



City of Colleyville Planning and Zoning Commission Agenda

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

Monday, January 13, 2014

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 Tornes
PLEDGE OF ALLEGIANCE**

- 1. APPROVAL OF MINUTES**
December 9, 2013
- 2. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON
THE AGENDA AS A PUBLIC HEARING ITEM**
- 3. PUBLIC HEARING AGENDA ITEMS**

- 3a** Request for a replat of Lot 1R, Block 1, of the First Baptist Church of Colleyville Addition, Lots 1 and 2, Block 1, of the Garden Addition, and Lot 1, Block 1, of the H. E. C. Addition, located at 5405 Pleasant Run Road, PC13-028
- 3b** Request for a replat of Lot 1, of the Village at Colleyville Addition, located at 23 Mission Lane, PC13-002
- 3c** Request for a replat on 5.7 acres located on Lots A1, B1 and B1A of The Oaks Addition, located at One, Two, and Three Country Way, Case PC13-026

4. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards January 10, 2014 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
Colleyville, Texas 76034
www.colleyville.com

Agenda Number	Agenda Date 01/13/2014	Number
Type Approval of Minutes		
Department Community Development		

Title

December 9, 2013

Explanation

Recommendation

Attachments

1. Planning and Zoning Commission Minute - December 9, 2013



City of Colleyville Planning and Zoning Commission Minutes

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

Monday, December 9, 2013

City Council Chambers

CALL MEETING TO ORDER

The Planning and Zoning Commission meeting of the City of Colleyville was called to order by Chairman Byerly on December 9, 2013 at 7:22 p.m.

Roll Call

Present: Commissioners Larry Knox, Carel Tornes, David Wheelwright, Jim Gotcher Don Davis, David Phelps, and Chairman Jeff Byerly

Staff Present: Ron Ruthven, Mary Elliott, Taci Wrisley, Rob McKeown, Brian Riley, Dan Hartman, Councilman Chuck Mogged, and Matt Butler (City Attorney)

1. APPROVAL OF MINUTES

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

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

Aye: 7 – Knox, Tornes, Wheelwright, Gotcher, Davis, Phelps, and Byerly

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

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

3. REGULAR AGENDA ITEMS

- 3a** Approval of a final 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 PC13-021

Mary Elliott presented the case and briefed the Commission.

Commissioner Davis questioned staff regarding whether there have been any significant changes from the preliminary plat. Mary Elliott replied no, the preliminary plat is being followed.

Commissioner Tornes questioned staff regarding the proposed sidewalk that would connect to the Monticello subdivision; where is the sidewalk shown on the plat? Mary Elliott replied the sidewalk is not shown on the plat but is required on both sides of the street on Harrison Lane.

Commissioner Phelps made a motion to approve Case PC13-021. Commissioner Wheelwright seconded.

The motion to approve Case PC13-021 carried by the following vote:

Aye: 7 – Knox, Tornes, Wheelwright, Gotcher, Davis, Phelps, and Byerly

4. PUBLIC HEARING AGENDA ITEMS

- 4a** Request for a Special Use Permit for an accessory building on Lot 3, Block 1, of the Lavaca Parc Addition located at 6212 Lantana Court, Case ZC13-019

Mary Elliott presented the case and briefed the Commission.

Commissioner Wheelwright questioned staff regarding if the proposed structure met the height requirements of the Land Development Code but exceeded the maximum square footage requirement. Mary Elliott replied correct.

Commissioner Gotcher questioned staff regarding if, under normal circumstances, the structure would be allowed to be as close as five (5) feet to the property line provided no easement were encroached. Mary Elliott replied correct. She further explained the maximum allowed height at five (5) feet from the property line would be eight (8) feet.

Commissioner Tornes questioned staff regarding whether the materials of the proposed structure would match the existing primary structure. Mary Elliott replied yes.

The public hearing was opened at 7:33 p.m.

Bruce Huckins, the applicant and property owner, came forward and briefed the Commission.

Commissioner Tornes questioned Mr. Huckins regarding if he had

future plans to install a pool. Mr. Huckins replied yes. He further explained that because they would like to install a pool in the future, they felt the proposed location would work best for them.

Mr. Huckins stated if it was requested of him, he would place trees between the adjacent properties and the proposed structure.

Commissioner Tornes questioned Mr. Huckins regarding if he had a wood fence. Mr. Huckins replied yes, it is an eight (8) foot wood fence.

Commissioner Davis questioned Mr. Huckins regarding if there would be any balconies or windows looking over the fence. Mr. Huckins replied no.

Commissioner Wheelwright questioned Mr. Huckins regarding the proposed square footage. Mr. Huckins replied the square footage of the proposed structure is 865 square feet. He further explained he believed the architect included a porch or patio into the final square footage, making the total close to 900 square feet.

Chris Strittmatter, 6213 Cimarron Trail, came forward and spoke in opposition with regards to drainage and the structure size.

Randy Gray, 6233 Cimarron Trail, came forward and spoke in opposition with regards to diminished home valuation, drainage, and mechanical units operating within close proximity to his home.

Tom Lane, 6300 Lantana Court, came forward and spoke in support of this item.

Paul Yew, 6304 Lantana Court, came forward and spoke in support of this item.

The following wished to record their vote but did not wish to speak:
Donna Gray, 6233 Cimarron Trail, opposed
Stan Hall, 6229 Cimarron Trail, opposed
Patrick Duffy, builder, support

There being no one else wishing to speak, the public hearing was closed at 7:50 p.m.

Mr. Huckins came forward to address comments and concerns.

Chairman Byerly questioned Mr. Huckins where the mechanical unit

was proposed to be located. Patrick Duffy replied the unit could be placed on either the South or the North end of the structure.

Commissioner Davis stated Mr. Huckins would probably not want to put the mechanical unit on the pool side (South end) of the building for aesthetic reasons. He further stated if the mechanical unit was placed on the North end of the building it would have the least amount of impact on the adjacent neighbors because it would be next to their driveway. Mr. Duffy and Mr. Huckins both concurred.

Commissioner Tornes questioned Mr. Huckins regarding trees to be used for screening. Mr. Huckins replied he would use existing trees on his property and he would move them to the rear of the proposed structure.

Commissioner Tornes questioned Mr. Huckins regarding how long he anticipated visitors staying in the proposed structures. Mr. Huckins replied possibly weekends or maybe a week.

Commissioner Davis questioned Mr. Huckins regarding whether or not there would be a kitchen. Mr. Huckins replied no.

Commissioner Phelps questioned staff regarding how the City determines if a structure is an auxiliary building versus a residence. Mary Elliott replied the City looks for 220 volt outlets that would be used for full size appliances.

Commissioner Tornes questioned staff regarding if drainage going into yards would be an issue if the structure had gutters. Ron Ruthven replied the subdivision has an engineered grading plan that would need to be complied with.

Commissioner Phelps questioned staff regarding whether the conditions Mr. Huckins agreed to verbally would need to be included in the recommendations. Mary Elliott replied yes.

Chairman Byerly questioned Mr. Gray regarding if there was a difference to him if there were a 750 square foot structure versus a 900 square foot structure. Mr. Gray replied there would be a smaller roofline.

Commissioner Davis questioned Mr. Gray regarding if the placement of trees behind the building would help with his opposition to seeing the building. Mr. Gray replied when the trees are 21 foot high maybe.

Discussion continued between the Commission and Mr. Gray regarding the difference between a 750 square foot building versus a 900 square foot building.

Commissioner Knox stated he hated to keep amending the code for accessory buildings. He further stated the codes are there for a reason.

Commissioner Phelps made a motion to approve Case ZC13-019 with the following conditions: (1) Rain gutters shall be required on the building with all gutter discharge piped to the nearest approved drainage facility (2) The existing trees in the back yard to be relocated for the proposed building shall be located in the 10 foot utility easement in the backyard between the building and the rear property line (3) The air conditioning unit for the building shall be located on the north side of the building (4) All west facing windows shall contain frosted glass. Commissioner Gotcher seconded.

The motion to approve Case ZC13-019 with the following conditions: (1) Rain gutters shall be required on the building with all gutter discharge piped to the nearest approved drainage facility (2) The existing trees in the back yard to be relocated for the proposed building shall be located in the 10 foot utility easement in the backyard between the building and the rear property line. (3) The air conditioning unit for the building shall be located on the north side of the building (4) All west facing windows shall contain frosted glass carried by the following vote:

Aye: 6 – Tornes, Wheelwright, Gotcher, Davis, Phelps, and Byerly

Nay: 1 – Knox

- 4b** Consideration of a zoning change from the AG-Agricultural zoning district to the PUDC-Planned Unit Development Commercial zoning district on 2.8 acres out of the J.L. Byas Survey, Abstract 180, located at 1603 and 1605 Hall-Johnson Road, Case ZC13-020

Ron Ruthven presented the case and briefed the Commission.

Chairman Byerly questioned staff regarding if the ordinance read that the property owner would be responsible for the cost of paving the remainder of the driveway - from the edge of the current paving to their property even though it is technically city property. Ron

Ruthven replied correct. Chairman Byerly stated the draft ordinance is not very clear on who would be responsible for paying.

Commissioner Tornos questioned staff regarding whether the only access to this property was via the Public Works Service Center driveway. Ron Ruthven replied correct.

Commissioner Davis questioned staff regarding whether a Certificate of Occupancy was required 40 years ago and how was Mr. Monks able to open and run a business without having been issued one. Ron Ruthven replied yes, Certificates of Occupancy were required for both residential and commercial. He further explained that he does not know how Mr. Monks was able to open his business without having a Certificate of Occupancy.

Commissioner Davis questioned staff regarding when the property would have been zoned AG-Agricultural. Ron Ruthven replied when the property was incorporated into the City, as with all newly annexed property.

Commissioner Davis questioned staff regarding how the City would go about correcting discrepancies with zoning all across the city, such as his single-family residential home being in a multi-family zoning district. Ron Ruthven replied in regards to that specific discrepancy, the code was recently amended to allow for single-family use in the multi-family zoning district.

Commissioner Tornos questioned staff regarding if there have been any health or safety violations with this business in the last five (5) to ten (10) years. Rob McKeown, the fire marshal, replied he was not aware of any 911 calls to this establishment but has in the last several years issued a citation for illegal burning. He further explained he was contacted by one of the business owners asking for permission to allow above ground storage tanks for gasoline storage. Rob McKeown stated upon a site inspection he also noted a building being located closer than three (3) feet to a breaker panel, which is against the fire code.

Discussion continued between the Commission and Rob McKeown regarding health and safety concerns with the business.

Commissioner Knox questioned Rob McKeown regarding if there was a concern getting an ambulance in the property if there was an injured person due to the property not having a designated fire lane. Rob McKeown replied he was more concerned about a fire truck

sinking on the property than he was an ambulance. He further explained if they could not get a vehicle onto the property, due to the lack of a fire lane, they would find a way to get to an injured person.

Commissioner Tornos questioned Rob McKeown regarding the event there was a fire at this location, would the fire department be able to have access to the property from the adjacent properties? Rob McKeown replied yes, they would access the property in the best way possible.

Discussion continued between the Commission and Rob McKeown regarding fire lane requirements.

Discussion occurred between Commissioner Davis and Rob McKeown regarding the buildings located on the property and what they were being used as.

Commissioner Gotcher questioned Rob McKeown regarding bringing the breaker panel up to code; was it as simple as moving either the breaker panel or moving the wall? Rob McKeown replied yes.

Commissioner Tornos questioned Rob McKeown regarding if any of the buildings were portable mobile home type buildings. Rob McKeown replied yes.

The public hearing was opened at 8:25 p.m.

Thomas Monks, co-owner of the property and business, came forward and briefed the Commission.

Commissioner Phelps questioned Thomas Monks regarding if he was aware they were not in compliance. Thomas Monks replied they had always believed they were in compliance.

Commissioner Phelps questioned Thomas Monks regarding whether their business the original business on this property. Thomas Monks replied no, he believed there had been a cabinet shop prior to their acquisition of the property.

Thomas Monks described the building layouts on the property and what each is used for.

Commissioner Davis questioned Thomas Monks regarding how many employees they employ. Thomas Monks replied 38 during winter season and approximately 42 or 43 during summer season.

Commissioner Tornos questioned Thomas Monks regarding what the open space on the property is used for. Thomas Monks replied the open space is mainly used as storage for items such as mulch, pallets, a boat, and some trailers. Commissioner Tornos further questioned if chemical were stored anywhere on the property. Thomas Monks replied occasionally they have fertilizers delivered, via an 18-wheeler, for a brief period of approximately one (1) to two (2) weeks.

Commissioner Phelps questioned Thomas Monks regarding what the composition of the parking area and driveway were. Thomas Monks replied asphalt and gravel.

Fred Monks, Sr., co-owner of the property and business, came forward and explained the composition of the parking area and driveway.

Commissioner Wheelwright questioned Thomas Monks regarding the services that his business offered and did they pull permits for any of the work for which one was required. Thomas Monks replied yes.

Commissioner Phelps questioned Thomas Monks regarding the recommendations from city staff and was there any of the recommendations they were willing comply with. Thomas Monks replied they are willing to do anything they were required to.

Discussion continued between the Commission and Thomas Monks regarding their willingness to work with the City to bring up to code.

Dennis Golden, 1606 Kingswood Lane, came forward and spoke in support of this item.

Commissioner Davis questioned Mr. Golden regarding whether or not he had ever had any issues with the business with regards to noise or any other nuisances. Mr. Golden replied no.

Charles Bethards, 1602 Royal Lane, came forward and spoke in support of this item.

Terry Hendrix, 1610 Kingswood Lane, came forward and spoke in support of this item.

Daniel Van Rooyen, 1604 Kingswood Lane, came forward and spoke in support of this item.

There being no one else wishing to speak, the public hearing was closed at 8:41 p.m.

Thomas Monks came forward to address comments and concerns.

Commissioner Davis questioned Thomas Monks regarding whether a concrete truck was used when they gave access to their residential neighbors to the South. Thomas Monks replied yes.

Commissioner Phelps questioned Rob McKeown regarding whether the composition of the current parking area and driveway would qualify as the required sub-structure. Rob McKeown replied soil testing and compaction testing would need to be conducted in order to confirm that it would qualify.

Commissioner Gotcher questioned Rob McKeown regarding what the fire department would do if a fire was called in later that night. Rob McKeown replied they would make every effort they could to gain access to the fire; it would be the decision of the engineer of the fire truck.

Commissioner Phelps stated he would like to see the building design requirements, landscaping requirements, and the relocation of any buildings waived until the facility needs to be rebuilt. Ron Ruthven questioned Commissioner Phelps regarding if he wanted to grant a full waiver of Chapter 6 Design Standards. Commissioner Phelps replied yes. Ron Ruthven added he recommends requiring a detailed site plan.

Commissioner Davis stated he felt the applicant should be required to address life safety issues but did not feel they should be required to do anything with their parking lot.

Discussion occurred amongst the Commission regarding whether or not the parking lot requirement needed to be included in the ordinance.

Commissioner Gotcher stated he was impressed by the applicant's neighbors and their support of their business.

Fred Monks Sr. came forward and stated on several occasions fire trucks have been on his property and he does not feel there would be any issues with getting them onto his property.

Commissioner Wheelwright stated he echoed Commissioner Gotcher.

He further was concerned with life and health safety.

Discussion occurred amongst the Commission regarding the parking lot and fire lane.

Chairman Byerly questioned staff regarding how to go about grandfathering the existing buildings. Ron Ruthven explained there is currently some language in the Land Development Code regarding grandfathering buildings or by using an exhibit to indicate which buildings were to be grandfathered.

Commissioner Gotcher questioned Rob McKeown regarding whether the fire lanes on the adjacent properties would meet the fire code requirement. Rob McKeown replied typically the fire lane would be required on the property that the building is located on.

Discussion continued between the Commission and staff regarding the fire lane requirements.

Chairman Byerly made a motion to approve Case ZC13-020 with the following conditions: (1) Staff to provide clarification on Section 4(d) of the proposed ordinance as to who pays for the driveway extension (2) The following staff recommendations regarding compliance with the Land Development Code are hereby waived: landscaping, building location and setback requirements, Building design standards, and Parking (3) The site shall meet all fire lane requirements in the Land Development Code

Discussion occurred between the Commission and Staff regarding fire lane requirements.

Commissioner Phelps seconded.

Commissioner Gotcher questioned Fred Monks Sr. regarding if he would accept the motion and the second. Fred Monks Sr. and Thomas Monks replied they would accept the proposed conditions.

The motion to approve Case ZC13-020 with the following conditions: (1) Staff to provide clarification on Section 4(d) of the proposed ordinance as to who pays for the driveway extension (2) The following staff recommendations regarding compliance with the Land Development Code are hereby waived: landscaping, building location and setback requirements, Building design standards, and Parking (3) The

site shall meet all fire lane requirements in the Land Development Code carried by the following vote:

Aye: 7 – Knox, Tornes, Wheelwright, Gotcher, Davis, Phelps, and Byerly

- 4c** Consideration of a zoning change from the AG-Agricultural zoning district to the PUDR-Planned Unit Development Residential zoning district on 4.304 acres of Tracts 2D and 2D3, Abstract 233, of the D. R. Blanton Survey located at 5209 Bluebonnet Drive, Case ZC13-021

Mary Elliott presented the case and briefed the Commission.

Commissioner Tornes questioned staff regarding if the applicant was asking for a waiver on the North side of the development in order to have more open space. Mary Elliott replied correct.

Commissioner Tornes questioned staff regarding whether the turning radius at the end of the street met the Land Development Code. Mary Elliott replied no.

Commissioner Wheelwright questioned staff regarding whether the removal of the sidewalk along the North side of the development would give the applicant the required percentage of open space. Mary Elliott replied no.

The public hearing was opened at 9:19 p.m.

Jim Dewey, engineer, came forward and briefed the Commission.

Commissioner Tornes questioned Mr. Dewey regarding how the open space would be landscaped if a sidewalk was not required along the North side of the development. Mr. Dewey replied they would like to do a living screen of trees and shrubs.

Kathleen Hennessey, 5013 Stonebridge Drive, came forward and spoke in opposition of this case.

Nancy Rogers, 1612 Cherry Lane, came forward and spoke in opposition of this case.

Alan Davis, 1500 Cherry Lane, came forward and spoke in opposition of this case.

Matt Speight, 1504 Cherry Lane, came forward and spoke in opposition of this case.

The following did not wish to speak but wished to record their vote:

Jesse Cobb, 1508 Cherry Lane, opposition

Suzy Speight, 1504 Cherry Lane, opposition

Lola Cobb, 1508 Cherry Lane, opposition

Dianne Farmer, 5305 Bluebonnet Drive, opposition

Stephen Farmer, 5305 Bluebonnet Drive, opposition

There being no one else wishing to speak, the public hearing was closed at 9:46 p.m.

Mr. Dewey came forward and addressed comments and concerns.

Vijaya Borra, the property owner, came forward and briefed the Commission.

Commissioner Tornos questioned Mr. Borra regarding whether all of the homes in the proposed development would be two story homes. Mr. Borra replied yes.

Commissioner Wheelwright questioned Mr. Borra regarding if he would be opposed to removing one (1) of the lots in order to gain more open space. Mr. Borra replied he could remove one (1) lot.

Commissioner Phelps stated he did not believe this development qualifies as a transitional development. He further stated a majority of the criteria of the Planned Unit Development Residential zoning should be met or compensated for and he did not see that with this development.

Discussion occurred between staff and Mr. Borra regarding possibilities of decreasing the number of lots.

Commissioner Gotcher stated concurred with Commissioner Phelps in regards to this property not being a transitional area. He further stated even if the development met or compensated for the requirements of the Planned Unit Development Residential zoning he did not believe he could support the development because it was not a transitional development.

Discussion continued between the Commission, staff, Mr. Dewey, and Mr. Borra regarding density and transitional properties.

Mr. Dewey requested their case be continued to the next meeting to give them time to look at their options. Chairman Byerly replied the Commission would make a decision on whether or not to continue the

case.

Commissioner Knox stated he concurred with the other Commissioners and the development needed more work before it would get his support.

Discussion occurred amongst the Commission regarding the issues with the proposed development.

Commissioner Gotcher made a motion to deny Case ZC13-021. Commissioner Davis seconded.

Commissioner Phelps questioned staff regarding the options the applicant had if the motion carried to deny. Ron Ruthven replied the applicant has ten (10) days to appeal to the City Council. He further explained if the motion to deny carried, the applicant could reapply at anytime if he so wishes.

The motion to deny Case ZC13-021 carried by the following vote:

Aye: 7 – Knox, Tornes, Wheelwright, Gotcher, Davis, Phelps, and Byerly

Chairman Byerly called for a recess at 10:07 p.m.

Chairman Byerly reconvened the meeting at 10:15 p.m.

4d Consideration for approval of amendments to Chapter 3 Section 3.26- Fences, Free Standing Walls, and Screening Materials in the Land Development Code, Case GC13-021

Ron Ruthven presented the case and briefed the Commission.

Commissioner Davis questioned staff regarding the requirement for eight (8) inch diameter footing and was this requirement for all fence types. Ron Ruthven replied this requirement is for wood fences.

Commissioner Davis questioned staff regarding whether the proposed updates apply to retaining walls. Ron Ruthven replied no, the updates only apply to free-standing walls.

Commissioner Phelps questioned staff regarding whether all of the proposed updates apply to commercial and residential. Ron Ruthven replied the only update that applies to commercial only is the requirement for galvanized steel post for wood fences.

Commissioner Phelps questioned staff regarding what was the drive to update the fence requirements. Ron Ruthven replied while fences are not a huge issue, it was a directive from the City Council for staff to create more specific fence standards for construction and maintenance.

Commissioner Tornes questioned staff regarding if the responsibility of the fence would be shared between neighbors. Ron Ruthven replied yes, in most cases.

Discussion occurred between the Commission and staff regarding responsibility of shared fences.

Commissioner Gotcher questioned staff regarding if other surrounding cities were as descriptive with their fence codes. Ron Ruthven replied Frisco and Arlington were just as descriptive, if not more, as the proposed but others were not.

Chairman Byerly questioned staff regarding whether natural cedar fences would be considered non-compliant with the proposed updates. Ron Ruthven replied no, it would be required to be sealed. Commissioner Tornes questioned if language could be add to read all new construction. Ron Ruthven replied yes.

Discussion continued regarding language to allow fences with natural resin not needing to be sealed.

Commissioner Davis stated he did not feel they should be telling residence what to do with their fences with regards to specific colors, staining, and etcetera.

Commissioner Phelps stated he felt the proposed updates seemed like micro-management that he would like to resist, if possible.

Chairman Byerly stated he concurred with Commissioner Phelps. He further added he felt the updates would be suited more for commercial fences and possibly subdivision fences.

Discussion occurred amongst the Commission regarding fence requirements and language the updates.

Commissioner Tornes made a motion to approve Case GC13-021 with the following conditions: 1) No changes to Section C(1) 2) Section C(2) – Change “one inch” to “two inches” 3) Section C(3) – leave the first sentence and change ten (1)

days to thirty days 4) Sections C(14)(15) – only applies to commercial and subdivision walls and fences.

Commissioner Gotcher suggested a friendly amendment to leave Section C(3) in its entirety.

Chairman Byerly confirmed that the intent of the motion would be to only items one (1), two (2), and three (3) would remain under Section C. The Commission concurred this was their understanding.

The motion now reads to approve Case GC13-021 with the following conditions: (1) No changes to Section C(1) (2) Section C(2) – Change “one inch” to “two inches” (3) No changes to Section C(3) (4) Sections C(4) through C(8) are hereby deleted (5) Sections 14 and 15 shall only apply to commercial properties and perimeter subdivision fences/walls

Commissioner Phelps seconded.

The motion to approve Case GC13-021 with the following conditions: (1) No changes to Section C(1) (2) Section C(2) – Change “one inch” to “two inches” (3) No changes to Section C(3) (4) Sections C(4) through C(8) are hereby deleted (5) Sections 14 and 15 shall only apply to commercial properties and perimeter subdivision fences/walls carried by the following vote:

Aye: 7 – Knox, Tornes, Wheelwright, Gotcher, Davis, Phelps, and Byerly

Chairman Byerly made a motion to reconsider Case GC13-021 to open the public hearing. Commissioner Gotcher seconded the motion.

The motion to reconsider Case GC13-021 carried by the following vote:

Aye: 7 – Knox, Tornes, Wheelwright, Gotcher, Davis, Phelps, and Byerly

The public hearing was opened at 10:47 p.m.

There being no one wishing to speak, the public hearing was closed at 10:47 p.m.

Commissioner Tornes made a motion to approve Case GC13-021 with the following conditions: (1) No changes to Section C(1) (2) Section C(2) – Change “one inch” to “two inches” (3) No changes to Section C(3) (4) Sections C(4) through C(8) are hereby deleted (5) Sections 14 and 15 shall only apply to commercial properties and perimeter subdivision fences/walls. Commissioner Phelps seconded.

The motion to approve Case GC13-021 with the following conditions: (1) No changes to Section C(1) (2) Section C(2) – Change “one inch” to “two inches” (3) No changes to Section C(3) (4) Sections C(4) through C(8) are hereby deleted (5) Sections 14 and 15 shall only apply to commercial properties and perimeter subdivision fences/walls carried by the following vote:

Aye: 7 – Knox, Tornes, Wheelwright, Gotcher, Davis, Phelps, and Byerly

4e Consideration for approval of amendments to Chapter 8-Plat Review Procedures in the Land Development Code, Case GC13-022

Ron Ruthven presented the case and briefed the Commission.

Chairman Byerly questioned staff regarding if minor plats would only require administrative approval. Ron Ruthven replied yes, along with amending plats.

Commissioner Tornes questioned staff regarding if appeals were requested would they be taken to the City Council. Ron Ruthven replied yes.

Discussion continued between the Commission and staff regarding what types of plats the Commission would see or not see.

Commissioner Gotcher questioned staff regarding how surrounding cities handle their plat cases. Ron Ruthven replied each city varies.

The public hearing was opened at 11:03 p.m.

There being no one wishing to speak, the public hearing was closed at 11: 03 p.m.

Commissioner Wheelwright made a motion to approve Case GC13-022. Commissioner Knox seconded.

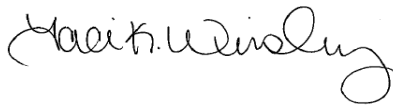
The motion to approve Case GC13-022 carried by the following vote:

Aye: 7 – Knox, Tornes, Wheelwright, Gotcher, Davis, Phelps, and Byerly

5. ADJOURNMENT

The meeting adjourned at 11:04 p.m.

The minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on January 13, 2014 by a vote of _____.



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 3a	Agenda Date 01/13/2014	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Request for a replat of Lot 1R, Block 1, of the First Baptist Church of Colleyville Addition, Lots 1 and 2, Block 1, of the Garden Addition, and Lot 1, Block 1, of the H. E. C. Addition, located at 5405 Pleasant Run Road, PC13-028

Explanation

On behalf of First Baptist Church of Colleyville, Kevin Wolfe has submitted a request to approve a replat of First Baptist Church of Colleyville Addition, Block 1, Lots 1R-1 and 2, which will encompass 10.64 acres. The church is working on plans to expand an existing building for additional classroom space (shown on Lot 1R-1 of the attached Plat Exhibit). Additional parking will be provided on Lot 2 to replace the parking that will be lost with the building expansion.

Zoning District Regulations. The subject property is zoned AG-Agricultural zoning district and CC-1-Village Retail zoning district. The front building setbacks for Church Street and Colleyville Boulevard is 40 feet. The district regulations for the CC-1-Village Retail district, where the building expansion will occur, are as follows:

Minimum Lot Size: 15,000 square feet

Minimum Lot Width: 150 feet

Minimum Lot Depth: 120 feet

Front Yard Setback: 40 feet

Side Yard Setback: 15 feet

Rear Yard Setback: 10 feet

Maximum Building Height: 2 Stories or 35 feet

Maximum Lot Coverage: 50%

For any new commercial and institutional buildings or, additions, or alterations exceeding 50% of the building improvement value based on the current certified tax roll, the building design standards shall be reviewed as part of the building permit and site planning process. The design score of all buildings shall meet a minimum design

score of 30 as required by Chapter 6, Commercial Design of the Land Development Code.

The plat meets the district regulations for the Land Development Code.

Sidewalks and Trails. Church Street is designated as a proposed trail on the Trails and Sidewalk System map. A ten (10) foot wide trail has been constructed along Church Street where it is adjacent to the subject property.

Colleyville Boulevard requires a four (4) foot to six (6) foot wide sidewalk where it is adjacent to the subject property. The sidewalk to the northeast, alongside the Baylor-Emerus Emergency Medical Center, is a five (5) foot sidewalk. The sidewalk to the southwest, alongside the Village mixed-use development is also a five (5) foot sidewalk. The development will need to include a five (5) foot sidewalk connecting the adjacent properties.

Tree Preservation and Landscaping. Landscape areas with mature trees exist along Colleyville Boulevard. A tree survey will be required for both Lots 1R-1 and 2. The landscape buffer adjacent to Church Street shall conform to Chapter 4-Landscaping and Buffering of the Land Development Code. Landscaping shall include the planting of one 3-inch caliper tree per each forty (40) feet of street frontage. Existing trees may be credited toward the landscape requirements.

Summary. The proposed development satisfies the requirements of the Land Development Code.

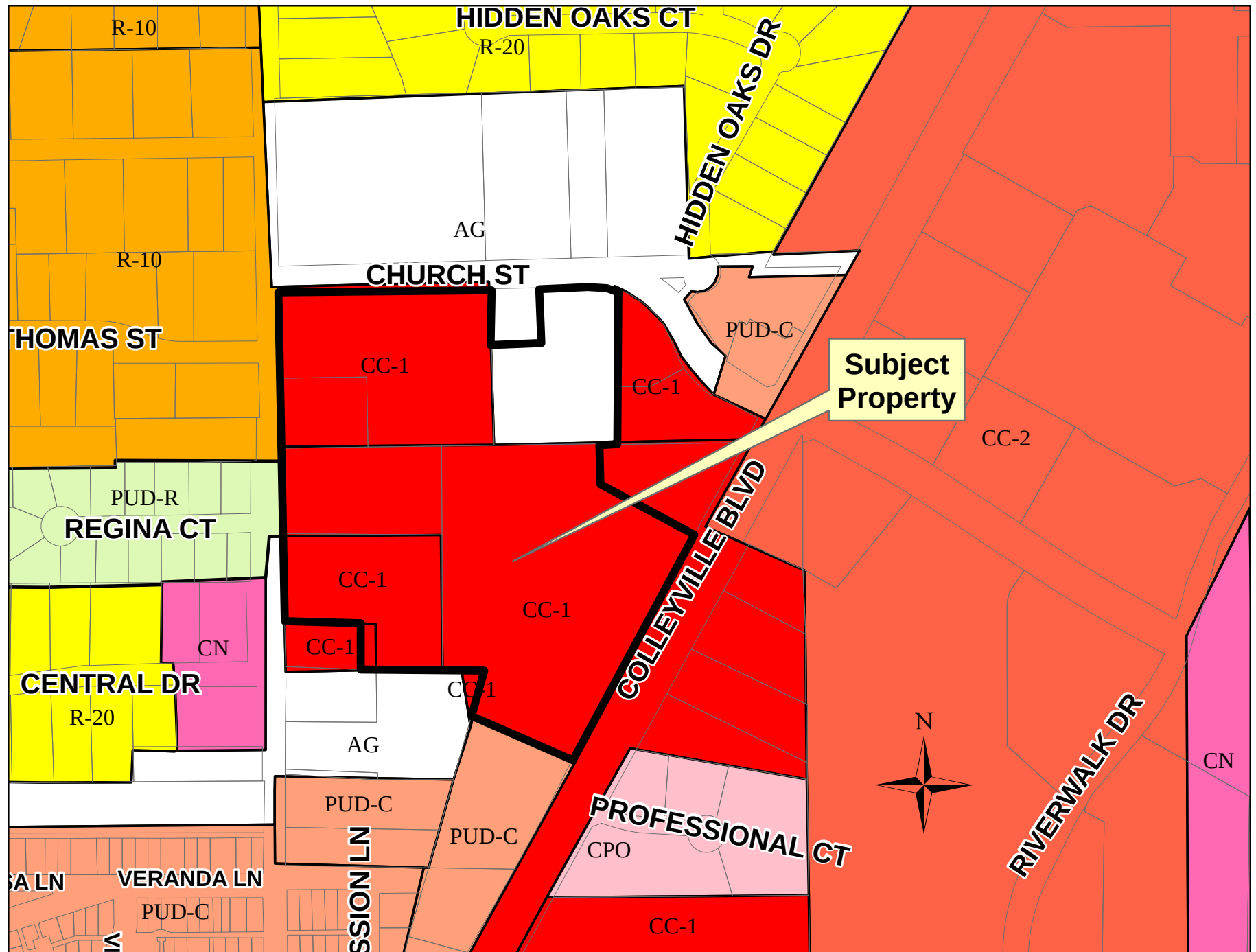
Recommendation

Approve

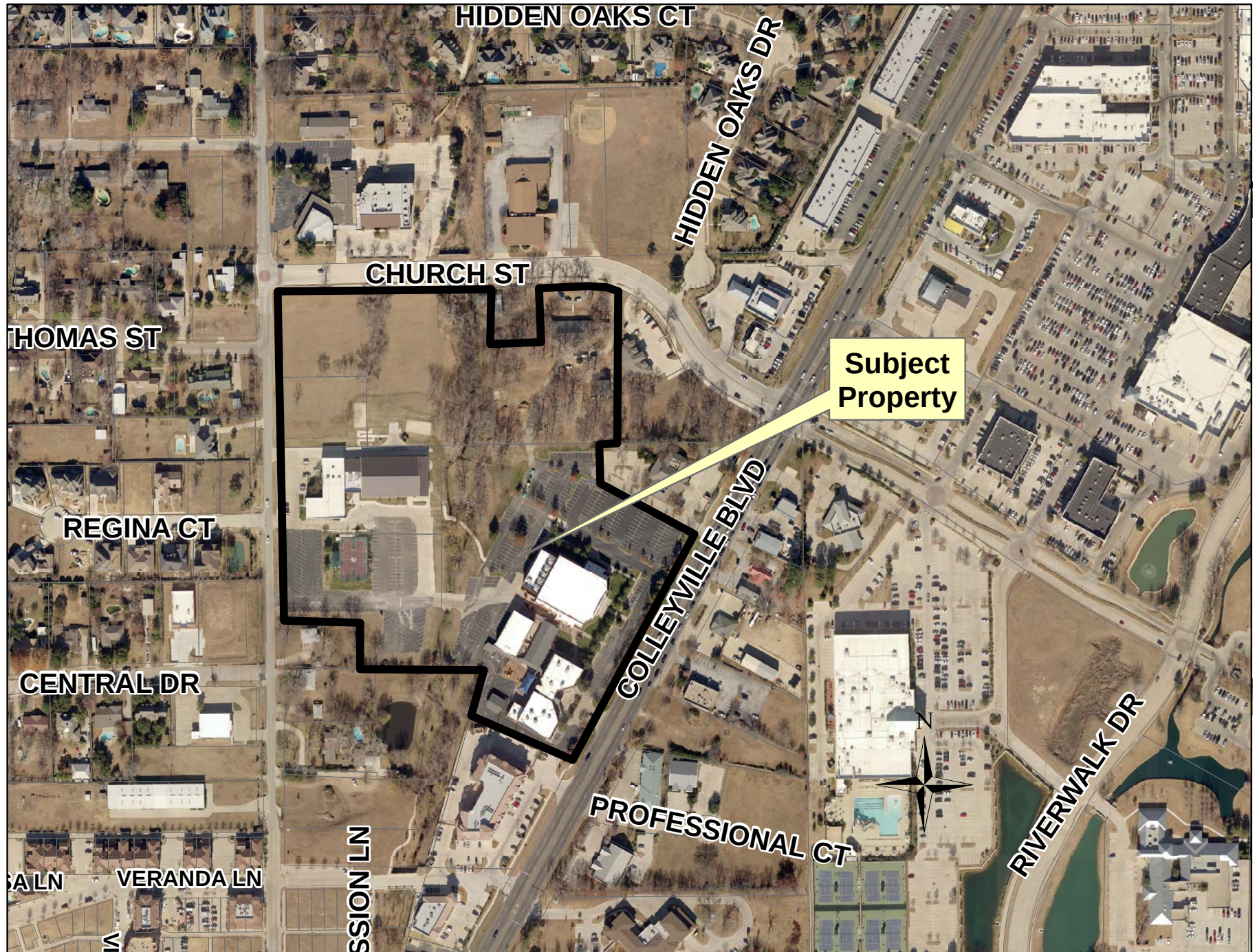
Attachments

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

Location and Zoning Map



Aerial





City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 3b	Agenda Date 01/13/2014	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Request for a replat of Lot 1, of the Village at Colleyville Addition, located at 23 Mission Lane, PC13-002

Explanation

On behalf of Village Management, Ltd., Candy Hone has submitted a request to approve a replat of the Village at Colleyville Addition, Lot 1, which contains 0.4 acres. The purpose of the replat is to dedicate 7.5 feet of additional right-of-way along Mission Lane.

Right of Way Dedication Requirement. The Mission Lane right-of-way dedication is a requirement of Ordinance O-12-1859 (attached). Approved by the City Council on December 18, 2012, Ordinance O-12-1859 served to amend the previous Village at Colleyville PUD regulations by consolidating the various PUD regulations codified in several ordinances into a single ordinance. As part of this process, new requirements were added while others were removed.

Section 5(F)3(a) of Ordinance O-12-1859 states:

"Not later than 90 days from the date of approval of this ordinance, the developer shall convey to the City at no cost all necessary right-of-way to accommodate the roadway widening for the portion of Mission Lane located between Pleasant Run Road and Lot 1, Block 1 of the Village Front Door Addition such that said portion of the roadway can accommodate two-way automobile traffic. The final determination of the amount of right-of-way needed shall be performed by the Public Works Director. The sidewalk width requirements of Section 5(F)4 shall not apply to the portion of Mission Lane addressed in this section, specifically as it relates to the widening of the street."

The 7.5 foot right-of-way dedication depicted on the plat satisfies the requirements of Section 5(F)3(a) of Ordinance O-12-1859 above. Mission Lane will be widened to accommodate two way traffic as part of the Pleasant Run Road reconstruction project, scheduled to begin within the next 24 months.

Summary. The proposed replat satisfies the requirements of Ordinance O-12-1859 and the Land Development Code.

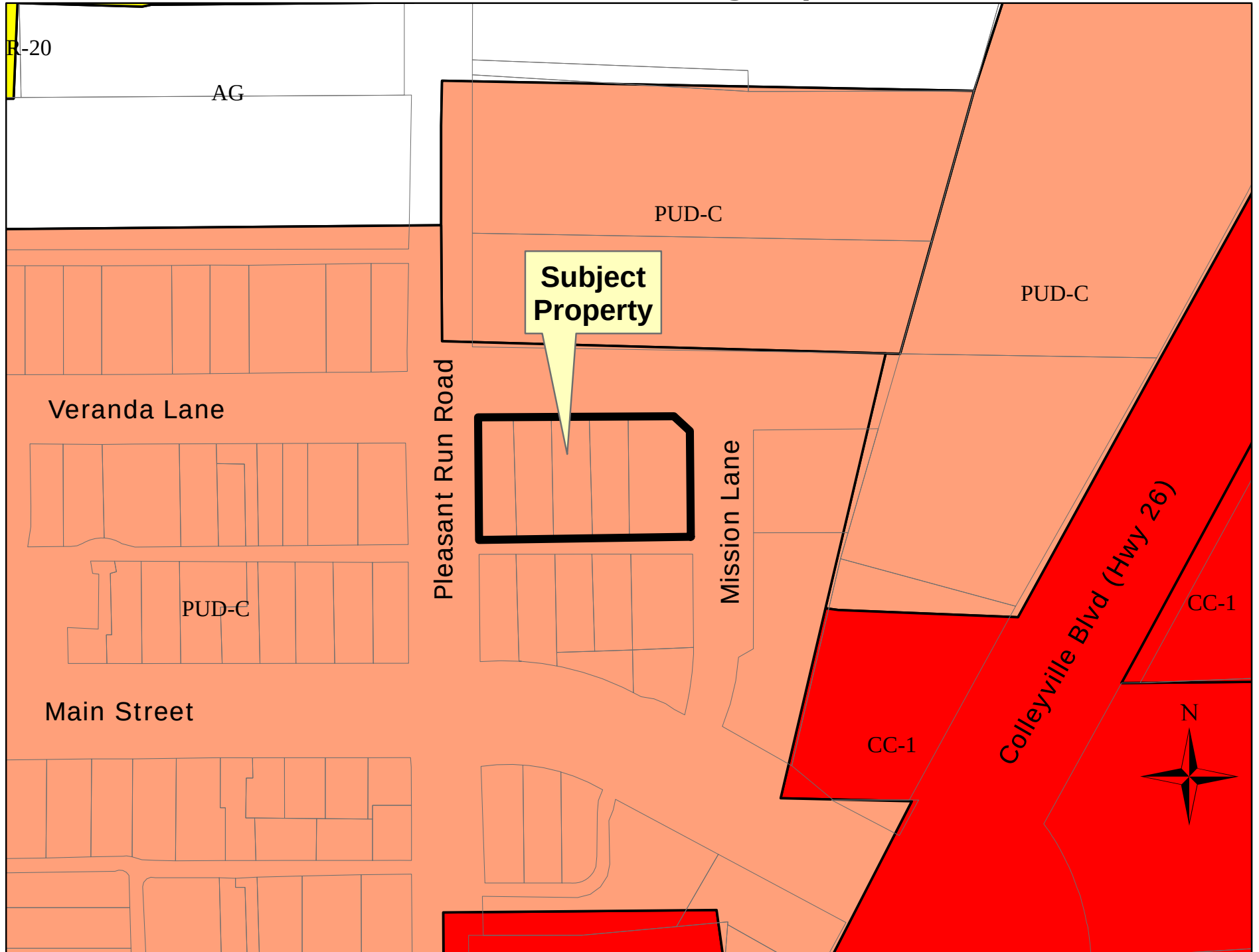
Recommendation

Approve

Attachments

1. Location and Zoning Map
2. Aerial
3. Plat Exhibit
4. Ordinance O-12-1859

Location and Zoning Map





**Subject
Property**

Veranda Lane

Main Street

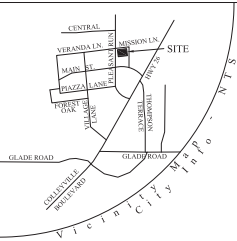
Pleasant Run Road

Mission Lane

Colleyville Blvd (Hwy 26)

N

Plat Exhibit



Notes:

1. The basis of bearings for this plat is the centerline of Village Lane, a fifty-eight foot (58') right-of-way as shown on the plat of Village at Colleyville according to the plat recorded in Cabinet A, Slide 6291 of the Plat Records of Tarrant County, Texas. (20082917790).

2. The purpose for this amended plat is to dedicate right-of-way.

3. Unless otherwise noted all corners are set 5/8-inch iron rods with yellow plastic caps marked "BHB INC"



DRAWING SCALE: 1" = 30'

STATE OF TEXAS §
COUNTY OF TARRANT §
CITY OF COLLEYVILLE §

WHEREAS, Village Management, Ltd. Is the owner of Lot 1, Village at Colleyville, an addition to the City of Colleyville as recorded in Cabinet A, Slide 6291, Plat Records, Tarrant County, Texas (PRTCT), situated in the J.M. Looney Survey, Abstract Number 936, Tarrant County, Texas and being more particularly described by notes and bounds as follows (bearing referenced to the east line of Pleasant Run as recorded in said addition recorded in Cabinet A, Slide 6291):

BEGINNING at a 5/8 inch capped iron rod set marked "BHB INC" (CIRS) at the northwest corner of said Lot 1, also being at the southeast corner of the intersection of Mission Lane (Variable Width Right-of-Way) and Pleasant Run (60' Right-of-Way);

THENCE North 89°56'56" East, with the common line between said Lot 1 and said Mission Lane, a distance of 163.15 feet to a CIRS;

THENCE South 45°03'04" East, continuing with said common line, a distance of 15.56 feet to a CIRS;

THENCE South 00°03'04" East, continuing with said common line, a distance of 90.00 feet to a CIRS;

THENCE South 89°56'56" West, departing said common line and going with the common line between said Lot 1 and a 12' alley, a distance of 175.38 feet to a CIRS in the east Right-of-Way line of the aforementioned Pleasant Run;

THENCE North 00°38'56" East, with the common line between said Lot 1 and said Pleasant Run, a distance of 101.01 feet to the POINT OF BEGINNING and containing 0.404 acres of land, more or less.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, Village Management, Ltd., does hereby adopt this plat designating the herein above described property as Lot 1R, Village at Colleyville, 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, as 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. Any public utility shall have the right to remove, and keep removed, all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Colleyville, Texas.

Witness our hands this ____ day of _____, 2013.

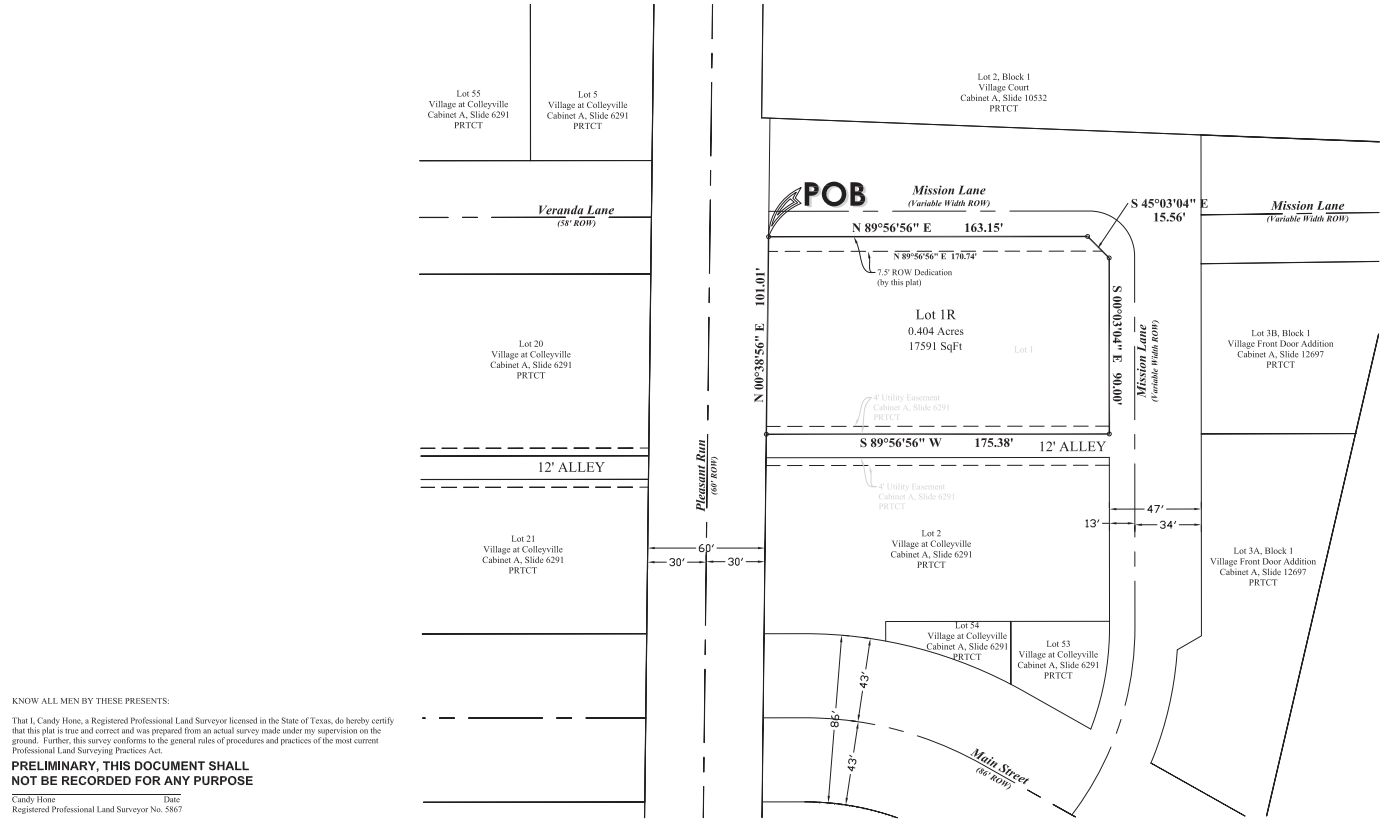
Village Management, Ltd.

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 acknowledged to me that he executed the same for the purpose and considerations therein expressed and in the capacity therein state.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this ____ day of _____, 2013.

Notary Public My Commission expires _____



KNOW ALL MEN BY THESE PRESENTS:

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

PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE

Candy Hone Date
Registered Professional Land Surveyor No. 5867

Purpose of Document: Review
Surveyor: Candy Hone
Registered Professional Land Surveyor No. 5867
Release Date: 3-22-2013

OWNER/DEVELOPER:
Village Management, Ltd.
909 Lake Carolyn Parkway, Suite 150
Colleyville, Texas 76039

Baird, Hampton & Brown, Inc.
Engineering & Surveying
4030 So. Lake 180 Avenue, P.O. Box 140777, Dallas, Texas 75214-0777
Tel: 972.382.1100 Fax: 972.382.1101 E: info@bhbinc.com

Staff Approval Authority

This amended plat is approved in accordance with Section 212.0065 of the Texas Local Government Code and the City of Colleyville Subdivision Regulations.

Date _____

Community Development Manager _____

Director of Public Services _____

Amended Plat
Lot 1R
Village at Colleyville
0.404 Acres
Being an amendment of
Lot 1
Village at Colleyville
City of Colleyville, Tarrant County, Texas
B.B.B. & C. RR Survey, Abstract 206
Colleyville, Tarrant County Texas
March 2013

This plat filed Instrument No. _____

ORDINANCE O-12-1859

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AS HERETOFORE AMENDED; BY REPEALING ORDINANCES O-99-1141, O-02-1337.4, O-06-1560 AND O-08-1680; BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 26 ACRES IN THE VILLAGE AT COLLEYVILLE ADDITION AND LOTS 3A AND 3B, BLOCK 1, VILLAGE FRONT DOOR ADDITION, FROM THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT TO THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL 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 rezoning under Case No. ZC12-022; and

WHEREAS, Ordinances O-99-1141, O-02-1337.4, O-06-1560 and O-08-1680 are hereby repealed in their entirety; and

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

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

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

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the districts and their peculiar suitability for particular uses, with a

view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 26 acres in the Village at Colleyville Addition and Lots 3a and 3b, Block 1, Village Front Door Addition, from the PUD-C-Planned Unit Development Commercial Zoning District to the PUD-C-Planned Unit Development Commercial Zoning District, as depicted in Exhibit "A".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT Ordinances O-99-1141, O-02-1337.4, O-06-1560 and O-08-1680 are hereby repealed in their entirety.
- Sec. 5. THAT the above described tract of land shall be subject to the following conditions:

A. PURPOSE

The purpose of this planned unit development is to encourage

mixed-use, compact development that is sensitive to the environmental characteristics of the land and facilitates the efficient use of services. This planned unit development diversifies and integrates residential and commercial land uses within close proximity to each other and promotes long-term economic sustainability for the City.

B. PUD BOUNDARIES

The properties shown on the attached Zoning Exhibit "A" are zoned PUD-C Planned Unit Development-Commercial district and the Official Zoning Map and Land Development Code of the City of Colleyville, Texas and are hereby amended by the terms of this ordinance.

C. NEIGHBORHOOD AREAS

This Planned Unit Development is hereby divided into two neighborhood areas. The boundaries of the neighborhood areas are shown on the attached Exhibit "B". The neighborhood areas and their symbol designations are described as follows:

Neighborhood Center – The Neighborhood Center area shall serve as the commercial and business focal point of the development with a limited amount of area used for residential purposes. The Neighborhood Center area shall be designated with the letters "NC".

Neighborhood General – The Neighborhood General area shall serve as a secondary area for commercial and business activities of the development and may have a higher percentage of residential dwellings than the Neighborhood Center area. The Neighborhood General area shall be designated with the letters "NG".

D. DEVELOPMENT STANDARDS

Buildings or structures containing any combination of single-family residences and business use listed herein shall be allowed in accordance with the following Development Standards:

1. Permitted Uses – the following permitted uses shall be

allowed within this planned unit development:

a. *Single-family Residences:* Residential units may be either detached or attached, and more than one residence may be located per building site. A building site may also have one ancillary residential structure. An ancillary unit is a residential unit that is accessory to the primary residential unit allowed by this section. Ancillary units shall not be sold separate from the primary unit to which they are connected. For the purpose of this ordinance, a building site is defined as a single building site as identified on the Condominium Exhibit of The Village at Colleyville. The habitable area of the ancillary structure shall not exceed 600 square feet. Within each neighborhood area, the maximum number of residential units on the ground floor of a building shall not exceed the following maximum residential densities:

(1) NC Area: A maximum of 14 of the building sites in the Neighborhood Center area may contain a single-family residence use on the first floor of its building.

(2) NG Area: A maximum of 61 of the building sites in the Neighborhood General area may contain a single-family residence use on the first floor of its building.

(3) A maximum of 75 of the building sites within the boundaries of this PUD-C may contain a single-family residence use on the first floor of its building.

(4) Work/Live Units: A work/live unit is defined as a single unit consisting of both a commercial/office and a residential component that is occupied by the same resident. The work/live unit shall be the primary dwelling of the occupant. Provided compliance with sections 1 through 3 above are met, all lots within this development may contain a work/live unit. Work areas are encouraged to be placed on the ground floor while the living area is encouraged to be placed on upper floor above the work unit.

(5) Not including ancillary units or the units described in subsection 6 below, all residential units shall have a minimum of 1,500 square feet of climate controlled area.

(6) No more than a total of twenty-four (24) residential units may be built with a minimum square footage of 1,000 square feet. Units allowed by this subsection shall not be located on the ground floor of any building.

(7) The method of calculating the square footage of a residential unit within this PUD-C shall not include floor areas used as common area hallways and stairwells, but shall include the climate controlled space of the dwelling unit.

(8) There shall be no residential units located on the ground floor of any building located along Main Street between Cottage Lane and SH26.

(9) Not including ancillary units, defined above, there shall be no more than 200 residential units constructed within this PUD.

b. *Retail:* Retail specialty shops including, but not limited to, the sale of clothing, gifts, antiques, flowers and plants, books, jewelry, music, electronic equipment, computers and software, tobacco and related supplies, crafts, toys, cameras, souvenirs, greeting cards, artwork, furniture, hardware, sporting goods, house and garden supplies, office supplies, leather goods and periodicals.

c. *Service:* Personal service shops including, but not limited to, travel agency, banks, airline ticket office, tailor, barber, beauty salon, spa, health club/fitness center, shoe repair, food catering, dry cleaners, studios for dance, art, music, photography, radio, and television, or similar service uses.

d. *Food and Lodging:* Boutique hotels, bed and breakfast inns, restaurants, cafes, coffee shops, bakeries, butchers, fish markets, delicatessens, ice

cream parlors, cookie stores, grocery stores, drug stores, bagel or doughnut shops, and soda fountain shops.

e. *Entertainment:* Entertainment venues including movie theatres, provided the total number of all movie screens does not exceed four; playhouses, comedy clubs, and jazz/music clubs.

f. *Office:* Business offices including, but not limited to, software design firms, business consulting, security and commodity brokerage, general business offices, real estate sales, insurance sales, advertising, mailing and stenographic services, professional offices for lawyers, engineers, architects, doctors, dentists, psychiatrists, accountants, investment advisors, orthodontists, or other office related businesses.

g. *Educational:* Private schools, and day-care centers.

h. *Mixed-use:* buildings or structures containing any combination of single-family residences and other uses listed herein.

i. *Public/Semi-public:* Buildings or structures owned or operated by the City of Colleyville or The Village Owner's Association. Semi-public uses such as a neighborhood center, pool and related recreational facilities. The lots bounded by Cottage Lane, Village Lane, Veranda Lane and Main Street may be used, either all or in part, as a public plaza including the installation of permanent public amenities such as a fountain and seating area. The purpose of the plaza would be for public gatherings and events.

j. Parking lots.

k. Accessory buildings or uses as defined herein.

l. Any use of a nature similar to the above when granted a Special Use Permit by the Colleyville City Council.

m. Outside sales on the sidewalk of art, antiques, fruit,

vegetables, flowers, plants, gifts and souvenirs.

n. Outdoor seating areas for food, lodging or entertainment uses.

o. Above ground parking garages containing fourteen (14) or fewer parking spaces, underground parking garages, basements, and cellars.

2. Permitted Uses with a Special Use Permit – The following uses may be permitted upon approval of a Special Use Permit by the City Council as provided in the Land Development Code of the City of Colleyville:

a. Food trucks, including outside sales of cooked food and other items not listed in Section E.1 Permitted Uses.

c. Television and appliance repair service shop.

d. Club, lodge or other fraternal organizations.

e. Above ground parking garages containing fifteen (15) or more parking spaces. Any above ground parking garage that fronts a street within the Neighborhood Central (NC) zone shall be allowed only with the approval of a Special Use Permit.

f. Package (liquor) stores

g. Wedding chapel

h. Alcoholic beverage sales for on-premise consumption in conjunction with a restaurant use.

i. Alcoholic beverage sales for off-premise consumption for a grocery store, specialty wine shop or gourmet food store.

j. The Special Use Permit requirements for the alcoholic beverage sales allowed in subsections "h" and "i" above shall not become effective until May 1, 2013.

3. Prohibited Uses – The following uses shall be prohibited within this planned unit development:

- a. Drive-through commercial uses where patrons remain in automobiles.
- b. Vending machines, except within buildings.
- c. Retail uses containing more than 40,000 square feet of floor area per certificate of occupancy.
- d. Industrial and manufacturing businesses that create noise, vibration or obnoxious odors.
- e. Kennels.
- f. Terminals or depots for large-scale storage or distribution of goods.
- g. Scrap yards for the processing or storage of waste materials.
- h. Automotive repair businesses.
- i. Telemarketing office with over 20 employees.
- j. Uses not listed herein shall be considered by following the procedures outlined in the Colleyville Land Development Code for new and unlisted uses.

4. General Lot Criteria – See Table 1 below:

Table 1				
General Lot Criteria				
	Neighborhood General Zone (NG)		Neighborhood Center Zone (NC)	
Lot Dimensions	Min. Area	2,600 s.f.	Min. Area	2,600 s.f.
	Max. Area	5 acres	Max. Area	5 acres
	Min. Lot Coverage	30%	Min. Lot Coverage	45%
	Max. Lot Coverage	90%	Max. Lot Coverage	95%
Setbacks	Front	0' min – 15' max.	Front	0' min – 15' max.
	Side	0' min – 15' max.	Side	0' min – 15' max.
	Rear – Main Bldg.	4' min.	Rear – Main Bldg.	4' min.
	Rear – Accy. Bldg.	4'	Rear – Accy. Bldg.	4'

Height	Max. Height	48 ft. or 3.5 stories	Max. Height	48 ft. or 3.5 stories
Notes: 1. the one-half story above third floor shall not exceed 400 s.f.				

5. Building Exteriors - The exposed exterior walls of each building must contain 100% masonry. For purpose of this ordinance, masonry shall consist of any combination of brick, stone, faux-stone, or stucco. Non-masonry materials may be utilized for building accents per the requirements of Chapter 6-Building Design in the Land Development Code.
6. Roofing - If a flat roof is constructed, all sides of the building shall have a mansard or built-up parapet wall roof at least four feet (4') in height, which shall simulate the look of a pitched roof from street level. If a roof terrace is constructed, then railings may be used which comply with Section (8) Balconies below.
7. Balconies - Balcony railings must be constructed with wrought iron or masonry balustrades.
8. Building Design Requirements - Articulation of walls shall not be mandatory. Buildings within this planned unit development shall be exempt from Chapter 6 Building Design of the Colleyville Land Development Code.
9. Exterior Building Lighting - Buildings may be lit with wall washer type lights, natural gas lamps, or low wattage decorative electric lamps. Lights shall be placed on buildings in a manner so as to not be a nuisance.
10. HVAC Systems - All air-conditioning condenser units must be hidden from street view or placed on the roof.
11. Backyard Walls - These shall be constructed 100% masonry materials or wrought-iron fencing. Any gates must be constructed of wrought iron.
12. Landscaping - Lots with street frontage within this planned unit development shall, at a minimum, meet the requirements of *Chapter 4 - Landscaping and Buffering*

in the Land Development Code. The owners of the first floor shall plant and maintain the storefront planting area (if applicable) along its street frontage. All sidewalks in the project will have tree planter islands spaced every thirty to thirty-five feet. Approved trees shall include trees allowed for planting in *Chapter 4 - Landscaping and Buffering* in the Land Development Code. A minimum of 25% of the building sites shall be required to install and maintain a 24" wide planting area (at least 8 feet long) in the setback between their building and the sidewalk. The owners of the ground floor levels of these buildings shall be required to plant, irrigate and maintain flowers, vines or shrubs in those areas. In addition, any roof terraces shall contain at least two irrigated, potted shrubs or trees. A landscaped buffer with natural openings shall be provided along the entire length of the northern boundary from City Park to Pleasant Run Road, in lieu of the masonry screening wall. Said landscape buffer shall consist of a row of trees. Trees shall be a minimum of four (4") caliper, spaced at 25' intervals. Trees shall be selected from the list of approved trees contained in *Chapter 4 - Landscaping and Buffering* of the Land Development Code. Fifty percent of said trees shall be Highrise Live Oaks (*quercus virginiana*). In addition, there shall be a minimum five foot tall wrought iron fence installed along the northern boundary from City Park to Pleasant Run Road, said minimum five foot tall wrought iron fence shall also be installed on top of any retaining wall along the northern boundary line.

13. Awnings - Buildings with commercial uses on the ground level shall install awnings over all windows on the ground level that front public sidewalks, if those buildings contain a residential use above the ground level.
14. Architectural Control Committee - The Property Owner's Association must create an Architectural Control Committee, which shall be funded by the Property Owner's Association. All building exterior specifications, site plans, lighting, signage and landscaping plans must be approved by the Architectural Control Committee prior to approval of a building permit.

15. Limitation on Late Night Hours of Operation - Businesses located within the PUD-C shall close no later than 12:00 midnight on all days except on Friday and Saturday nights where such businesses shall close no later than 2:00 a.m. on Saturday and Sunday mornings respectively.
16. Dumpster Screening - All freestanding dumpsters shall be screened on all four sides with an opaque closure measuring to a height at least six (6) inches above the top of the dumpster. A dumpster located in an alley on the perimeter of the project shall be screened from view on all sides with an opaque enclosure or building niche measuring at least six (6) inches above the top of the dumpster. The enclosure and/or building niche shall be constructed of material that matches the building.
17. Fire Prevention - All buildings within this PUD-C shall be equipped with fire detection and suppression systems as required and approved by the City of Colleyville Fire Marshal. Said systems shall be maintained and inspected as required by the Fire Marshal.

E. ENCROACHMENTS AND USE OF PUBLIC RIGHT-OF-WAY

Due to the unique nature of this planned unit development, the encroachments of buildings and architectural features into the public right-of-way and certain uses within the public right-of-way, stated herein in Section E.1, shall be allowed within this planned unit development and shall be exceptions to the requirements of the Land Development Code. All encroachments, including temporary structures, must maintain a forty-eight (48") inch pedestrian right-of-way and comply with all other ADA regulations.

1. Encroachments below grade - Approval by the Director of Public Works of a Right-of-way Permit is required for any building encroachments below grade. All encroachments shall not exceed eighteen (18") inches.
2. Encroachments of architectural features above grade - Approval by the Building Inspection Department is required for any encroachment of architectural features above grade, provided such encroachments comply with

the standards contained in the following table and local building and fire codes:

Right-of-way Encroachment Standards	
Type of Encroachment	Maximum Allowable Encroachment
Bay Windows	18 inches with max. 7 foot length, 3 feet min. spacing & one bay window per 15 feet of site frontage
Awnings & canopies	80% of sidewalk width, 8 feet clearance over pedestrian area & 14 feet clearance over vehicle area
Signs	66% of sidewalk width, 8 feet clearance over pedestrian area & 14 feet clearance over vehicle area
Lights	If the light encroaches 12 inches or less, it may be mounted at any height on the building façade. From 8 feet to 11 feet above grade, one additional inch of encroachment shall be required for each inch of clearance above 8 feet, not to exceed 48 inches of encroachment. Encroachments over 12 inches require 8 feet clearance over pedestrian areas & 14 feet clearance over vehicle areas, and shall not encroach beyond 48 inches
Eaves, cornices and balconies	From 8 feet to 15 feet above grade, one inch of encroachment for each inch of clearance above 8 feet not to exceed 48 inches of encroachment. Encroachments 15 feet or more above grade shall have 8 feet of clearance over pedestrian area & 14 feet clearance over vehicle area and shall not encroach beyond 6 feet

3. Temporary structures in public right-of-way – The temporary use of sidewalk areas located within a public right-of-way shall be allowed for the following types of temporary structures: planter boxes, benches, sandwich board signs, retail merchandise, and four (4) tables with chairs. Use of the public right-of-way for retail merchandise shall be limited to business hours.
4. Outdoor Eating Areas on public sidewalks – The use of a public sidewalk as an outdoor eating area containing more than four tables shall only be permitted with administrative approval of the Community Development Director.

F. SUPPLEMENTAL REQUIREMENTS

This planned unit development shall comply with the following supplementary requirements:

1. Open Space Requirements - This development shall provide open space areas as shown on the attached Exhibit "C" in lieu of any other open space requirements of the Colleyville Land Development Code.
2. Park Land Dedication Fees - Payment of Park Land Dedication Fees at the rate applicable at the time of building permit shall be due and payable when a building permit is issued for each non-residential structure or primary single-family dwelling unit.
3. Street Right-of-Way Widths - These shall be established upon approval of the Final Plat using the street and alley design standards contained in Paragraph 7 below.
 - a. Not later than 90 days from the date of approval of this ordinance , the developer shall convey to the City at no cost all necessary right-of-way to accommodate the roadway widening for the portion of Mission Lane located between Pleasant Run Road and Lot 1, Block 1 of the Village Front Door Addition such that said portion of the roadway can accommodate two-way automobile traffic. The final determination of the amount of right-of-way needed shall be performed by the Public Works Director. The sidewalk width requirements of Section 5(F)4 shall not apply to the portion of Mission Lane addressed in this section, specifically as it relates to the widening of the street.
4. Sidewalks - Sidewalks shall be required for all lots in this development. Where no sidewalks exist as of the passage of this ordinance, any new sidewalks constructed shall be a minimum of ten feet in width and shall comply with the Americans with Disabilities Act.
5. Garages/Accessory Buildings - The walls of the buildings shall be 100% masonry, constructed of similar materials as the building on the same building site and shall cover no more than 20% of the building site area, and they

may be connected to the main building by an enclosed walkway. These buildings shall comply with all other requirements in this ordinance.

6. Advertising Signs – Buildings may contain the following types of signs:

a. Wall Signs - The size of a wall sign shall be limited to the size of the building wall it is attached to: either 10 percent of the wall area or 1.5 square feet for each linear foot of the building's wall, whichever is less.

b. Projecting Signs - These may not exceed 20 square feet in size, with a clearance of at least eight feet above ground level.

c. Awning Signs - Individual letters on awning signs shall not exceed 12 inches in height.

d. None of the above signs shall be internally lit. These signs may be front-lit with lights that do not create an unreasonable glare on adjacent buildings.

e. Window Signs – Food and Lodging and Entertainment uses may use internally lit window signs (made of decorative neon) inside of their businesses. Any business shall be limited to a maximum of two window signs. Internally lit box signs are permitted.

f. Grand Opening Signs – When a certificate of occupancy has been issued for a new business and within one (1) year thereafter, one (1) Grand Opening Sign permit shall be allowed to advertise the new business. A Grand Opening Sign permit shall not be valid for more than sixty (60) days. No permit fee shall be required for a Grand Opening Sign permit. Only one grand opening sign may be placed at this location at any given time.

g. State Highway 26 (SH26) Off-Premise Signage – Businesses located within this development may place one temporary sign along SH26. Not more than two businesses may place a sign allowed by this section at any one time at this location. The signs must meet all

permitting and time restrictions for temporary business signs in the Land Development Code.

h. The signage authorized by sections f and g above shall be located at the southwest corner of Main Street and SH26 along SH26 with the permission of the property owner. The signs shall not be placed within any right-of-way and shall meet the visibility requirements stated in Chapter 7-Sign Regulations of the Land Development Code. Said signage shall not exceed eight (8) feet in height and eight (8) feet in width and shall not exceed 64 square feet in area. Said signage shall be composed of metallic material with the sign(s) message either painted on or wrapped over the metallic surface of the sign(s) as allowed by the Community Development Director. The sign(s) shall be affixed to a masonry or decorative metal support column on both sides.

i. Sandwich Board (A-Frame) Signs – One (1) temporary Sandwich Board sign shall be allowed per business, provided such sign does not exceed forty-eight inches (48”) high and thirty-six inches (36”) wide and is located in front of the business site. Sandwich Board Signs may be placed in front of another business site with the approval of that business owner. For the purpose of this regulation, Sandwich Board signs shall include easels and podiums.

7. Street and Alley Design

a. Two-way Street - The cross-section of the typical village street shall be comprised of twenty-four feet of drive lanes (two, twelve-foot lanes); two, seven-foot parallel parking spaces; and a ten-foot sidewalk on each side of the street. The total public right-of-way shall not be less than fifty-eight (58) feet wide.

b. One-way Street - A cross-section of a typical one-way street shall contain an eighteen-foot drive lane, one seven-foot parallel parking space and sidewalks ten (10) feet in width. The public right-of-way for a one-way street shall not be less than forty-five (45) feet.

c. Alley - The cross section of the typical alley shall

contain twelve feet of pavement with green space on each side. The alley right-of-way width shall not be less than twenty (20) feet.

8. Public Area Landscaping - Public parks in the project shall be landscaped and irrigated according to plans approved by the City of Colleyville.

G. AMENITIES

1. Parks and Playgrounds - All or portions of certain lots identified on the project site plan must be set aside for public parks, meeting areas and playgrounds.
2. Sidewalk Amenities - Besides the trees and other landscaping, sidewalks may be constructed to contain the following amenities: bicycle racks, benches, bulletin boards, drinking fountains, underground electric outlets for sidewalk vendors, chess and checkers tables, and water fountains. All amenities shall be maintained by the Village Owner's Association.
3. Street Lights - The street lights may be either gas or electric and shall be installed on the sidewalks and be of a style which compliments that architectural style of the project's buildings. The final location and number shall be determined and approved by the Public Works Director.
4. Walking Paths - Certain paths in front of some lots and building sites will be for pedestrian and bicycle use only. These paths shall range from eight to twenty feet in width and shall be constructed of brick, stone and/or concrete.
5. Street Signs - Street signs may be attached on the appropriate buildings at each intersection. The signs, if attached, shall be placed fifteen (15) feet above street level and shall be front lit with a decorative lighting fixture. The signs shall contain eight-inch letters.

H. PARKING REQUIREMENTS

The parking requirements for this planned unit development shall be as follows and subject to review when the project is 50% complete:

1. Parking spaces shall consist of a combination of parking spaces provided on the street, on each building site, within a parking garage or in an open parking lot. Approximately thirty (30) percent of the parking requirements will be provided on the streets as streets are constructed within the development. The remaining seventy (70) percent of the parking requirements shall be provided as building permits are issued for each structure in accordance with the following requirements:

- a. Residential Uses – The parking requirements for residential units shall be as follows:

- (1) Ground floor – when a primary residence is located on the ground floor, two (2) parking spaces shall be provided on the same building site as the dwelling unit and one additional on-site parking space if the building site contains an ancillary residential unit.

- (2) Upper floor – when a primary residence is located on an upper floor, two (2) parking spaces shall be provided either on the same building site as the residence or in a parking lot or parking garage located within 400 feet of the residence. Said parking spaces shall not have been used in calculating parking needs for any other residence or use within the planned unit development.

- b. Non-Residential Uses (includes work/live units) – The parking requirements for non-residential uses shall be at a ratio of one (1) parking space per 400 square feet of floor area. Parking spaces shall either be located on the building site, in a parking lot, or in a parking garage. Said parking lot or parking garage shall be located within 400 feet of the use requiring the parking space. Said parking spaces shall not have been used in calculating the parking needs for any other use within the planned unit development.

c. Public Parking - Public parking lots and parallel parking spaces shall be located as shown on the attached Exhibit "C". All public parking shall be free of charge. Overnight parking shall be allowed. Any modification to the current configuration of parallel parking shall be approved specifically by site plan approval by the City Council.

d. 45 degree Angled Public Parking

(1) 45 degree angled public on-street parking spaces shall be allowed along both sides of Main Street between Village Lane and Pleasant Run Road.

(2) There shall be a minimum unobstructed pavement width of 28 feet maintained on Main Street between Village Lane and Pleasant Run Road.

(3) These spaces shall meet the minimum design specifications for parking spaces as stated in Section 3.29.1 – Parking Space Construction Standards in the Land Development Code, except where amended herein.

(4) No parking spaces may be placed such that a vehicle backing out of said space would impede the flow of traffic and/or create a threat to public safety within a street intersection.

I. PROPERTY OWNERS ASSOCIATION

Each property owner in the project shall be a member of the owners' association which shall collect quarterly fees from each property owner for payment for the following common services: landscaping, Village promotions and events, cleaning, security, marketing, architectural control and project administration. If a Village property owner fails to timely pay its association fees, the owners association's declaration of covenants shall enable it to file a lien against that owner's property.

J. CITY/DEVELOPER AGREEMENT

Not later than one year from the approval date of this ordinance, an amended city/developer agreement shall be approved by the City Council for this development between the City and the "developer" and/or their assigns, transferee(s) or designee(s) listed on the current, approved agreement. Said agreement shall, at a minimum, amend and repeal all previous city/developer agreements related to this development by creating a single updated new agreement. Failure to meet this requirement within the specified time frame shall be considered a violation of the terms of this ordinance on the part of the current named "developer", their assigns, transferee(s) or designee(s).

- 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 all provisions of the Land Development Code shall remain in full force and effect, except where amended herein.
- Sec. 10. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

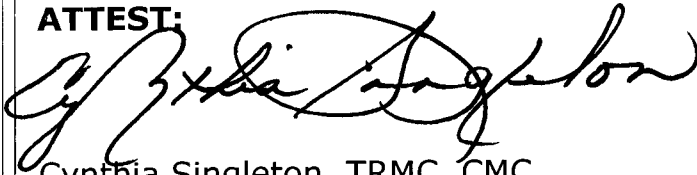
AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 4th day of December 2012.

The second reading and public hearing being conducted on the 18th day of December 2012.

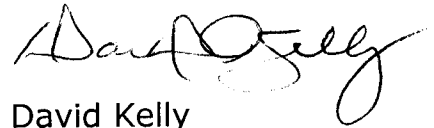
PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 18th day of December 2012.

ATTEST:



Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:



Matthew C. G. Boyle
City Attorney

Exhibit "A" –Location and Zoning Map

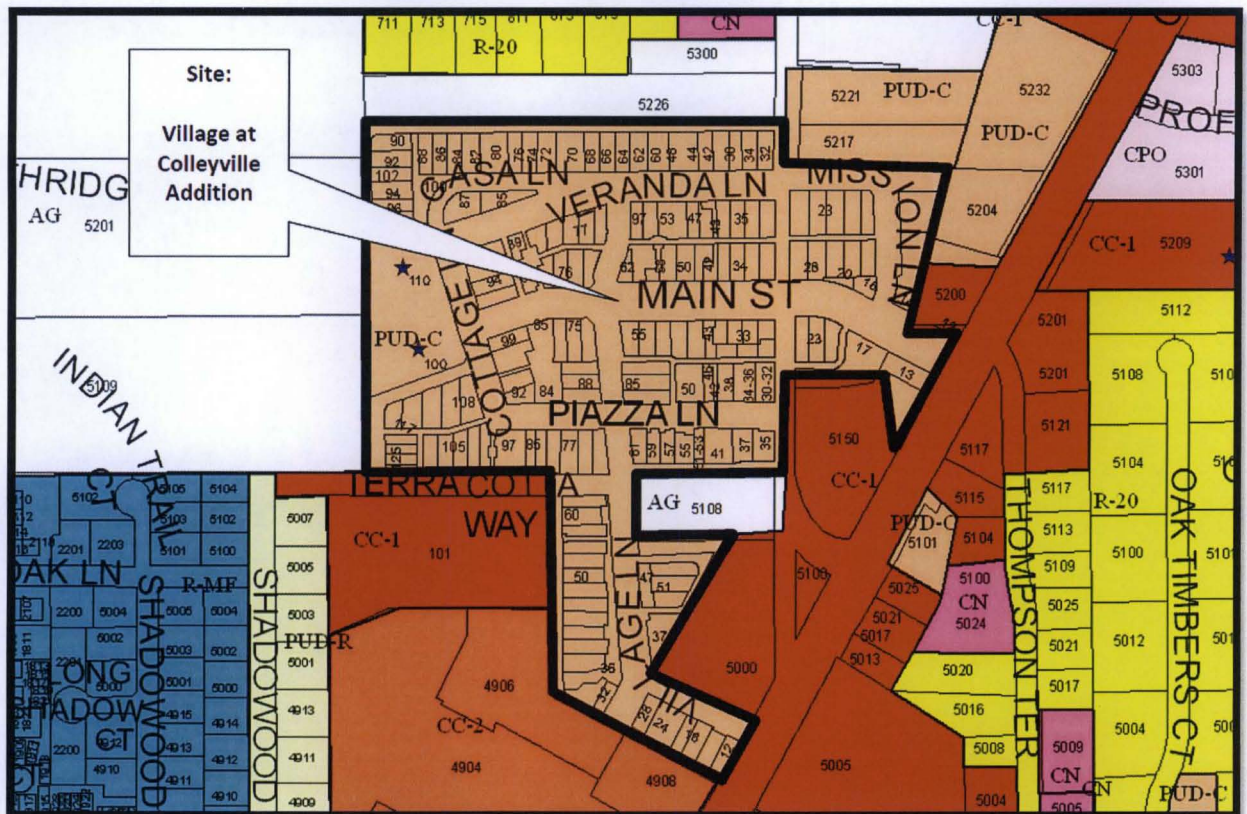


EXHIBIT "B"- Neighborhood Areas

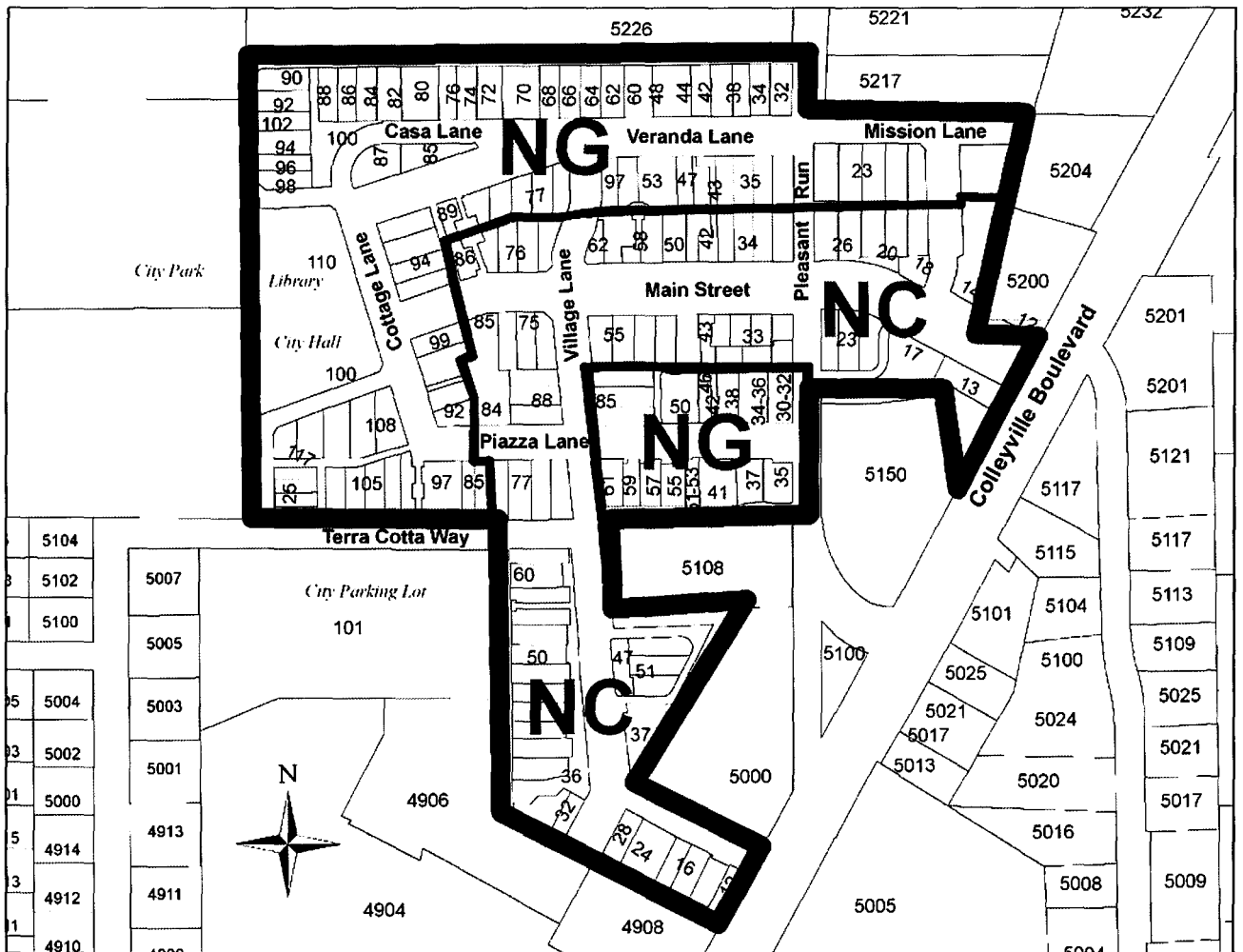
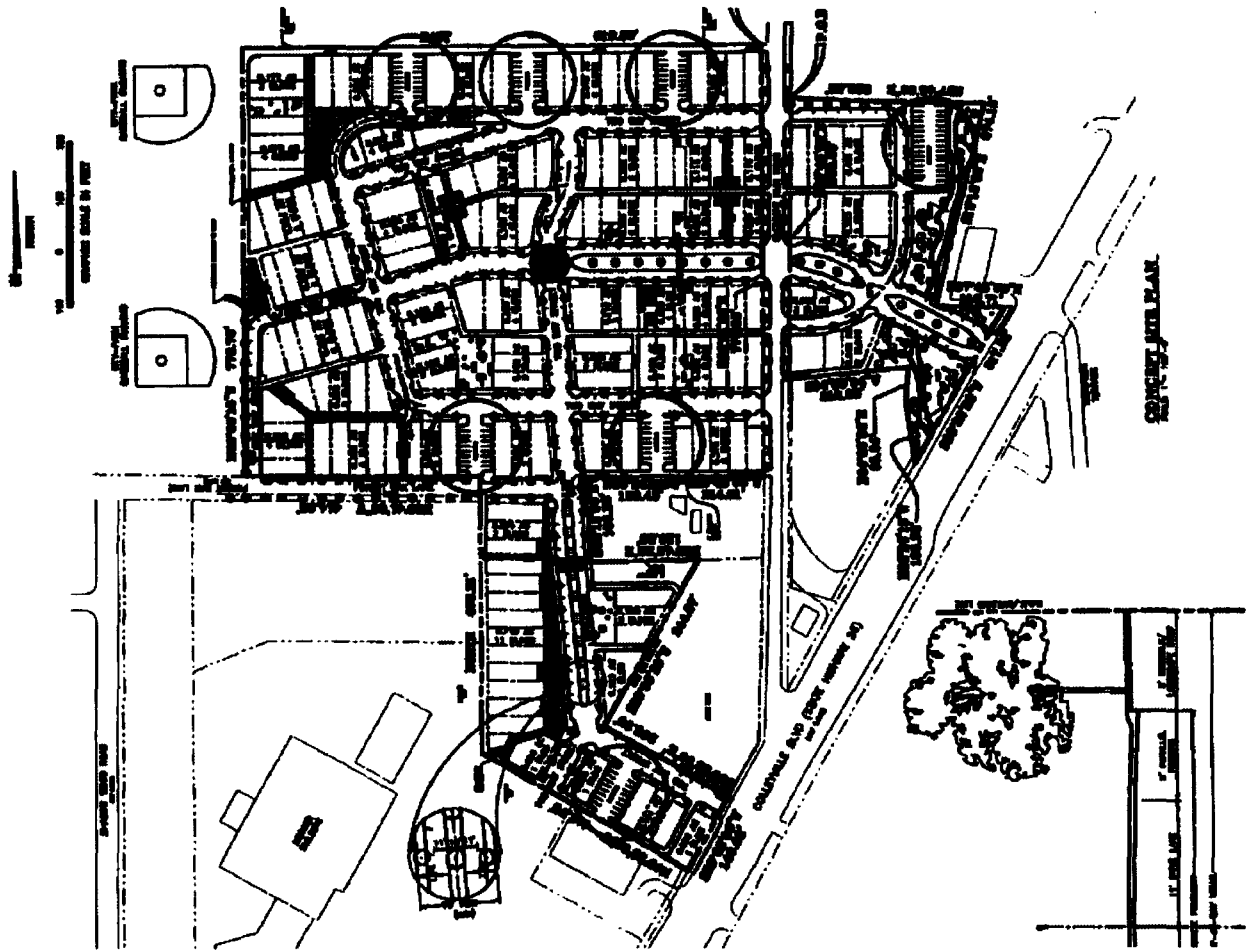


EXHIBIT "C"- Parking and Open Space Areas





City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 3c	Agenda Date 01/13/2014	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Request for a replat on 5.7 acres located on Lots A1, B1 and B1A of The Oaks Addition, located at One, Two, and Three Country Way, Case PC13-026

Explanation

The applicant, Bryan Holland with Bayley Yandell, Ltd., is requesting approval of a final plat to create five single family lots on 3.27 acres, located at West L.D. Lockett Road and Country Way. The preliminary plat for Country Way Addition, Block 1, Lots 1 through 6, was approved by City Council on August 20, 2013. The developer has submitted Lots 1 through 5 with the Country Way Addition final plat for the first phase, and is leaving Lot 6 shown on the preliminary plat for a future phase.

Zoning. The subject property is zoned R-20-Single Family Residential.

Existing Conditions. The subject property currently contains two single family homes on two separate lots. The applicant intends to demolish the home at One Country Way (Lots 1 through 4 on the final plat) upon approval of the final plat. The home located at Two Country Way (Lot 6 on the preliminary plat) will remain as a single family home.

Lot Dimensions and Setbacks. The R-20-Single Family Residential zoning regulations require a minimum lot size of 20,000 square feet with a minimum lot width of 100 feet, and lot depth of 125 feet. A waiver to the lot width was granted for Lots 1, 2, and 3 per the approved preliminary plat by the City Council. The approved lot width for these three lots is 95 feet. Per Section 3.24 G, Schedule of District Regulations, the following residential zoning standards apply:

Minimum Front Yard Setback: 30 feet

Minimum Side Yard Setbacks: 10 feet

Minimum Rear Yard Setback: 25 feet

Maximum Lot Coverage: 30 percent

Street Design. The streets in the development are public and will 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.

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.

Development Fees. Park land dedication fees are required, in the amount of \$1,802 per residential lot, for the five lots where new homes are proposed. Park land dedication fees are due at the time of final plat and must be paid before the final plat is recorded with the County Clerks office.

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

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

Sidewalks and Trails. A four (4) foot sidewalk is required to be installed along the new internal street, Country Way, at the time of new home construction. According to the Colleyville Trails and Sidewalk Systems Map, a five (5) foot sidewalk is required along L.D. Lockett Road and must be built upon redevelopment of Lot 6.

Drainage and Stormwater Runoff. As required by the Land Development Code, drainage and engineering plans have been submitted with the proposed plat. Water and sanitary sewer services will be installed as part of the development process. The developer is responsible for the extension of water and sewer service lines to the individual lots.

Summary. The Country Way Addition final plat complies with the requirements of the preliminary plat, including the waivers granted to the reduced lot width which were approved by the City Council on August 30, 2013. With the exception of the lot width waivers, the plat meets the minimum requirements of the Land Development Code. Staff recommends approval based upon the previous City Council approval of the preliminary plat.

Recommendation

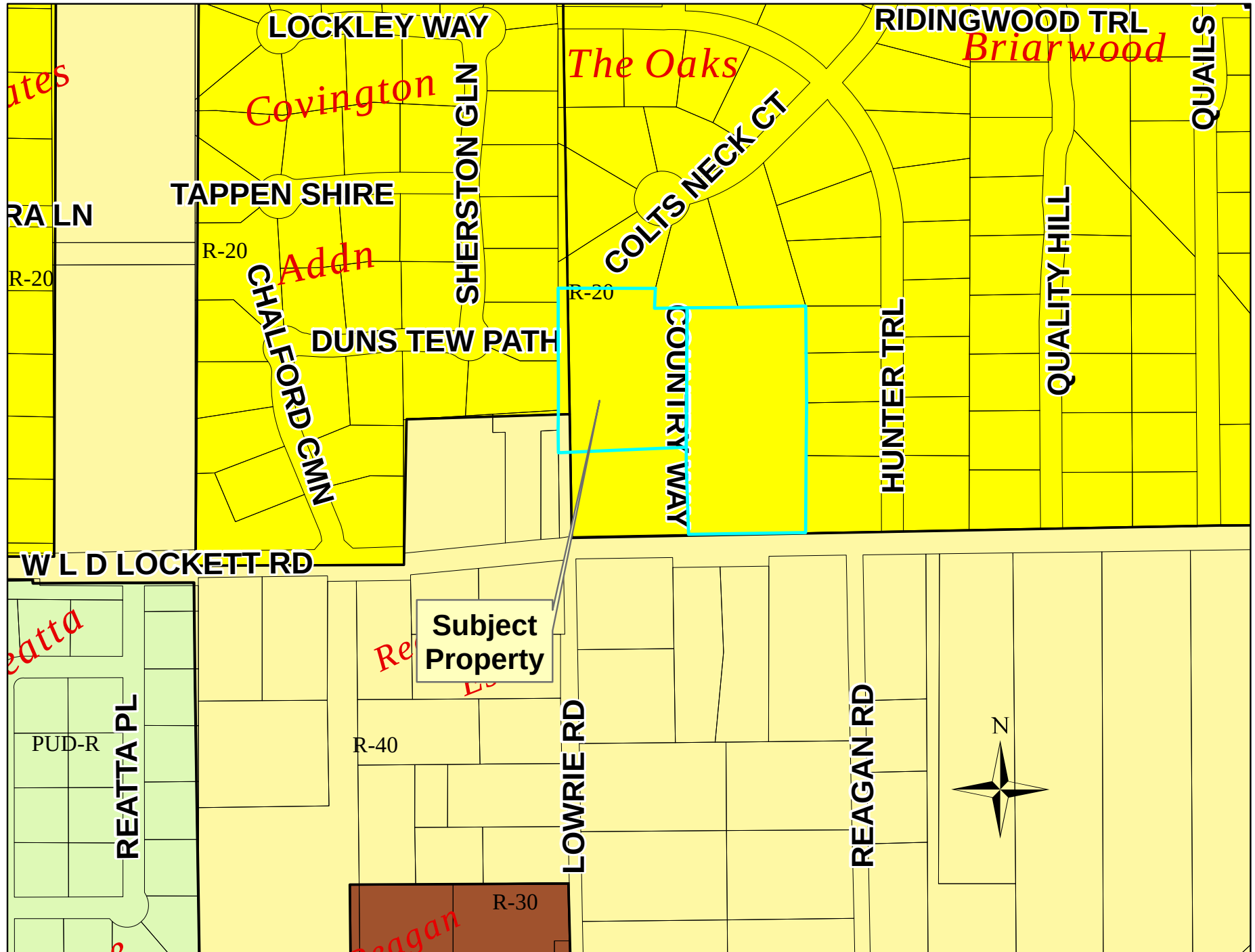
Approve

Attachments

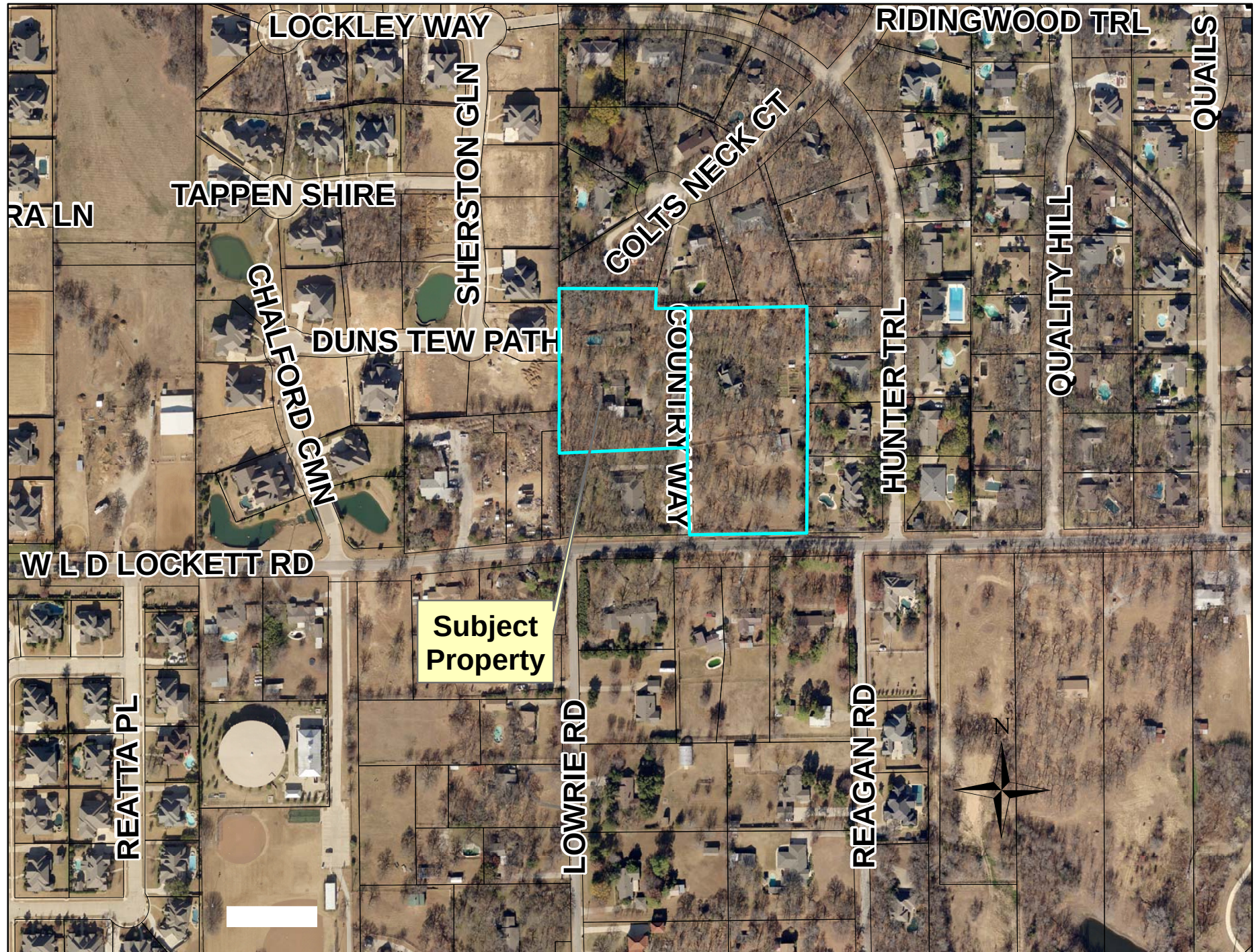
1. Location and Zoning Map
2. Aerial
3. Buffer Map

4. Notification List
5. Letter of Opposition
6. Final Plat Exhibit
7. Preliminary Plat Exhibit

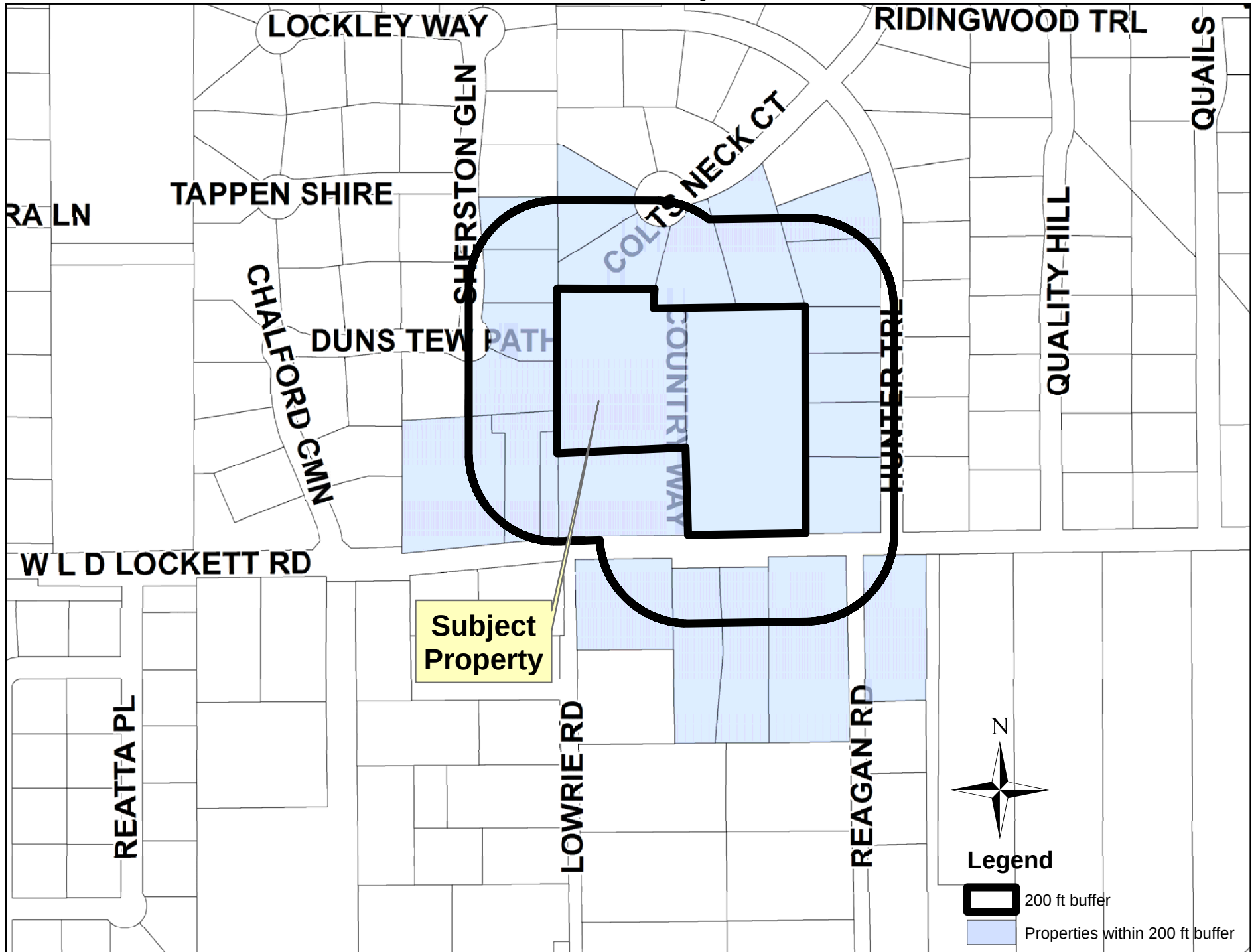
Location and Zoning Map



Aerial



Buffer Map



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
Moore, Sean Etux Brittany	6005 Sherston Gln	Colleyville	Texas	76034	6005 Sherston Glen
Debrei, Johna Etux Joan E	610 Colts Neck Ct	Colleyville	Texas	76034	610 Colts Neck Ct
Carroll, Ronald D Etux Mary K	1 Country Way	Colleyville	Texas	76034	1 Country Way
Parker, Eddy R	708 W Ld Lockett Rd	Colleyville	Texas	76034	708 W L D Lockett Rd
Ashton Dallas Residential Llc	1221 N Interstate 35E # 170	Carrollton	Texas	75006	707 Duns Tew Path
Holmes, Jeane S	6001 Sherston Gln	Colleyville	Texas	76034	6001 Sherston Glen
Ashton Dallas Residential Llc	1221 N Interstate 35E # 170	Carrollton	Texas	75006	6009 Sherston Glen
Parker, Eddy R Sr & Juanita F	708 W Ld Lockett Rd	Colleyville	Texas	76034	702 W L D LOCKETT RD
Parker, Eddy R Sr & Juanita F	708 W Ld Lockett Rd	Colleyville	Texas	76034	710 W L D LOCKETT RD
Saunders, Donald B	613 Colts Neck Ct	Colleyville	Texas	76034	613 Colts Neck Ct
Fawcett, Barry Dr Etux Jo Ann	3 Country Way	Colleyville	Texas	76034	3 Country Way
Parker, Dorothy Lee	PO Box 821314	Fort Worth	Texas	76182	509 W L D Lockett Rd
Tomerlin, Martha Etvir Bob R	2 Country Way	Colleyville	Texas	76034	2 Country Way
Debnam, Robert G Etux Michele	605 Colts Neck Ct	Colleyville	Texas	76034	605 Colts Neck Ct
Rhodes, Steven Etux Jill H	5812 Hunter Trl	Colleyville	Texas	76034	5812 Hunter Tr
Searle, Cheryl W Etvir Russell	5808 Hunter Trl	Colleyville	Texas	76034	5808 Hunter Tr
Beasley, Stephen & Melissa	5816 Hunter Trl	Colleyville	Texas	76034	5816 Hunter Tr
Rowland, Danny W Etux Julia G	5900 Hunter Trl	Colleyville	Texas	76034	5900 Hunter Tr
Bauer, Mark K Etux Tari S	609 Colts Neck Ct	Colleyville	Texas	76034	609 Colts Neck Ct
Wallace, C J Etux Michelle P	5804 Hunter Trl	Colleyville	Texas	76034	5804 Hunter Tr
Barnes, Steven F	501 W Ld Lockett Rd	Colleyville	Texas	76034	501 W L D Lockett Rd
Fleischer, Lawrence Etux Laura	609 W Ld Lockett Rd	Colleyville	Texas	76034	609 W L D Lockett Rd
Nelson, Arnold E Etux Joyce A	5800 Hunter Trl	Colleyville	Texas	76034	5800 Hunter Tr
Graves, Jerry & Dorinda	5604 Reagan Rd	Colleyville	Texas	76034	601 W L D Lockett Rd
Graves, Jerry Etux Dorinda	5604 Reagan Rd	Colleyville	Texas	76034	605 W L D Lockett Rd
Grapevine-Colleyville ISD	3051 Ira E. Woods Avenue	Grapevine	Texas	76051	Courtesy Notice
Oaks and Briarwood HOA	5909 Colt's Neck Drive	Colleyville	Texas	76034	Courtesy Notice
Bryan Holland, Applicant	1203 S. White Chapel Blvd, Suite 250	Southlake	Texas	76092	Applicant

Public hearing notices were mailed
Friday, December 27, 2013 by Taci Wrisley

Letter of Opposition

To whom it may concern,

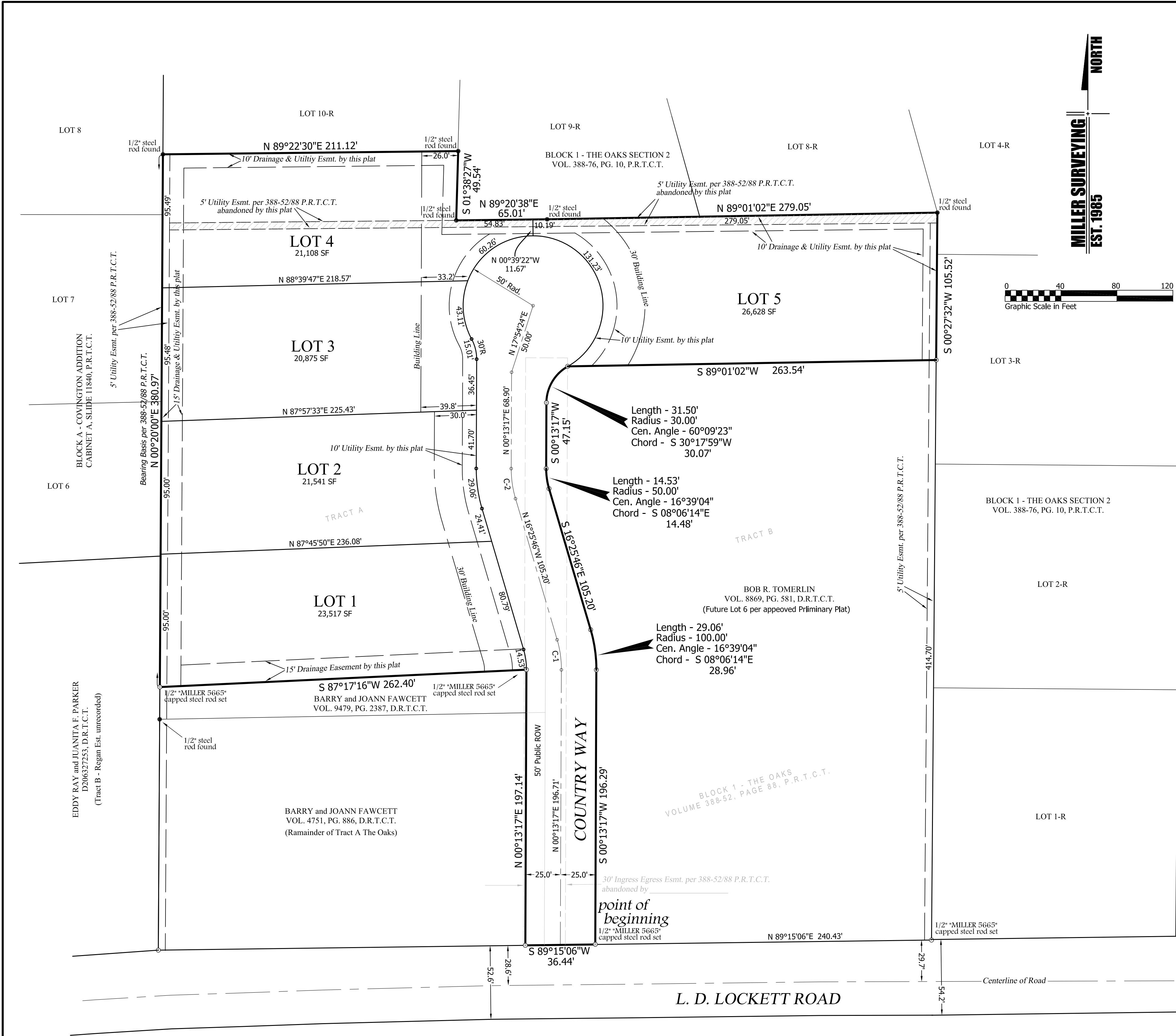
Sean Moore and Brittany Moore who reside at 6005 Sherston Gln Colleyville Tx, 76034, wish to express our opinion on the re-zoning issue case number PC13-026.

We have two requests of the developer that we feel strongly about and have described with our various neighbors who are involved in this discussion. One of the main reasons we purchased homes here was the excellent line of trees that border our property and your proposed project. They are very old and beautiful and add a lot of value to all of our property. They also provide some privacy, and we would not like to see them removed or reduced in any way. Privacy is the topic of our second request. Due to the elevation change there is a privacy issue for both property owners. It is much worse for the people in your development as we have the high ground. If this situation can be addressed with a high fence or an increased amount of Landscaping then I think that should be included in the development. I think privacy in our backyards adds value and increases the quality of living in Colleyville. We will support this development if these issues are addressed.

Thank you,

Sean and Brittany Moore

Final Plat Exhibit



STATE OF TEXAS §
COUNTY OF TARRANT §

OWNER'S DEDICATION AND CERTIFICATE

WHEREAS Greenway Enterprises, Inc. is the owner of Being a tract of land out of J. S. Newton Survey, Abstract No. 1177 and situated in the City of Colleyville, Tarrant County, Texas, and surveyed by Miller Surveying, Inc. of Hurst, Texas in October 2013, said tract being a portion of Tract A and Tract B, Block 1, The Oaks, an addition to the City of Hurst (now located in Colleyville) according to the plat thereof recorded in Volume 388-52, Page 88 in the Plat Records of Tarrant County, Texas and being more particularly described by metes and bounds as follows:

Beginning in the southerly boundary line of said Tract B from which a 1/2 inch "MILLER 5665" capped steel rod set for the southeast corner thereof bears North 89 degrees 15 minutes 06 seconds East at 240.43 feet, said beginning point being in the northerly right-of-way line of L. D. Lockett Road;

Thence South 89 degrees 15 minutes 06 seconds West with the southerly boundary line of said Tract B and with said northerly right-of-way line, passing at 36.44 feet a 1/2 inch steel rod found for the southwest corner of said Tract B and the southeast corner of said Tract A and continuing a total distance of 50.01 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence North 00 degrees 13 minutes 37 seconds East with the easterly boundary line of said Fawcett tract a distance of 197.14 feet to a 1/2 inch "MILLER 5665" capped steel rod set in the northerly boundary line of the same tract of land described in the deed to Barry and Joann Fawcett described in Volume 9479, Page 2387 in said Deed Records;

Thence South 87 degrees 17 minutes 16 seconds West with the northerly boundary line of said Fawcett tract (9479/2387) a distance of 262.40 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the northwest corner thereof, said rod being in the westerly boundary line of aid Tract A;

Thence North 00 degrees 20 minutes 00 seconds East with said westerly boundary line a distance of 380.97 feet to a 1/2 inch steel rod found for the southwest corner of Lot 10-R, Block 1, The Oaks Section 2, an addition to the City of Colleyville, Texas according to the plat thereof recorded in 388-76, Page 10 of said Plat Records;

Thence North 89 degrees 22 minutes 30 seconds East with the southerly boundary line of said Lot 10-R a distance of 211.12 feet to the southeast corner thereof, said rod being in the westerly boundary line of Lot 9-R of said Section 2;

Thence South 01 degrees 38 minutes 27 seconds West with the westerly boundary line of said Lot 9-R a distance of 49.54 feet to a 1/2 inch steel rod found for the southwest corner thereof, said rod being in the northerly boundary line of said Tract A;

Thence North 89 degrees 20 minutes 38 seconds East with the southerly boundary line of said Section 2 and the northerly boundary line of said Tract A a distance of 65.01 feet to a 1/2 inch steel rod found for the northwest corner of said Tract B;

Thence North 89 degrees 01 minutes 02 seconds East continuing with the southerly boundary line of said Section 2 and with the northerly boundary line of said Tract B a distance of 279.05 feet to a 1/2 inch steel rod found for the northeast corner thereof, said rod being an inner corner of said Section 2;

Thence South 00 degrees 27 minutes 32 seconds West with the easterly boundary line of said Tract B and the westerly boundary line of said Section 2 a distance of 105.52 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence South 89 degrees 01 minutes 02 seconds West a distance of 263.54 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the beginning of a curve to the left with a radius of 30.00 feet and whose chord bears South 30 degrees 17 minutes 59 seconds West at 30.07 feet;

Thence southwesterly with said curve through a central angle of 60 degrees 09 minutes 23 seconds and an arc length of 31.50 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the end of said curve;

Thence South 00 degrees 13 minutes 17 seconds West a distance of 47.15 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the beginning of a curve to the left with a radius of 50.00 feet and whose chord bears South 08 degrees 06 minutes 14 seconds East at 14.48 feet;

Thence South 16 degrees 25 minutes 46 seconds East a distance of 105.20 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the beginning of a curve to the right with a radius of 100.00 feet and whose chord bears South 08 degrees 16 minutes 14 seconds East at 28.96 feet;

Thence southerly with said curve through a central angle of 16 degrees 39 minutes 04 seconds and an arc length of 29.06 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the end of said curve;

Thence South 00 degrees 13 minutes 17 seconds West a distance of 196.71 feet to the point of beginning and containing 3.2690 acres of land, more or less

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Bayley Yandell, Ltd., Barry Fawcett, and Joann Fawcett, owner, do hereby adopt this plat designating the hereinbefore described property as Lots 1 thru 5, Block 1, Country Way Addition, an addition to the City of Colleyville, Tarrant County, Texas, and do hereby dedicate fee simple to the public use forever all streets, rights-of-way, and alleys shown thereon, and do hereby reserve the easements shown on this plat for the mutual use and accommodation of all public utilities desiring to use or using the same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules regulations, and resolutions of the City of Colleyville, Texas.

Witness my hand this ____ day of _____, 20____.

Bryan Holland, Executive Director
Bailey Yandell, Ltd. Barry Fawcett Joann Fawcett

STATE OF TEXAS §
COUNTY OF TARRANT §

Before me, the undersigned, a Notary Public in and for said County and State on this date appeared Bryan Holland, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she 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 _____, 20____.

Notary Public for the State of Texas

Before me, the undersigned, a Notary Public in and for said County and State on this date appeared Bryan Holland, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purpose and considerations therein expressed, and in the capacity therein stated.

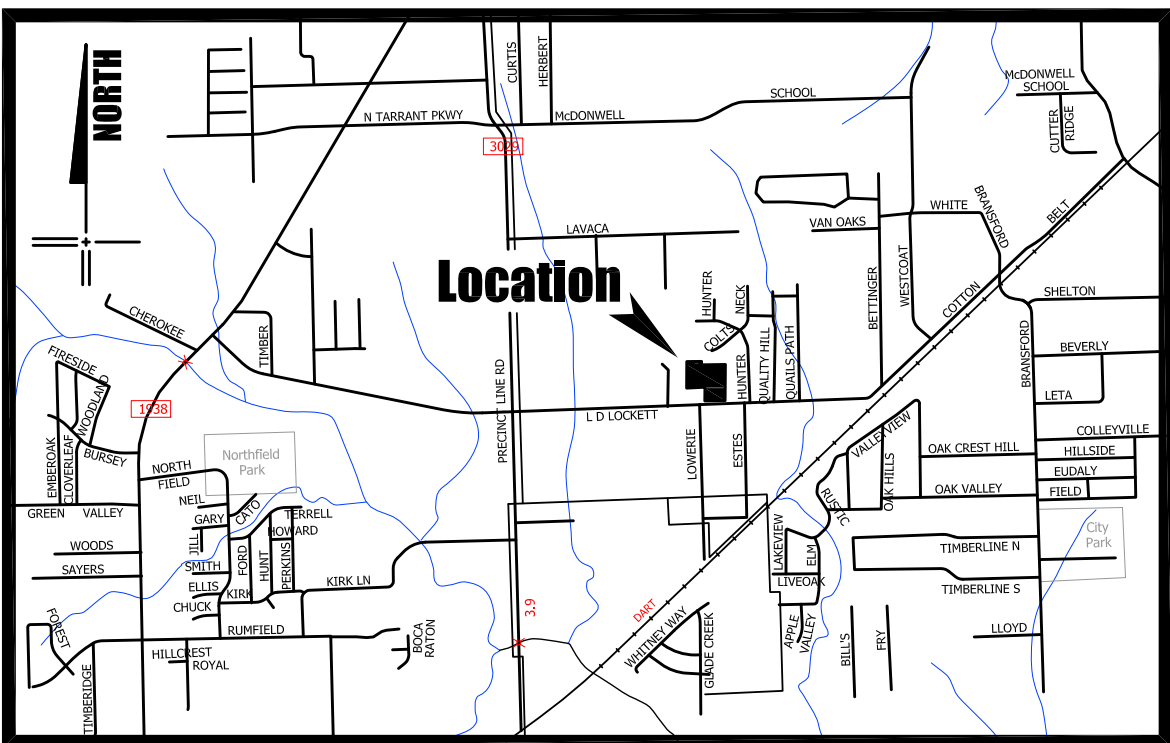
Given under my hand and seal of office this ____ day of _____, 20____.

Notary Public for the State of Texas

Before me, the undersigned, a Notary Public in and for said County and State on this date appeared Bryan Holland, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she 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 _____, 20____.

Notary Public for the State of Texas



Curve	Length	Radius	Cen. Angle	Chord
C-1	21.80'	75.00'	16°39'04"	N 08°06'14"W 21.72'
C-2	21.80'	75.00'	16°39'04"	N 08°06'14"W 21.72'

PLANNING AND ZONING COMMISSION APPROVAL

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

Chairman, Planning and Zoning Commission

Attest: Secretary, Planning and Zoning Commission

CITY COUNCIL APPROVAL

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

Mayor, City of Colleyville

Attest: City Secretary

KNOW ALL MEN BY THESE PRESENTS:

That I, Jason B. Rawlings, Registered Professional Land Surveyor No. 5665 licensed in the State of Texas, do hereby certify that this Plat is true and correct and was prepared from an actual survey made under my supervision on the ground. Further, this survey conforms to the general rules of procedures and practices of the most current Professional Land Surveying Practices Act.

Jason B. Rawlings

Date

MILLER
Surveying, Inc.
Residential · Commercial · Municipal

430 Mid Cities Blvd.
Hurst, Texas 76054
817.577.1052 Fax 817.577.0972
www.MillerSurveying-Inc.com



OWNER/APPLICANT:

Bayley Yandell, Ltd.
Bryan Holland, Executive Director
1203 S. White Chapel Blvd., Suite 250
Southlake, Texas 76092
(214) 626-8590

OWNER (Portion of ROW):

Barry & Joann Fawcett
3 Country Way
Colleyville, Texas 76034

Final Plat of
LOTS 1 THRU 5, BLOCK 1
COUNTRY WAY
ADDITION

an addition to the City of Colleyville, Tarrant County, Texas

5 residential lots - 3.2690 acres
Date of Preparation - October 2013

Curve #	Delta	Length	Radius	Tangent	Chord	Chord Direction
C1	01°16'12"	1.11	50.00	0.554	1.11	N14°08'37"W
C2	01°50'00"	26.18	100.00	13.165	26.11	S07°16'43"E
C3	24°58'32"	216.40	50.00	74.162	82.92	N55°47'26"W
C4	06°58'32"	35.59	30.00	20.226	33.54	S34°12'34"W
C5	01°50'00"	13.09	50.00	6.583	13.05	S07°16'43"E
C6	01°50'00"	26.18	100.00	13.165	26.11	N07°16'43"W



(IN FEET)
1 inch = 40 ft.

Staff Approval Authority This plot is approved in accordance with Section 212.0065 of the Texas Local Government Code and the City of Coleville Subdivision Regulations	
Date _____	
Community Development Manager _____	
Director of Public Services _____	

DATE: 7-8-2013

DEVELOPER
GRAHAM HART, LTD.
1203 S. WHITE CHAPEL BLVD.
SUITE 250
SOUTHLAKE, TEXAS 76092
PHONE: (817) 875-5215
CONTACT: BRYAN HOLLAND



evolving
civil engineering + planning

420 Throckmorton, Ste 930, Fort Worth, TX 76102
817-529-2700 evolvingtexas.com