, Texas – October 7, 2013

Sage Group, Inc.

Statement of Planning Objectives-

Heron Pond is a proposed residential neighborhood to be developed by Hat Creek Development under the Planned Unit Development regulations for Residential development (PUD-R) in the City of Colleyville. The 15.43 acre property is located on the south side of LD Lockett Road, just east of Precinct Line Road. The property is currently shown on the Future Land Use Plan as Retail, but is zoned for Residential (R-40) and is occupied by an equestrian facility, open space and agricultural areas.

The surrounding area is fully developed. Across the street to the north is the existing Emerald Park neighborhood, to the west lies Community and Commercial Uses, containing the corner gasoline station/ convenience store/ package store, and the Bear Valley Community Church. To our south and east is the Reatta Place PUD-R Residential neighborhood.

The subject tract is shown on the Future Land Use Plan as “Retail,” however we believe there would be a limited market for Retail Uses in this location, as there is no remaining frontage on Precinct Line Road, and that a better use for this property would be to begin a transition from the Commercial to the west, to the PUD-R Single Family Residential to the east with a suitable Single-Family Residential use.

This proposal, which transitions between the Commercial Tracts to the west along Precinct Line Road with residential lots averaging over 8,400 s.f. to the larger lots in Reatta Place, and over 22% Open Space, is consistent with this and- we believe- the surrounding uses.

The property generally slopes toward the drainage swale and lake that runs from the north to the south through the property. All of our street and lot drainage would be directed toward this area and would not affect any of the neighboring properties.

We have commissioned a drainage study to illustrate the current conditions and make sure this development- as proposed- would meet the requirements of the ordinances regulating development and drainage.

Statement of Planning Objectives

Quality and compatibility with the adjacent residential, as well as the rest of Colleyville are essential, and we have designed this proposal with those goals in mind.

The residences planned for Heron Pond will be very upscale, with selling prices estimated to range between \$400,000 to over \$600,000. The development will have as its focal point, and feature, a pond and landscaped perimeter. The main entry road has been located directly across from the Emerald Park Entry, but also to take advantage of the resulting entry view toward the landscaped central lake area.

The internal road is planned to be a gated private road with a Resident/ Visitor gate at the western entry, across from the existing gated entry into Emerald Park, designed to meet all the city standards for such an entry. The eastern entry will be resident-only, providing a second point of access. We propose to build the normal Colleyville street section of 31' (back of curb to back of curb), in a 40' R.O.W. with 5' utility and sidewalk easements on either side.

In addition to some of the existing trees we will save within the open space areas, there will be a requirement of a front yard tree for every residential lot to be installed by the home builders, adjacent to the street right of way. A minimum of two trees will also be installed in the rear yard of each lot backing to the neighboring lots in Reatta Place, at the eastern boundary, where existing trees do not already exist. To encourage pedestrian activity in the neighborhood, sidewalks will be built along the front of each lot, as well as a 5' trail around the lake. The indicated landscaped setback, along LD Lockett, will be preserved within an open space lot, to be owned and maintained by the Heron Pond Homeowners Association.

The scale and orientation of the development has been designed to have an inviting visual flow with the existing neighborhoods and surrounding uses. The design criteria of the homes will create high quality homes in keeping with both the immediate neighborhood and Colleyville as a whole.

Development Schedule

Heron Pond will be developed in a single phase with the development commencing upon the successful completion of the zoning and platting and the subsequent approval of the final plat and engineering plans. Construction of homes is anticipated to start immediately upon completion of the subdivision's infrastructure.

Economic Development Information

Heron Pond will have a total of forty-nine (49) homes, each with an average estimated value upon completion of approximately \$400,000 to over \$600,000, resulting in an overall tax base of \$24,500,000, based on a \$500,000 estimated average. At the current tax rate of 2.694677%, the total taxes generated from the development are projected to be \$654,000, with \$ 91,250 generated directly for the City.

Statement of Planning Objectives

Development Standards

Permitted Land Use: Single Family Residential Detached

Residential Lot Requirements and Setbacks:

Residential lot requirements and setbacks shall comply with the following provisions. Planning Area “A” refers to those lots adjacent to the far eastern property line. All other lots comprise Planning Area “B.”

Planning Area “A”

- | | |
|----------------------------|--|
| a. Minimum Lot Size | 9,000 square feet |
| b. Typical Lot Width | 74 feet |
| c. Minimum Lot Width | 60 feet (inside corner lot) |
| d. Minimum Lot Depth | 120 feet |
| e. Front Building Line | 20 feet; or 15 feet for a front swing garage |
| f. Side Building Line | 5 feet |
| g. Rear Building Line | 25 feet |
| h. Maximum Building Height | 40 feet |
| i. Maximum Lot Coverage | 65% |
| j. Minimum House Size | 2,800 s.f. |

Planning Area “B”

- | | |
|----------------------------|--|
| a. Average Lot Size | 7,800 square feet |
| b. Minimum Lot Size | 7,000 square feet |
| c. Typical Lot Size | 60 feet |
| d. Minimum Lot Width | 47 feet (inside corner lots) |
| e. Minimum Lot Depth | 120 feet |
| f. Front Building Line | 20 feet; or 15 feet for a front swing garage |
| g. Side Building Line | 5 feet, or 0/10 or 1/9 feet with a 10 foot minimum between buildings |
| h. Rear Building Line | 10 feet |
| i. Maximum Building Height | 40 feet |
| j. Maximum Lot Coverage | 65% |
| k. Minimum House Size | 2,500 s.f. |

Exterior Materials: 80% Masonry; all siding shall be of a cementitious material.

Roof Materials: Minimum 240 lb. dimensional shingle.

Minimum Roof Pitch: Minimum of a 10:12 roof pitch.

Garage Standard: Minimum of a two car garage, with enhanced decorative doors.

Fencing: A minimum 6' masonry screen wall will be built along the LD Lockett frontage, and adjacent to each entry.

Statement of Planning Objectives

Wood fencing between lots is permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry. All lot boundaries along Common Open Space areas shall be open style fencing of Decorative Metal, and/or Masonry.

Where lots back to existing the existing residential lots in Reatta Place, we have agreed to construct a new 8' Cedar Fence on metal poles. Where open space lots border adjacent properties, either the existing fence will be maintained, or a Decorative Metal or Wooden fence will be installed, as per the Fencing Plan.

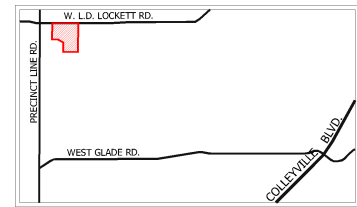
Streetscape Standards: Minimum of one (1) three-inch (3") caliper tree per each front yard, and two (2) three inch (3") caliper trees per each rear yard of lots backing to the eastern boundary (credit toward this requirement for preserving existing trees will be given). Fully landscaped and sprinklered front and rear yard within sixty days of completing a house.

Front Yard Maintenance: The open space lots within the subdivision shall be maintained in a consistent, uniform manner by the Heron Pond Homeowners Association through dues collected from the individual homeowners. Membership in the Homeowner's Association will be mandatory.

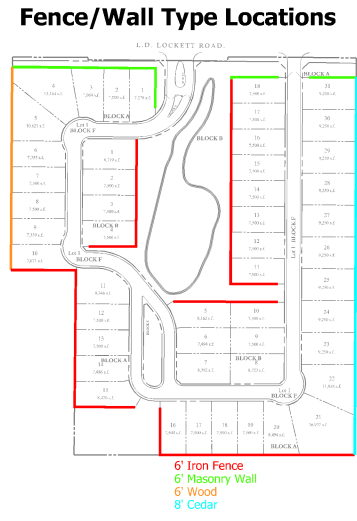
Street Design Standards:
Right of Way: Forty feet (40')
Travel Lane Width: Thirty-one foot (31'), back of curb to back of curb
Turning Radii: Twenty feet (20')

Open Space Standards: The Common Open Space shall be either left natural (where disturbance and irrigation may harm existing trees) or fully landscaped and irrigated with a combination of trees and shrubbery pursuant to an approved landscape plan. The Common Open Space shall be owned and operated by the Heron Pond Homeowners Association which shall have a mandatory membership of all homeowners and shall collect dues in amounts satisfactory to maintain the Common Open Space. The Association shall have fine and lien rights as permitted by law to enforce compliance with the rules of the association.

Signage: A monument sign identifying the subdivision shall be built at the entries from LD Lockett and/or incorporated into the masonry wall adjacent to that entry. All street and stop signs, and light standards shall decorative.



Legend	
4' Concrete Sidewalk	-----
5' Concrete Trail	- - - - -
Common Open Space	Green
60' Residential Lots (38)	Orange
74' Residential Lots (11)	Yellow
R.O.W. Dedication	Diagonal Hatching



Owner:
Ronald Craig Gandy
1117 West L.D. Locket Road
Colleyville, TX 76034
817-714-0372

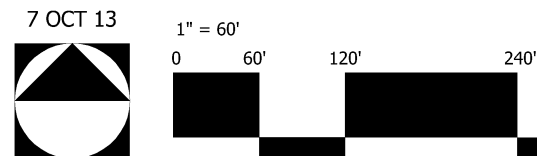
Owner:
Bear Valley Church
7900 Precinct Line Rd.
Colleyville TX, 76034
817-689-0845

Owner:
Mark D. Herron & Bliss A. Herron
1500 Bluebonnet Drive
Fort Worth, TX 76111
817-838-8214

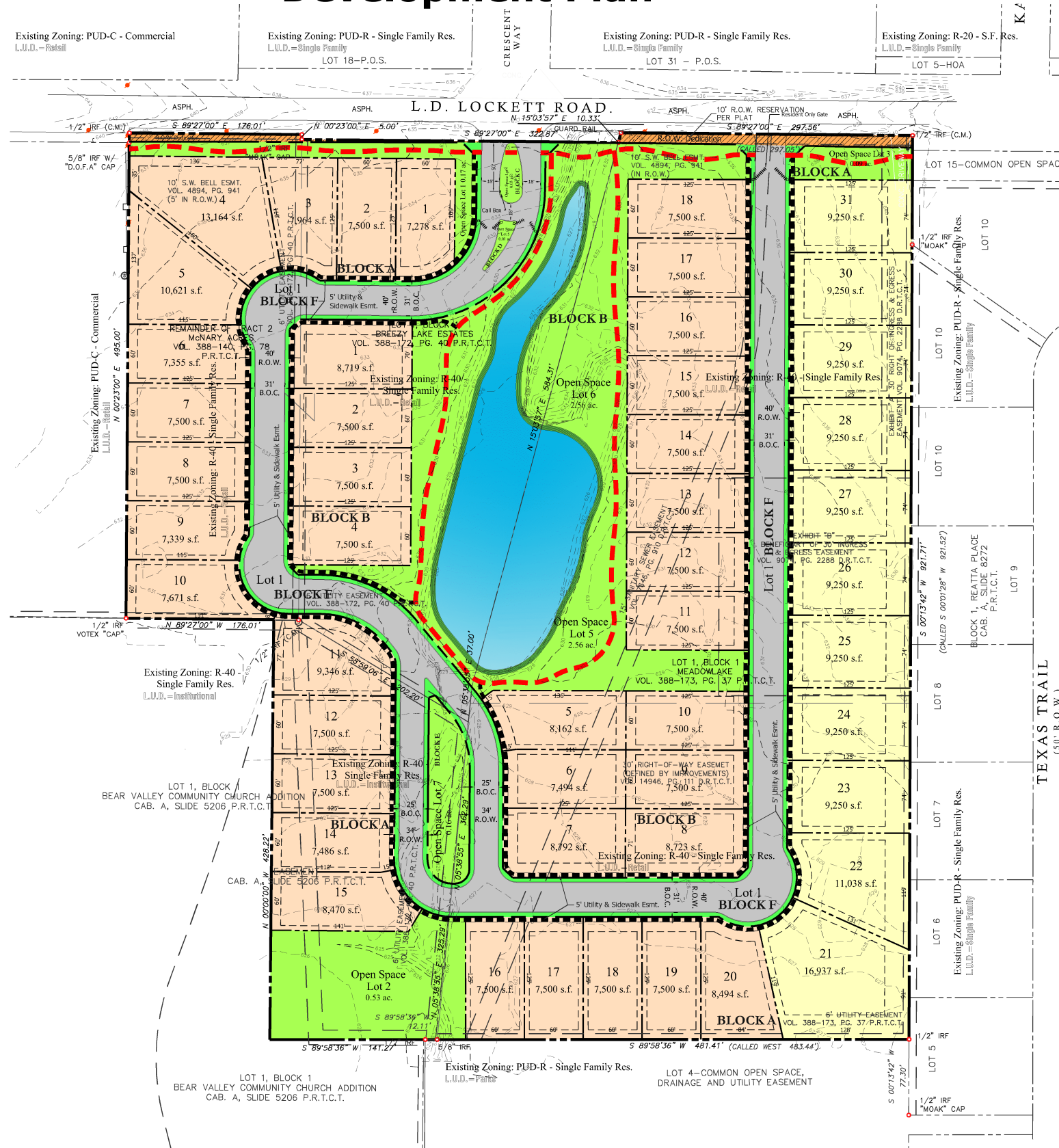
Applicant:
Hat Creek Development
P.O. Box 92747
Southlake, Texas 76092
TEL. 817-329-3111
Contact: Kosse Maykus



Planner:
SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
TEL. 817-424-2626



Development Plan



METES AND BOUNDS DESCRIPTION FOR ZONING EXHIBIT
FUTURE HERON POND - 15.17 ACRES
IN THE I. CARHARRINGTON SURVEY, A-808
CITY OF EULESS, TARRANT COUNTY, TEXAS

All that certain 15.17 acres of land, which is all of Lot 1, Block 1, Meadowlake, described in the plat recorded in Volume 388-173, Page 37 in the Plat Records of Tarrant County, Texas (P.R.T.C.T.) and all of Lot 1, Block 1, Breezy Lakes Estates, described in the plat recorded in Volume 388-172, Page 40 P.R.T.C.T., and part of Tract 2, McNary Acres, described in the plat recorded in Volume 388-140, Page 78 P.R.T.C.T., and part of Lot 1, Block 1, Valley Community Church Addition, described in the plat recorded in, Cabinet A, Slide 5206, the 1.002 acre tract, in the I. Caroline Survey, A-356, in the City of Colleyville, Tarrant County, Texas and more particularly described by metes and bounds as follows: (all bearings shown hereon are based on the south right-of-way line of L.D. Lockett Road (right-of-way varies), as shown on the plat of said Breezy Lake Estates and said Meadowlake);

BEGINNING at a 1/2" iron rod found for the northeast corner of said Lot 1, Block 1, Meadowlake, in the south right-of-way line of said L.D. Lockett Road;

THENCE South 00° 13' 42" West - 921.71' to the a 1/2" iron rod found for the southeast corner of the herein described tract, common to the northeast corner of Lot 4, Block 1, Reatta Place, described in the plat recorded in Cabinet A, Slide 8272 P.R.T.C.T.;

South 89° 58' 36" West - 622.68' to the most southerly southwest corner of the herein described tract;

THENCE North - 427.95' to a 1/2" iron rod found for the southeast corner of said Tract 2, McNary Acres, common to the southwest corner of Lot 1, Block 1, Breezy Lake Estates;

THENCE North 00° 23' 00" East - 495.00' to a 1/2" iron rod found for the northwest corner of the herein described tract, in the south right-of-way line of said L.D. Lockett;

THENCE along the south right-of-way line of said L.D. Lockett Road the following courses:

South 89° 27' 00" East - 176.01' to a 1/2" iron rod with a cap stamped "McK" found for the northeast corner of said Tract 2, McNary Acres;

South 00° 23' 00" East - 5.00' to a 1/2" iron rod with a cap stamped "Moak" found for north west corner of said Lot 1, Block 1, Breezy Lake Estates;

South 89° 27' 00" East - 322.87' to the northeast corner of said Lot 1, Block 1, Breezy Lake Estates;

North 15° 03' 57" East - 10.33' to the northwest corner of said Lot 1, Block 1, Meadowlake;

South 89° 27' 01" East - 297.56' to the POINT OF BEGINNING and containing 15.17 acres of land.

THIS METES AND BOUNDS DESCRIPTION IS ISSUED FOR ATTACHMENT TO ZONING DOCUMENTS. IT IS NOT INTENDED FOR TITLE TRANSFER.

Site Data Summary Chart		
Single Family Residential Lots		49
Common Areas		7
Residential Lots	62.47%	9.64 ac.
Open Space	22.10%	3.41 ac.
R.O.W.	14.65%	2.26 ac.
R.O.W. Dedication (on L.D. Lockett Rd.)	0.78%	0.12 ac.
Res. Gross Acreage	100.00%	15.43 ac.

Site Data	
Gross Acreage	15.43
Gross Density	3.18

Lot Summary	
Residential Lots	49
Minimum Building Lot Area	7,278 s.f.
Average Building Lot Area	8,436 s.f.
Common Areas	7

L.U.D. / Zoning	
Existing Zoning:	R-40
Proposed Zoning:	PUD-R

Notes:

- 60' WIDE LOTS - Front Setbacks are 20', or 15' with a swing garage
- 60' WIDE LOTS - Rear Setbacks are 10' Typical
- 60' WIDE LOTS -Side Setbacks are 5'
- 74' WIDE LOTS - Front Setbacks are 20', or 15' with a swing garage
- 74' WIDE LOTS - Rear Setbacks are 25' Typical
- 74' WIDE LOTS - Side Setbacks are 7'
- There will be no outside storage onsite
- Open space lots & landscape easements will be maintained by the Homeowners Association (HOA).

Zoning Exhibit for
Zoning Change Request
From R-40 to PUD-R
Case # ZC-13-014 R-40 to PUD-R

Zoning Case #ZC13-014

Heron Pond

Development Plan

I. Carharrington Survey, Abstract No. 808

Colleyville, Tarrant County, Texas

Small Lot Development Comparison Chart - 1996 to 2013

Subdivision Name	Total Lots	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Lot Size (square feet)	Average Lot Size (square feet)	Maximum Lot Coverage	Master Plan Density - Dwelling Units Per Acre *	Land Development Code Density - Dwelling Units Per Acre **	Total Acres	Open Space	Approval Date	Ordinance
Spring Garden	45	36	70	2,520	2,700	90%	8	16.1	5.4	31.3%	12.17.96	O-96-1052
Villas of Caldwell Creek	43	59	115	6,594	7,408	50%	3.7	5.9	11.6	18.3%	4.1.97	O-97-1062
Bridges at Riverwalk	32	56	106	6,001	6,479	50%	3	6.7	10.0	24.0%	12.21.99	O-99-1192
Riverwalk at Colleyville	53	60	115	6,331	7,666	50%	3.2	5.7	20.0	20.0%	4.4.00	O-00-1210
Rosewood Villas	53	59	110	6,482	6,899	60%	3.6	6.3	14.8	21.4%	8.8.01	O-01-1286
Emerald Park	72	60	120	7,200	7,508	50%	3.5	5.8	20.2	19.6%	10.1.02	O-02-1366
Tiffany Park	25	60	100	7,200	7,580	50%	3.5	5.7	7.2	20.0%	10.21.03	O-04-1487
Tuscany	35	60	110	6,600	7,878	50%	3.9	5.5	8.8	6.6%	2.17.04	O-04-1442
Cambridge Place	38	50	58	4,500	5,300	60%	4.2	8.2	9.0	22.0%	7.6.04	O-04-1467
Heritage Oaks	103	30/40	90	2,700/3,600	3,600	90% and 75%	4.6	12.1	22.9	25.0%	03.21.06	O-09-1715
Villas at Oak Pointe	74	30/56	90/95/115	2,700/6,440	5,000	90% and 58%	3.7	8.7	13.6	22.0%	08.02.06	O-06-1584
Copperglen	22	55	105	5,924	6,650	65%	3.9	6.6	5.6	20.0%	10.17.06	O-06-1595
Villas of Colleyville	67	59	115	6,655	8,936	60%	3.4	4.9	19.8	21.0%	08.21.07	O-07-1627
Enclave at Arbor Estates	16	65	120	8,700	9,350	50%	2.9	4.7	5.6	19.3%	09.18.07	O-07-1634
Creekside at Colleyville	269	50	105	5,000	7,257	65%	2.4	6.0	108.5	20.0%	11.27.07	O-07-1645
Somerset Manor	77	50/60	100/110	5,000/6,600	6,000	50%	4	7.3	18.2	20.3%	05.05.08	O-08-1672
Ivy Glen	10	55	110	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 ZC13-014	49	47	120	7,000	7,800	65%	3.2	5.6	15.4	22.0%		

* 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 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 15.4 ACRES ON LOT 1, BLOCK 1 OF THE BREEZY LAKE ESTATES, LOTS 1A AND 1B, BLOCK 1 OF THE MEADOWLAKE ADDITION, TRACT 2B, MCNARY ACRES ADDITION AND A PORTION OF LOT 1, BLOCK 1 OF THE BEAR VALLEY COMMUNITY CHURCH ADDITION LOCATED AT 1117, 1121 AND 1217 WEST L. D. LOCKETT ROAD AND 7900 PRECINCT LINE ROAD FROM THE R-40-SINGLE FAMILY RESIDENTIAL 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. ZC13-014; 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 15.4 acres on Lot 1, Block 1 of the Breezy Lake Estates, Lots 1A and 1B, Block 1 of the Meadowlake Addition, Tract 2B, McNary Acres Addition and a portion of Lot 1, Block 1 of the Bear Valley Community Church Addition located at 1117, 1121 and 1217 West L.D. Locket Road and 7900 Precinct Line Road from the R-40-Single Family Residential zoning district to the PUD-R-Planned Unit Development Residential zoning district, as depicted in the attached Exhibit "A" and as legally 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 49 detached dwelling units, constructed at a gross maximum density of 3.2 dwelling units per acre.
- b. This development shall be generally consistent with the

Statement of Planning Objectives, attached as Exhibit "C".

- c. The subject property is subject to all the regulations contained in the Land Development Code, except where amended by this Ordinance.

2. DEVELOPMENT PLAN AND PLATTING

- a. The development shall be generally consistent with Exhibit "D", Conceptual Site Plan, which shall not be considered the preliminary plat. The actual street and lot arrangement may differ from that shown on Exhibit "D" to accommodate topographic, drainage or other conditions.
- b. The developer shall submit and receive approval from the City, a Preliminary and Final Plat, approved in one or more phases, in accordance with the requirements of the Land Development Code prior to development of this PUD-R.

3. PERMITTED USES

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

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

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

Planning Area "A"

- a. Minimum Lot Size: 9,000 square feet
- b. Minimum Lot Depth: 120 feet
- c. Minimum Lot Width: 60 feet
- d. Front Building Line: 15 feet for a swing garage;
20 feet for a front facing garage
- e. Side Building Line: 5 feet

- f. Rear Building Line: 25 feet
- g. Maximum Lot Coverage: 65 percent
- h. Minimum House Size: 2,800 feet

Planning Area "B"

- a. Minimum Lot Size: 7,000 square feet
- b. Minimum Lot Depth: 120 feet
- c. Minimum Lot Width: 47 feet
- d. Front Building Line: 15 feet for a swing garage;
20 feet for a front facing garage
- e. Side Building Line: 0, 5, 9 or 10 feet with a
minimum of 10 feet between
primary structures
- f. Rear Building Line: 10 feet
- g. Maximum Lot Coverage: 65 percent
- h. Minimum House Size: 2,500 feet

5. RESIDENTIAL DESIGN REQUIREMENTS

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

- a. Roofing Standards: Minimum roof pitch: 10:12. Roofing Materials: Minimum 240 lb. dimensional shingle.
- b. Garage Standard: A minimum two car garage shall be constructed with architecturally enhanced doors.
- c. Masonry: The exterior wall of all homes shall be composed of 80 percent masonry materials with a requirement that all siding shall be of a cementitious material.

6. OPEN SPACE

- a. This development shall provide a minimum of 22 percent common open space, as shown on Exhibit "D", which shall be for the leisure and recreational use of the development's residents. The open space shall comply with the provisions contained in the Land Development Code. All open space areas shall be landscaped.

7. PRIVATE STREETS AND SIDEWALKS

- a. Sidewalks along lot frontages shall be constructed by each homebuilder. All sidewalks shall be constructed in accordance with the requirements of the Land Development Code. A minimum foot wide trail shall be constructed within the open space area around and along the interior pond.
- b. All streets in this development shall be private. Right-of-way and pavement widths shall meet the following requirements: the minimum right-of-way for streets shall be 40 feet and the minimum pavement width for street shall be 31 feet, measured from back of curb to back of curb. A five foot utility easement shall be located along both sides of all internal streets.
- c. All gates shall meet the minimum requirements of Chapter 14-Engineering Design Standards in the Land Development Code.

8. FENCES, SCREENING AND LANDSCAPING

- a. Wood fencing between lots is permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry. All lot boundaries along Common Open Space areas shall be open style fencing of Decorative Metal, and/or Masonry.
- b. All lots backing to the Common Open Space shall be open style fencing of decorative metal, and/or Masonry.
- c. Where lots back to the existing residential lots in the Reatta Place development, the developer shall construct a new 8'

Cedar Fence on metal poles. Said fence shall be constructed prior to the final acceptance of public improvements.

d. All lots shall contain a minimum of one (1) three-inch (3") caliper tree in the front yard adjacent to the street right-of-way. Each lot shall be fully landscaped with an approved irrigation system in the front and rear yard prior to the final inspection.

e. A minimum of two (2) three-inch (3") caliper trees shall be planted in each rear yard where trees do not exist for all lots that back to the eastern boundary of the development prior to the final inspection.

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 5th day of November 2013.

The second reading and public hearing being conducted on the 19th day of November 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

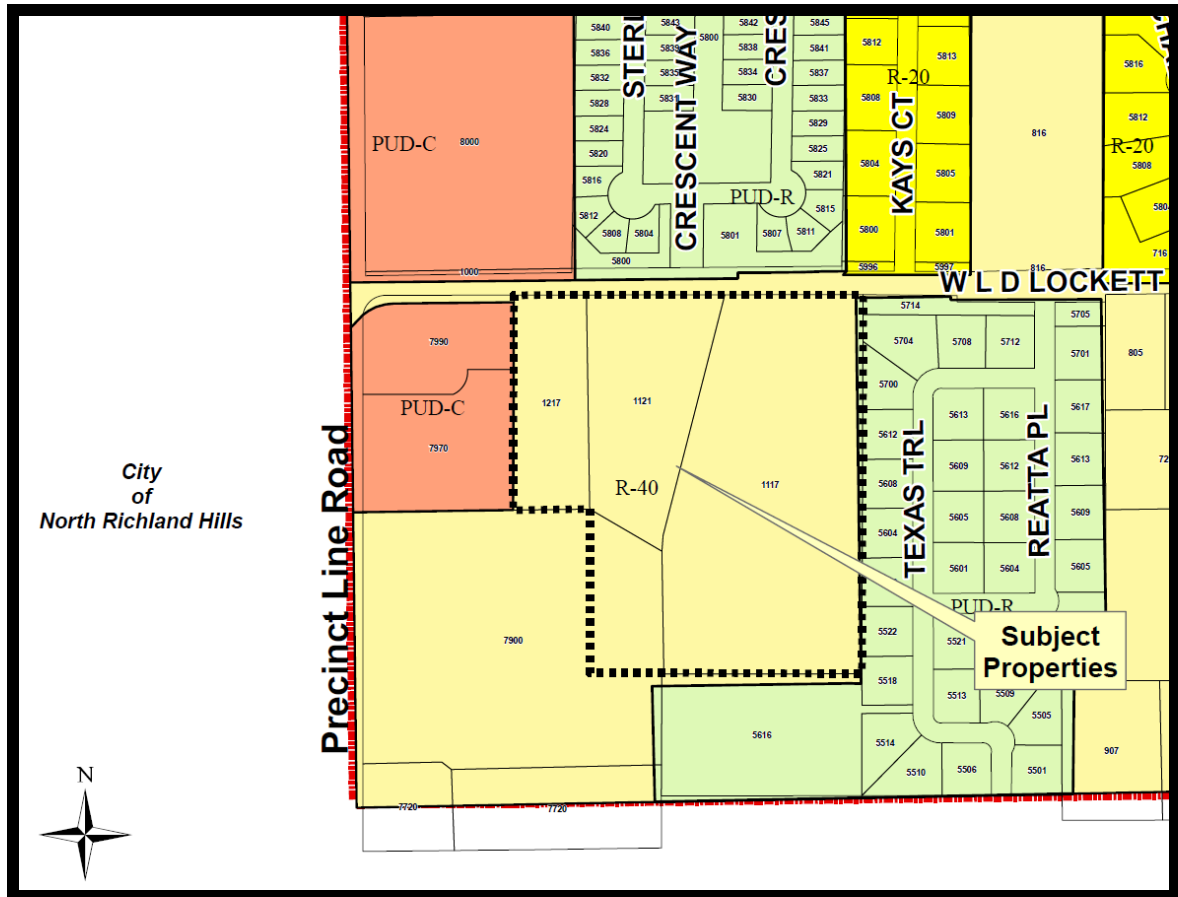


Exhibit B – Legal Description

**METES AND BOUNDS DESCRIPTION FOR ZONING EXHIBIT
FUTURE HERON POND - 15.17 ACRES
IN THE I. CARHARRINGTON SURVEY, A-808
CITY OF EULESS, TARRANT COUNTY, TEXAS**

All that certain 15.17 acres of land, which is all of Lot 1, Block 1, Meadowlake, described in the plat recorded in Volume 388-173, Page 37 in the Plat Records of Tarrant County, Texas (P.R.T.C.T.) and all of Lot 1, Block 1, Breezy Lakes Estates, described in the plat recorded in Volume 388-172, Page 40 P.R.T.C.T., and part of Tract 2, McNary Acres, described in the plat recorded in Volume 388-140, Page 78 P.R.T.C.T., and part of Lot 1, Block 1, Valley Community Church Addition, described in the plat recorded in, Cabinet A, Slide 5206, the 1.002 acre tract, in the I. Carodine Survey, A-356, in the City of Colleyville, Tarrant County, Texas and more particularly described by metes and bounds as follows: (all bearings shown hereon are based on the south right-of-way line of L. D. Lockett Road (right-of-way varies), as shown on the plat of said Breezy Lake Estates and said Meadowlake);

BEGINING at a 1/2" iron rod found for the northeast corner of said Lot 1, Block 1, Meadowlake, in the south right-of-way line of said L. D. Lockett Road;

THENCE South 00° 13' 42" West - 921.71' to the a 1/2" iron rod found for the southeast corner of the herein described tract, common to the northeast corner of Lot 4, Block 1, Reatta Place, described in the plat recorded in Cabinet A, Slide 8272 P.R.T.C.T.;

South 89° 58' 36" West - 622.68' to the most southerly southwest corner of the herein described tract;

THENCE North - 427.95' to a 1/2" iron rod found for the southeast corner of said Tract 2, McNary Acres, common to the southwest corner of Lot 1, Block 1, Breezy Lake Estates;

THENCE North 89° 27' 00" West - 176.01' to a 1/2" iron rod with a cap stamped "Votex" found for the most westerly southwest corner of the herein described tract;

THENCE North 00° 23' 00" East - 495.00' to a 1/2" iron rod found for the northwest corner of the herein described tract, in the south right-of-way line of said L.D. Lockett;

THENCE along the south right-of-way line of said L. D. Lockett Road the following courses:

South 89° 27' 00" East - 176.01' to a 1/2" iron rod with a cap stamped "Moak" found for the northeast corner of said Tract 2, McNary Acres;

South 00° 23' 00" West - 5.00' to a 1/2" iron rod with a cap stamped "Moak" found for north west corner of said Lot 1, Block 1, Breezy Lake Estates;

South 89° 27' 00" East - 322.87' to the northeast corner of said Lot 1, Block 1, Breezy Lake Estates;

North 15° 03' 57" East - 10.33' to the northwest corner of said Lot 1, Block 1, Meadowlake;

South 89° 27' 01" East - 297.56' to the POINT OF BEGINING and containing 15.17 acres of land.

Exhibit C - Statement of Planning Objectives

Heron Pond

Colleyville, Texas – October 7, 2013

Sage Group, Inc.

Statement of Planning Objectives-

Heron Pond is a proposed residential neighborhood to be developed by Hat Creek Development under the Planned Unit Development regulations for Residential development (PUD-R) in the City of Colleyville. The 15.43 acre property is located on the south side of LD Lockett Road, just east of Precinct Line Road. The property is currently shown on the Future Land Use Plan as Retail, but is zoned for Residential (R-40) and is occupied by an equestrian facility, open space and agricultural areas.

The surrounding area is fully developed. Across the street to the north is the existing Emerald Park neighborhood, to the west lies Community and Commercial Uses, containing the corner gasoline station/ convenience store/ package store, and the Bear Valley Community Church. To our south and east is the Reatta Place PUD-R Residential neighborhood.

The subject tract is shown on the Future Land Use Plan as “Retail,” however we believe there would be a limited market for Retail Uses in this location, as there is no remaining frontage on Precinct Line Road, and that a better use for this property would be to begin a transition from the Commercial to the west, to the PUD-R Single Family Residential to the east with a suitable Single-Family Residential use.

This proposal, which transitions between the Commercial Tracts to the west along Precinct Line Road with residential lots averaging over 8,400 s.f. to the larger lots in Reatta Place, and over 22% Open Space, is consistent with this and- we believe- the surrounding uses.

The property generally slopes toward the drainage swale and lake that runs from the north to the south through the property. All of our street and lot drainage would be directed toward this area and would not affect any of the neighboring properties.

We have commissioned a drainage study to illustrate the current conditions and make sure this development- as proposed- would meet the requirements of the ordinances regulating development and drainage.

Exhibit C – Statement of Planning Objectives (Continued)

Quality and compatibility with the adjacent residential, as well as the rest of Colleyville are essential, and we have designed this proposal with those goals in mind.

The residences planned for Heron Pond will be very upscale, with selling prices estimated to range between \$400,000 to over \$600,000. The development will have as its focal point, and feature, a pond and landscaped perimeter. The main entry road has been located directly across from the Emerald Park Entry, but also to take advantage of the resulting entry view toward the landscaped central lake area.

The internal road is planned to be a gated private road with a Resident/ Visitor gate at the western entry, across from the existing gated entry into Emerald Park, designed to meet all the city standards for such an entry. The eastern entry will be resident-only, providing a second point of access. We propose to build the normal Colleyville street section of 31' (back of curb to back of curb), in a 40' R.O.W. with 5' utility and sidewalk easements on either side.

In addition to some of the existing trees we will save within the open space areas, there will be a requirement of a front yard tree for every residential lot to be installed by the home builders, adjacent to the street right of way. A minimum of two trees will also be installed in the rear yard of each lot backing to the neighboring lots in Reatta Place, at the eastern boundary, where existing trees do not already exist. To encourage pedestrian activity in the neighborhood, sidewalks will be built along the front of each lot, as well as a 5' trail around the lake. The indicated landscaped setback, along LD Lockett, will be preserved within an open space lot, to be owned and maintained by the Heron Pond Homeowners Association.

The scale and orientation of the development has been designed to have an inviting visual flow with the existing neighborhoods and surrounding uses. The design criteria of the homes will create high quality homes in keeping with both the immediate neighborhood and Colleyville as a whole.

Development Schedule

Heron Pond will be developed in a single phase with the development commencing upon the successful completion of the zoning and platting and the subsequent approval of the final plat and engineering plans. Construction of homes is anticipated to start immediately upon completion of the subdivision's infrastructure.

Economic Development Information

Heron Pond will have a total of forty-nine (49) homes, each with an average estimated value upon completion of approximately \$400,000 to over \$600,000, resulting in an overall tax base of \$24,500,000, based on a \$500,000 estimated average. At the current tax rate of 2.694677%, the total taxes generated from the development are projected to be \$654,000, with \$ 91,250 generated directly for the City.

Exhibit C – Statement of Planning Objectives (Continued)

Development Standards

Permitted Land Use: Single Family Residential Detached

Residential Lot Requirements and Setbacks:

Residential lot requirements and setbacks shall comply with the following provisions. Planning Area “A” refers to those lots adjacent to the far eastern property line. All other lots comprise Planning Area “B.”

Planning Area “A”

a. Minimum Lot Size	9,000 square feet
b. Typical Lot Width	74 feet
c. Minimum Lot Width	60 feet (inside corner lot)
d. Minimum Lot Depth	120 feet
e. Front Building Line	20 feet; or 15 feet for a front swing garage
f. Side Building Line	5 feet
g. Rear Building Line	25 feet
h. Maximum Building Height	40 feet
i. Maximum Lot Coverage	65%
j. Minimum House Size	2,800 s.f.

Planning Area “B”

a. Average Lot Size	7,800 square feet
b. Minimum Lot Size	7,000 square feet
c. Typical Lot Size	60 feet
d. Minimum Lot Width	47 feet (inside corner lots)
e. Minimum Lot Depth	120 feet
f. Front Building Line	20 feet; or 15 feet for a front swing garage
g. Side Building Line	5 feet, or 0/10 or 1/9 feet with a 10 foot minimum between buildings
h. Rear Building Line	10 feet
i. Maximum Building Height	40 feet
j. Maximum Lot Coverage	65%
k. Minimum House Size	2,500 s.f.

Exterior Materials: 80% Masonry; all siding shall be of a cementitious material.

Roof Materials: Minimum 240 lb. dimensional shingle.

Minimum Roof Pitch: Minimum of a 10:12 roof pitch.

Garage Standard: Minimum of a two car garage, with enhanced decorative doors.

Fencing: A minimum 6’ masonry screen wall will be built along the LD Lockett frontage, and adjacent to each entry.

Exhibit C – Statement of Planning Objectives (Continued)

Wood fencing between lots is permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry. All lot boundaries along Common Open Space areas shall be open style fencing of Decorative Metal, and/or Masonry.

Where lots back to existing the existing residential lots in Reatta Place, we have agreed to construct a new 8' Cedar Fence on metal poles. Where open space lots border adjacent properties, either the existing fence will be maintained, or a Decorative Metal or Wooden fence will be installed, as per the Fencing Plan.

Streetscape Standards: Minimum of one (1) three-inch (3") caliper tree per each front yard, and two (2) three inch (3") caliper trees per each rear yard of lots backing to the eastern boundary (credit toward this requirement for preserving existing trees will be given). Fully landscaped and sprinklered front and rear yard within sixty days of completing a house.

Front Yard Maintenance: The open space lots within the subdivision shall be maintained in a consistent, uniform manner by the Heron Pond Homeowners Association through dues collected from the individual homeowners. Membership in the Homeowner's Association will be mandatory.

Street Design Standards:

Right of Way: Forty feet (40')

Travel Lane Width: Thirty-one foot (31'), back of curb to back of curb

Turning Radii: Twenty feet (20')

Open Space Standards: The Common Open Space shall be either left natural (where disturbance and irrigation may harm existing trees) or fully landscaped and irrigated with a combination of trees and shrubbery pursuant to an approved landscape plan. The Common Open Space shall be owned and operated by the Heron Pond Homeowners Association which shall have a mandatory membership of all homeowners and shall collect dues in amounts satisfactory to maintain the Common Open Space. The Association shall have fine and lien rights as permitted by law to enforce compliance with the rules of the association.

Signage:

A monument sign identifying the subdivision shall be built at the entries from LD Lockett and/or incorporated into the masonry wall adjacent to that entry. All street and stop signs, and light standards shall decorative.

Exhibit D - Conceptual Site Plan

