



City of Colleyville Planning and Zoning Commission Agenda

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

Monday, January 27, 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 Wheelwright
PLEDGE OF ALLEGIANCE**

- 1. APPROVAL OF MINUTES**
January 13, 2014
- 2. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON
THE AGENDA AS A PUBLIC HEARING ITEM**
- 3. REGULAR AGENDA ITEMS**

- 3a** Request for a replat on 1.4 acres of Abstract 1248 of the Thomas J. Polson Survey and Tract A, Block 1, of the Kaybird Addition located at 4712 Colleyville Boulevard, Case PC13-029

4. PUBLIC HEARING AGENDA ITEMS

- 4a** Request for a replat on 2.547 acres of Lot B1A, A1B, B3, and B2, Block 4, of the W. C. Newton Subdivision, located at 708 W. L. D. Lockett Road, Case PC13-030
- 4b** Consideration for approval of amendments to Section 3.27- Carport Regulations in the Land Development Code, Case GC13-026

5. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards January 24, 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
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Agenda Number	Agenda Date 01/27/2014	Number
Type Approval of Minutes		
Department Community Development		

Title

January 13, 2014

Explanation

Recommendation

Attachments

1. Planning and Zoning Commission minutes - January 13, 2014



City of Colleyville Planning and Zoning Commission Minutes

City Hall
100 Main Street
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Monday, January 13, 2014

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 January 13, 2014 at 7:02 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, Marty Wieder, Councilman Chuck Mogged, and Matt Butler (City Attorney)

1. APPROVAL OF MINUTES

Commissioner Davis made a motion to approve the minutes as corrected. Commissioner Wheelwright seconded.

The motion to approve the minutes as corrected 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. 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

Mary Elliott presented the case and briefed the Commission.

Commissioner Wheelwright questioned staff regarding the location of the proposed five (5) foot trail. Mary Elliott replied the trail would be located in the 20 foot landscape buffer located at the southern most end of the property.

The public hearing was opened at 7:08 p.m.

Kevin Wolfe, applicant, came forward and briefed the Commission.

Commissioner Tornos questioned Mr. Wolfe regarding if they would be gaining or losing parking spaces by platting this property. Mr. Wolfe replied the church has plans to construct a new educational facility on their property and would lose parking spaces. He further explained this was the reason they were looking to plat the property in question – so that they would be acquiring just as many spaces as they will be losing.

Commissioner Tornos questioned Mr. Wolfe regarding whether they would be attracting more traffic with the new educational facility. Mr. Wolfe replied no.

Commissioner Phelps questioned Mr. Wolfe regarding the existing structure located on the North end of the property and what the use is. Mr. Wolfe replied it is used for maintenance and storage.

There being no one else wishing to speak, the public hearing was closed at 7:11 p.m.

Commissioner Phelps made a motion to approve Case PC13-028. Commissioner Tornos seconded.

The motion to approve Case PC13-028 carried by the following vote:

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

- 3b** Request for a replat of Lot 1, of the Village at Colleyville Addition, located at 23 Mission Lane, Case PC13-002

Ron Ruthven presented the case and briefed the Commission.

The public hearing was opened at 7:14 p.m.

There being no one wishing to speak, the public hearing was closed 7:14 p.m.

Commissioner Wheelwright made a motion to approve Case PC13-002. Commissioner Knox seconded.

The motion to approve Case PC13-002 carried by the following vote:

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

- 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

Mary Elliott presented the case and briefed the Commission.

The public hearing was opened at 7:22 p.m.

Bryan Holland, applicant, came forward and briefed the Commission.

Julia Rowland, 5900 Hunter Trail, came forward and spoke in opposition.

Joan Debrei, 610 Colts Neck Court, came forward and spoke in opposition.

Stephen Rhodes, 5812 Hunter Trail, came forward and spoke in opposition.

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

Bryan Holland came forward and addressed comments and concerns.

Commissioner Tornes questioned Mr. Holland regarding home elevations. Mr. Holland replied he did not have finalized drawings available; however, the sites would only be raised slightly to accommodate drainage.

Discussion occurred between the Commissioners and Mr. Holland regarding the drainage plan for the proposed development.

Commissioner Tornes questioned staff regarding if there was some on staff at the City of Colleyville to review the drainage plans and ensure the drainage is being accommodated. Mary Elliott replied yes, Dan Hartman.

Commissioner Tornes questioned staff regarding whether a traffic study had been completed for W. L. D. Lockett Road. Ron Ruthven replied no.

Dan Hartman came forward and addressed comments regarding drainage.

Commissioner Davis questioned Dan Hartman regarding if he believed the proposed drainage plan would handle the amount of water coming from the adjacent developments. Dan Hartman replied he has not reviewed an official set of plans; he has only had discussions with the applicant.

Commissioner Davis questioned why the Commission was being asked to approve this case if a drainage plan had not been approved. Chairman Byerly replied because the case is regarding a plat. Ron Ruthven also replied at the least the developer would be required to meet the minimum requirements of the Land Development Code.

Discussion continued between staff and the Commission regarding Land Development Code drainage requirements.

Commissioner Phelps questioned Dan Hartman regarding whether he believed the proposed drainage plan would be good solution to the drainage issues in this area. Dan Hartman replied yes.

Commissioner Tornes questioned staff regarding where residents should go or who to contact with drainage questions. Dan Hartman replied he would be more than happy to answer any citizen questions.

Commissioner Gotcher made a motion to approve Case PC13-026. Commissioner Tornes seconded.

Commissioner Phelps stated he understood the resident's frustrations because they have not been aware of the process before this meeting. He further explained at this stage of the process, the Commission was limited to what they could do.

Chairman Byerly added the zoning for this property has been in place for years and because this was a plat case they could not address issues related to zoning.

Commissioner Davis stated he believed if the resident's were to meet with the developer and city staff regarding their concerns they would possibly feel better about the proposed development. He further

stated most of their concern have been addressed in past meetings.

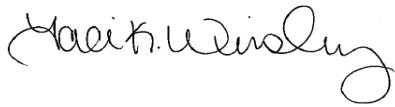
The motion to approve Case PC13-026 carried by the following vote:

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

4. ADJOURNMENT

The meeting adjourned at 7:51 p.m.

The minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on January 27, 2014 by a vote of _____.



City of Colleyville Planning and Zoning Commission Agenda Briefing

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Agenda Number 3a	Agenda Date 01/27/2014	Number
Type Regular Agenda Items		
Department Community Development		

Title

Request for a replat on 1.4 acres of Abstract 1248 of the Thomas J. Polson Survey and Tract A, Block 1, of the Kaybird Addition located at 4712 Colleyville Boulevard, Case PC13-029

Explanation

On behalf of the Centerpark Colleyville Partners, Wier Associates has submitted a request to approve a replat of the Kaybird Addition, Block 1, Lot 6, which contains 1.42 acres. The purpose of the replat is to prepare the lot for development. The effect of this replat is that the remaining unplatted properties adjacent to the Kaybird Addition will be incorporated into the plat.

Zoning and Land Use. The property is zoned CC-2-Shopping Center zoning district. The site is surrounded by commercial zoning and commercial uses.

District Regulations. The CC-2-Shopping Center district requires a minimum lot size of 20,000 square feet with a minimum lot width of 150 feet, and lot depth of 120 feet. Per Section 3.24 G, Schedule of District Regulations, the following residential zoning standards apply:

Minimum Front Yard Setback: 40 feet

Minimum Side Yard Setbacks: 15 feet

Minimum Rear Yard Setback: 10 feet

Maximum Lot Coverage: 60 percent

Streets and Mutual Access Easements. Mutual access easements are being added to the front and back of the lot to provide emergency access and to provide connectivity with the adjacent lots. The development will share a driveway with the development to the south.

Right-of-way dedication for Colleyville Boulevard is not required at this time.

Drainage and Utility Easements. Drainage plans have been submitted for this development. Additional easements have been added for drainage and utilities.

Landscaping and Tree Survey. No tree survey or mitigation is required since there are no existing trees on the site.

A twenty (20) foot landscape setback is located along Colleyville Boulevard in accordance with Land Development Code, Chapter 4, "Landscaping and Buffering." Twenty percent (20%) of the total land area must be landscaped. At least fifty percent (50%) of the total landscaped area shall be located in the street yard(s). One three (3) inch caliper tree is required to be planted along the street for each forty (40) feet of street frontage. In this case, six street trees will need to be planted.

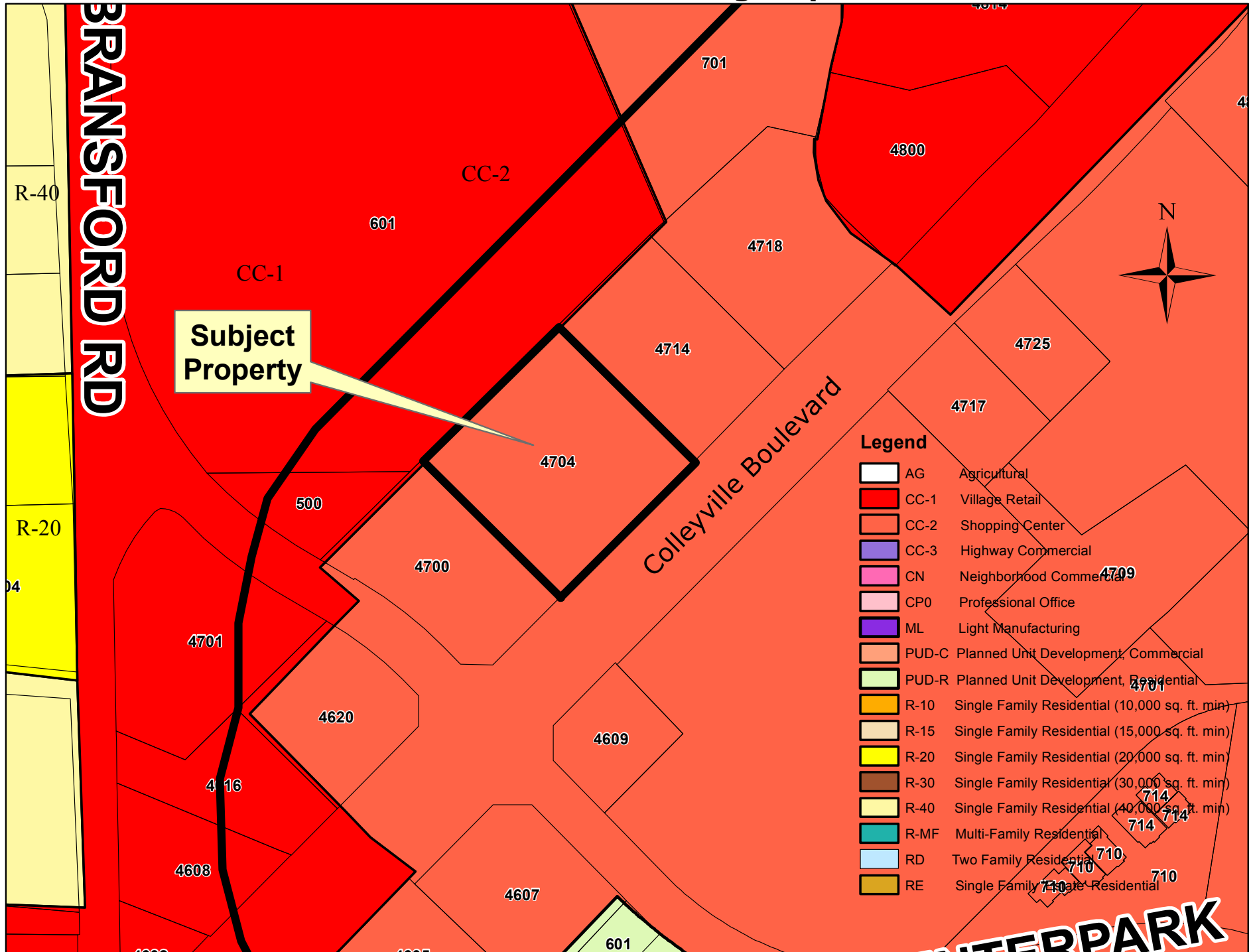
Summary. The proposed replat satisfies the requirements of the Land Development Code.

Recommendation

Attachments

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

Location and Zoning Map



BRANSFORD RD

Subject Property

Colleville Boulevard

WATERPARK

601, 500, 4701, 4620, 4608, 4607, 4700, 4714, 4718, 4800, 4717, 4725, 4709, 4701, 710, 714, 716

BRANSFORD RD

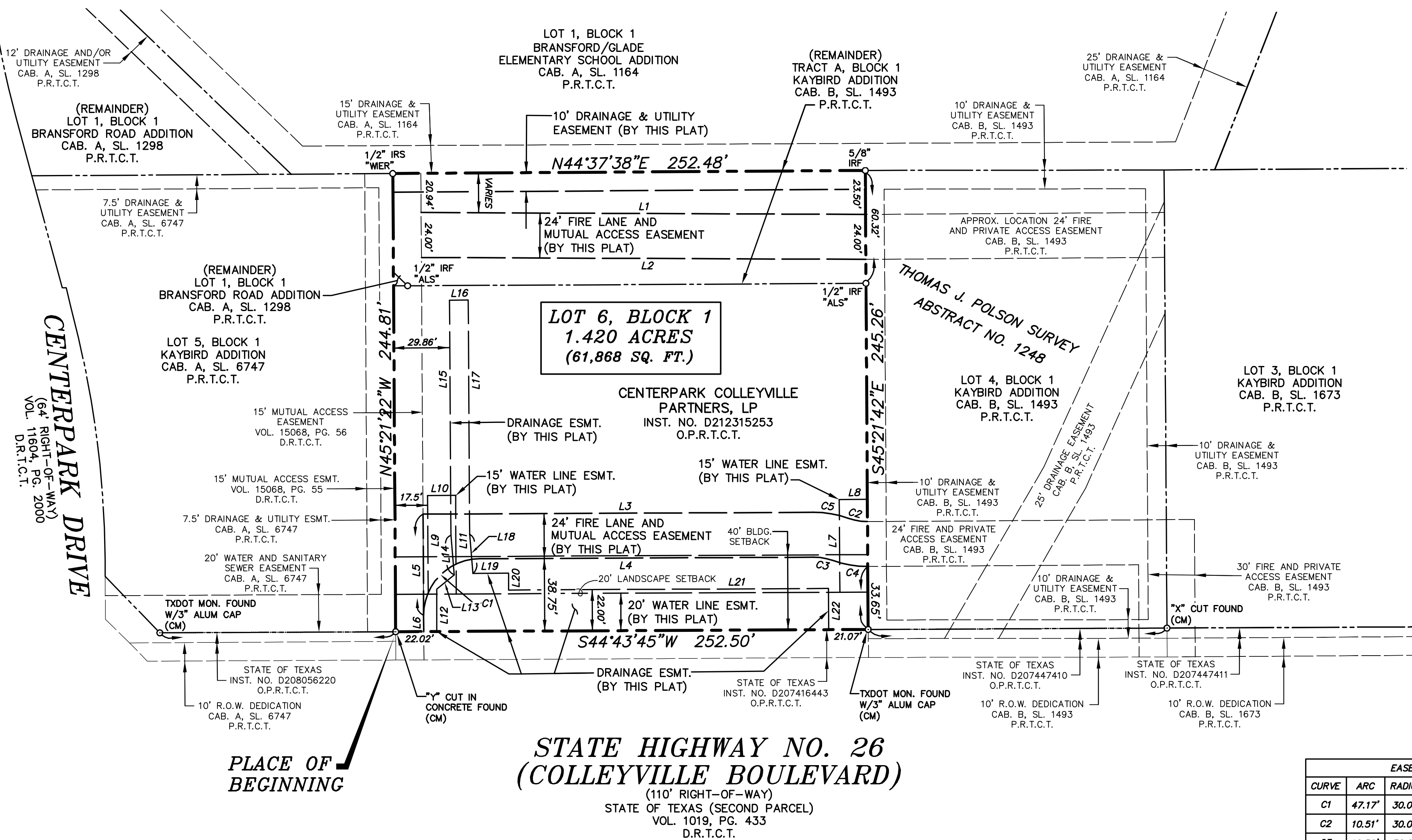
Subject Property

Colleville Boulevard

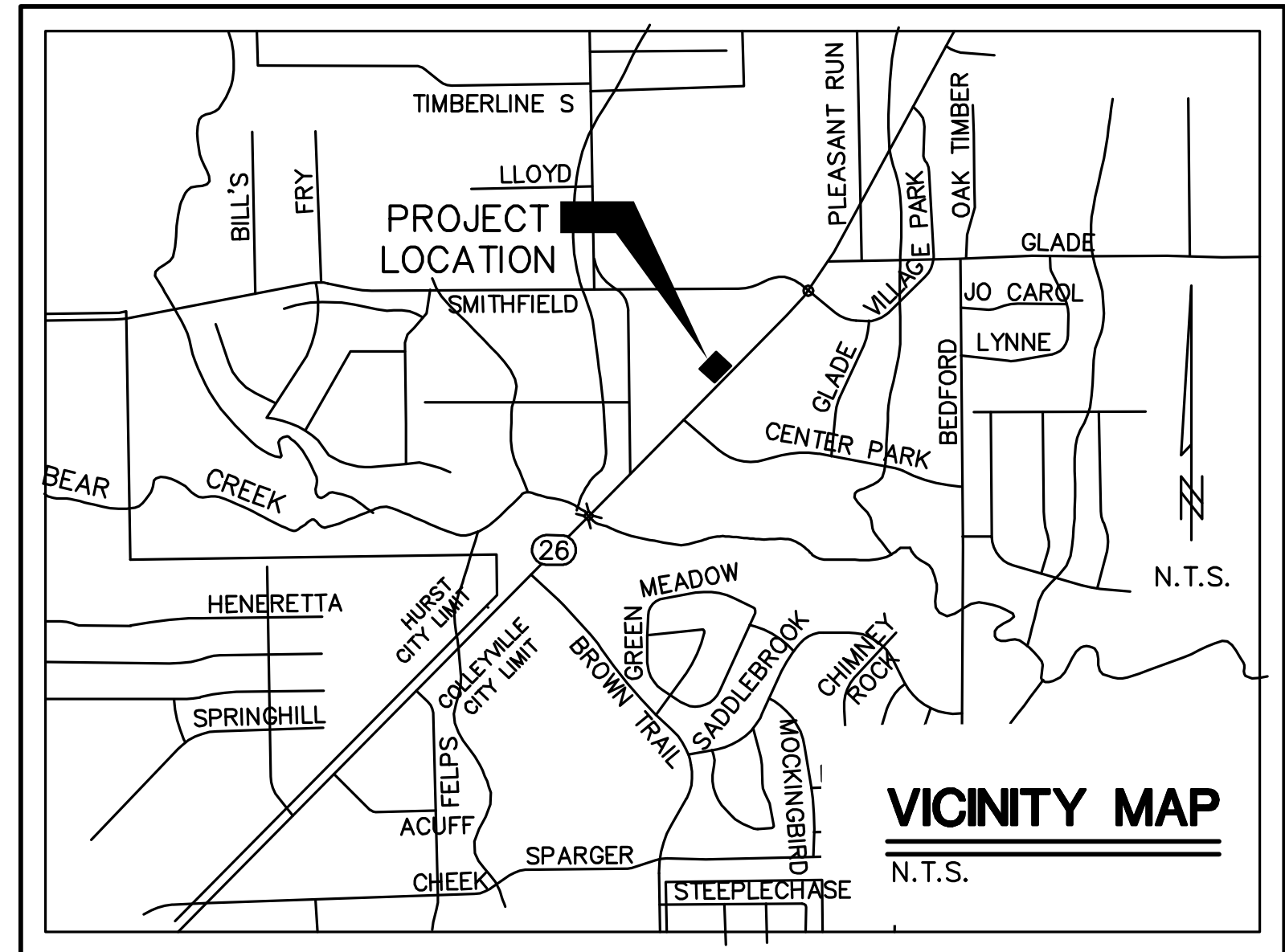
WATERPARK

601, 500, 4701, 4620, 4608, 4607, 4700, 4714, 4718, 4800, 4717, 4725, 4709, 4701, 710, 714, 716

Plat Exhibit



* L E G E N D *	
IRF	IRON ROD FOUND
IRS	IRON ROD SET
"WIER"	WIER & ASSOCIATES INC
D.R.T.C.T.	DEED RECORDS, TARRANT COUNTY, TEXAS
P.R.T.C.T.	PLAT RECORDS, TARRANT COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS
ESMT	EASEMENT
(CM)	CONTROLLING MONUMENT



PLANNING AND ZONING COMMISSION APPROVAL

WHEREAS THE PLANNING AND ZONING COMMISSION OF THE CITY OF COLLEYVILLE, TEXAS VOTED AFFIRMATIVELY ON THIS _____ DAY OF _____, 2014, TO APPROVE THIS PLAT.

CHAIRMAN, PLANNING AND ZONING COMMISSION

ATTEST: SECRETARY, PLANNING AND ZONING COMMISSION

PLAT NOTES

(1) SELLING A PORTION OF A TRACT, PLATTED LOT, OR PLATTED ADDITION BY METES AND BOUNDS WITHOUT AN APPROVED SUBDIVISION OR RE-SUBDIVISION BY THE LOCAL CITY COULD BE A VIOLATION OF CITY ORDINANCE AND STATE LAW.

(2) ALL 1/2-INCH IRON RODS SET WITH A CAP STAMPED "WMR & ASSOC INC" UNLESS NOTED OTHERWISE.

(3) ALL BEARINGS SHOWN HEREON ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD OF 1983, AS DERIVED BY FIELD OBSERVATIONS UTILIZING THE RTK NETWORK ADMINSTRATED BY WESTERN DATA SYSTEMS.

EASEMENT CURVE TABLE					
CURVE	ARC	RADIUS	DELTA	BEARING	DIST.
C1	47.17"	30.00'	90°05'07"	S00°16'49"E	42.46'
C2	10.51"	30.00'	20°04'13"	N54°45'52"E	10.46'
C3	10.59"	30.00'	20°13'47"	S54°41'06"W	10.54'
C4	18.92"	54.00'	20°04'13"	N54°45'52"E	18.82'
C5	18.92"	54.00'	20°04'13"	S54°45'52"W	18.82'

EASEMENT LINE TABLE		
LINE	BEARING	DIST
L1	S45°14'34"W	237.49'
L2	N45°14'34"E	237.49'
L3	S44°43'45"W	208.63'
L4	N44°43'45"E	178.55'
L5	S45°21'22"E	54.04'
L6	S45°21'22"E	8.71'
L7	S45°21'42"E	49.51'
L8	S44°38'18"W	15.00'

EASEMENT LINE TABLE		
LINE	BEARING	DIST
L9	S45°21'22"E	52.72'
L10	S44°38'38"W	15.00'
L11	S45°21'22"E	52.74'
L12	S45°04'07"E	22.68'
L13	N05°46'08"E	12.00'
L14	N49°42'57"W	21.27'
L15	N45°21'22"W	125.56'
L16	N44°38'38"E	10.00'

EASEMENT LINE TABLE		
LINE	BEARING	DIST
L17	N45°21'22"W	125.18'
L18	N49°42'57"W	20.88'
L19	N44°43'45"E	19.10'
L20	S45°16'15"E	9.01'
L21	N44°43'45"E	170.93'
L22	S45°16'15"E	22.00'

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS CENTERPARK COLLEYVILLE PARTNERS, LP., IS THE OWNER OF A TRACT OF LAND LOCATED IN THE THOMAS J. POLSON SURVEY, ABSTRACT No. 1248, TARRANT COUNTY, TEXAS, ACCORDING TO THE DEED RECORDED IN INSTRUMENT NUMBER D212315253, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS (O.P.R.T.C.T.), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF TRACT A, BLOCK 1, KAYBIRD ADDITION, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, RECORDED IN CABINET B, SLIDE 1493, PLAT RECORDS, TARRANT COUNTY, TEXAS (P.R.T.C.T.), AND A PORTION OF LOT 1, BLOCK 1, BRANSFORD ROAD ADDITION, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, RECORDED IN CABINET A, SLIDE 1298, P.R.T.C.T., AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A "Y" CUT FOUND IN CONCRETE IN THE NORTHEAST LINE OF LOT 5, BLOCK 1, KAYBIARD ADDITION, AN ADDITION TO THE CITY OF COLLEYSVILLE, TARRANT COUNTY, TEXAS, RECORDED IN CABINET A, SLIDE 6747, P.R.T.C.T. AND THE NORTHWEST RIGHT-OF-WAY LINE OF STATE HIGHWAY No. 26 (COLLEYSVILLE BOULEVARD) (A CALLED 110' WIDE RIGHT-OF-WAY), SAID "Y" CUT BEING THE WESTERLY CORNER OF A TRACT OF LAND CONVEYED TO THE STATE OF TEXAS, RECORDED IN INSTRUMENT NUMBER D207416443, O.P.R.T.C.T., FROM WHICH A TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) MONUMENT FOUND WITH 3" ALUMINUM CAP BEARS S 44°43'45" W, 126.05 FEET.

THENCE N 45°21'22" W, DEPARTING THE NORTHWEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY No. 26, ALONG THE NORTHEAST LINE OF SAID LOT 5, A DISTANCE OF 244.81 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED "MER & ASSOC INC" IN THE SOUTHEAST LINE OF LOT 1, BLOCK 1, BRANSFORD/GLADE ELEMENTARY SCHOOL ADDITION, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, RECORDED IN CABINET A, SLIDE 1164, P.R.T.C.T., SAID IRON ROD BEING THE NORTH CORNER OF SAID LOT 5;

THENCE N 44°37'38" E, ALONG THE SOUTHEAST LINE OF SAID LOT 1, A DISTANCE OF 252.48 FEET TO 5/8" IRON ROD FOUND, SAID IRON ROD BEING THE WEST CORNER OF LOT 4, BLOCK 1, KAYBIRD ADDITION, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, RECORDED IN CABINET B, SLIDE 1493, P.R.T.C.T.;

THENCE S 45°21'42" E, AT 60.32 FEET ALONG THE SOUTHWEST LINE OF SAID LOT 4, PASSING A 1/2" IRON ROD FOUND WITH A CAP STAMPED "ALS", SAID IRON ROD BEING THE EAST CORNER OF TRACT A, BLOCK 1 OF SAID KEYBARD ADDITION, RECORDED IN CABINET B, SLIDE 1493, P.R.T.C.T., AND CONTINUING FOR A TOTAL DISTANCE OF 245.26 FEET TO A TxDOT MONUMENT FOUND WITH 3" ALUMINUM CAP IN THE NORTHWEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY No. 26, SAID MONUMENT BEING THE NORTHERLY CORNER OF SAID STATE OF TEXAS TRACT, FROM WHICH AN "X" CUT FOUND BEARS N 44°43'45" E, 159.69 FEET;

THENCE S 44°43'45" W, ALONG THE NORTHWEST LINE OF SAID STATE HIGHWAY No. 26 AND THE NORTHWEST LINE OF SAID STATE OF TEXAS TRACT, 252.50 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1.420 ACRES (61,868 SQUARE FEET) OF LAND, MORE OR LESS.

DEDICATION STATEMENT:

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, L. THOMAS CROWELL, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREBINBEFORE PROPERTY AS KEYBIRD ADDITION, LOT 6, BLOCK 1, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, AND DO HEREBY DEDICATE IN FEE SIMPLE TO THE PUBLIC USE FOREVER ALL STREETS, RIGHT-OF-WAY, AND ALLEYS SHOWN THEREON, AND 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 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 THE _____ DAY OF _____, 2014

FOR: CENTERPARK COLLEYVILLE PARTNERS, LP.
A TEXAS LIMITED PARTNERSHIP

BY: CENTERPARK COLLEYVILLE PARTNERS GP, INC.

L. THOMAS CROWELL (MANAGER)

STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED L. THOMAS CROWELL, 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 CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND SEAL OF OFFICE THIS _____ DAY OF _____, 2014

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINTED NAME:

SURVEYOR'S CERTIFICATION:

KNOW ALL MEN BY THESE PRESENTS:

THAT I, AARON L. STRINGFELLOW, 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.

"THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF ARRON L. STRINGFELLOW, RPLS. NO. 6373 ON 1/20/14. IT IS NOT TO BE USED FOR RECORDING, CONSTRUCTION, BIDDING, OR PERMIT PURPOSES. THIS DOCUMENT IS NOT TO BE RELIED UPON AS A COMPLETE SURVEY AND SHALL NOT BE RECORDED."

AARON L. STRINGFELLOW
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 6373
EMAIL: AARONLS@MIERASSOCIATES.COM

OWNER / DEVELOPER:

CENTERPARK COLLEYVILLE PARTNERS, LP.
C/O STANDRIDGE COMPANIES
3008 E. HEBRON PARKWAY, BLDG., 300
CARROLLTON, TEXAS 75010-4470
CONTACT: L. TOMMY CROWELL, (MANAGER)
PH: (214) 363-1998, EXT.4
FAX: (214) 363-1997

**REPLAT
LOT 6, BLOCK 1,
KAYBIRD
ADDITION**

BEING 1.420 ACRES OF LAND LOCATED IN
THE THOMAS J. POLSON SURVEY,
ABSTRACT No. 1248, CITY COLLEYVILLE,
TARRANT COUNTY, TEXAS.

WIA PREPARED BY:
WIER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LAND PLANNERS
701 HIGHLANDER BLVD., SUITE 300 ARLINGTON, TEXAS 76015 METRO (817)467-7700
Texas Firm Registration No. F-2776 www.WierAssociates.com
Texas Board of Professional Land Surveying Registration No. 10033900

SHEET 1 OF 1 DATE: 1/20/2014
W.A. No. 13072

DATE: 1/20/2014
W.A. No. 13072

PRINTED: 1/20/2014 STB FILE: WIER-SURVEY.STB LAST SAVED: 1/20/2014 10:18 AM SAVED BY: JOHNH FILE: 13072-REPLAT-KAYBIRD-LOT-6.DWG



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 4a	Agenda Date 01/27/2014	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Request for a replat on 2.547 acres of Lot B1A, A1B, B3, and B2, Block 4, of the W. C. Newton Subdivision, located at 708 W. L. D. Lockett Road, Case PC13-030

Explanation

Peter Slover with Bayley Yandell, Ltd., is requesting approval of a final plat to create four single family lots on 2.3 acres, located at 708 West L.D. Lockett Road. Given that the property is currently platted, the plat is being processed as a replat. However, the effect of the final plat is that a new subdivision is being created.

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

Existing Conditions. The subject property currently contains one single family residence on three platted tracts. The applicant intends to remove the existing residence and build four new single family residences upon approval of the final plat.

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. For cul-de-sacs, the lot width is measured at the front building line. 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 only internal street in the development is Bryton Court, which will be a public street and will meet the minimum requirements of the Land Development Code. The cul-de-sac will include a 50 foot right-of-way with a 50 foot radius, which includes a 31 foot wide curb and gutter street.

The Master Thoroughfare Plan designates West L.D. Lockett Road as a Minor Collector (two lane), which requires the following: 75 feet of right-of-way, 12 feet of lane width, and 42 feet of total pavement width with curbs and gutters. About five (5) feet of

right-of-way will need to be dedicated to provide 37.5 feet to the centerline of West L.D. Lockett Road.

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 four 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 \$19,764 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, Bryton Court, 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.

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 Park Place Addition final plat complies with the requirements of the Land Development Code. Staff recommends approval since no waivers are being requested.

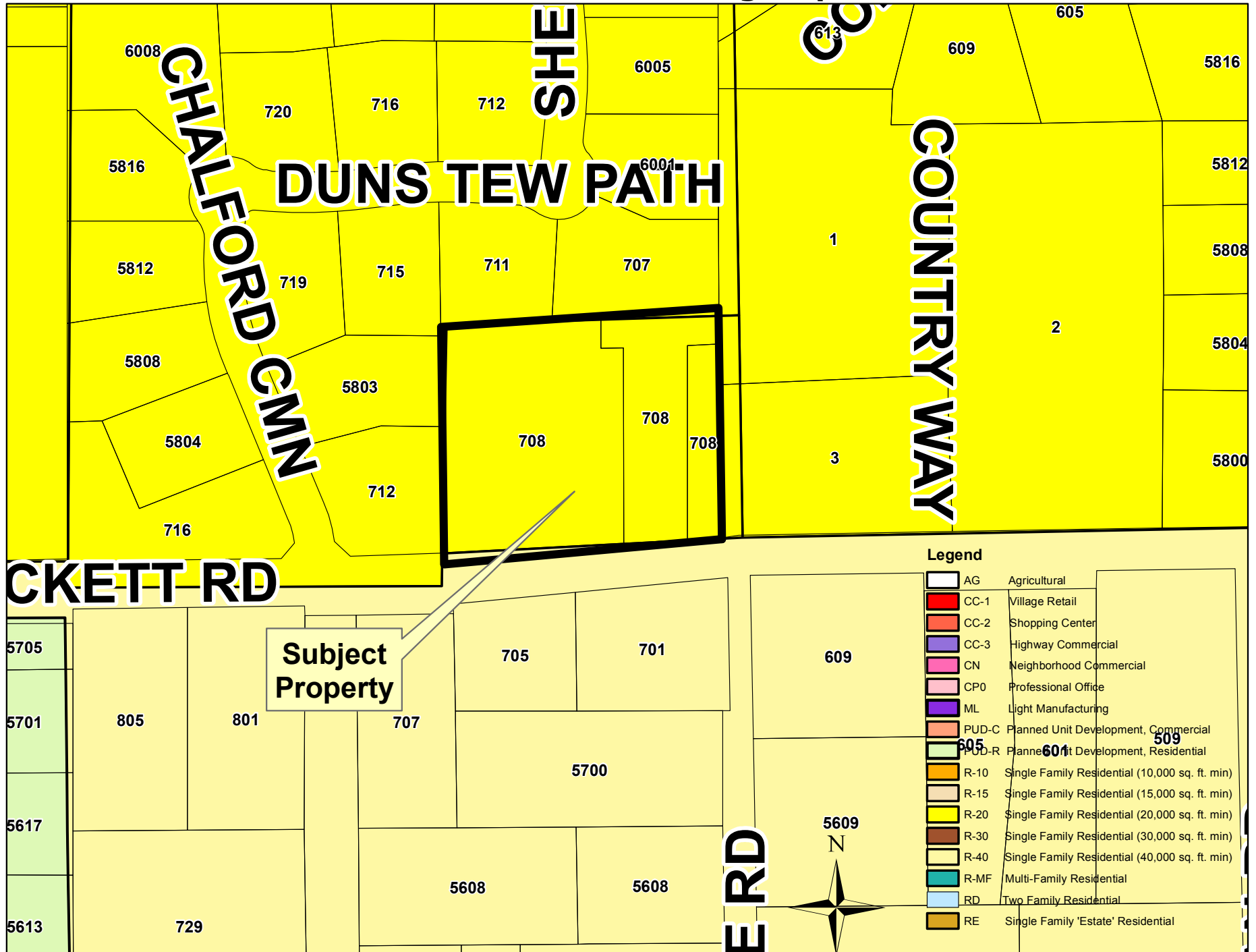
Recommendation

Approve

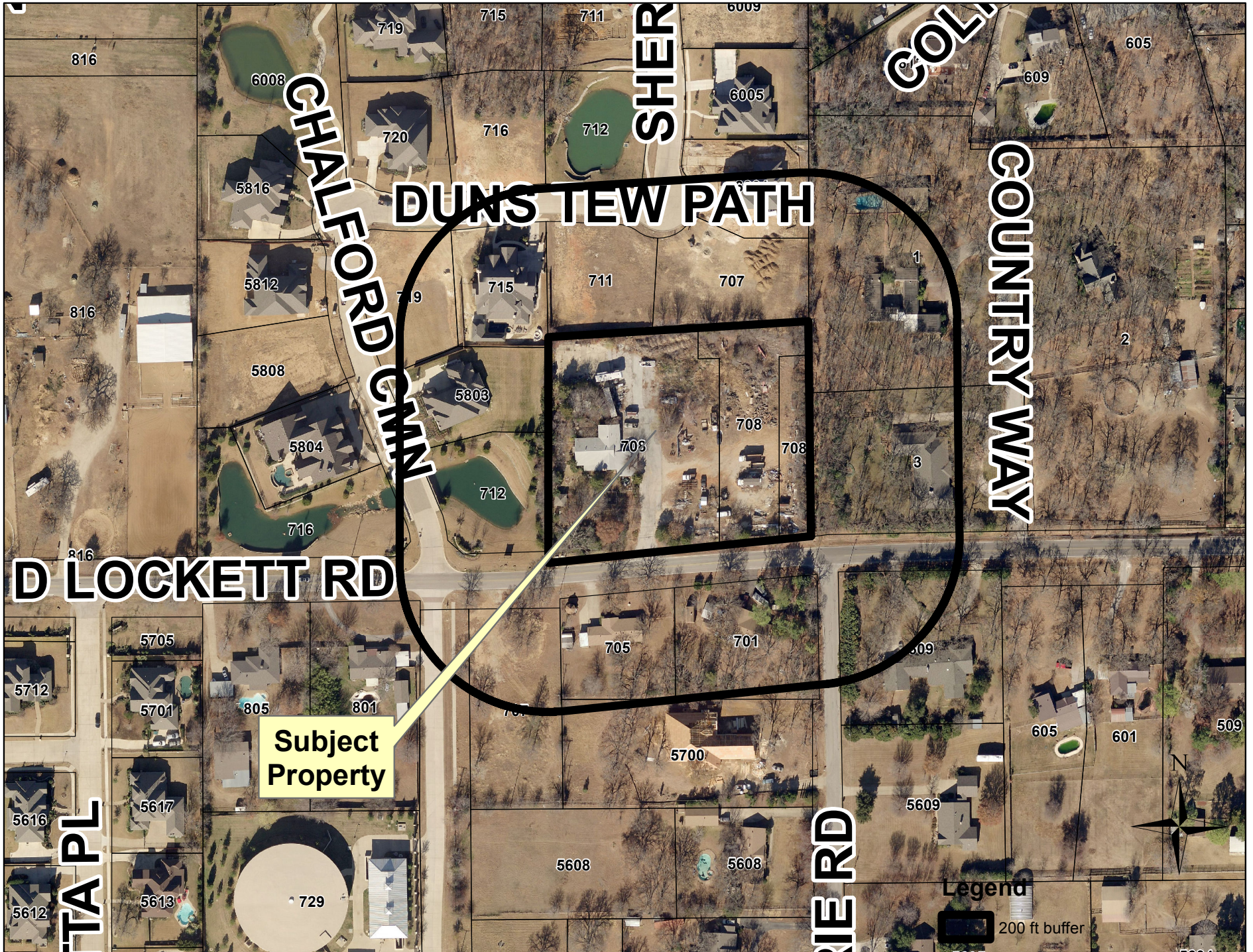
Attachments

1. Location and Zoning Map
2. Aerial
3. Plat Exhibit
4. Master Thoroughfare Plan

Location and Zoning Map



Aerial



Plat Exhibit



NORTH
MILLER SURVEYING
EST. 1985

STATE OF TEXAS §
COUNTY OF TARRANT § OWNER'S DEDICATION AND CERTIFICATE

WHEREAS Bayley Yandell, Ltd. is the owner of a tract of land out of the J. S. Newton Survey, Abstract No. 117 and situated in the City of Colleyville, Tarrant County, Texas, said tract being a portion of the same tract of land described in the deed to Eddy R. Parker recorded in Volume 4011, Page 181 in the Deed Records of Tarrant County, Texas and being more particularly described by metes and bounds as follows:

Beginning at the southwest corner of Lot 5, Block A, Covington Addition, an addition to the City of Colleyville, Texas according to the plat thereof recorded in Cabinet A, Slide 11840, Plat Records, Tarrant County, Texas;

Thence North 87 degrees 02 minutes 27 seconds East with the southerly boundary line of said Block A a distance of 351.70 feet to a 1/2 inch "MILLER 5665" capped steel rod set in the westerly boundary line of Tract A, Block 1, The Oaks, an addition to the City of Hurst, Texas according to the plat thereof recorded in Volume 388-52, Page 88 of said Plat Records;

Thence South 00 degrees 20 minutes 00 seconds West with the westerly boundary line of said Tract A a distance of 281.79 feet to a 1/2 inch "MILLER 5665" capped steel rod set in the northerly right-of-way line of L. D. Lockett Road;

Thence South 85 degrees 56 minutes 36 seconds West with said right-of-way line a distance of 353.17 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the southwest corner of Lot 1X of said Block A;

Thence North 00 degrees 32 minutes 02 seconds East with the easterly boundary line of said Block A a distance of 288.63 feet to the point of beginning and containing 2.302 acres of land, more or less.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Bayley Yandell, Ltd., owner, does hereby adopt this plat designating the hereinbefore described property as Lots 1 thru 4, Block 1, PARK PLACE 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.

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

OWNER/APPLICANT:

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

LOTS 1 THRU 4, BLOCK 1
PARK PLACE
ADDITION

an addition to the City of Colleyville, Tarrant County, Texas
Consisting of 4 residential lots and being 2.302 acres out of the
J. S. NEWTON SURVEY, ABSTRACT NO. 117

Date of Preparation - December 2013

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.

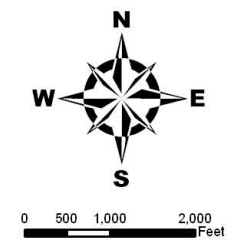
Jason B. Rawlings Date



MILLER
Surveying, Inc.

Residential • Commercial • Municipal

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



City of Colleyville

Master Thoroughfare Plan

Approved by Council
May 6, 2008
Ordinance O-08-1674

Master Thoroughfare Plan R-98-1408
Adopted September 1, 1998
Amended by Ordinance O-99-1198
January 4, 2000
Amended by Ordinance O-05-1521
April 19, 2005
Amended by Ordinance O-06-1583
August 2, 2006
Amended by Ordinance O-08-1674
May 6, 2008

Legend

Local

Minor Collector

Major Collector (two lane)

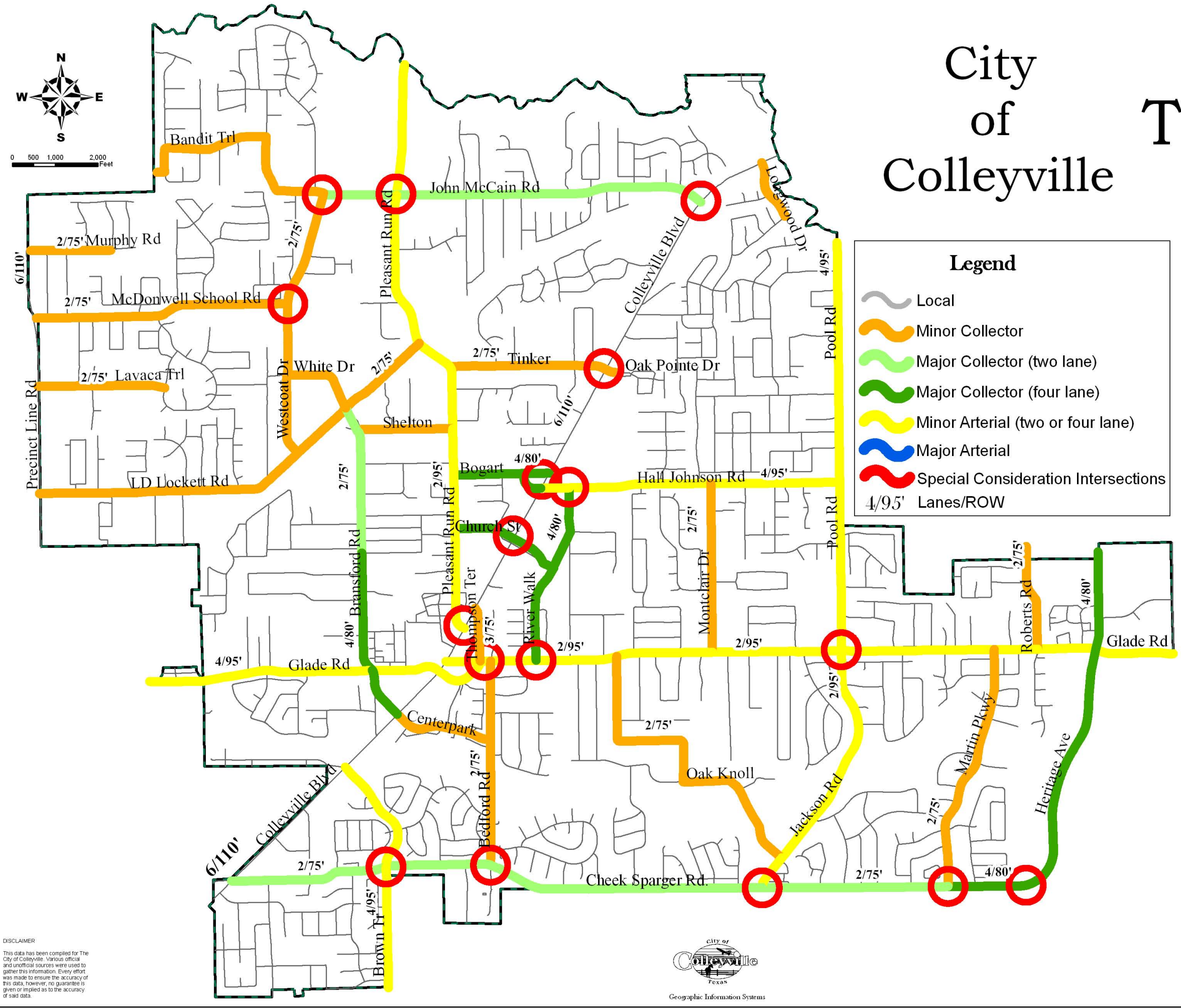
Major Collector (four lane)

Minor Arterial (two or four lane)

Major Arterial

Special Consideration Intersections

4/95' Lanes/ROW



Master Thoroughfare Plan Right-of-Way and Pavement Standards					
Street Classification (1)	Street Type	R.O.W. Width (feet)	Lane Width (feet)	Total Pavement Width (feet)	Number of Lanes
Local	R2U	50' (2) (3)	15'	30'	2
Minor Collector	C2U	75'	12'	42'	2 w/ 9' parking or 3 w/o parking
Major Collector (two lane)	C2U	75'	12'	42'	2 w/ 9' parking or 3 w/o parking
Major Collector (four lane)	C4U	80'	12'	48'	4 undivided
Minor Arterial	M4D	95'	13'	52'	4 divided
Major Arterial	P4D	120'	13'	52'	4 lanes or more

(1) Street classification refers to the functional classification shown on the Master Thoroughfare Plan.
(2) A local street having a total length in excess of one thousand two hundred (1,200) feet or serving more than thirty (30) dwelling units may be required to provide a right-of-way width of not less than sixty (60) feet.
(3) A cul-de-sac street exceeding 600 feet in length shall have a 56' right-of-way and 36' of pavement.

DISCLAIMER
This data has been compiled for The City of Colleyville. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.





City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 4b	Agenda Date 01/27/2014	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration for approval of amendments to Section 3.27- Carport Regulations in the Land Development Code, Case GC13-026

Explanation

Staff proposes amendments to Section 3.27-Accessory Buildings and Residential Carport Regulations in the Land Development Code. Currently, standards exist for residential carports, but not for non-residential carports. Staff did a survey of surrounding cities to compare what other area cities require for non-residential carports.

Non-Residential Carport Survey. Attached is a survey of area city requirements with regard to non-residential carport standards. In summary, all other cities require a building permit for non-residential carports. Additional review is required when the applicant is seeking a variance or when the carport is located in a special district, such as a Planned Unit Development or an Overlay District. Six of the seven surrounding cities treat non-residential carports as accessory structures. One city, Southlake, requires a Specific Use Permit for all non-residential carports.

Proposed Amendments. Staff proposes the following amendments to Section 3.27-Accessory Buildings and Residential Carport Regulations in the Land Development Code (the sections below are labeled and numbered just as they would appear in Section 3.27; staff comments are italicized):

D. For Carports Located in Non-Residential Zoning Districts *-Non-residential carports located in the commercial zoning districts shall comply with this section.*

1. Permit Required - *A request for a non-residential carport may go straight to building permit if it meets the requirements of this section. Otherwise a Special Use Permit is required.*

A non-residential carport request that is part of a PUD-Planned Unit Development Site Plan may be approved administratively if it meets the requirements of this section. Otherwise, it will require a Site Plan amendment through City Council.

2. Carport Standards - a. *Maximum size is 600 square feet, which will allow three*

standard parking spaces.

b. Maximum height for detached carports is 15 feet, carports that are integrated into the roofline have no maximum.

c. Detached carports must be located in the rear yard and meet the same setbacks as the primary structure. An attached carport may be located in the side or rear yard and shall meet the side and rear yard requirements of the primary structure.

d. Maximum Number Per Lot: one

e. Paving and Street Access: The parking area underneath a carport shall be paved with concrete or paverstone. The carport must have paved access to a public street right-of-way.

f. Design Criteria:

Roof: Detached carports shall have a pitched roof of at least 4:12. Flat roofs for detached carports shall be prohibited. Attached carports shall match the roof pitch of the primary structure. Roof materials for attached or detached carports must match the roof materials for the primary structure.

Posts and Gables - Post and gables shall be constructed of clay-fired brick, native stone, cast stone or a combination of these materials. Stucco is permitted for not more than ten (10%) percent of the exterior surface. The color of these materials shall be a subtle or neutral color to match the color scheme of the primary structure. Carports constructed entirely out of metal are not permitted.

g. Adequacy of Plans and Specifications - *This section is worded the same as for residential carports, except there is some permissive language for administrative approval.*

Communication. Once adopted, a bulletin of the new standards will be posted on the City's website and included in all other communication vehicles in which the City uses. All contractors in the City will be notified as well.

Recommendation

Approve

Attachments

1. Proposed Amendments to Section 3.27
2. Non-Residential Carport Survey
3. Ordinance O-14-XXXX

Section 3.27 Accessory Buildings and ~~Residential~~ Carport Regulations

The following regulations shall govern the location, size and use of accessory buildings:

A. Accessory Buildings Located in Residential Zoning Districts (O-00-1223 / 07/18/00)

1. *Permit Required:*

- a. A building permit shall be required for any accessory building which exceeds one hundred and twenty (120) square feet. However, all accessory buildings containing 120 square feet or less shall comply with the height and setback requirements of this Section. An accessory building shall only be allowed as an incidental structure to a principle building unless the accessory building is located in the Agricultural District.
- b. For the purpose of this Section, the term accessory building shall include detached residential garages and pool houses, but shall exclude a carport (see Section 3.27.C).

2. *Maximum Size and Number of Buildings:*

- a. The maximum number of accessory buildings allowed per lot shall be three (3) buildings. In addition, the combined square footage of all accessory buildings shall not exceed the maximum square footage specified in the following table.

Maximum Square Footage of all Accessory Buildings				
Lot Size	Under .5 ac	.5– .99 ac.	1 – 2.99 ac.	3+ ac.
Total s. f.	750 s. f.	1,000 s. f.	1,750 s. f.	2,500 s. f.

- b. For the purpose of this Section, the size of an accessory building shall be the square footage of the building footprint.
- c. An application to exceed the total square footage shown in the above table may be approved as a Special Use Permit (SUP).
- d. An existing accessory building may be remodeled or expanded provided the combined square footage of all accessory buildings does not exceed the maximum square footage allowed. However, an existing accessory building which exceeds the maximum square footage allowed may be remodeled or replaced with a new accessory building, but not expanded or increased in height.
- e. There shall be no physical connection between accessory buildings and a minimum separation of three (3) feet between accessory buildings.

3. *Setbacks:*

- a. No accessory building shall be erected in any required yard, as defined in *Chapter 2 – Definitions*, except as set forth herein.
- b. Attached accessory buildings – Accessory buildings erected ten (10) feet or closer to the principal building shall be considered attached, and shall comply with the setback lines established for the applicable zoning district. For the purpose of this regulation, the distance between buildings shall be measured between the nearest wall surfaces.
- c. Detached accessory buildings – A detached accessory building shall comply with the setback lines established for the applicable zoning district, unless the accessory building is located totally

behind the rear of the principal building, then it shall not be placed closer than five (5) feet to any side or rear lot line.

4. *Maximum Height:* No accessory building shall penetrate a vertical height envelope defined as being a point five feet from a side or rear lot line and extending vertically 8 feet to a point, then extending at a 45° angle to the height of the primary building.
5. *Permitted Uses:* The use of an accessory building shall be consistent with the permitted uses of the applicable zoning district, except, no accessory building shall be used for dwelling purposes other than for domestic servants employed for the premises, where permitted by the district regulations.
6. *Special Use Permit Provision:* Any request for a building permit for an accessory building which does not meet the criteria in this Section shall only be authorized after approval of a Special Use Permit by the City Council using the procedures contained elsewhere in this Land Development Code.

B. For Accessory Buildings Located in Non-residential Zoning Districts

1. No accessory building shall be erected in any required yard area except as set forth by this section.
2. No accessory building shall be erected within ten (10) feet of any other building unless such accessory building is used as a commercial kiosk, in which case such commercial kiosk cannot be located within fifty (50) feet of another building.
3. Commercial kiosks as accessory uses and/or buildings may be located within approved nonresidential districts subject to the following conditions:
 - a. Maximum size of two hundred-fifty (250) square feet.
 - b. No inside sales or service or drive in sales or service; walk-up and/or drive-up service permitted.
 - c. Exterior walls shall be of at least seventy-five percent (75%) masonry, glass, or other equivalent material, provided metal material does not exceed twenty-five percent (25%) of the exterior walls.
 - d. Located within required setbacks and in conformance with this section.
 - e. Located in such a manner as to not impede, impair or endanger vehicular traffic on the property where the kiosk is located and for vehicular traffic ingressing from and egressing to public rights-of-way.
 - f. Submission of an acceptable site plan shall be required for consideration of the issuance of a building permit unless a current valid Certificate of Occupancy exists.
 - g. Limited to one (1) kiosk per platted plot.

C. Residential Carport Regulations – Carports located in zoning districts which permit single family residential dwellings shall comply with the regulations contained in this section.

1. *Approval by Special Use Permit Only:* In accordance with the Special Use Permit procedures contained in this Chapter of these zoning regulations, no carport shall be built in the City of Colleyville without approval by the City Council for a Special Use Permit to construct a carport in a zoning district that permits single family residential dwellings.
2. *Carport Standards:* A carport shall comply with the following regulations, unless the City Council in approving a Special Use Permit for a carport has imposed other requirements necessary in the particular case to protect the public interests.
 - a. *Size:* A carport shall not exceed 480 square feet in area. The longest dimension on a carport shall not exceed 24 feet.

b. *Height:* A carport shall not exceed a maximum height of 15 feet. The height shall be measured from the finished grade to the highest point of the roof.

c. *Setbacks:*

- i. A carport located within ten (10) feet of the principal building shall comply with the front, side and rear yard setbacks of the zoning district. The distance shall be measured between the two closest points of the carport and principal building.
- ii. A carport located 10 feet or more from a principal building may extend into a required side yard, provided all of the following conditions are satisfied:
 - (1) every part of such carport is unenclosed except for necessary structural supports;
 - (2) no part of the carport is less than five (5) feet from a side or rear lot line, and
 - (3) the carport is located completely within the rear yard area as defined in these zoning regulations.

d. *Maximum Number Per Lot:* one

e. *Paving and Street Access:*

The parking area of a carport shall be paved not less than nine feet (9') by eighteen feet (18') and provide access to a public street right-of-way. Said access shall be a minimum of nine feet (9') in width and paved. All paved surfaces shall be either concrete, asphalt or pave-stone.

f. *Design Criteria:*

- i. *Roof* - Carports shall have a pitched roof of at least 2:12. Flat roofs shall be prohibited.
- ii. *Posts* - Posts shall be constructed of brick, stone or decorative metal, such as metal lattice. For purpose of this requirement, decorative metal shall consist of twenty-five (25) percent opaque surfaces. The dimension of each post as viewed from each primary elevation shall not be less than twelve inches (12") or more than forty-eight inches (48"). Any carport with two or more elevations that exceed the 48-inch criteria shall be considered an accessory building and be regulated as such. Wooden posts shall be prohibited.

g. *Adequacy of Plans and Specifications:*

The applicant requesting a Special Use Permit to construct a carport shall submit plans and specifications of the proposed carport for review. Said plans and specifications shall contain sufficient information to allow the City Council to determine that the proposed carport complies with these regulations and the City Council may require additional information when necessary to clarify the applicant's request. At a minimum, the drawings shall contain a plot plan, elevation views and a description of the construction materials.

D. For Carports Located in Non-Residential Zoning Districts – Carports located in the zoning districts: C-PO-Professional Office Commercial, CN-Neighborhood Commercial, CC-1-Village Retail, CC-2-Shopping Center, CC-3-Highway Commercial, ML-Light Manufacturing, and Planned Unit Developments that allow commercial uses shall comply with the regulations contained in this section. (O-14-XXXX, XX/XX/2014)

1. Permit Required:

- a. A building permit shall be required for all non-residential carports in the above mentioned zoning districts. Any request for a building permit for a non-residential carport, which does not meet the criteria in this section shall only be authorized after approval of a Special Use Permit by the City Council using the procedures contained elsewhere in this Land Development Code.
- b. Any request for a building permit for a non-residential carport for any use allowed in the above mentioned zoning districts that is part of a Site Plan for a PUD-Planned Unit Development, will require an amendment to the approved Site Plan. If the non-residential carport meets the criteria of this section, then the amended Site Plan may be administratively approved by the Director of

Community Development or designee. If the non-residential carport does not meet the criteria in this section, then the Site Plan amendment will require approval by the City Council.

2. Carport Standards: A carport shall comply with the following regulations, unless the City Council in approving a Special Use Permit for a carport has imposed other requirements necessary in the particular case to protect the public interests.

a. Size: A carport shall not exceed 600 square feet in area. A standard parking space size is nine feet (9') by eighteen feet (18').

b. Height: A detached carport shall not exceed a maximum height of 15 feet, as measured from the finished grade to the highest point of the roof. An attached carport that is integrated into the roof system can match the roof height of the primary structure.

c. Setbacks: A detached carport must be located in the rear yard and shall meet the side and rear yard setback requirements for the primary structure. An attached carport may be located in the side or rear yard and shall meet the side and rear yard setback requirements for the primary structure.

d. Maximum Number Per Lot: one

e. Paving and Street Access: The parking area underneath a carport shall be paved with concrete or paverstone. The carport must have paved access to a public street right-of-way.

f. Design Criteria:

i. Roof – Detached carports shall have a pitched roof of at least 4:12. Flat roofs for detached carports shall be prohibited. Attached carports shall match the roof pitch of the primary structure. Roof materials for attached or detached carports must match the roof materials for the primary structure.

ii. Posts and Gables – Post and gables shall be constructed of clay-fired brick, native stone, cast stone, or a combination of these materials. Stucco is permitted for not more than ten (10%) percent of the exterior surface. The color of these materials shall be a subtle or neutral color to match the color scheme of the primary structure. Carports constructed entirely out of metal are not permitted.

g. Adequacy of Plans and Specifications: The applicant requesting a building permit or Special Use Permit to construct a non-residential carport shall submit plans and specifications of the proposed carport for review. Said plans and specifications shall contain sufficient information to allow the approving body to determine that the proposed carport complies with these regulations. The approving body may require additional information when necessary to clarify the applicant's request. At a minimum, the drawings shall contain a plot plan, elevation views and a description of the construction materials.

Non-Residential Carport Survey

City	Carport Standards	Zoning Requirements
1. Southlake	45.11.a. General Criteria – Parking structures cannot protrude into the front building line closer than primary structure, or protrude into a bufferyard; 45.11.b. Development Regulations – Height max. for attached = 20 feet; Height max. for detached = 14 feet; Roof materials and pitch must match primary structure; Max. number of spaces = 6; Size of space = 9' x 20'; façade & column materials = primary structure; and paving requirements	CS, O-1, B-1, B-2, I-1, I-2, S-P-1, S-P-2, and PUD districts with a Specific Use Permit – Site Plan Required
2. Grapevine	42.C.1. & 2. Height not exceeding one story may occupy not more than 60% of required rear yard; exceeding one story may occupy not more than 40% of rear yard; 42.C.3. Attached accessory structure shall comply with ordinance requirements for main building; Located in rear one-half of the lot; Setbacks = no nearer than 6 feet from rear property line & same side yard setback as the zoning district for the subject property.	Accessory structure. Site Plan or Conditional Use Permit Amendment required if being added. Township Overlay requires separate public hearing process.
3. Euless	Cannot be located within 3 feet of any property line and not within building line or within utility easements; Maximum height = 8 feet at 3 feet from property line; Height may increase at a rate of 1 foot per every 2 feet of setback; floor area not to exceed 50% of the rear yard for one story; floor area not to exceed 40% of the rear yard for two stories.	Accessory Structure.
4. Bedford	Accessory structures may not be placed in the front yard, not less than 60 feet from front lot line; Over 150 square feet shall be setback 5 feet from side and rear setbacks; Master Highway Corridor 4.18.I All building materials shall be constructed of 100% masonry material; masonry materials shall be earth tone; Pitched roof required under 5,000 square feet; Over 5,000 square feet require architectural standards.	Accessory Structure. Site Plan approval or amendment for properties in “MHC” Master Highway Corridor Overlay District.

Non-Residential Carport Survey

City	Carport Standards	Zoning requirements
5. Hurst	For areas outside of overlay districts, staff makes a determination if an accessory structure is a “minor exterior alteration” based on 1) behind main structure, 2) less than 25% of side/rear yard, and 3) not visible from the street. Can go straight to permit or can appeal through public hearing. In the TC-PD, MU-PD, or MU-SUPD (Mixed-Use Special Planned Use District) overlay districts, exterior alterations require site plan approval.	Accessory Structure. Site Plan approval or amendment for Town Center (TC) or Mixed-Use (MU) overlay districts.
6. North Richland Hills	Carports are allowed in any zoning district; shall not extend beyond the front building line; side yard setback same as primary structure; rear yard setback = 10 feet; Max. height = 15 feet; Max. size = 360 square feet; carport pad must be concrete w/concrete access to public street; pitch of roof shall be a minimum 4:12 on each side of the ridge; posts must be masonry.	Carport Standards. Variances in TC District or Mid-Cities Overlay Zone require approval.
7. Keller	Building materials for the main structure are covered in Section 9.01.B.2. “Non Residential Construction Standards.” Carports constructed entirely out of metal are not permitted. Carports shall be shown on the site plan and shall be compatible in design and material with the main structure. Carports shall be located on the side or rear of the property and shall observe all building setback lines.	Building Design Standards. Same for Old Town Keller Overlay, U.S. Highway 377 North, and Katy Road Overlays.

ORDINANCE O-14-XXXX

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING CHAPTER 3-LAND USE, SECTION 3.27 – ACCESSORY BUILDINGS AND RESIDENTIAL CARPORT STANDARDS OF THE LAND DEVELOPMENT CODE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Colleyville approved Ordinance O-00-1214 on April 18, 2000, adopting the Land Development Code; and

WHEREAS, the City of Colleyville desires to amend Section 3.27 of the Land Development Code by providing regulations for non-residential carports; and

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

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

- Sec. 1. THAT *Chapter 3-Land Use, Section 3.27* of the Land Development Code, is hereby amended to read as depicted in the attached Exhibit "A".
- Sec. 2. 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. 3. 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. 4. 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. 5. THAT this ordinance shall take effect immediately from and after its passage.

Sec. 6. THAT all other provisions of the Land Development Code shall remain in full force and effect, except as amended herein.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 4th day of February 2014.

The second reading and public hearing being conducted on the 18th day of February 2014.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the _____ day of _____ 2014.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Appendix “A”

Section 3.27 Accessory Buildings and Carport Regulations

The following regulations shall govern the location, size and use of accessory buildings:

A. Accessory Buildings Located in Residential Zoning Districts (O-00-1223 / 07/18/00)

1. *Permit Required:*

- a. A building permit shall be required for any accessory building which exceeds one hundred and twenty (120) square feet. However, all accessory buildings containing 120 square feet or less shall comply with the height and setback requirements of this Section. An accessory building shall only be allowed as an incidental structure to a principle building unless the accessory building is located in the Agricultural District.
- b. For the purpose of this Section, the term accessory building shall include detached residential garages and pool houses, but shall exclude a carport (see Section 3.27.C).

2. *Maximum Size and Number of Buildings:*

- a. The maximum number of accessory buildings allowed per lot shall be three (3) buildings. In addition, the combined square footage of all accessory buildings shall not exceed the maximum square footage specified in the following table.

Maximum Square Footage of all Accessory Buildings				
Lot Size	Under .5 ac	.5– .99 ac.	1 – 2.99 ac.	3+ ac.
Total s. f.	750 s. f.	1,000 s. f.	1,750 s. f.	2,500 s. f.

- b. For the purpose of this Section, the size of an accessory building shall be the square footage of the building footprint.
- c. An application to exceed the total square footage shown in the above table may be approved as a Special Use Permit (SUP).
- d. An existing accessory building may be remodeled or expanded provided the combined square footage of all accessory buildings does not exceed the maximum square footage allowed. However, an existing accessory building which exceeds the maximum square footage allowed may be remodeled or replaced with a new accessory building, but not expanded or increased in height.
- e. There shall be no physical connection between accessory buildings and a minimum separation of three (3) feet between accessory buildings.

3. *Setbacks:*

- a. No accessory building shall be erected in any required yard, as defined in *Chapter 2 – Definitions*, except as set forth herein.
- b. Attached accessory buildings – Accessory buildings erected ten (10) feet or closer to the principal building shall be considered attached, and shall comply with the setback lines established for the applicable zoning district. For the purpose of this regulation, the distance between buildings shall be measured between the nearest wall surfaces.
- c. Detached accessory buildings – A detached accessory building shall comply with the setback lines established for the applicable zoning district, unless the accessory building is located totally

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behind the rear of the principal building, then it shall not be placed closer than five (5) feet to any side or rear lot line.

4. *Maximum Height:* No accessory building shall penetrate a vertical height envelope defined as being a point five feet from a side or rear lot line and extending vertically 8 feet to a point, then extending at a 45° angle to the height of the primary building.
5. *Permitted Uses:* The use of an accessory building shall be consistent with the permitted uses of the applicable zoning district, except, no accessory building shall be used for dwelling purposes other than for domestic servants employed for the premises, where permitted by the district regulations.
6. *Special Use Permit Provision:* Any request for a building permit for an accessory building which does not meet the criteria in this Section shall only be authorized after approval of a Special Use Permit by the City Council using the procedures contained elsewhere in this Land Development Code.

B. For Accessory Buildings Located in Non-residential Zoning Districts

1. No accessory building shall be erected in any required yard area except as set forth by this section.
2. No accessory building shall be erected within ten (10) feet of any other building unless such accessory building is used as a commercial kiosk, in which case such commercial kiosk cannot be located within fifty (50) feet of another building.
3. Commercial kiosks as accessory uses and/or buildings may be located within approved nonresidential districts subject to the following conditions:
 - a. Maximum size of two hundred-fifty (250) square feet.
 - b. No inside sales or service or drive in sales or service; walk-up and/or drive-up service permitted.
 - c. Exterior walls shall be of at least seventy-five percent (75%) masonry, glass, or other equivalent material, provided metal material does not exceed twenty-five percent (25%) of the exterior walls.
 - d. Located within required setbacks and in conformance with this section.
 - e. Located in such a manner as to not impede, impair or endanger vehicular traffic on the property where the kiosk is located and for vehicular traffic ingressing from and egressing to public rights-of-way.
 - f. Submission of an acceptable site plan shall be required for consideration of the issuance of a building permit unless a current valid Certificate of Occupancy exists.
 - g. Limited to one (1) kiosk per platted plot.

C. Residential Carport Regulations – Carports located in zoning districts which permit single family residential dwellings shall comply with the regulations contained in this section.

1. *Approval by Special Use Permit Only:* In accordance with the Special Use Permit procedures contained in this Chapter of these zoning regulations, no carport shall be built in the City of Colleyville without approval by the City Council for a Special Use Permit to construct a carport in a zoning district that permits single family residential dwellings.
2. *Carport Standards:* A carport shall comply with the following regulations, unless the City Council in approving a Special Use Permit for a carport has imposed other requirements necessary in the particular case to protect the public interests.
 - a. *Size:* A carport shall not exceed 480 square feet in area. The longest dimension on a carport shall not exceed 24 feet.

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- b. *Height:* A carport shall not exceed a maximum height of 15 feet. The height shall be measured from the finished grade to the highest point of the roof.

- c. *Setbacks:*

- i. A carport located within ten (10) feet of the principal building shall comply with the front, side and rear yard setbacks of the zoning district. The distance shall be measured between the two closest points of the carport and principal building.
 - ii. A carport located 10 feet or more from a principal building may extend into a required side yard, provided all of the following conditions are satisfied:
 - (1) every part of such carport is unenclosed except for necessary structural supports;
 - (2) no part of the carport is less than five (5) feet from a side or rear lot line, and
 - (3) the carport is located completely within the rear yard area as defined in these zoning regulations.

- d. *Maximum Number Per Lot:* one

- e. *Paving and Street Access:*

The parking area of a carport shall be paved not less than nine feet (9') by eighteen feet (18') and provide access to a public street right-of-way. Said access shall be a minimum of nine feet (9') in width and paved. All paved surfaces shall be either concrete, asphalt or pave-stone.

- f. *Design Criteria:*

- i. Roof - Carports shall have a pitched roof of at least 2:12. Flat roofs shall be prohibited.
 - ii. Posts - Posts shall be constructed of brick, stone or decorative metal, such as metal lattice. For purpose of this requirement, decorative metal shall consist of twenty-five (25) percent opaque surfaces. The dimension of each post as viewed from each primary elevation shall not be less than twelve inches (12") or more than forty-eight inches (48"). Any carport with two or more elevations that exceed the 48-inch criteria shall be considered an accessory building and be regulated as such. Wooden posts shall be prohibited.

- g. *Adequacy of Plans and Specifications:*

The applicant requesting a Special Use Permit to construct a carport shall submit plans and specifications of the proposed carport for review. Said plans and specifications shall contain sufficient information to allow the City Council to determine that the proposed carport complies with these regulations and the City Council may require additional information when necessary to clarify the applicant's request. At a minimum, the drawings shall contain a plot plan, elevation views and a description of the construction materials.

- D. For Carports Located in Non-Residential Zoning Districts – Carports located in the zoning districts: C-PO-Professional Office Commercial, CN-Neighborhood Commercial, CC-1-Village Retail, CC-2-Shopping Center, CC-3-Highway Commercial, ML-Light Manufacturing, and Planned Unit Developments that allow commercial uses shall comply with the regulations contained in this section. (O-14-XXXX, XX/XX/2014)

- 1. *Permit Required:*

- a. A building permit shall be required for all non-residential carports in the above mentioned zoning districts. Any request for a building permit for a non-residential carport, which does not meet the criteria in this section shall only be authorized after approval of a Special Use Permit by the City Council using the procedures contained elsewhere in this Land Development Code.
 - b. Any request for a building permit for a non-residential carport for any use allowed in the above mentioned zoning districts that is part of a Site Plan for a PUD-Planned Unit Development, will require an amendment to the approved Site Plan. If the non-residential carport meets the criteria

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of this section, then the amended Site Plan may be administratively approved by the Director of Community Development or designee. If the non-residential carport does not meet the criteria in this section, then the Site Plan amendment will require approval by the City Council.

2. *Carport Standards:* A carport shall comply with the following regulations, unless the City Council in approving a Special Use Permit for a carport has imposed other requirements necessary in the particular case to protect the public interests.
 - a. *Size:* A carport shall not exceed 600 square feet in area. A standard parking space size is nine feet (9') by eighteen feet (18').
 - b. *Height:* A detached carport shall not exceed a maximum height of 15 feet, as measured from the finished grade to the highest point of the roof. An attached carport that is integrated into the roof system can match the roof height of the primary structure.
 - c. *Setbacks:* A detached carport must be located in the rear yard and shall meet the side and rear yard setback requirements for the primary structure. An attached carport may be located in the side or rear yard and shall meet the side and rear yard setback requirements for the primary structure.
 - d. *Maximum Number Per Lot:* one
 - e. *Paving and Street Access:* The parking area underneath a carport shall be paved with concrete or paverstone. The carport must have paved access to a public street right-of-way.
 - f. *Design Criteria:*
 - i. *Roof – Detached carports shall have a pitched roof of at least 4:12. Flat roofs for detached carports shall be prohibited. Attached carports shall match the roof pitch of the primary structure. Roof materials for attached or detached carports must match the roof materials for the primary structure.*
 - ii. *Posts and Gables – Post and gables shall be constructed of clay-fired brick, native stone, cast stone, or a combination of these materials. Stucco is permitted for not more than ten (10%) percent of the exterior surface. The color of these materials shall be a subtle or neutral color to match the color scheme of the primary structure. Carports constructed entirely out of metal are not permitted.*
 - g. *Adequacy of Plans and Specifications:* The applicant requesting a building permit or Special Use Permit to construct a non-residential carport shall submit plans and specifications of the proposed carport for review. Said plans and specifications shall contain sufficient information to allow the approving body to determine that the proposed carport complies with these regulations. The approving body may require additional information when necessary to clarify the applicant's request. At a minimum, the drawings shall contain a plot plan, elevation views and a description of the construction materials.