



City of Colleyville Planning and Zoning Commission Agenda

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

Monday, June 23, 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**
- 2. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON
THE AGENDA**
- 3. REGULAR AGENDA ITEMS**

- 3a** Approval of a revised preliminary plat for the Creekside at Colleyville Addition located on 110 acres between Glade Road, Heritage Avenue and Cheek-Sparger Road, Case PC14-011
- 3b** Approval of a final plat for Phase Two of the Creekside at Colleyville Addition located at 2800 Heritage Avenue, Case PC14-007

4. PUBLIC HEARING AGENDA ITEMS

- 4a** Consideration of an amendment to the PUDC-Planned Unit Development Commercial zoning requirements on Lots 1 and 2, Block 1, of the Pecan Gardens Addition located at 6220 and 6226 Colleyville Boulevard, Case ZC14-008
- 4b** Consideration of a zoning change from the R-20 Single Family Residential zoning district to the PUDC-Planned Unit Development Commercial zoning district on 1.36 acres of Lots 1 and 2, Block 1, of the Sunrise Terrace Addition located at 1105 Glade Road, Case ZC14-009
- 4c** Consideration of a zoning change from the CN – Neighborhood Commercial zoning district to the PUDC-Planned Unit Development Commercial zoning district and a consideration of a Special Use Permit for on-premise consumption of alcoholic beverages on 2.5 acres of Lots 10R and 11R, Block 1, of the Andy Felps Addition located at 125 Acuff Lane, Cases ZC14-010 and ZC14-011
- 4d** Request for an amendment to the Special Use Permit provisions authorizing alcoholic beverage sales for off-premises consumption on Lot 7a, Block 2, Village Park Addition located at 4801 Colleyville Blvd and authorizing alcoholic beverage sales for on-premises consumption on Lots 1R1, 4, 5a, 6a, 7a and 9R, Block 2, Village Park Addition located at 4701, 4709, 4717, 4725, 4801 and 4843 Colleyville Blvd, Case ZC14-014

5. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards June 20, 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 06/23/2014	Number
Type Approval of Minutes		
Department Community Development		

Title

May 12, 2014

Explanation

Recommendation

Attachments

1. Planning and Zoning Commission Meeting Minutes - May 12, 2014



City of Colleyville Planning and Zoning Commission Minutes

City Hall
100 Main Street
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817. 503.1000
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Monday, May 12, 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 May 12, 2014 at 7:12 p.m.

Roll Call

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

Absent: Commissioners David Wheelwright

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

1. APPROVAL OF MINUTES

Commissioner Knox made a motion to approve the minutes as corrected. Commissioner Tornes seconded.

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

Aye: 6– Knox, Tornes, 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 on Lot 1, Block 1 of the Breezy Lake Estates, Lots 1A and 1B, Block 1 of the Meadowlake Addition and Tract 2B, McNary Acres Addition located at 1117, 1121 and 1217 W. L. D. Lockett Road and a portion of Lot 1, Block 1 of the Bear Valley Community Church Addition located at 7900 Precinct Line Road, Case PC14-002

Ron Ruthven presented the case and briefed the Commission.

Kosse Maykus came forward to answer questions.

Commissioner Davis made a motion to approve Case PC14-002. Commissioner Gotcher seconded.

The motion to approve Case PC14-002 carried by the following vote:

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

- 3b** Approval of a final plat on 6.4 acres on Tract 3B, of Abstract 1543, of the George W. Teeter Survey located at 1301 Glade Road, Case PC14-004

Ron Ruthven presented the case and briefed the Commission.

Commissioner Tornes questioned staff regarding how the applicant planned on moving the proposed homes out of the flood zone. Ron Ruthven replied the applicant could respond to this question better.

Chairman Byerly questioned staff regarding whether the applicant or their representative was present. Ron Ruthven replied no.

Commissioner Davis questioned staff regarding whether the Case could be tabled until the applicant was present. Ron Ruthven replied the plat has a 30 day time limit and needs to be acted on.

Commissioner Gotcher made a motion to approve Case PC14-004. Commissioner Phelps seconded.

Commissioner Phelps questioned staff regarding if there were any significant changes to the drainage of the subdivision. Ron Ruthven replied no.

Chairman Byerly questioned the City Attorney regarding whether there were any variances requested on the plat. The City Attorney replied there are no variances.

The motion to approve Case PC14-004 carried by the following vote:

Aye: 5 – Knox, Gotcher, Davis, Phelps, and Byerly

Nay: 1 – Tornes

- 3c** Consideration of a variance to the provisions of Chapter 5-Tree Preservation in the Land Development Code on 2.3 acres located on Lot 1, Block 1 of the Baylor-Emerus Addition located at 5500 Colleyville Boulevard, Case ZC14-007

Chairman Byerly chose to hear Item 3c after Item 3d.

Ron Ruthven presented the case and briefed the Commission.

Commissioner Davis questioned staff regarding why the applicant is being given a bonus to the tree ordinance when the applicant has done something the city did not want them to do. Ron Ruthven replied because that is how the Land Development Code is written.

Discussion occurred between staff and the Commission regarding the applicant's knowledge of the tree preservation requirements and whether or not permits were obtained prior to work being started.

Amanda Zimmerman and Steve Villars, on behalf of Duke Realty, came forward and briefed the Commission.

Discussion occurred regarding the events leading up to the removal of the trees.

Commissioner Phelps questioned the applicant's landscape architect, Leonard Reeves regarding how the trees were marked. Mr. Reeve's replied the trees were assigned a number and those numbers are referenced on the tree survey.

Discussion occurred between Commissioner Phelps, Ms. Zimmerman, and Mr. Reeve's regarding tree removal on the site.

Commissioner Tornos questioned Ms. Zimmerman regarding whether there was someone on-site to supervise the contractors work when the trees were removed. Ms. Zimmerman replied no.

Commissioner Phelps questioned staff regarding would the outcome of the tree removal been any different had the tree removal permit been issued. Ron Ruthven replied it would have been different based slight changes that were being noted by the third party tree consultants. He further explained that given site design, it is likely the tree canopy requirement would not have been met.

Discussion continued regarding the site design and the tree canopy.

Discussion occurred regarding what sizes and types of trees would be planted on the site.

Discussion occurred regarding consequences for contractors who do work without obtaining permits or who do not abide by ordinances.

Commissioner Davis made a motion to approve Case ZC14-007 with staff's recommendation that the applicant pay a total of \$20,851.53 into the tree preservation fund. Commissioner Phelps seconded.

The motion to approve Case ZC14-007 with staff's recommendation that the applicant pay a total of \$20,851.53 into the tree preservation fund carried by the following vote:

Aye: 5 – Knox, Tornes, Davis, Phelps, and Byerly

Nay: 1 – Gotcher

- 3d** Request for a vacating plat on Lot 13-R, Block 8, of the Oak Crest Hills Addition located at 313 Oak Valley Drive, Case PC14-008

Chairman Byerly chose to hear Item 3d prior to Item 3c.

Ron Ruthven presented the case and briefed the Commission.

Gary Panno came forward to answer questions.

Commissioner Tornes made a motion to approve Case PC14-008. Commissioner Davis seconded.

The motion to approve Case PC14-008 carried by the following vote:

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

4. CONTINUED REGULAR AGENDA ITEMS

- 4a** Approval of the updated bylaws for the Planning and Zoning Commission

Ron Ruthven presented the case and briefed the Commission.

Commissioner Phelps questioned staff regarding whether there was a case number for this Item. Ron Ruthven replied no.

Commissioner Tornes made a motion to approve the bylaws as amended in the pre-session. Commissioner

Phelps seconded.

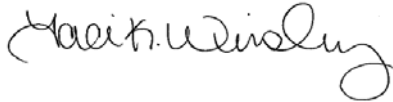
The motion to approve the bylaws as amended in the pre-session carried by the following vote:

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

5. ADJOURNMENT

The meeting adjourned at 8:06 p.m.

The minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on June 23, 2014 by a vote of _____.



City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall
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Agenda Number 3a	Agenda Date 06/23/2014	Number
Type Regular Agenda Items		
Department Community Development		

Title

Approval of a revised preliminary plat for the Creekside at Colleyville Addition located on 110 acres between Glade Road, Heritage Avenue and Cheek-Sparger Road, Case PC14-011

Explanation

Jay Volk, on behalf of Terra Manna, LLC, has submitted a request to approve a revised preliminary plat for the Creekside at Colleyville addition, which includes 268 single family residential lots, 21 open space lots, and 4.9 acres of commercial property at the northwest corner of Heritage Avenue and Cheek-Sparger Road and the southwest corner of Heritage Avenue and Glade Road.

Requested Revision. The original preliminary plat for phase one was approved by the City Council on April 2, 2013. This plat only included the portion noted as phase one on the revised preliminary plat as the remainder of the development was under separate ownership. A separate preliminary plat was approved for phase two on March 16, 2014. The plat included the remainder of the development south of phase one.

The applicant has since requested to break the development into six phases from two, as shown on the revised exhibit. Given that all 110 acres encompassed within the development is now under the control of a single developer, the revised preliminary plat shows all land including all approved and revised phases within the development.

Phase one was approved by the City Council on November 19, 2013 and is currently under construction. Phase two is on this agenda for approval by the Planning and Zoning Commission.

Zoning and Land Use. A re-zoning request for PUD-R-Planned Unit Development Residential zoning district was originally approved by Ordinance O-07-1645.

Ordinance O-07-1645 was then amended by Ordinance O-13-1866 on March 5, 2013. Ordinance O-13-1866 (attached) provides a detailed development plan for Phase One and includes other minor amendments.

Ordinance O-07-1645 and O-13-1866 was then amended by Ordinance O-13-1899 on December 17, 2013. Ordinance O-13-1899 provides a detailed development plan for Phase Two. Ordinance O-13-1899 also zoned the property at the northwest corner of

Heritage Avenue and Cheek-Sparger Road, which was incorporated into the City by boundary adjustment Ordinance O-12-1828.

The zoning requirements stated in Ordinance O-07-1645 include single-family detached residential as the primary use with a maximum density of 2.4 dwelling units per acre. The minimum lot sizes are 5,500 and 9,000 square feet, dependent on lot widths. The minimum lot widths are 50 and 70 feet.

Ordinance O-07-1645 also include requirements for commercial use. All commercial properties shall only allow uses permitted in the following zoning districts that are either: (1) State of Texas sales tax generating businesses, or (2) professional offices: CN-Neighborhood Commercial zoning district, the CC1-Village Retail zoning district, and the CC2-Shopping Center zoning district.

However, Ordinance O-13-1899 requires the submission of a detailed site plan for the 1.9 acre commercial tract shown at the southeast corner of the development at Cheek-Sparger Road and Heritage Avenue prior to the issuance of a building permit. The detailed site plan shall be considered a legislative approval, subject to the sole discretion of the City Council upon the recommendation of the Planning and Zoning Commission.

Private Streets/Access. The development will have access from both Heritage Avenue and Cheek-Sparger Road. All streets serving the development will contain a minimum of 40 feet of right-of-way, measured from curb-back to curb-back, with five (5) foot easements on both sides. All streets within the subdivision will be private and maintained by the homeowners association. This development will be developed as a gated community with private streets in accordance with Chapter 10-Private Streets and Gate Entrances.

Right-of-Way Waiver. A right-of-way waiver was approved by the City Council on March 18, 2014 for Heritage Avenue. Eighty feet of right-of-way is required for Heritage Avenue based on the recommendation of the Master Thoroughfare Plan. Heritage Avenue is classified as a Major Collector (four lane) on the plan. The developer received a waiver as part of the approval of the phase two preliminary plat to dedicate only 65 feet of right-of-way along the southern portion of Heritage Avenue south of Little Bear Creek.

Sidewalks and Trails. Four (4) foot sidewalks will be installed in front of each residential lot within dedicated easements.

The ten (10) foot wide concrete trail shown as Trail 24 on the 2005 City of Colleyville Pathways Plan will be constructed by the developer along the west side of Heritage Avenue, prior to the acceptance of public improvements. Trail 24 must connect to all other trails noted on the 2005 Colleyville Pathways Plan with the following exceptions:

The developer may escrow the cost of constructing the trail in lieu of actual construction only for the portion of the trail that traverses the Little Bear Creek floodplain. If the developer chooses to escrow said funds, the developer shall build a minimum four (4) foot wide sidewalk across Little Bear Creek that links the internal sidewalks in the portion of the development that is north of Little Bear Creek. Said sidewalk connection shall link to Trail 24 on both sides of Little Bear Creek within a public pedestrian access easement, which shall be dedicated on the final plat(s) for the development.

Drainage. The developer has submitted a preliminary drainage analysis of the site, which has been accepted by Public Works. According to the preliminary drainage analysis, the development will provide on-site detention.

Park Land Dedication Fees. Park land dedication fees are required, in the amount of \$1,802 per residential lot and \$800 per acre for commercial lots. 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 Clerk's office.

Perimeter Street Improvement Requirements. The developer may enter into a City/Developer Agreement with the City of Colleyville for any required public improvements, in conjunction with this development.

Perimeter street improvement fees are not due, since the developer will either be responsible for improving their half of Heritage Avenue where it is adjacent to the development, or will enter into a City/Developer agreement. These improvements must comply with the current standards of the Land Development Code and the Master Thoroughfare Plan at the time of development of the adjacent property.

Other Impact Fees. Water, sewer, and roadway impact fees are due at the time a building permit is issued. Fees will depend upon land use according to Chapter 13-Impact Fees of the Land Development Code.

Screening Walls and Fences. An eight (8) foot masonry wall shall be built between any commercial and residential lots. Perimeter fencing along Heritage Avenue will only be required immediately adjacent to lots, and not be required where floodplain or open space is adjacent to Heritage Avenue. Perimeter fencing that currently exists along the west side of the proposed development will remain.

Ordinance O-13-1899 amended Ordinance O-07-1645, Section 4(7)b to read as follows: A six (6) foot masonry wall shall be built along the perimeter of the subdivision along Heritage Avenue, Glade Road, and Cheek-Sparger Road. The design for such wall shall be stamped and sealed by a licensed engineer. Except as noted above, all fences shall be constructed per Exhibit D of Ordinance O-13-1899.

Landscaping and Tree Preservation. Trees not located within the right-of-way or

within the pad site must be preserved during construction. Before construction begins on the site, protective fencing must be installed around the drip line of all preserved trees located outside the right-of-way. A preliminary tree survey has not been submitted at time of this preliminary plat. Approval of a tree survey and mitigation plan shall be required prior to issuance of a Notice to Proceed letter from the Engineering Division of the Public Works Department.

Summary. The proposed development satisfies the requirements of PUD-R Planned Unit Development-Residential Ordinances O-07-1645, O-13-1866, and O-13-1899. The right-of-way waiver for Heritage Avenue noted above was approved by the City Council on March 18, 2014. The revised preliminary plat requires final approval by City Council.

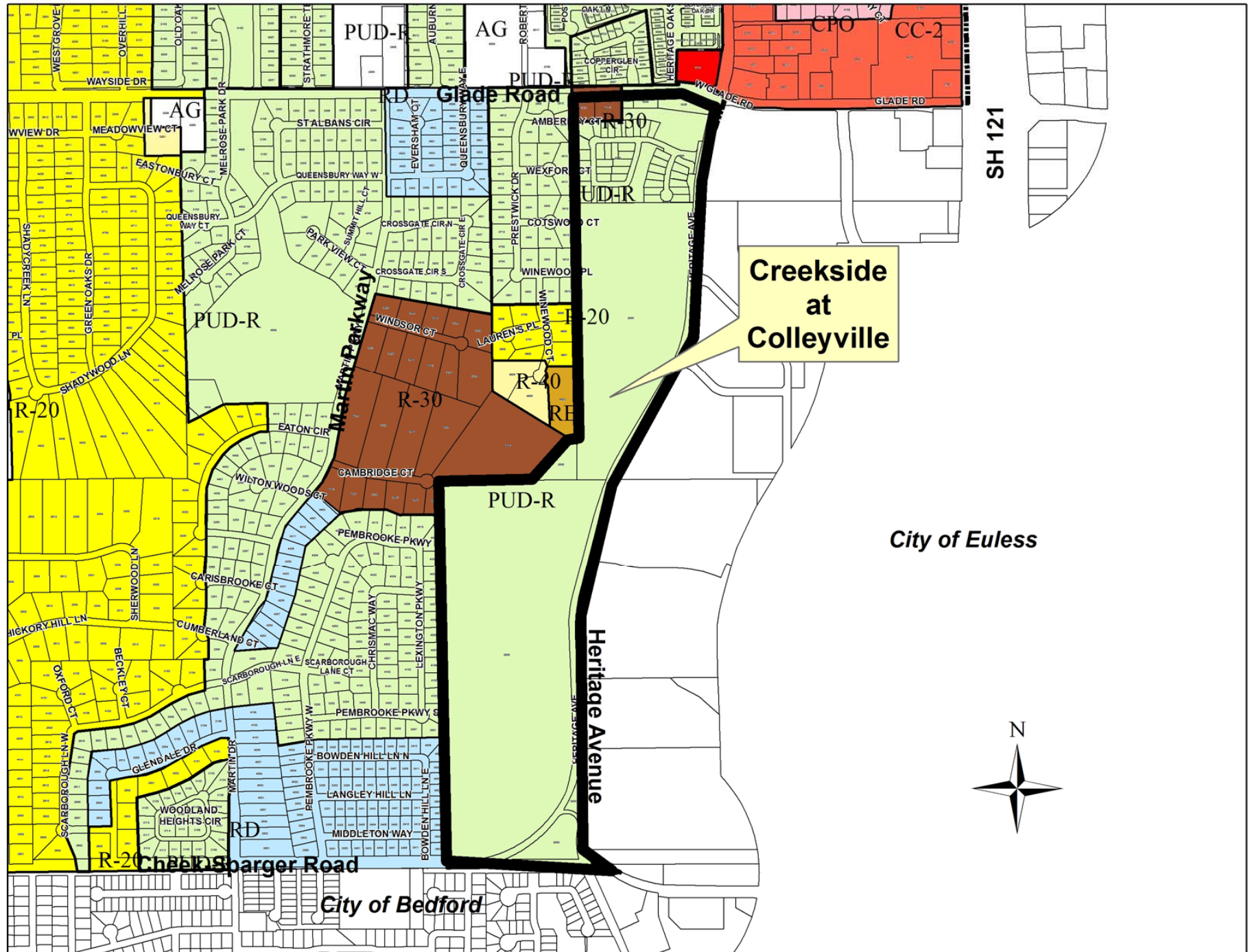
Recommendation

Approve

Attachments

1. Location and Zoning Map
2. Aerial
3. Revised Preliminary Plat Exhibit
4. Ordinance O-07-1645
5. Ordinance O-13-1866
6. Ordinance O-13-1899
7. Original Phase One Preliminary Plat
8. Original Phase Two Preliminary Plat

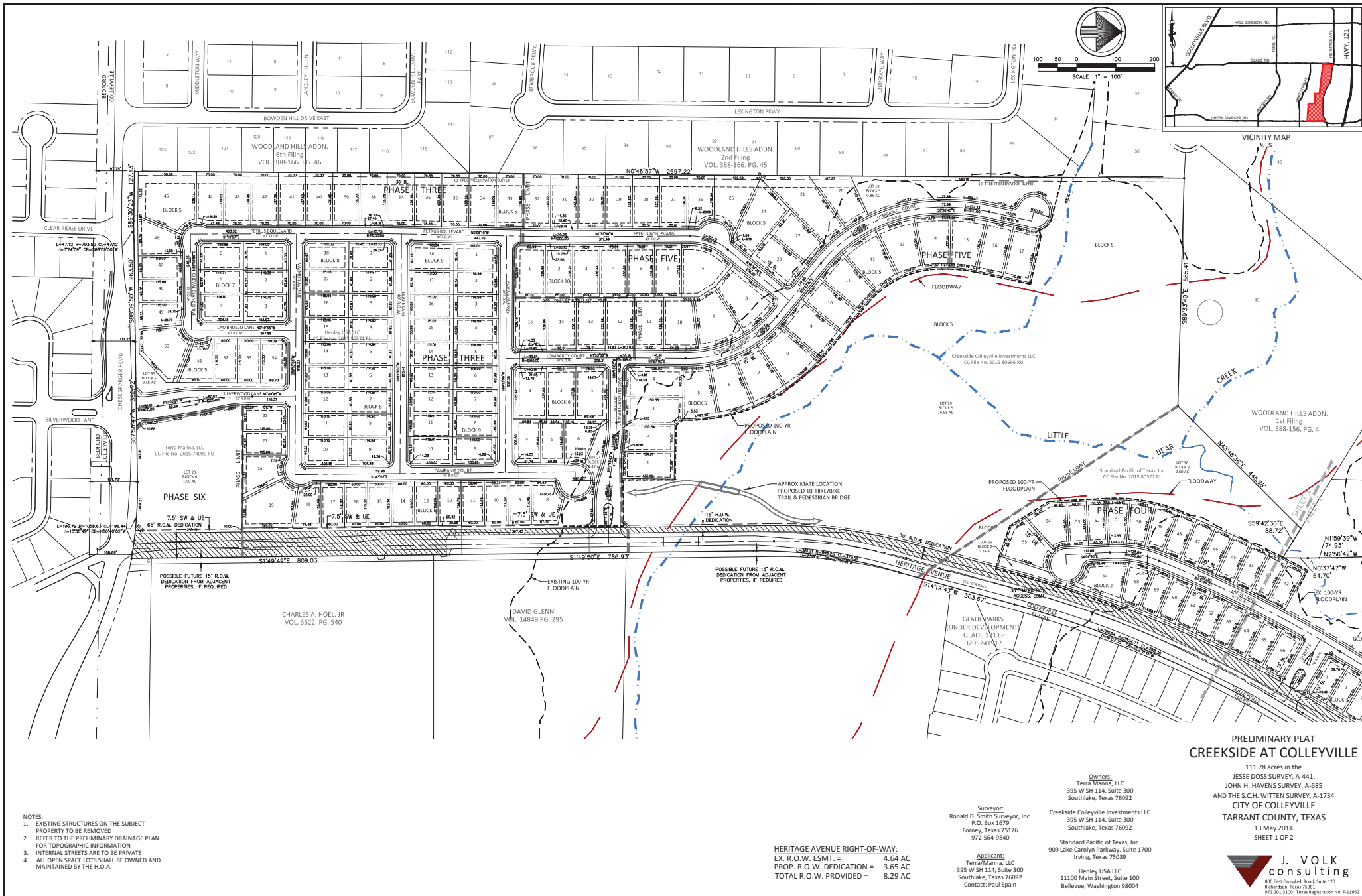
Location and Zoning Map



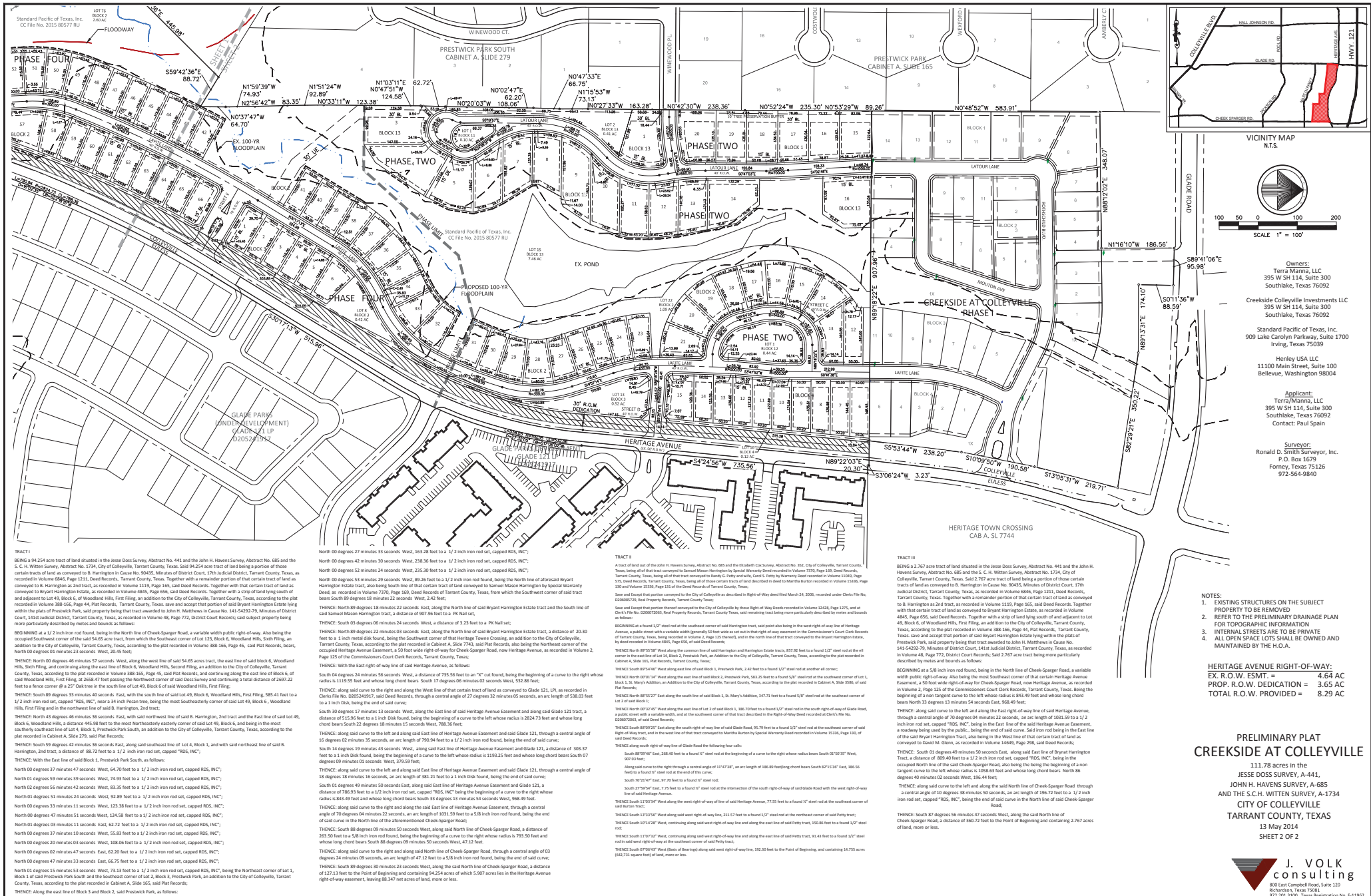
Aerial



Revised Preliminary Plat Exhibit



Revised Preliminary Plat Exhibit



ORDINANCE O-07-1645

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF APPROXIMATELY 108.5 ACRES OUT OF THE ELIZABETH COX SURVEY, ABSTRACT 352, THE JOHN H. HAVENS SURVEY, ABSTRACT 685, THE JESSE DOSS SURVEY, ABSTRACT 441, AND THE S.C.H. WITTEN SURVEY, ABSTRACT 1734, FROM THE AG-AGRICULTURAL ZONING DISTRICT TO PUDR-PLANNED UNIT DEVELOPMENT RESIDENTIAL ZONING DISTRICT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a rezoning under Case No. Z-07-008; and

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

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

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan 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 by reference 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 108.5 acres out of the Elizabeth Cox Survey, Abstract 352, the John H. Havens Survey, Abstract 685, the Jesse Doss Survey, Abstract 441, and the S.C.H. Witten Survey, Abstract 1734 from the AG-Agricultural zoning district to PUDR-Planned Unit Development Residential zoning district, as depicted on Exhibit "A" labeled Location and Zoning Map and as described on Exhibit "B" labeled Legal Description.
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The purpose of this PUDR is for a single-family residential development of detached dwelling units, constructed at a gross maximum density of 2.4 dwelling units per acre. There shall be no more than 269 single-family residential lots.
- b. Commercial lots shall be permitted along the frontage of Heritage Avenue.
- c. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where specifically amended by this Ordinance.

2. CONCEPTUAL PLAN, SITE PLAN, AND PLATTING

- a. The development shall be generally consistent with this Ordinance and the Conceptual Site Plan, labeled as Exhibit "C", which shall not be

considered a plat. The developer shall submit and receive approval from the City for any amendment to the Site Plan in accordance with the phasing of the development of any portion of this PUDR. A detailed Site Plan submission shall, at a minimum, meet the requirements of Section 3.23 J.K.6. of the Land Development Code, be consistent with this Ordinance, and may also be required to show additional conditions provided in Section 3.23 M.b. of the Land Development Code. Further, such detailed site plan(s) shall be considered as a legislative approval, subject to the sole discretion of the City Council upon the recommendation of the Planning and Zoning Commission.

- b. The developer shall submit and receive approval from the City, a Preliminary and Final Plat in accordance with the requirements of the Land Development Code prior to development of this PUDR.

3. PERMITTED USES

- a. Single-family residences, detached.
- b. All commercial properties shall allow only uses permitted in the following zoning districts that are; (1) either State of Texas sales tax generating businesses, or (2) professional offices: CN-Neighborhood Commercial zoning district, the CC1-Village Retail zoning district and the CC2-Shopping Center zoning district.

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

Residential lot requirements and setbacks shall comply with the following provisions. Planning Area "A" refers to lots adjacent to western property line.

Planning Area "A"

- | | |
|----------------------------|--|
| a. Minimum Lot Size | 9,000 square feet |
| b. Minimum Lot Width | 70 feet |
| c. Minimum Lot Depth | 120 feet |
| d. Front Building Line | 20 feet; or 15 feet for a front swing garage |
| e. Side Building Line | 5 feet |
| f. Rear Building Line | 30 feet |
| g. Maximum Building Height | 40 feet |
| h. Maximum Lot Coverage | 65% |

Planning Area "B"

a. Average Lot Size	5,500 square feet
b. Minimum Lot Size	5,000 square feet
c. Minimum Lot Width	50 feet
d. Minimum Lot Depth	105 feet
e. Front Building Line	20 feet; or 15 feet for a front swing garage
f. Side Building Line	0, 1 or 9 feet with a 10 foot minimum between buildings
g. Rear Building Line	10 feet
h. Maximum Building Height	40 feet
i. Maximum Lot Coverage	65%

5. OPEN SPACE AND LANDSCAPE BUFFER

- a. A 10 foot wide landscape buffer shall be designated along the entire western property line. No structures may be constructed within the landscape buffer. The landscape buffer shall be incorporated in the rear lots of Planning Area "A". Such landscape buffer shall is not an open space lot. Chapter 5 of the Land Development Code applies to this landscape buffer in particular and the development as a whole. In addition, the Section 5.9 Tree Replacement Requirements shall apply to any replacement tree greater than three (3) inches in diameter which is substantially damaged or which dies within two (2) years of final inspection.
- b. Open space lots shall be maintained by the Homeowners Association.
- c. The following amenities are permitted in the open space lots: picnic tables, benches, playground equipment, concrete and crushed granite walking paths, a gazebo, an arbor, other garden type built elements including a fireplace, fountains, lights and a dock and pier. These amenities shall be owned and maintained by a homeowners association.

6. PRIVATE SIDEWALKS AND STREETS

- a. A ten (10) foot wide concrete trail approximately 1.2 miles long shall be constructed on-site along with all other public improvements as part of this development between Glade Road and Cheek Sparger Road and prior to the time of Final Plat. The City Manager or his designee may approve a reduced trail width of eight (8) feet if necessary based upon topographic, landscape, or other issues. Such trail shall be included as part of any Site Plan submittal, and shall be consistent with the City's then existing Master Trail Plan.

7. SCREENING

- a. An eight (8) foot masonry wall shall be built between any commercial and residential lots.
- b. An eight (8) foot masonry wall shall be built along the perimeter of the subdivision along Heritage Avenue, Glade Road and Cheek Sparger Road. The design for such wall shall be stamped and sealed by a licensed engineer. The standards and detail for such wall shall be included as part of the detailed Site Plan.
- c. Perimeter fencing along Heritage Avenue shall only be required immediately adjacent to lots, and not be required along where floodplain or open space is adjacent to Heritage Avenue.

8. OTHER

- a. Ingress and Egress from Winewood Place shall be restricted to access by emergency vehicles only.
- b. The number of lots allowed with frontage on a cul-de-sac street shall adhere to the requirements of the Land Development Code.
- c. The portion of the development located south of Little Bear Creek shall have a minimum of two (2) points of public vehicular ingress and egress from Cheek Sparger Road and/or Heritage Avenue.
- d. There shall be no direct access onto Glade Road from this development.
- e. There shall be no single family uses allowed adjacent to Heritage Avenue where there are, as of the passage of this ordinance, existing commercial uses directly across Heritage Avenue within the City of Eules.
- f. Retaining walls that are adjacent to residential lots shall be constructed with a stone facade.

Sec. 5. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as specifically amended herein.

Sec. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

Sec. 7. THAT if any section, paragraph, subdivision, clause, phrase or provision of

this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 8. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 9. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 16th day of October 2007.

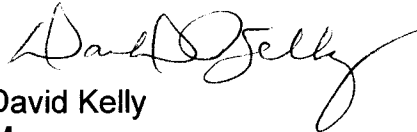
The second reading and public hearing being conducted on the 6th day of September 2007.

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

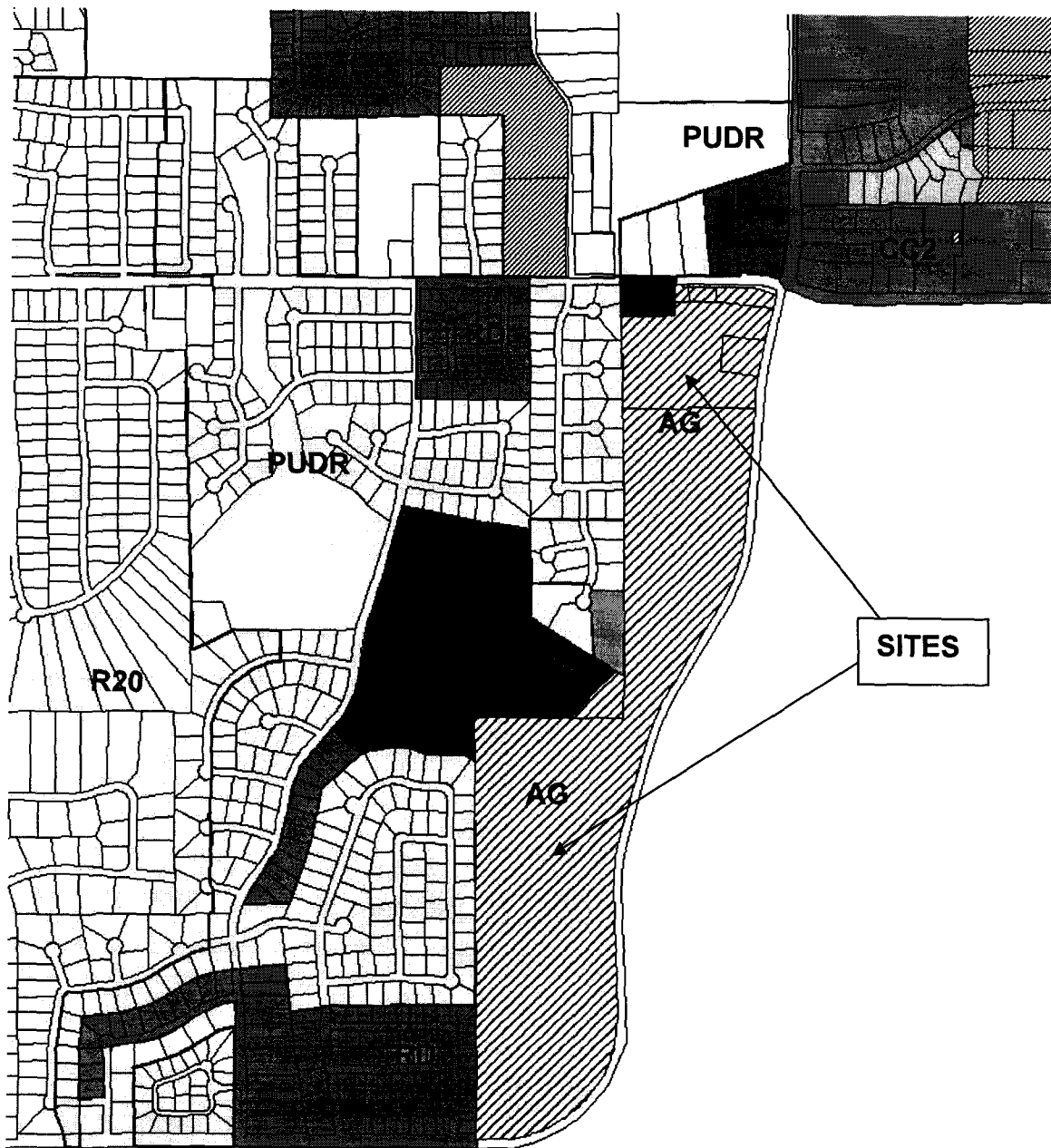


Exhibit "B" Legal Description

**CREEKSIDE AT COLLEYVILLE (PUD-R)
108.5 ACRE ZONING TRACT**

BEING A 108.5 ACRE TRACT OF LAND SITUATED IN THE ELIZABETH COX SURVEY, ABSTRACT NO. 352, THE JOHN H. HAVENS SURVEY, ABSTRACT NO. 685, THE JESSE DOSS SURVEY, ABSTRACT NO. 441 AND THE S.C.H. WITTEN SURVEY, ABSTRACT NO. 1734, CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS. SAID 108.5 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT NEAR THE INTERSECTION OF THE CENTERLINE OF GLADE ROAD AND THE INTERSECTION OF;

THENCE S 09°46'23" W, OVER AND ACROSS SAID GLADE ROAD AND HERITAGE AVENUE, A DISTANCE OF 99.73 FEET TO A POINT FOR CORNER IN THE EAST RIGHT-OF-WAY (R.O.W.) LINE OF SAID HERITAGE AVENUE;

THENCE ALONG THE EAST LINE OF SAID HERITAGE AVENUE THE FOLLOWING COURSES AND DISTANCES;

S 12°21'40" W, A DISTANCE OF 447.71 FEET TO A POINT FOR CORNER;

S 05°25'11" W, A DISTANCE OF 195.30 FEET TO A POINT FOR CORNER;

S 04°21'00" W, A DISTANCE OF 720.00 FEET TO A POINT FOR CORNER;

ALONG A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 27°31'41", A RADIUS OF 1121.05 FEET, AN ARC LENGTH OF 538.62 FEET, A CHORD BEARING OF S 17°31'00" W, AND A CHORD LENGTH OF 533.45 FEET TO A POINT FOR CORNER;

S 30°41'03" W, A DISTANCE OF 515.89 FEET TO A POINT FOR CORNER;

ALONG A CURVE TO THE LEFT HAVING A DELTA ANGLE OF 15°51'46", A RADIUS OF 2840.34 FEET, AN ARC LENGTH OF 786.37 FEET, A CHORD BEARING OF S 22°45'00" W, AND A CHORD LENGTH OF 783.86 FEET TO A POINT FOR CORNER;

S 14°48'57" W, A DISTANCE OF 308.22 FEET TO A POINT FOR CORNER;

ALONG A CURVE TO THE LEFT HAVING A DELTA ANGLE OF 16°05'15", A RADIUS OF 1407.20 FEET, AN ARC LENGTH OF 395.12 FEET, A CHORD BEARING OF S 06°46'30" W, AND A CHORD LENGTH OF 393.82 FEET TO A POINT FOR CORNER;

S 00°46'00" E, A DISTANCE OF 772.57 FEET TO A POINT FOR CORNER;

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FEB 06 2007

Per

ALONG A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 70°04'32", A RADIUS OF 843.50 FEET, AN ARC LENGTH OF 1031.64 FEET, A CHORD BEARING OF S 33°59'27" W, AND A CHORD LENGTH OF 968.53 FEET TO A POINT FOR CORNER AT THE INTERSECTION OF THE NORTH R.O.W. LINE OF CHEEK SPARGER ROAD;

THENCE S 89°18'56" W, ALONG THE NORTH R.O.W. LINE OF SAID CHEEK SPARGER ROAD, A DISTANCE OF 437.70 FEET TO A POINT FOR THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AS PACEL 1 IN DEED TO SPARGER FAMILY LIMITED PARTNERSHIP RECORDED IN VOLUME 16472, PAGE 390 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS (D.R.T.C.T.);

THENCE N 00°01'23" W, ALONG THE WEST LINE OF SAID PARCEL 1, A DISTANCE OF 2658.46 FEET TO A POINT FOR THE NORTHWEST CORNER OF SAID PARCEL 1;

THENCE S 89°02'53" E, ALONG THE NORTH LINE OF SAID TRACT 1, A DISTANCE OF 549.10 FEET TO A POINT FOR CORNER;

THENCE LEAVING THE NORTH LINE OF SAID PARCEL 1 THE FOLLOWING COURSES AND DISTANCES;

N 44°32'16" E, A DISTANCE OF 504.74 FEET TO A POINT FOR CORNER;

S 58°08'37" E, A DISTANCE OF 82.37 FEET TO A POINT FOR CORNER IN THE WEST LINE OF A CALLED 136.34 ACRE TRACT OF LAND DESCRIBED IN DEED TO SPARGER FAMILY LIMITED PARTNERSHIP PARTNERSHIP RECORDED IN VOLUME 16472, PAGE 390 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS (D.R.T.C.T.);

THENCE N 00°39'20" E, ALONG SAID WEST LINE, A DISTANCE OF 541.65 FEET TO A POINT FOR CORNER;

THENCE N 00°15'08" E, A DISTANCE OF 443.19 FEET TO A POINT FOR CORNER;

THENCE N 00°28'33" W, A DISTANCE OF 1306.92 FEET TO A POINT FOR CORNER;

THENCE S 89°50'41" E, A DISTANCE OF 344.46 FEET TO A POINT FOR CORNER;

THENCE N 00°09'51" W, A DISTANCE OF 225.22 FEET TO A POINT FOR CORNER;

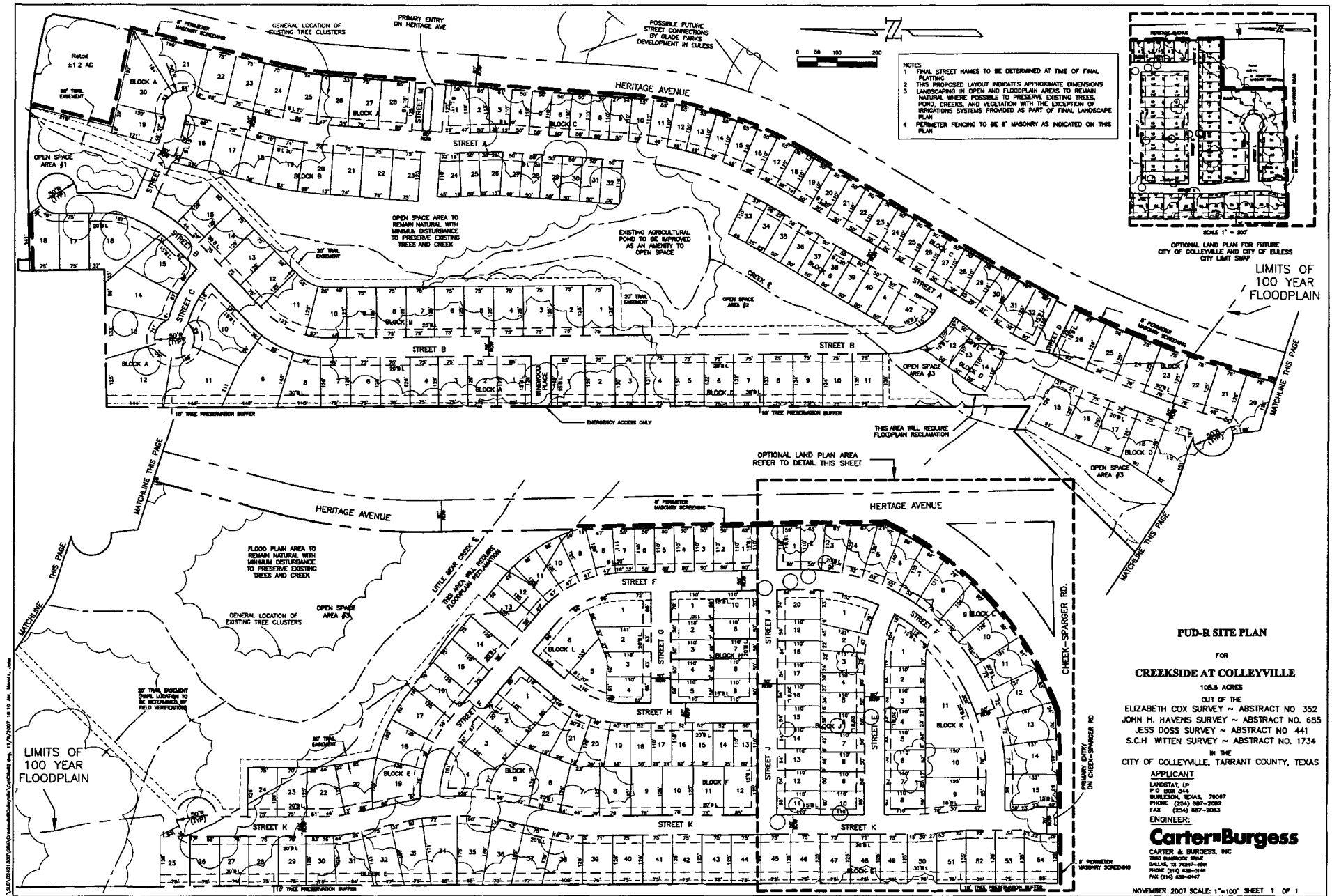
THENCE N 88°42'20" E, A DISTANCE OF 22.07 FEET TO A POINT FOR CORNER;

THENCE S 00°27'31" E, A DISTANCE OF 28.94 FEET TO A POINT FOR CORNER;

THENCE N 89°23'34" E, A DISTANCE OF 195.12 FEET TO A POINT FOR CORNER;

THENCE ALONG A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 13°35'47", A RADIUS OF 1587.18 FEET, AN ARC LENGTH OF 376.64 FEET, A CHORD BEARING OF S 84°20'11" E, AND A CHORD LENGTH OF 375.76 FEET TO A POINT FOR CORNER;

THENCE S 76°13'22" E, A DISTANCE OF 105.52 FEET TO THE POINT OF BEGINNING, AND CONTAINING 108.5 ACRES OF LAND, MORE OR LESS.



ORDINANCE O-13-1866

AN ORDINANCE AMENDING ORDINANCE O-07-1645 CONDITIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council approved Ordinance O-07-1645 on November 27, 2007, to establish the zoning of 108.5 acres out of the Elizabeth Cox Survey, Abstract 352, The John H. Havens Survey, Abstract 685, the Jesse Doss Survey, Abstract 441, and the S.C.H. Witten Survey, Abstract 1734 under case Z07-0008; and

WHEREAS, the applicant has requested an amendment to Ordinance O-07-1645 to further amend the commercial zoning requirements at the southwest corner of Glade Road and Heritage Avenue; to amend the trail location requirements within the development; and to submit a detailed site plan for 14.75 acres of the development per the requirements of Section 4(2)a under Ordinance O-07-1645, under Case ZC12-031; 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 amending Ordinance O-07-1645 conditions.
- Sec. 3. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by amending the zoning and development requirements on 108.5 acres out of the Elizabeth Cox Survey, Abstract 352, the John H. Havens Survey, Abstract 685, the Jesse Doss Survey, Abstract 441, and the S.C.H. Witten Survey, Abstract 1734 as depicted on the attached Exhibit "A".
- Sec. 4. 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. 5. THAT the above described tract of land shall be subject to the following conditions:

1. DETAILED SITE PLAN REQUIREMENT

- a. Exhibit "B" shall be deemed to satisfy the site plan requirements of Ordinance O-07-1645 Section 4(2)a. A full size copy of the site plan shall be kept on file in the Community Development Department until the final plat is approved, at which time a copy of the detailed site plan shall be kept in the plat file for this development. The phase one final plat shall be consistent with Exhibit "B".
- b. The remainder of the subject property within this PUD shall be required to submit a detailed site plan per Section 4(2)a of Ordinance O-07-1645 prior to the submission of a final plat.

2. GENERAL AMENDMENTS

- a. Sections 4(8) "d" and "e" of Ordinance O-07-1645 are hereby deleted.
- b. The maximum building height in this development shall not exceed 35 feet.
- c. The ten (10) foot wide concrete trail shown as Trail 24 on the 2005 City of Colleyville Pathways Plan map shall be constructed by the developer along the west side of Heritage Avenue prior to the acceptance of public improvements. Trail 24 must connect to all other trails noted on the 2005 Colleyville Pathways Plan.
- d. This development may be developed as a gated community with private streets in accordance with Chapter 10-Private Streets and Gate Entrances of the Land Development Code.
- e. The developer shall improve Heritage Avenue where it is adjacent to the development to the current standards of the Land Development Code and the Master Thoroughfare Plan at the time of development of the adjacent property. There shall be no option to escrow said construction costs as a perimeter street fee for future roadway improvements.

- 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 Ordinance O-07-1645 and 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 19th day of February 2013.

The second reading and public hearing being conducted on the 5th day of March 2013.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 5th day of March 2013.

ATTEST:


Amy Shelley
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

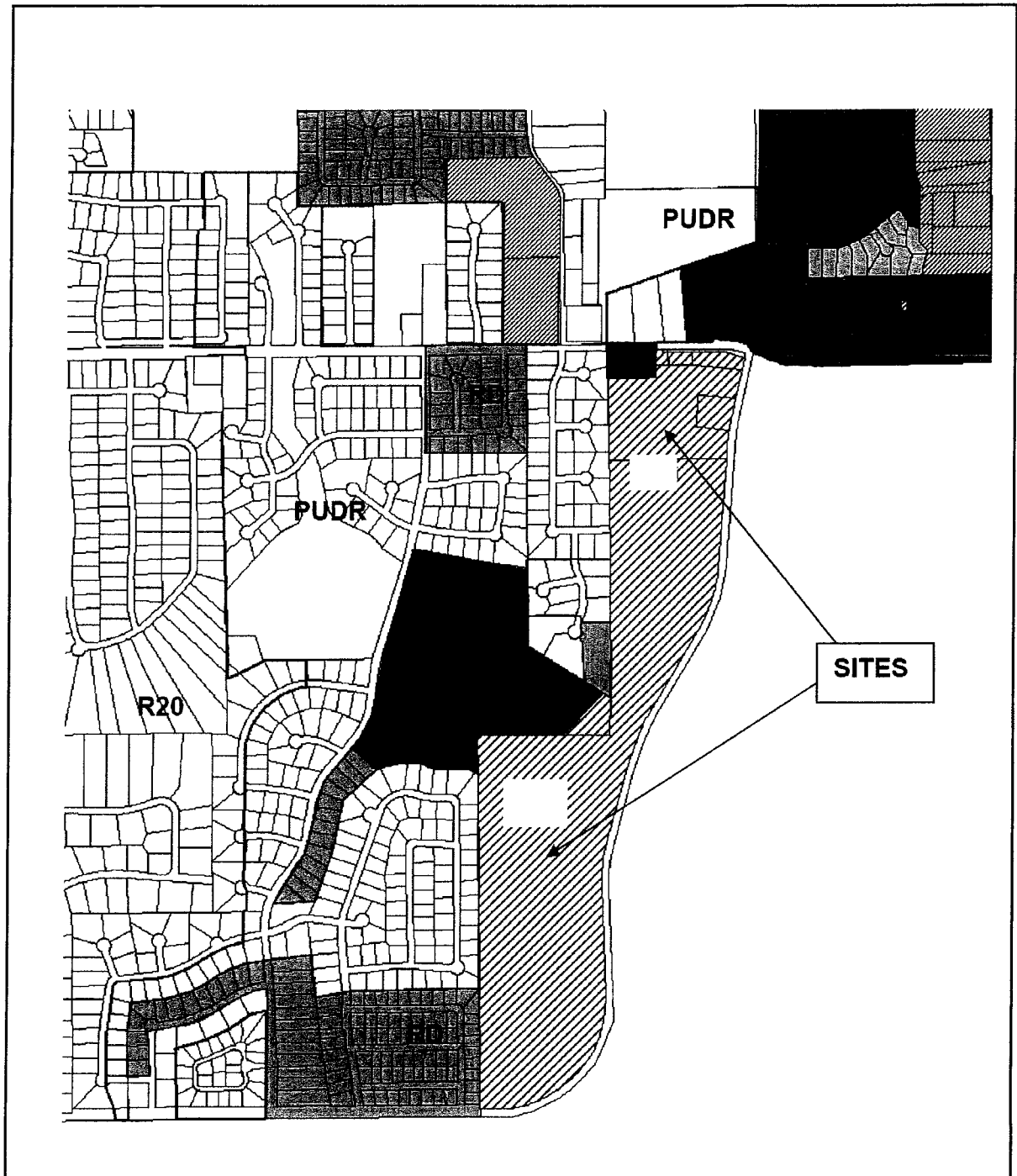
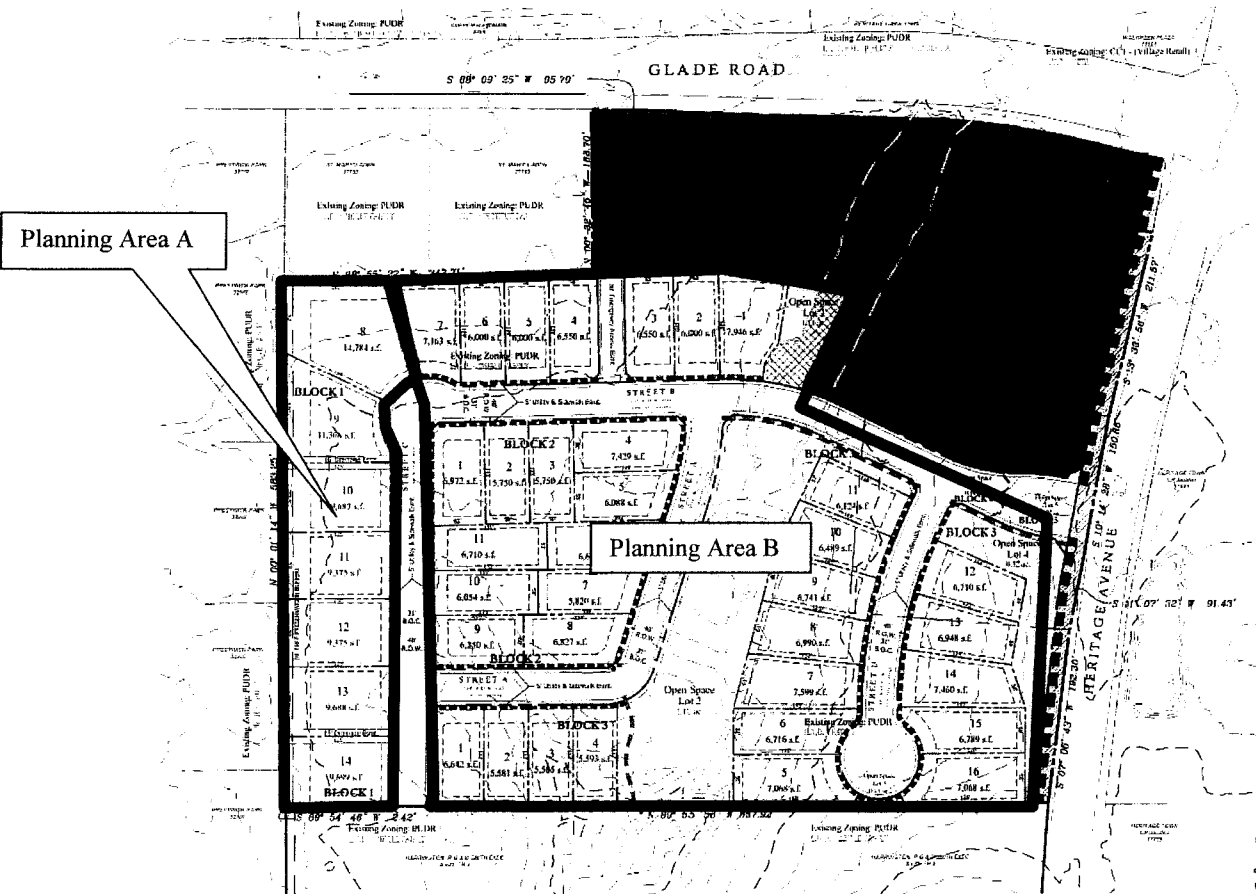


Exhibit "B" Detailed Site Plan



ORDINANCE O-13-1899

AN ORDINANCE AMENDING ORDINANCE O-07-1645 AND ORDINANCE O-13-1866 CONDITIONS AND AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 4.4 ACRES LOCATED IN THE JESSE DOSS SURVEY AT THE NORTHWEST CORNER OF CHEEK-SPARGER ROAD AND HERITAGE AVENUE FROM THE AG-AGRICULTURAL DISTRICT TO THE PUD-R-PLANNED UNIT DEVELOPMENT RESIDENTIAL DISTRICT; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council approved Ordinance O-07-1645 on November 27, 2007, to establish the zoning of 108.5 acres out of the Elizabeth Cox Survey, Abstract 352, the John H. Havens Survey, Abstract 685, the Jesse Doss Survey, Abstract 441, and the S.C.H. Witten Survey, Abstract 1734 under case Z-07-008; and

WHEREAS, the City Council approved Ordinance O-13-1866 on March 5, 2013, amending Ordinance O-07-1645 conditions and approving a detailed site plan for phase one of the development under case ZC12-031; and

WHEREAS, the applicant has requested an amendment to Ordinance O-07-1645 and Ordinance O-13-1866 and requests to rezone 4.4 acres located in the Jesse Doss Survey at the northwest corner of Cheek-Sparger Road and Heritage Avenue, acquired from the City of Euless in a boundary adjustment approved under Ordinance O-12-1828, so as to incorporate the property into the PUD authorized by Ordinance O-07-1645 under Case Z-07-008 and approve a detailed site plan for phase two of the development; and

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

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

enforced therein and to recommend a new zoning ordinance;
and

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

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, to the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by amending Ordinance O-07-1645 and Ordinance O-13-1866.
- Sec. 3. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by

changing the zoning of 4.4 acres located in the Jesse Doss Survey at the northwest corner of Cheek-Sparger Road and Heritage Avenue from the AG-Agricultural District to the PUD-R-Planned Unit Development Residential District, as depicted in the attached Exhibit "A" and described in Exhibit "B".

Sec. 4. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.

Sec. 5. THAT the above described tract of land shall be subject to the following conditions:

1. DETAILED SITE PLAN REQUIREMENT

- a. Exhibit "C" shall be deemed to satisfy the site plan requirements of Ordinance O-07-1645 Section 4(2)a and Ordinance O-13-1866 Section 5(1)b. A full size copy of the site plan shall be kept on file in the Community Development Department until the final plat is approved, at which time a copy of the detailed site plan shall be kept in the plat file for this development. The phase two final plat shall be consistent with Exhibit "C".

2. GENERAL AMENDMENTS

- a. Section 5(2)e of Ordinance O-13-1866 is hereby deleted.
- b. The developer may enter into a City/Developer Agreement with the City of Colleyville for any required public improvements, in conjunction with this development. Said agreement, if submitted, shall be approved and executed prior to the filing of the final plat for phase two of the development.
- c. Prior to the issuance of a building permit for the 1.9 acre commercial tract shown at the southwest corner of the development on Exhibit C, the developer shall submit a detailed site plan which shall, at a minimum, meet the requirements of Section 3.23 J.K.6. of the Land Development Code, be consistent with Ordinance O-07-1645 and any subsequent amendments, and may also be required to show additional conditions provided in Section 3.23 M.b. of the Land Development Code. Further, such detailed site plan(s)

shall be considered as a legislative approval, subject to the sole discretion of the City Council upon the recommendation of the Planning and Zoning Commission.

- d. Section 4(7)b of Ordinance O-07-1645 is hereby amended to read as follows: A six (6) foot masonry wall shall be built along the perimeter of the subdivision along Heritage Avenue, Glade Road and Cheek Sparger Road. The design for such wall shall be stamped and sealed by a licensed engineer. The standards and detail for such wall shall be included as part of the detailed Site Plan and shall, otherwise, meet the requirements of the Land Development Code.
- e. Except as noted in subsection "d" above and Section 4(7)a and "c" in Ordinance O-07-1645, all fences shall be constructed per Exhibit D.
- f. Section 5(2)c of Ordinance O-13-1866 is hereby amended to read as follows: The ten (10) foot wide concrete trail shown as Trail 24 on the 2005 City of Colleyville Pathways Plan map shall be constructed by the developer along the west side of Heritage Avenue prior to the acceptance of public improvements and shall connect to all other trails noted on the 2005 Colleyville Pathways Plan with the following exceptions: The developer may escrow the cost of constructing the trail in lieu of actual construction only for the portion of the trail that traverses the Little Bear Creek floodplain. If the developer chooses to escrow said funds, the developer shall build a minimum four (4) foot wide sidewalk across Little Bear Creek that links the internal sidewalks in the portion of the development that is south of Little Bear Creek to the internal sidewalks in the portion of the development that is north of Little Bear Creek. Said sidewalk connection shall link to Trail 24 on both sides of Little Bear Creek within a public pedestrian access easement, which shall be dedicated on the final plat(s) for the development.

Sec. 6. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.

- Sec. 7. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 8. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 9. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 10. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.
- Sec. 11. THAT Ordinance O-07-1645 and Ordinance O-13-1866 shall remain in full force and effect, except where amended by this ordinance.

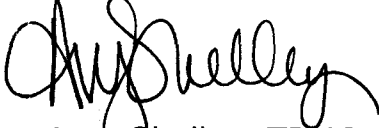
AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of December 2013.

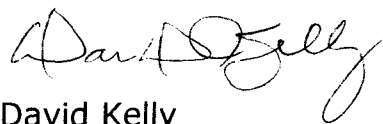
The second reading and public hearing being conducted on the 17th day of December 2013.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 17th day of December 2013.

ATTEST:


Amy Shelley, TRMC
City Secretary

CITY OF COLLEYVILLE


David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

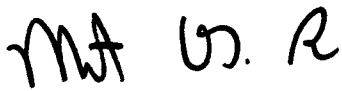

Matthew C. G. Boyle
City Attorney

Exhibit "A" –Location and Zoning Map

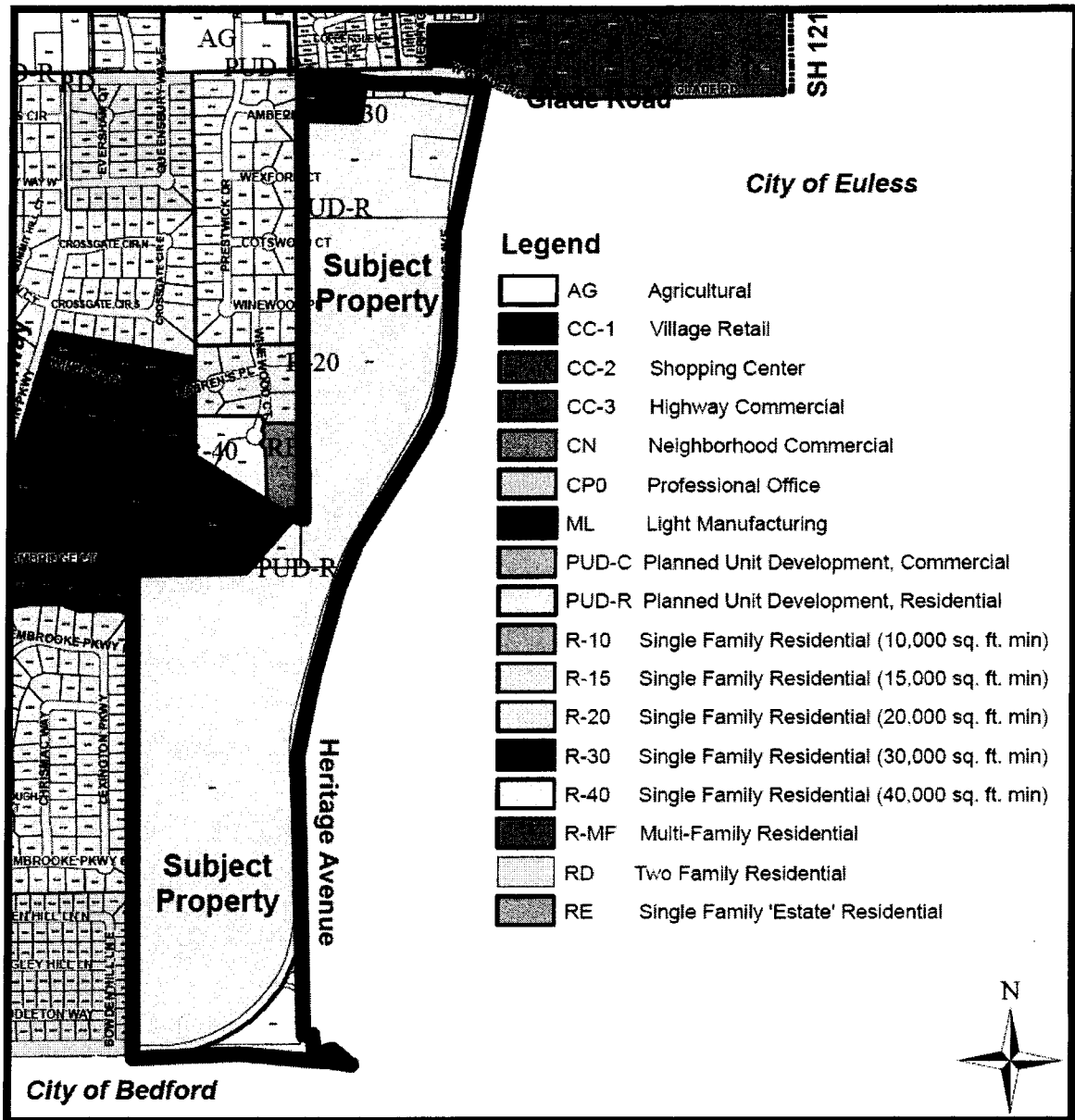


Exhibit "B" – Legal Description of Property Zoned from AG-Agricultural to PUD-R-Planned Unit Development Residential

Being the certain tract of land situated in the J. DOSS SURVEY, Abstract No. 441 and being a portion of the Ordinance No. 192 to City of Euless and a portion of the tract described in the deed to Sparger Family limited Partnership as recorded in Volume 16472, Page 390 of Deed Records, Tarrant County, Texas and being more particularly described as follows:

BEGINNING at a point at the intersection of the Colleyville City Limit and the Bedford City Limit boundaries from which a 5/8" iron rod found for the southwest corner of said Sparger tract bears North 69°11'27" West at 207.68 feet;

THENCE North 00°07'13" West, 25.16 feet to the beginning of a curve to the left;

THENCE northeasterly with said curve to the left, having a radius of 843.63 feet, a central angle of 37°42'05", an arc length of 250.26 feet to the apparent intersection of the north right-of-way of said Cheek Sparger Road and the east right-of-way line of Heritage Avenue, continuing with said east right-of-way line a total arc length of 1281.93 feet and a long chord of North 42°29'27" East at 1162.08 feet to a 5/8 inch iron rod found for the end of said curve, same being the merging of the east right-of-way line of Woodpark Lane;

THENCE South 01°02'49" East with said east right-of-way line of Woodpark Lane, 750.80 feet to the southwest corner of the tract described to Charles A. Hoel, Jr. and wife, Mary lea Hoel as recorded in Volume 3522, Page 540 of said Deed Records;

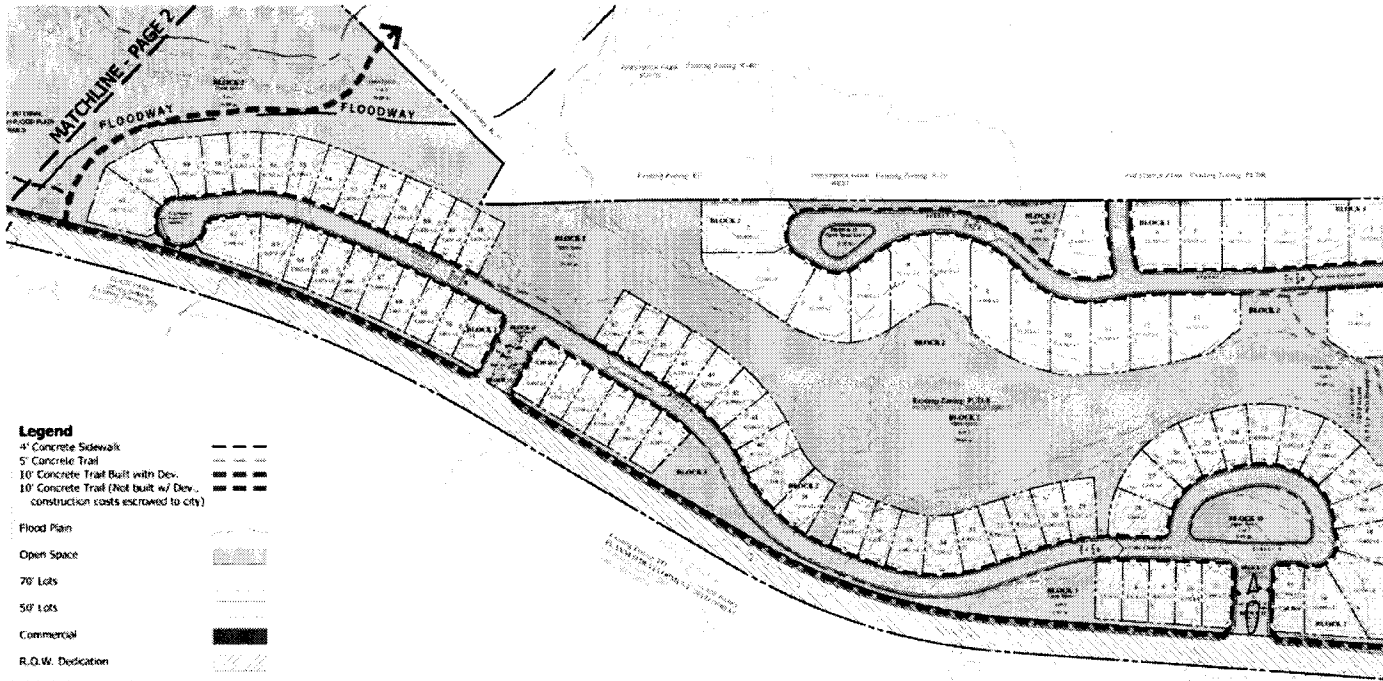
THENCE South 89°57'50" East with the south line of said Hoel tract, approximately 38.00 feet to the northwest corner of the tract described to Cheek-Sparger Properties, LLP., as recorded in Document No. 0206013089 of said Deed Records;

THENCE South 05°10'42" East, 58.85 feet to the beginning of a curve to the right;

THENCE southeasterly with said curve to the right, having a radius of 1058.63 feet, a central angle of 12°33'23", an arc length of 232.00 feet and a long chord of South 71°31'54" East at 231.54 feet;

THENCE South 65°18'09" East, 4.39 feet to said north City limit line of the City of Bedford and south City Limit line of the City of Colleyville;

THENCE North 89°52'47" West with said common City Limit line, 1065.70 feet to the place of beginning and containing 4.438 acres of land, more or less.



FOR LEGAL DESCRIPTION OF PROPERTY, SEE ATTACHED FILE

Owner:
Harrington Family
7000 Cherry Bark Lane
North Richland Hills, TX 76182

Applicant:
Terra / Manna, L.L.C.
395 W. State Hwy. 114, Suite 300
Southlake, TX 76092
Contact: Paul Spain

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

Site Data Summary Chart

Single Family Residential Lots	228
Commercial Lots	1
Common Areas	17
COMMERCIAL	
Commercial Sites	1,90 ac.
RESIDENTIAL	
Residential Lots	41,50 ac.
Open Space	30,51 ac.
R.O.W.	13,19 ac.
R.O.W. Dedication (on Heritage)	7,24 ac.
Total Residential	94,44 ac.
GROSS AREA	96,36 AC

Residential Lot Summary

Residential Lots	228
Minimum Building Lot Area	5,000 s.f.
Average Building Lot Area	8,311 s.f.
Common Areas	17

L.U.D. / Zoning

Existing Zoning:	PUD-R
Proposed Zoning:	PUD-R

Notes:

- Planning Area A - Front Setbacks are 20', or 15' with a swing garage
- Planning Area A - Rear Setbacks are 30' Typical
- Planning Area A - Side Setbacks are 5'
- Planning Area B - Front Setbacks are 20', or 15' with a swing garage
- Planning Area B - Rear Setbacks are 10' Typical
- Planning Area B - Side Setbacks can be a center-load 5' sidewalk, 9'12' or 10'10' (10' total, minimum between structures)
- There will be no outside storage onsite
- Open space lots & landscape easements will be maintained by the Homeowners Association (HOA).

Zoning Exhibit for
Zoning Change Request
For PUD-R Amendment
Case # ZC13-017

Zoning Case #ZC13-017



Phase 2 Development Plan

Creekside at Colleyville

Legend

- 4" Concrete Sidewalk
- 5" Concrete Trail
- 10" Concrete Trail Built with Dry
- 10" Concrete Trail (Not built w/ Dev. construction costs increased to city)
- Flood Plain
- Open Space
- 20' Lots
- 50' Lots
- Commercial
- R.O.W. Dedication

Site Data Summary Chart

Single Family Residential Lots	228
Commercial Lots	1
Common Areas	17
COMMERCIAL	
Commercial Sites	1.90 ac.
RESIDENTIAL	
Residential Lots	43.50 ac.
Open Space	30.51 ac.
R.O.W. Dedication (on Heritage)	7.24 ac.
Total Residential	94.44 ac.
GROSS AREA	96.36 AC

Residential Lot Summary

Residential Lots	228
Minimum Building Lot Area	5,000 s.f.
Average Building Lot Area	8,311 s.f.
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L.U.D. / Zoning

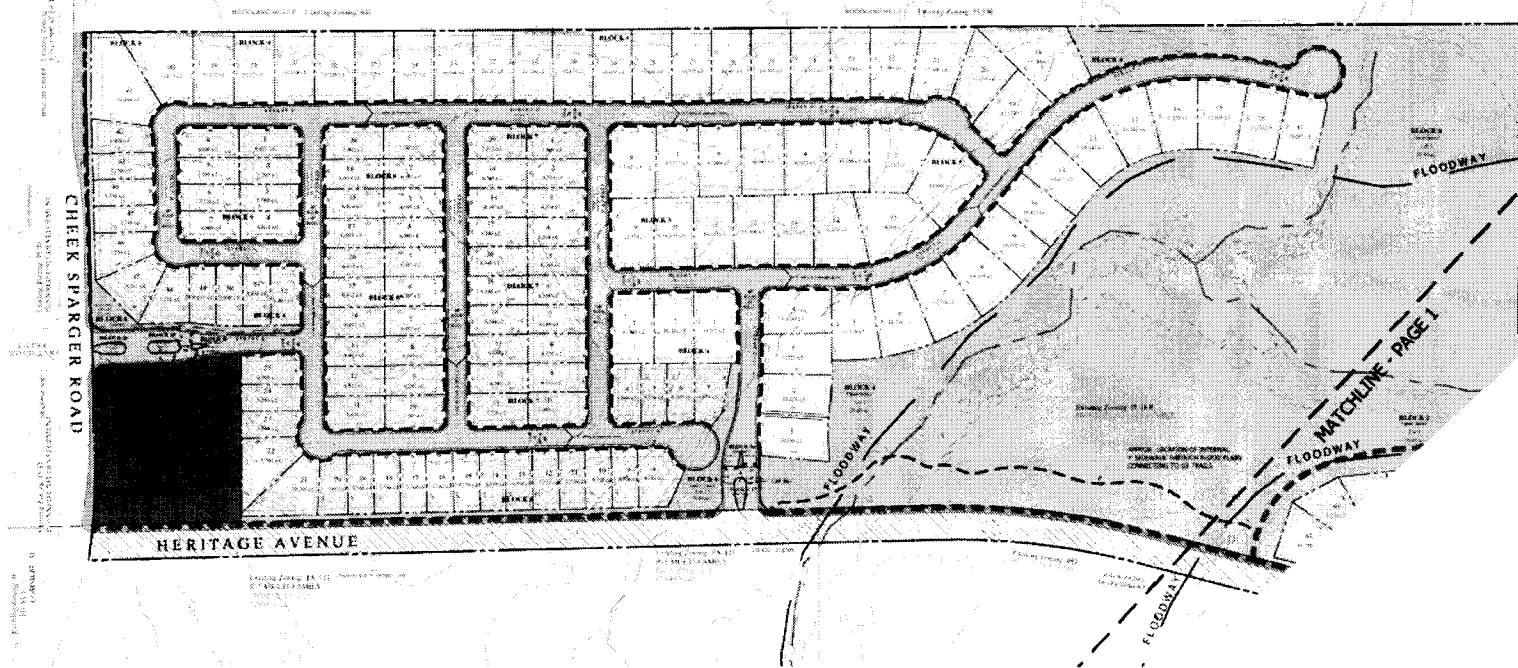
Existing Zoning	PUD-R
Proposed Zoning	PUD-R

Notes:

- Planning Area A - Front Setbacks are 20', or 15' with a swing garage
- Planning Area A - Rear Setbacks are 30' Typical
- Planning Area A - Side Setbacks are 5'
- Planning Area B - Front Setbacks are 20', or 15' with a swing garage
- Planning Area B - Rear Setbacks are 10' Typical
- Planning Area B - Side Setbacks can be a center-load 5' sideyard, 9'1" or 10'10" (10' total, minimum between structures)
- There will be no outside storage onsite
- Open space lots & landscape easements will be maintained by the Homeowners Association (HOA).

Zoning Exhibit for
Zoning Change Request
For PUD-R Amendment
Case # ZC13-017

Zoning Case #ZC13-017



Applicant:
Terra / Manna, L.L.C.
395 W. Skote Hwy. 114, Suite 300
Southlake, TX 76092
Contact: Paul Span

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

19 DEC 13



1" = 100'

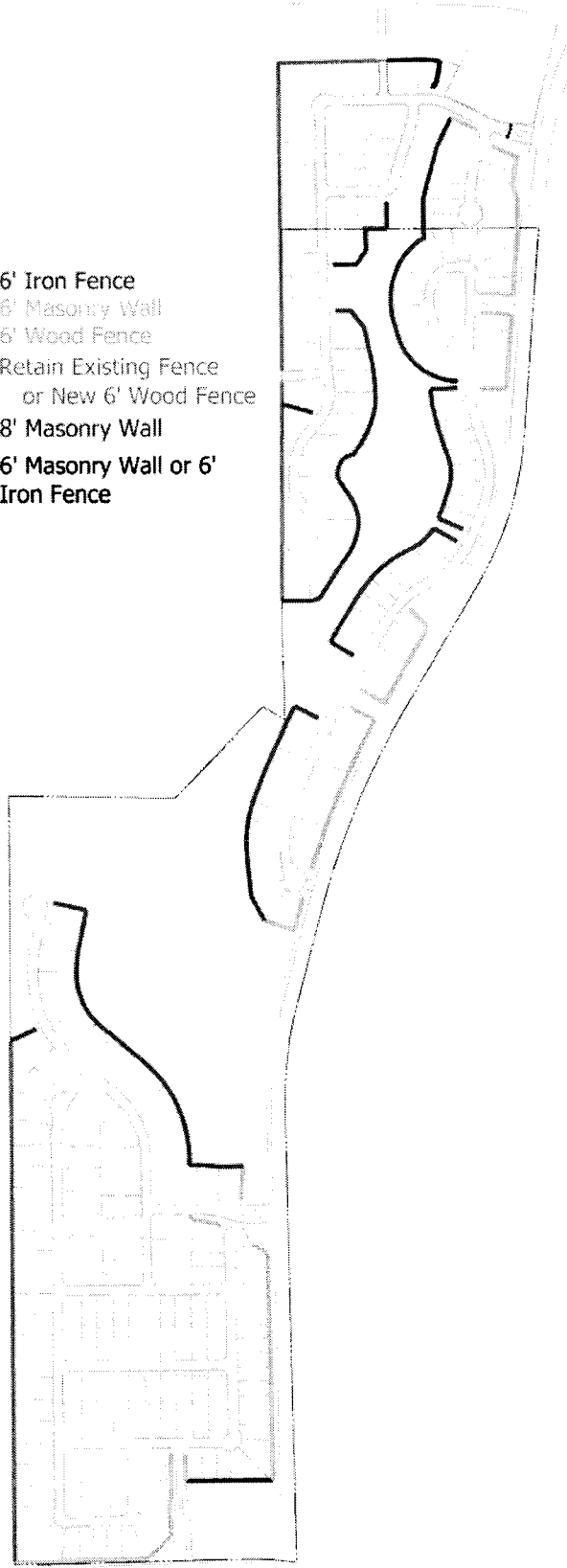
0 100' 200' 400'

Phase 2 Development Plan

Creekside at Colleyville

Exhibit 'D'

6' Iron Fence
6' Masonry Wall
6' Wood Fence
Retain Existing Fence
or New 6' Wood Fence
8' Masonry Wall
6' Masonry Wall or 6'
Iron Fence



Owner:
Harrington Family
7000 Cherry Bark Lane
North Richland Hills, TX 76182

Applicant:
Terra / Manna, L.L.C.
395 W. State Hwy. 114, Suite 300
Southlake, TX 76092
Contact: Paul Spain

Planner:
SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
TEL: 817-424-2526

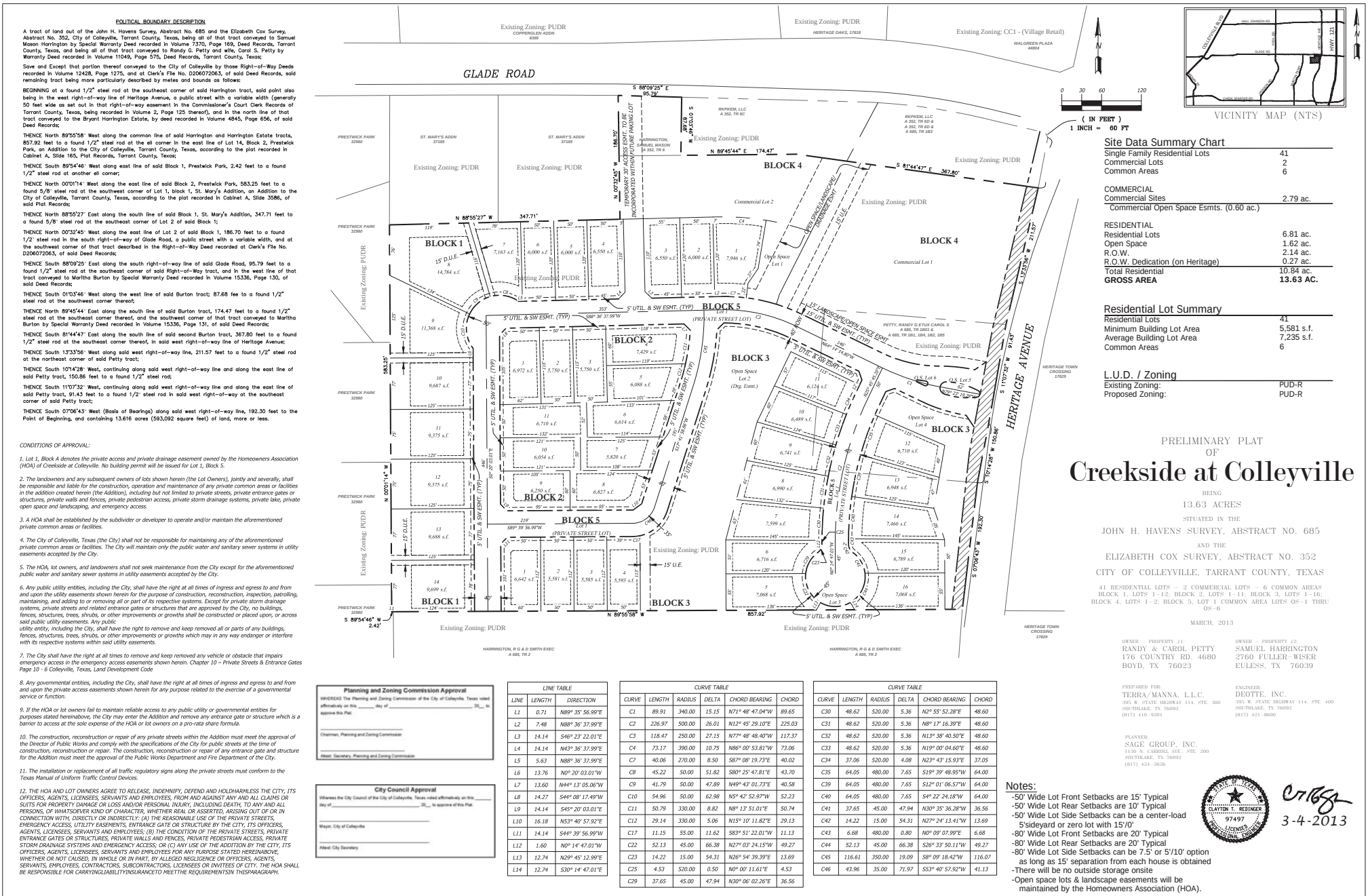


18 DEC 13



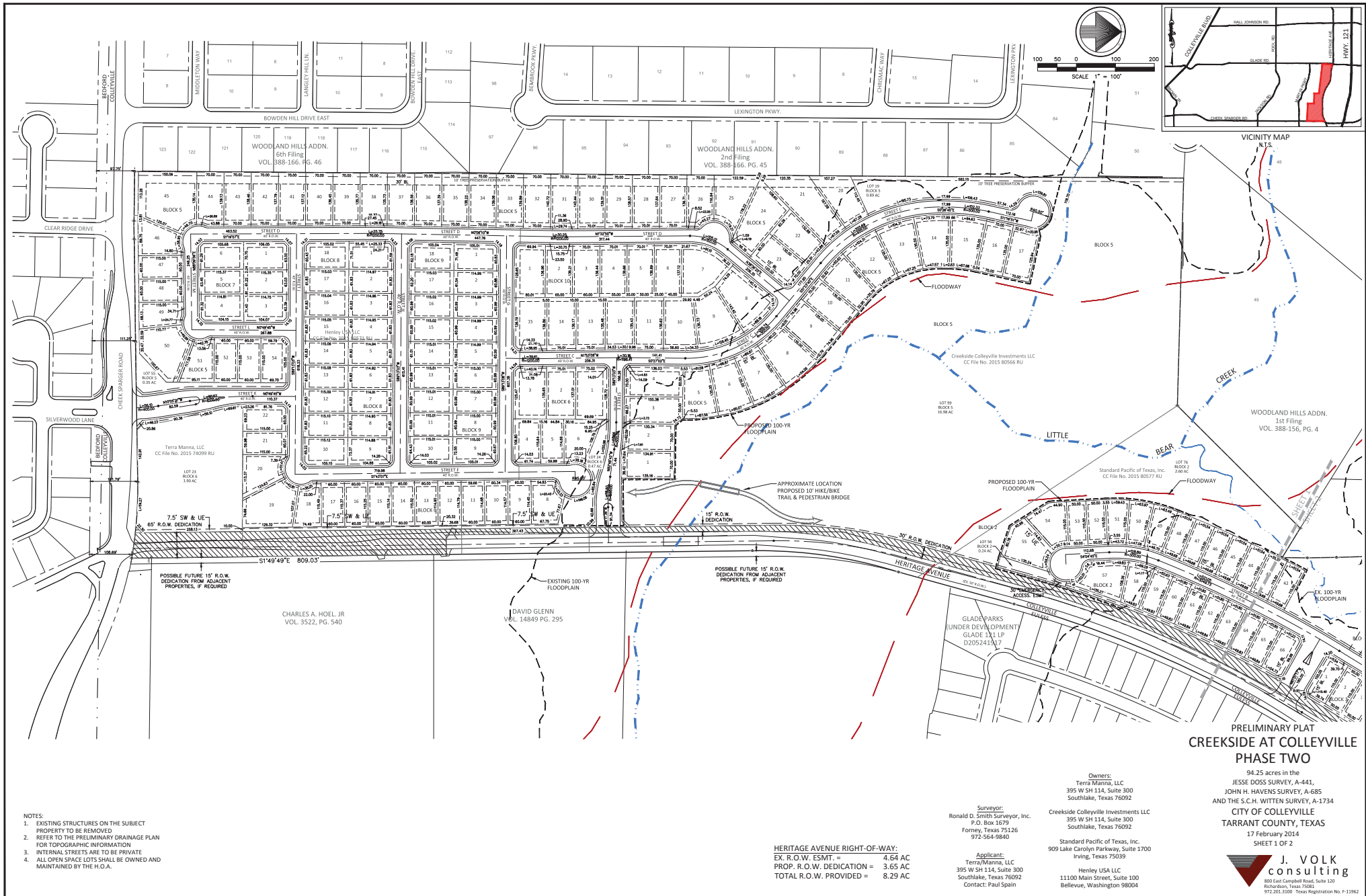
Wall/Fence Diagram

Original Phase One Preliminary Plat



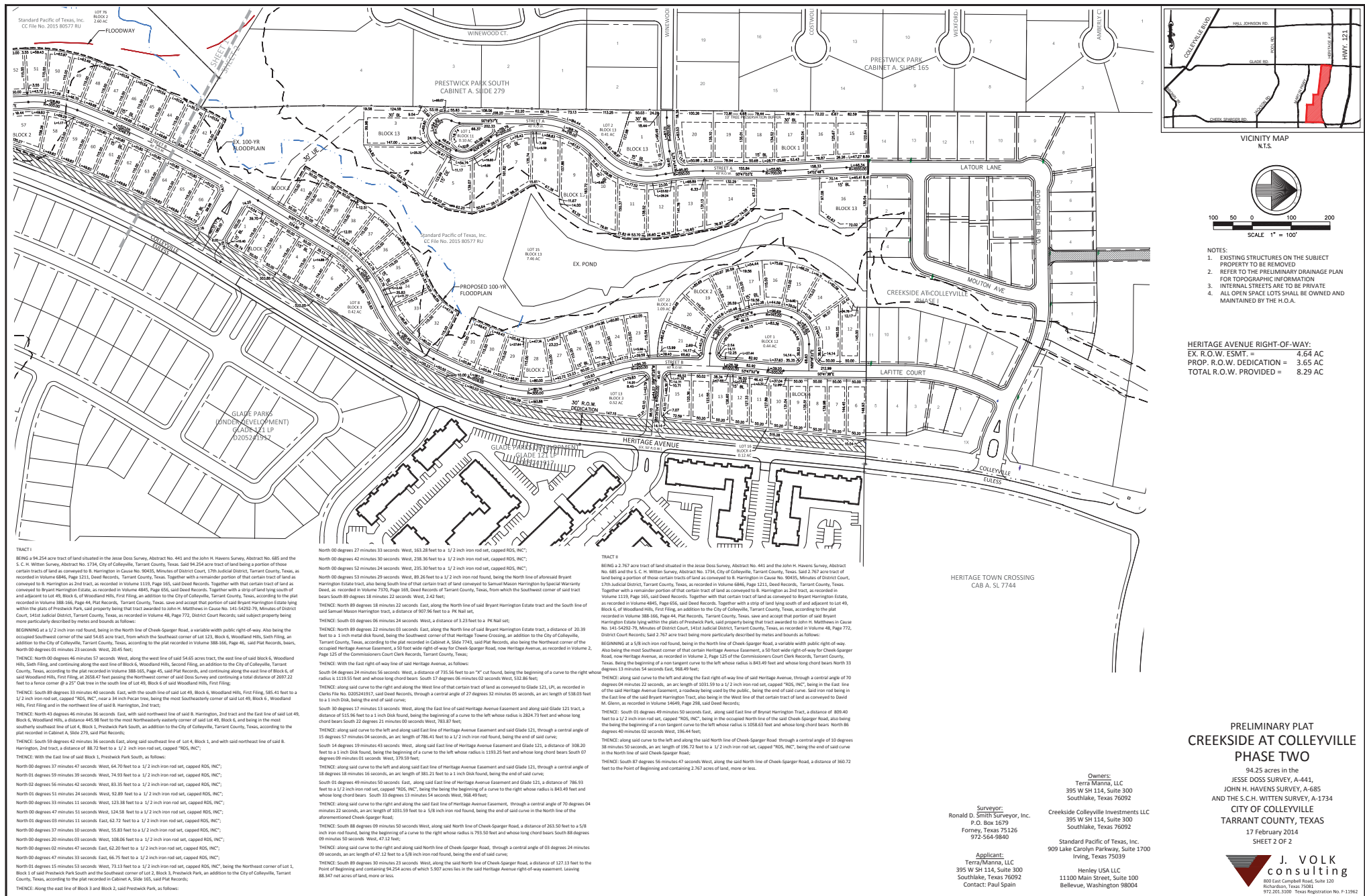
Original Phase Two Preliminary Plat

Plat Exhibit-Sheet 1



Original Phase Two Preliminary Plat

Plat Exhibit-Sheet 2





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 06/23/2014	Number
Type Regular Agenda Items		
Department Community Development		

Title

Approval of a final plat for Phase Two of the Creekside at Colleyville Addition located at 2800 Heritage Avenue, Case PC14-007

Explanation

Marissa Smith, on behalf of Terra Manna, LLC, has submitted a request to approve the phase two plat for the Creekside at Colleyville addition, which includes 49 single family residential lots and five open space lots on 22.8 acres. The phase one plat was approved by the City Council on November 19, 2013 and is currently under construction. Phase two will connect Lafite Lane and Latour Lane to the same streets in phase one and will provide for an entrance off of Heritage Avenue.

Detailed Site Plan. A detailed site plan was approved for phase two by Ordinance O-13-1899 (attached). The phase two detailed site plan included 268 lots over the remainder of the development apart from phase one. However, the developer has since proposed dividing the development into six phases as detailed on the previous agenda item. The proposed additional phases are consistent with the requirements of Ordinance O-13-1899 provided the street and lot layout are arranged per the detailed site plan. Therefore, the phase two plat complies with the approved site plan attached to Ordinance O-13-1899.

Zoning and Land Use. A re-zoning request for PUD-R-Planned Unit Development Residential zoning district was originally approved by Ordinance O-07-1645.

Ordinance O-07-1645 was then amended by Ordinance O-13-1866 on March 5, 2013. Ordinance O-13-1866 (attached) provides a detailed development plan for Phase One and includes other minor amendments.

Ordinance O-07-1645 and O-13-1866 was then amended by Ordinance O-13-1899 on December 17, 2013. Ordinance O-13-1899 provides a detailed development plan for Phase Two. Ordinance O-13-1899 also zoned the property at the northwest corner of Heritage Avenue and Cheek-Sparger Road, which was incorporated into the City by boundary adjustment Ordinance O-12-1828.

The zoning requirements stated in Ordinance O-07-1645 include single-family detached residential as the primary use with a maximum density of 2.4 dwelling units per acre. The minimum lot sizes are 5,500 and 9,000 square feet, dependent on lot widths. The

minimum lot widths are 50 and 70 feet.

Ordinance O-07-1645 also include requirements for commercial use. All commercial properties shall only allow uses permitted in the following zoning districts that are either: (1) State of Texas sales tax generating businesses, or (2) professional offices: CN-Neighborhood Commercial zoning district, the CC1-Village Retail zoning district, and the CC2-Shopping Center zoning district.

However, Ordinance O-13-1899 requires the submission of a detailed site plan for the 1.9 acre commercial tract shown at the southeast corner of the development at Cheek-Sparger Road and Heritage Avenue prior to the issuance of a building permit. The detailed site plan shall be considered a legislative approval, subject to the sole discretion of the City Council upon the recommendation of the Planning and Zoning Commission.

Private Streets/Access. The development will have access from both Heritage Avenue and Cheek-Sparger Road. All streets serving the development will contain a minimum of 40 feet of right-of-way, measured from curb-back to curb-back, with five (5) foot easements on both sides. All streets within the subdivision will be private and maintained by the homeowners association. This development will be developed as a gated community with private streets in accordance with Chapter 10-Private Streets and Gate Entrances.

Sidewalks and Trails. Four (4) foot sidewalks will be installed in front of each residential lot within dedicated easements. A ten (10) foot wide concrete trail shown as Trail 24 on the 2005 City of Colleyville Pathways Plan will be constructed by the developer along the west side of Heritage Avenue, prior to the acceptance of public improvements.

Drainage. The developer has submitted a preliminary drainage analysis of the site, which has been accepted by Public Works. According to the preliminary drainage analysis, the development will provide on-site detention.

Park Land Dedication Fees. Park land dedication fees are required, in the amount of \$1,802 per residential lot and \$800 per acre for commercial lots. 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 Clerk's office.

Perimeter Street Improvement Requirements. The developer may enter into a City/Developer Agreement with the City of Colleyville for any required public improvements, in conjunction with this development.

Perimeter street improvement fees are not due, since the developer will either be responsible for improving their half of Heritage Avenue where it is adjacent to the development, or will enter into a City/Developer agreement. These improvements must

comply with the current standards of the Land Development Code and the Master Thoroughfare Plan at the time of development of the adjacent property. The developer does not intend to perform any improvements to Heritage Avenue.

Other Impact Fees. Water, sewer, and roadway impact fees are due at the time a building permit is issued. Fees will depend upon land use according to Chapter 13-Impact Fees of the Land Development Code.

Screening Walls and Fences. Perimeter fencing along Heritage Avenue will only be required immediately adjacent to lots, and not be required where floodplain or open space is adjacent to Heritage Avenue. Perimeter fencing that currently exists along the west side of the proposed development will remain.

Ordinance O-13-1899 amended Ordinance O-07-1645, Section 4(7)b to read as follows: A six (6) foot masonry wall shall be built along the perimeter of the subdivision along Heritage Avenue, Glade Road, and Cheek-Sparger Road. The design for such wall shall be stamped and sealed by a licensed engineer. Except as noted above, all fences shall be constructed per Exhibit D of Ordinance O-13-1899.

Landscaping and Tree Preservation. Trees not located within the right-of-way or within the pad site must be preserved during construction. Before construction begins on the site, protective fencing must be installed around the drip line of all preserved trees located outside the right-of-way. A preliminary tree survey has not been submitted at time of this preliminary plat. Approval of a tree survey and mitigation plan shall be required prior to issuance of a Notice to Proceed letter from the Engineering Division of the Public Works Department.

Summary. The proposed development satisfies the requirements of PUD-R Planned Unit Development-Residential Ordinances O-07-1645, O-13-1866, and O-13-1899 and the Land Development Code. This plat requires final approval by the City Council.

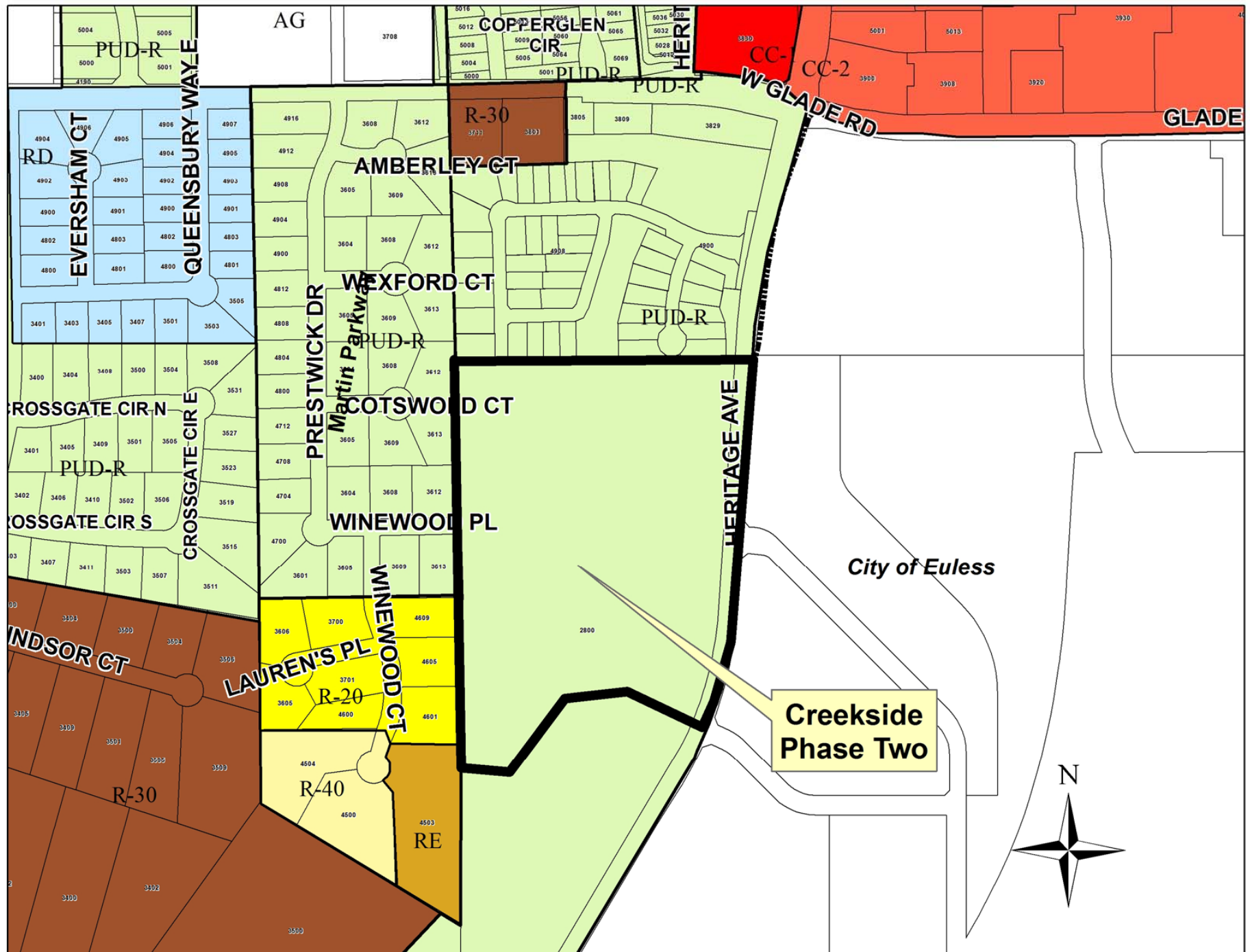
Recommendation

Approve

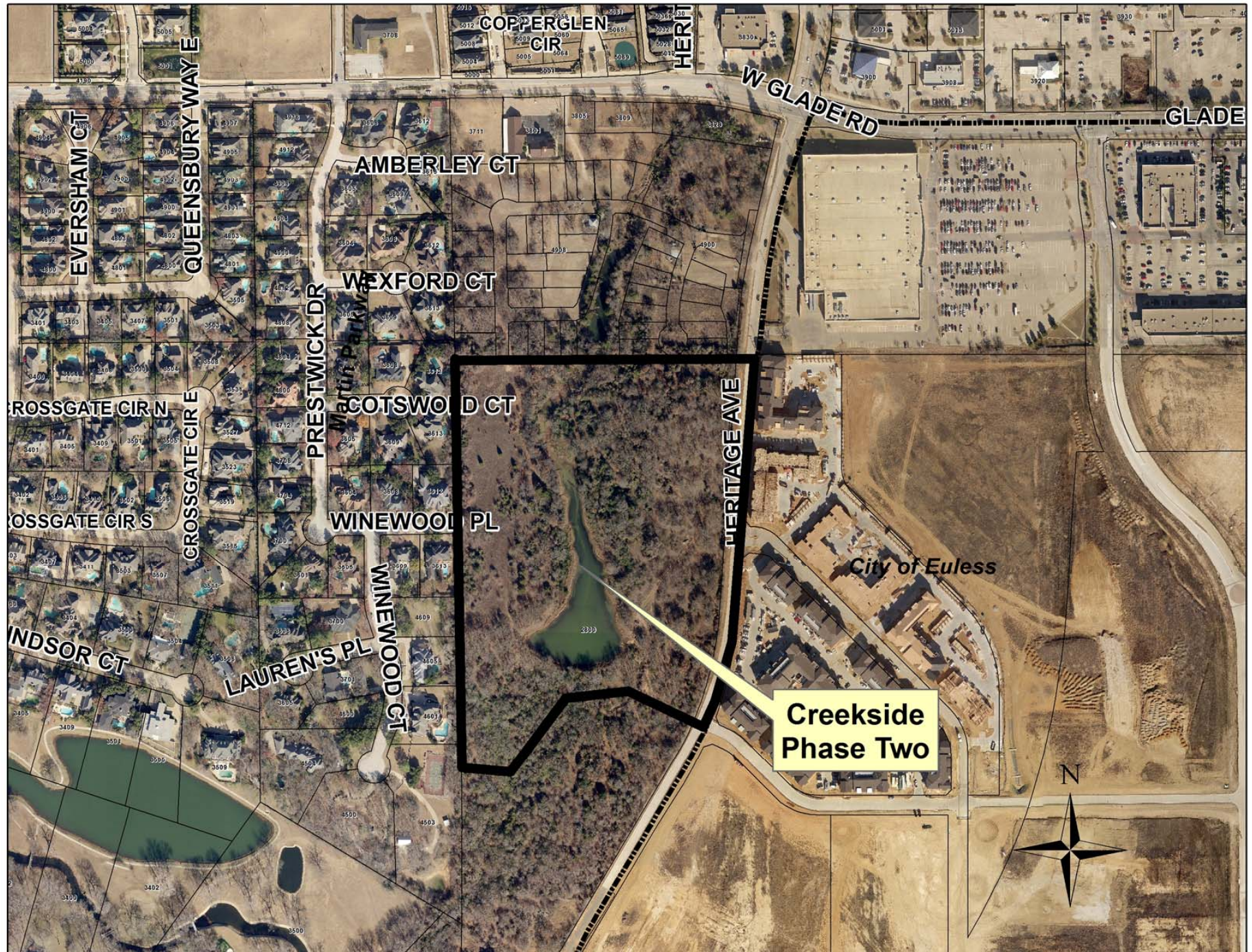
Attachments

1. Location and Zoning Map
2. Aerial
3. Phase Two Final Plat Exhibit
4. Phase One Final Plat
5. Ordinance O-07-1645
6. Ordinance O-13-1866
7. Ordinance O-13-1899

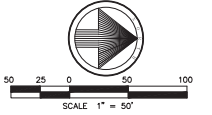
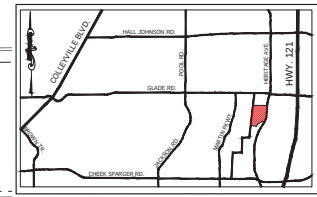
Location and Zoning Map



Aerial



Phase Two Final Plat Exhibit



HERITAGE AVENUE RIGHT-OF-WAY:
EX R.O.W. ESMT. = 4.56 AC
PROP. R.O.W. DEDICATION = 3.65 AC
TOTAL R.O.W. PROVIDED = 8.29 AC

- LEGEND**
- POINT OF CURVATURE OR TANGENCY ON CENTER LINE
 - D.E. DRAINAGE EASEMENT
 - U.E. UTILITY EASEMENT
 - D.U.E. DRAINAGE/UTILITY EASEMENT
 - P.D.U.E. PEDESTRIAN, DRAINAGE & UTIL. ESMT.
 - B.L. BUILDING LINE
 - C1 CURVE NO.
 - L1 LINE NO.
 - IRSC IRON ROD SET CAPPED

- NOTES:**
- INTERNAL STREETS ARE TO BE PRIVATE. LOT 31, BLOCK 3 AND LOT 21, BLOCK 1 SHALL BE ROADWAY, DRAINAGE AND UTILITY EASEMENTS, LOT 1, BLOCK 11; LOT 1, BLOCK 12; LOT 8, BLOCK 14 AND LOT 15, BLOCK 13, SHALL BE OPEN SPACE/COMMON AREA LOTS OWNED AND MAINTAINED BY THE H.O.A.
 - ALL 1/2" IRON RODS CAPPED ARE STAMPED "RDS, INC." UNLESS OTHERWISE NOTED

FINAL PLAT CREEKSIDE AT COLLEYVILLE PHASE TWO

22.766 acres in the
JOHN H. HAVENS SURVEY, A-685
AND THE S.C.H. WITTEN SURVEY, A-1734
CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS
17 June 2014
SHEET 1 OF 2



City Council Approval

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

Mayor, City of Colleyville _____

Attest: City Secretary _____

Parcel Line Table	
Line #	Length
L1	48.68 50' 46" 54"E
L2	22.88 51' 06" 35"E
L3	31.62 54' 38" 13"W
L4	49.64 N29° 16' 50"E
L5	18.52 N89° 12' 57"E
L6	40.41 S89° 18' 28"W
L7	32.81 N89° 00' 05"W
L8	46.15 N16° 04' 28"W
L9	3.23 S3° 06' 24"W
L10	20.39 N89° 22' 03"E
L11	11.58 N0° 33' 11"W
L12	55.83 N0° 37' 10"W
L13	62.20 N0° 02' 47"E
L14	65.96 N34° 38' 51"W
L15	1.31 N29° 16' 50"E
L16	66.37 S0° 19' 57"E
L17	7.49 N0° 19' 57"W

Curve Table	
Curve #	Length
C1	56.98 1000.00 02°15'54" 56.98 S02° 24' 51"E
C2	55.80 700.00 04°14'03" 55.79 S03° 04' 00"E
C3	95.92 550.00 00°59'32" 95.90 S00° 46' 49"E
C4	119.78 200.00 03°18'54" 119.78 N17° 29' 24"W
C5	41.28 37.00 06°35'42" 39.17 N02° 41' 00"W
C6	94.92 30.00 18°17'00" 86.00 S08° 04' 30"E
C7	21.30 39.50 03°05'48" 21.04 S19° 58' 57"W
C8	87.01 500.00 00°09'15" 86.80 N84° 13' 50"E
C9	44.57 500.00 00°06'58" 44.56 N88° 08' 18"E
C10	45.35 750.00 03°27'51" 45.34 S00° 57' 29"E
C11	26.39 500.00 03°01'25" 26.38 S02° 17' 09"W
C12	39.20 500.00 04°29'30" 39.19 N01° 33' 07"E
C13	85.62 145.00 03°49'58" 84.38 S00° 59' 34"W
C14	66.25 280.00 01°33'27" 66.10 N17° 19' 39"E
C15	14.11 230.00 00°30'55" 14.11 N25° 51' 50"E
C16	34.78 230.00 00°39'51" 34.78 N54° 53' 15"E
C17	8.90 3.50 14°41'06" 6.69 S72° 30' 36"W
C18	25.66 23.00 06°35'42" 24.35 N02° 41' 00"W
C19	61.68 23.00 15°02'12" 40.44 S79° 31' 33"E

BENCHMARKS

- 2" BRASS DISC IN TOP OF CURB AT SOUTH END OF MEDIAN IN CENTERLINE OF MARTIN STREET LOCATED 23' EAST OF WEST BACK OF CURB. ALSO LOCATED 52' NORTH OF ST. ALBANS FROM THE CENTERLINE.
NORTHING = 7006375.864. EASTING = 2394116.655. ELEV. = 587.18'
- 2" BRASS DISC SET IN THE SOUTHWEST CORNER OF A CONCRETE PAD IN THE SOUTHWEST QUADRANT OF GLADE ROAD AND HERITAGE ROAD. LOCATED 9' SOUTHWEST OF A TRAFFIC LIGHT POLE, 65' WEST OF THE CENTERLINE OF HERITAGE ROAD AND 42.5' SOUTH OF GLADE ROAD.
NORTHING = 7006498.192. EASTING = 2396465.156. ELEV. = 584.76'
- 2" BRASS DISC ON EAST BACK OF CURB OF WINWOOD COURT. LOCATED 6' SOUTH OF THE POINT OF CURVATURE IN THE CUL-DE-SAC. 46.4' NORTHEAST OF THE RADIUS POINT.
NORTHING = 7004542.182. EASTING = 2395257.402. ELEV. = 576.69'

Phase Two Final Plat Exhibit

DEDICATION CERTIFICATE

Whereas Standard Pacific of Texas, Inc. is the owner of a 22.766 acre tract of land situated in the JOHN H. HAVENS SURVEY, ABSTRACT NO. 685, the S. C. H. WITTEN SURVEY, ABSTRACT NO. 1734, and the JESSE DOSS SURVEY, ABSTRACT NO. 441, City of Colleyville, Tarrant County, Texas, said 22.766 acre tract of land being a portion of those certain tracts of land as conveyed to B. Harrington in Cause No. 90435, Minutes of District Court, 17th Judicial District, Tarrant County, Texas, as recorded in Volume 6846, Page 1211, Deed Records, Tarrant County, Texas, Together with a remainder portion of that certain tract of land as conveyed to B. Harrington as 2nd tract, as recorded in Volume 1119, Page 165, said Deed Records, Together with that certain tract of land as conveyed to Bryant Harrington Estate, as recorded in Volume 4845, Page 656, said Deed Records, Together with a strip of land lying south of and adjacent to Lot 49, Block 6, of Woodland Hills, First Filing, an addition to the City of Colleyville, Tarrant County, Texas, according to the plat recorded in Volume 388-166, Page 44, Plat Records, Tarrant County, Texas, Save and accept that portion of said Bryant Harrington Estate lying within the plats of Prestwick Park, said property being that tract awarded to John H. Matthews in Cause No. 141-54292-79, Minutes of District Court, 141st Judicial District, Tarrant County, Texas, as recorded in Volume 48, Page 772, District Court Records; said subject property being more particularly described by metes and bounds as follows:

BEGINNING at a 1 Inch Disk Monument Found, being in the East line of the said Harrington Estate Tract, and being located on the City Limit lines of the City of Colleyville and the City of Euless, also being the most Southwest corner of the Heritage Towne Crossing tract, as recorded in Cabinet A, Slide 7743, said Plat Records Tarrant County, Texas, said point also being in the West Line of that certain 50 foot wide Right-of-Way Easement for Cheek-Sparger Road, Now Heritage Avenue, as recorded in Volume 2, Page 125, Commissioners Court Records, Tarrant County, Texas;

THENCE South 04 degrees 24 minutes 56 seconds West, along the Common City Limit line of the City of Colleyville and the City of Euless, and the West line of the Glade Parks II tract, Existing Apartments, No Recording Data Found, a distance of 735.56 feet to an "X" Found, being in the East Right-of-Way line of Heritage Avenue, being the beginning of a curve to the left, whose radius is 1119.55 feet, and whose long chord bears South 13 degrees 22 minutes 26 seconds West, 390.38 feet;

THENCE along said curve to the left, through a central angle of 20 degrees 04 minutes 53 seconds, an arc length of 392.39 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE North 66 degrees 35 minutes 07 seconds West, 245.00 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE South 75 degrees 28 minutes 15 seconds West, 170.74 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE South 40 degrees 52 minutes 07 seconds West, 326.22 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE South 89 degrees 26 minutes 55 seconds West, 65.75 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE South 89 degrees 26 minutes 55 seconds West, 100 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE: With the East line of said Block 1, Prestwick Park South, as follows:

North 00 degrees 33 minutes 11 seconds West, 15.58 feet to a 1/2 inch iron rod set, capped "RDS, INC";

North 00 degrees 47 minutes 51 seconds West, 124.58 feet to a 1/2 inch iron rod set, capped "RDS, INC";

North 00 degrees 03 minutes 11 seconds East, 62.72 feet to a 1/2 inch iron rod set, capped "RDS, INC";

North 00 degrees 37 minutes 10 seconds West, 55.83 feet to a 1/2 inch iron rod set, capped "RDS, INC";

North 00 degrees 20 minutes 03 seconds West, 108.06 feet to a 1/2 inch iron rod set, capped "RDS, INC";

North 00 degrees 02 minutes 47 seconds East, 62.20 feet to a 1/2 inch iron rod set, capped "RDS, INC";

North 00 degrees 47 minutes 33 seconds East, 66.75 feet to a 1/2 inch iron rod set, capped "RDS, INC";

North 01 degrees 15 minutes 53 seconds West, 73.13 feet to a 1/2 inch iron rod set, capped "RDS, INC", being the Northeast corner of Lot 1, Block 1 of said Pre-South Park South and the Southeast corner of Lot 2, Block 3, Prestwick Park, an addition to the City of Colleyville, Tarrant County, Texas, according to the plat recorded in Cabinet A, Slide 165, said Plat Records;

THENCE: Along the east line of Block 1 and Block 2, said Prestwick Park, as follows:

North 00 degrees 27 minutes 33 seconds West, 163.28 feet to a 1/2 inch iron rod set, capped RDS, INC";

North 00 degrees 42 minutes 30 seconds West, 238.36 feet to a 1/2 inch iron rod set, capped RDS, INC";

North 00 degrees 52 minutes 24 seconds West, 235.30 feet to a 1/2 inch iron rod set, capped RDS, INC";

North 00 degrees 53 minutes 29 seconds West, 89.26 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE North 89 degrees 18 minutes 22 seconds East, along the Samuel Harrington tract a distance of 907.96 feet to a 1/2 inch iron rod set, capped "RDS, INC", being in the centerline of the aforementioned 50 foot Right-of-Way Easement;

THENCE South 03 degrees 06 minutes 24 seconds West a distance of 3.23 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE: North 89 degrees 22 minutes 03 seconds East a distance of 20.39 feet to the POINT OF BEGINNING, and containing 22.766 Acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENT:

That We, Standard Pacific of Texas, Inc., acting by and through the undersigned, its duly authorized agent, does hereby adopt this plat designating the hereinabove described real property as Creekside at Colleyville Phase Two, an addition to the City of Colleyville, Tarrant County, Texas, and does hereby dedicate fee simple to the public use forever all streets and rights-of-way 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 any 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 at Colleyville, Tarrant County, Texas, this ____ day of _____, 2014.

Standard Pacific of Texas, Inc.

By _____
NAME:
TITLE:

STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration expressed and in the capacity therein stated.

GIVEN under my hand and seal of office on this the ____ day of _____, 2014.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES _____.

SURVEYORS CERTIFICATION

STATE OF TEXAS §
COUNTY OF DALLAS §

KNOW ALL MEN BY THESE PRESENTS: That I, Ronald D. Smith, 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.

RONALD D. SMITH, R.P.L.S.
Registered Professional Land Surveyor No. 4944

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared Ronald D. Smith, known to me to be the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration expressed and in the capacity therein stated. GIVEN under my hand and seal of office on this the ____ day of _____, 2014.

1. Lots 4-5 of Block 13 and Lots 17-18 of Block 3 denotes the private access and private drainage easement owned by the Homeowners Association (HOA) of Creekside at Colleyville Phase Two. No building permit will be issued for Lot 1, Block 11; Lot 1, Block 12; Lot 6, Block 14 and Lot 15 Block 13.
2. The landowners and any subsequent owners of lots shown herein (the Lot Owners), jointly and severally, shall be responsible and liable for the construction, operation and maintenance of any private common areas or facilities in the addition created herein (the Addition), including but not limited to private streets, private entrance gates or structures, private walls and fences, private pedestrian access, private storm drainage systems, private lake, private open space and landscaping, and emergency access.
3. A HOA shall be established by the subdivider or developer to operate and/or maintain the aforementioned private common areas or facilities.
4. The City of Colleyville, Texas (the City) shall not be responsible for maintaining any of the aforementioned private common areas or facilities. The City will maintain only the public water and sanitary sewer systems in utility easements accepted by the City.
5. The HOA, lot owners, and landowners shall not seek maintenance from the City except for the aforementioned public water and sanitary sewer systems in utility easements accepted by the City.
6. Any public utility entities, including the City, shall have the right at all times of ingress and egress to and from and upon the utility easements shown herein for the purpose of construction, reconstruction, inspection, patrolling, maintaining, and adding to or removing all or part of its respective systems. Except for private storm drainage systems, private streets and related entrance gates or structures that are approved by the City, no buildings, fences, structures, trees, shrubs, or other improvements or growths shall be constructed or placed upon, or across said public utility easements. Any public utility entity, including the City, shall have the right to remove and keep removed all or parts of any buildings, fences, structures, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with its respective systems within said utility easements.
7. The City shall have the right at all times to remove and keep removed any vehicle or obstacle that impairs emergency access in the emergency access easements shown herein.
8. Any governmental entities, including the City, shall have the right at all times of ingress and egress to and from and upon the private access easements shown herein for any purpose related to the exercise of a governmental service or function.
9. If the HOA or lot owners fail to maintain reliable access to any public utility or governmental entities for purposes stated hereinabove, the City may enter the Addition and remove any entrance gate or structure which is a barrier to access at the sole expense of the HOA or lot owners on a pro-rata share formula.
10. The construction, reconstruction or repair of any private streets within the Addition must meet the approval of the Director of Public Works and comply with the specifications of the City for public streets at the time of construction, reconstruction or repair. The construction, reconstruction or repair of any entrance gate and structure for the Addition must meet the approval of the Engineering Department and Fire Department of the City.
11. The installation or replacement of all traffic regulatory signs along the private streets must conform to the Texas Manual of Uniform Traffic Control Devices.
12. The HOA and lot owners agree to release, indemnify, defend and hold harmless the city, its officers, agents, licensees, servants and employees, from and against any and all claims or suits for property damage or loss and/or personal injury, including death, to any and all persons, of whatsoever kind of character, whether real or asserted, arising out of or in connection with, directly or indirectly: (a) the reasonable use of the private streets, emergency access, utility easements, entrance gate or structure by the city, its officers, agents, licensees, servants and employees; (b) the condition of the private streets, private entrance gates or structures, private walls and fences, private pedestrian access, private storm drainage systems and emergency access; or (c) any use of the addition by the city, its officers, agents, licensees, servants and employees for any purpose stated hereinabove, whether or not caused, in whole or in part, by alleged negligence or officers, agents, servants, employees, contractors, subcontractors, licensees or invitees of city. the hoaa shall be responsible for carrying liability insurance to meet the requirements in this paragraph.

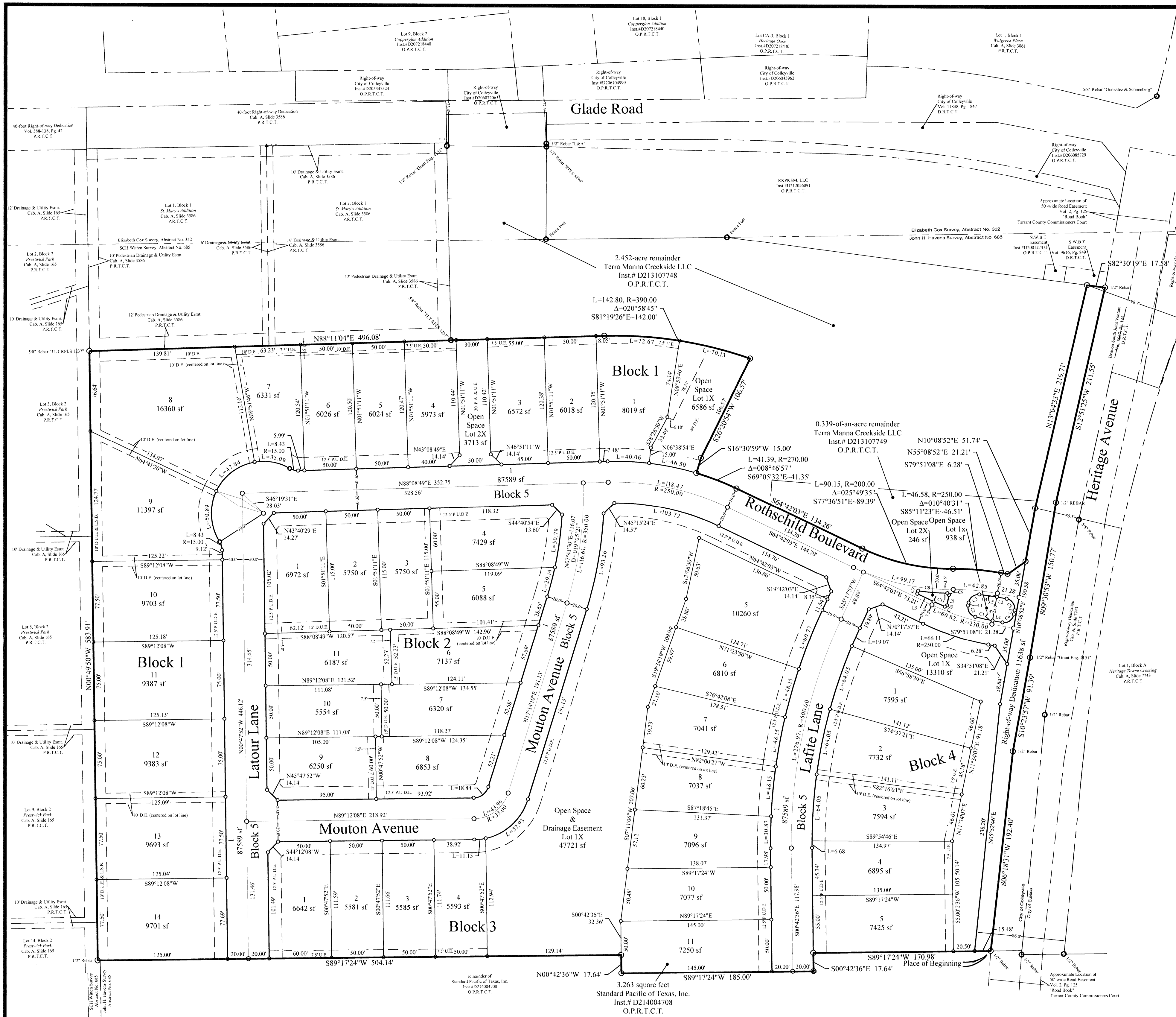
FINAL PLAT CREEKSIDE AT COLLEYVILLE PHASE TWO

22.766 acres in the
JOHN H. HAVENS SURVEY, A-685
AND THE S.C.H. WITTEN SURVEY, A-1734
CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS
17 June 2014
SHEET 2 OF 2



880 East Campbell Road, Suite 120
Richardson, Texas 75081
972.201.3100 Texas Registration No. F-11962

Final Plat - Phase One



WHEREAS, *Terra Manna Creekside LLC & Standard Pacific of Texas, Inc.*, are the owners of that certain tract situated in the John H. Havens Survey, Abstract No. 685, City of Colleyville, Tarrant County, Texas, according to the deeds recorded under Instrument Numbers D213107748, D213107749, & D214004708 of the Official Public Records of Tarrant County, Texas (O.P.R.T.C.T.); the subject tract, being a portion of each of the above referenced deeds, is more particularly described by as follows:

Beginning at a 1/2 inch rebar found at the southeast corner of the tract described in the deed to Samuel Mason Harrington recorded in Volume 7370, Page 169 of the Deed Records of Tarrant County, Texas;

THENCE South 89 Degrees 17 Minutes 24 Seconds West, with the south line of the said Samuel Mason Harrington tract, called to be a common line with the tract described in the deed to the Bryan Harrington Estate in Volume 4845, Page 656 of the of the said Deed Records, a distance of 170.98 feet to a 1/2 inch capped rebar stamped "JPH Land Surveying" set (hereinafter referred to as "CRS");

THENCE through the interior of the said Standard Pacific of Texas, Inc. tract recorded under Instrument No. D214004708 of the O.P.R.T.C.T., the following calls:

1. South 00 Degrees 42 Minutes 36 Seconds East, a distance of 17.64 feet to a CRS;
2. South 89 Degrees 17 Minutes 24 Seconds West, a distance of 185.00 feet to a CRS;
3. North 00 Degrees 42 Minutes 36 Seconds West, a distance of 17.64 feet to a CRS;

THENCE South 89 Degrees 17 Minutes 24 Seconds West, with the south line of the Samuel Mason Harrington tract, passing at a distance of 501.72 feet a salient corner of Lot 14, Block 2 of *Prestwick Park* recorded in Cabinet A, Slide 165 of the Plat Records of Tarrant County, Texas from which a found 1/2 inch capped rebar stamped "Grant Eng. 4151" bears West 0.79 feet, and continuing on said course, a total distance of 860.12 feet to a 1/2 inch rebar found at a reentrant corner of Lot 14;

THENCE North 00 Degrees 49 Minutes 50 Seconds West, with the east line of said *Prestwick Park*, a distance of 583.91 feet to a 5/8 inch capped rebar stamped "TLT RPLS 1237" found at the southwest corner of *St. Mary's Addition* recorded in Cabinet A, Slide 3586 of the said Plat Records;

THENCE North 88 Degrees 11 Minutes 04 Seconds East, with the south line of said *St. Mary's Addition*, passing at a distance of 348.07 feet to a 5/8 inch capped rebar stamped "TLT RPLS 1237" found at the southeast corner of *St. Mary's Addition*, and continuing on said course, now through the interior of the tracts described in the deed to Terra Manna Creekside LLC recorded under Instrument Number D213107748 & D213107749 of the Official Public Records of Tarrant County, Texas, in all, a total distance of 496.08 feet to a 1/2 inch capped rebar stamped "JPH Land Surveying" set at the beginning of a tangent curve concave to the south having a radius of 390 feet;

THENCE continuing through the interior of the Terra Manna Creekside LLC tract to 1/2 inch capped rebar stamped "JPH Land Surveying" set, the following calls:

1. In a southeasterly direction, with the arc of said tangent curve, through a central angle of 20 degrees 58 minutes 45 seconds, an arc length of 142.80 feet to the end of the tangent curve;
2. SOUTH 26 degrees 20 minutes 54 seconds WEST, a distance of 106.57 feet;
3. SOUTH 16 degrees 30 minutes 59 seconds WEST, a distance of 15.00 feet to the beginning of a non-tangent curve concave to the southwest having a radius of 270.00 feet;
4. In a southeasterly direction, with the arc of the said non-tangent curve, an arc length of 41.39 feet (a chord bearing of SOUTH 69 degrees 05 minutes 32 seconds EAST, a chord distance of 41.35 feet) to the end of the said non-tangent curve;
5. SOUTH 64 degrees 42 minutes 03 seconds EAST, a distance of 134.26 feet to the beginning of a tangent curve concave to the north having a radius of 200.00 feet;
6. In a southeasterly direction, with the arc of the said tangent curve, through a central angle of 25 degrees 49 minutes 35 seconds, an arc length of 90.15 feet to the beginning of a reverse curve concave to the south having a radius of 250.00 feet;
7. In a southeast direction, with the arc of the said reverse curve, through a central angle of 10 degrees 40 minutes 31 seconds, an arc length of 46.58 feet to the end of the reverse curve;
8. SOUTH 76 degrees 51 minutes 08 seconds EAST, a distance of 6.28 feet;
9. NORTH 55 degrees 08 minutes 52 seconds EAST, a distance of 21.21 feet;
10. NORTH 10 degrees 08 minutes 52 seconds EAST, a distance of 51.74 feet;
11. NORTH 13 degrees 04 minutes 33 seconds EAST, a distance of 219.71 feet to a 1/2 inch capped rebar stamped "JPH Land Surveying" set in the south tract described in the deed to RKPKEM, LLC recorded under Instrument No. D212026091 of the Official Public Records of Tarrant County, Texas;

THENCE SOUTH 82 degrees 30 minutes 19 seconds EAST, with the said south line of the RKPKEM, LLC tract, a distance of 17.58 feet to a 1/2 inch rebar found at the most easterly northeast corner of the said Samuel Mason Harrington tract;

THENCE South 12 Degrees 51 Minutes 25 Seconds West, with the east line of the Samuel Mason Harrington tract, a distance of 211.55 feet to a 1/2 inch rebar found at the northeast corner of the tract described in the deed to Randy G. Petty & wife, Carol S. Petty recorded in Volume 11049, Page 575 of the said Deed Records;

THENCE South 09 Degrees 30 Minutes 53 Seconds West, with the east line of the said Petty tract, a distance of 150.77 feet to a 1/2 inch rebar found at a corner of the Petty tract;

THENCE South 10 Degrees 23 Minutes 57 Seconds West, continuing with the east line of the Petty tract, a distance of 91.39 feet to a 1/2 inch rebar found at a salient corner of the Samuel Mason Harrington tract;

THENCE South 06 Degrees 18 Minutes 31 Seconds West, with the east line of the Samuel Mason Harrington tract, a distance of 192.40 feet returning to the Place of Beginning and enclosing at total of 10.924 acres (475831 ± square feet).

Basis of Bearings: Grid North per the Texas Coordinate System of 1983, North Central Zone.

NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:

That *Terra Manna Creekside LLC*, through the undersigned, its duly authorized representative, and *Standard Pacific of Texas, Inc.*, through the undersigned, its duly authorized representative, do hereby adopt this plat designating the hereinbefore described property as **Creekside**, and addition in the City of Colleyville, Tarrant County, Texas, and do hereby dedicate fee simple to the public use forever all streets, rights-of-way, and alleys shown thereon, and do hereby reserve the easements shown on this plat for the mutual use and accommodation of all public utilities desiring to use or using the same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Colleyville, Texas.

Witness our hands this 18th day of June, 2014.

John H. Havens
Terra Manna Creekside LLC's Representative
STATE OF Texas \$
COUNTY OF Tarrant \$

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

Given under my hand and seal of office this 18th day of June, 2014.

John H. Havens
Notary Public in and for the State of TX
My Commission Expires 01/18/2015

Witness our hands this 18th day of June, 2014.

Chip G. Boyd
Chip G. Boyd, PMP
Vice President-Land Development
Standard Pacific of Texas, Inc.

STATE OF Texas \$
COUNTY OF Dallas \$

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

Given under my hand and seal of office this 18th day of June, 2014.

John H. Havens
Notary Public in and for the State of Texas
My commission expires 01/18/2015

Surveyor's Certificate

I, Jewel Chadd, a Registered Professional Land Surveyor of the State of Texas, hereby state, to the best of my knowledge and belief, this plat was prepared from an on-the-ground survey of the land and the corner monuments are found or set as indicated.

Jewel Chadd
Registered Professional
Land Surveyor, No. 5754
jewel@jphls.com
Date: June 17, 2014

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

City Council Approval

WHEREAS the City Council of the City of Colleyville, Texas voted affirmatively on this ____ day of _____, 2014, to approve this plat.

Mayor, City of Colleyville

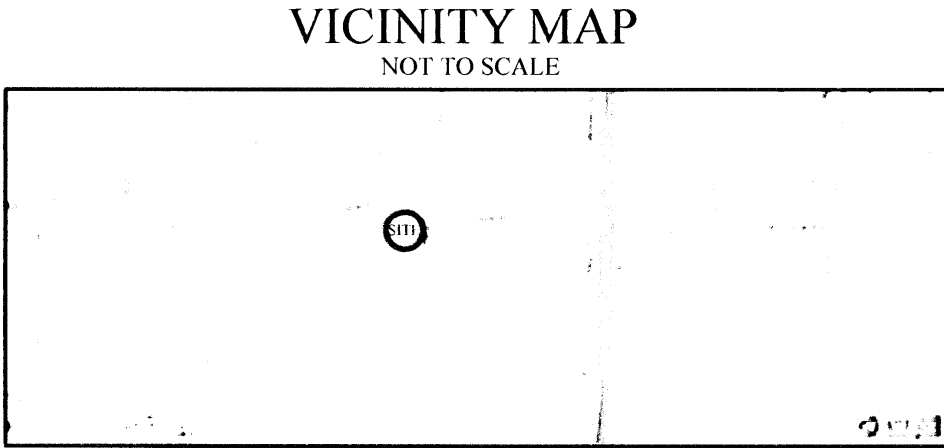
Attest: City Secretary

JPH Land Surveying, Inc.
807 Bluebonnet Drive, Suite C
Keller, Texas 76248
Tel (817)431-4971 www.jphls.com
TBPLS Firm #100195-00

Scale: 1" = 50'

JPH Job No. 2013.019.001
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Curve Data Table					Line Data Table		
Curve #	Arc	Radius	Delta	Chord Bearing	Line #	Distance	Bearing
C1	17.00	226.50	004°18'04"	S77°42'06"E	1.1	2.78	S10°08'52"W
C2	14.21	9.50	085°41'56"	S32°42'06"E	1.2	9.66	S79°51'08"W
C3	14.21	9.50	085°41'56"	S52°59'50"W	1.3	4.00	N10°00'09"E
C4	17.00	226.51	004°18'03"	S82°00'10"W	1.4	9.67	S79°51'08"E
C5	14.90	9.50	089°51'17"	N34°55'29"W	1.5	17.32	S64°42'03"E
C6	14.95	9.50	090°08'43"	N55°04'31"E	1.6	10.10	N10°08'52"E
C7	4.26	1.50	162°51'18"	S16°43'30"W			
C8	28.22	223.50	007°14'01"	S85°27'51"W			
C9	2.60	1.50	099°13'43"	N39°28'00"W			
C10	2.67	1.50	102°07'43"	N61°12'44"E			
C11	11.95	226.50	003°01'21"	S66°12'44"E			



June 17, 2014
FINAL PLAT
Creekside
10.924 Acres
situated in the
John H. Havens Survey, Abstract No. 685
City of Colleyville
Tarrant County, Texas
41 Residential Lots / 6 Open Space Lots

This plat recorded under Instrument No. D214_____, O.P.R.T.C.T.

ORDINANCE O-07-1645

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF APPROXIMATELY 108.5 ACRES OUT OF THE ELIZABETH COX SURVEY, ABSTRACT 352, THE JOHN H. HAVENS SURVEY, ABSTRACT 685, THE JESSE DOSS SURVEY, ABSTRACT 441, AND THE S.C.H. WITTEN SURVEY, ABSTRACT 1734, FROM THE AG-AGRICULTURAL ZONING DISTRICT TO PUDR-PLANNED UNIT DEVELOPMENT RESIDENTIAL ZONING DISTRICT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a rezoning under Case No. Z-07-008; and

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

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

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan 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 by reference 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 108.5 acres out of the Elizabeth Cox Survey, Abstract 352, the John H. Havens Survey, Abstract 685, the Jesse Doss Survey, Abstract 441, and the S.C.H. Witten Survey, Abstract 1734 from the AG-Agricultural zoning district to PUDR-Planned Unit Development Residential zoning district, as depicted on Exhibit "A" labeled Location and Zoning Map and as described on Exhibit "B" labeled Legal Description.
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The purpose of this PUDR is for a single-family residential development of detached dwelling units, constructed at a gross maximum density of 2.4 dwelling units per acre. There shall be no more than 269 single-family residential lots.
- b. Commercial lots shall be permitted along the frontage of Heritage Avenue.
- c. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where specifically amended by this Ordinance.

2. CONCEPTUAL PLAN, SITE PLAN, AND PLATTING

- a. The development shall be generally consistent with this Ordinance and the Conceptual Site Plan, labeled as Exhibit "C", which shall not be

considered a plat. The developer shall submit and receive approval from the City for any amendment to the Site Plan in accordance with the phasing of the development of any portion of this PUDR. A detailed Site Plan submission shall, at a minimum, meet the requirements of Section 3.23 J.K.6. of the Land Development Code, be consistent with this Ordinance, and may also be required to show additional conditions provided in Section 3.23 M.b. of the Land Development Code. Further, such detailed site plan(s) shall be considered as a legislative approval, subject to the sole discretion of the City Council upon the recommendation of the Planning and Zoning Commission.

- b. The developer shall submit and receive approval from the City, a Preliminary and Final Plat in accordance with the requirements of the Land Development Code prior to development of this PUDR.

3. PERMITTED USES

- a. Single-family residences, detached.
- b. All commercial properties shall allow only uses permitted in the following zoning districts that are; (1) either State of Texas sales tax generating businesses, or (2) professional offices: CN-Neighborhood Commercial zoning district, the CC1-Village Retail zoning district and the CC2-Shopping Center zoning district.

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

Residential lot requirements and setbacks shall comply with the following provisions. Planning Area "A" refers to lots adjacent to western property line.

Planning Area "A"

- | | |
|----------------------------|--|
| a. Minimum Lot Size | 9,000 square feet |
| b. Minimum Lot Width | 70 feet |
| c. Minimum Lot Depth | 120 feet |
| d. Front Building Line | 20 feet; or 15 feet for a front swing garage |
| e. Side Building Line | 5 feet |
| f. Rear Building Line | 30 feet |
| g. Maximum Building Height | 40 feet |
| h. Maximum Lot Coverage | 65% |

Planning Area "B"

a. Average Lot Size	5,500 square feet
b. Minimum Lot Size	5,000 square feet
c. Minimum Lot Width	50 feet
d. Minimum Lot Depth	105 feet
e. Front Building Line	20 feet; or 15 feet for a front swing garage
f. Side Building Line	0, 1 or 9 feet with a 10 foot minimum between buildings
g. Rear Building Line	10 feet
h. Maximum Building Height	40 feet
i. Maximum Lot Coverage	65%

5. OPEN SPACE AND LANDSCAPE BUFFER

- a. A 10 foot wide landscape buffer shall be designated along the entire western property line. No structures may be constructed within the landscape buffer. The landscape buffer shall be incorporated in the rear lots of Planning Area "A". Such landscape buffer shall is not an open space lot. Chapter 5 of the Land Development Code applies to this landscape buffer in particular and the development as a whole. In addition, the Section 5.9 Tree Replacement Requirements shall apply to any replacement tree greater than three (3) inches in diameter which is substantially damaged or which dies within two (2) years of final inspection.
- b. Open space lots shall be maintained by the Homeowners Association.
- c. The following amenities are permitted in the open space lots: picnic tables, benches, playground equipment, concrete and crushed granite walking paths, a gazebo, an arbor, other garden type built elements including a fireplace, fountains, lights and a dock and pier. These amenities shall be owned and maintained by a homeowners association.

6. PRIVATE SIDEWALKS AND STREETS

- a. A ten (10) foot wide concrete trail approximately 1.2 miles long shall be constructed on-site along with all other public improvements as part of this development between Glade Road and Cheek Sparger Road and prior to the time of Final Plat. The City Manager or his designee may approve a reduced trail width of eight (8) feet if necessary based upon topographic, landscape, or other issues. Such trail shall be included as part of any Site Plan submittal, and shall be consistent with the City's then existing Master Trail Plan.

7. SCREENING

- a. An eight (8) foot masonry wall shall be built between any commercial and residential lots.
- b. An eight (8) foot masonry wall shall be built along the perimeter of the subdivision along Heritage Avenue, Glade Road and Cheek Sparger Road. The design for such wall shall be stamped and sealed by a licensed engineer. The standards and detail for such wall shall be included as part of the detailed Site Plan.
- c. Perimeter fencing along Heritage Avenue shall only be required immediately adjacent to lots, and not be required along where floodplain or open space is adjacent to Heritage Avenue.

8. OTHER

- a. Ingress and Egress from Winewood Place shall be restricted to access by emergency vehicles only.
- b. The number of lots allowed with frontage on a cul-de-sac street shall adhere to the requirements of the Land Development Code.
- c. The portion of the development located south of Little Bear Creek shall have a minimum of two (2) points of public vehicular ingress and egress from Cheek Sparger Road and/or Heritage Avenue.
- d. There shall be no direct access onto Glade Road from this development.
- e. There shall be no single family uses allowed adjacent to Heritage Avenue where there are, as of the passage of this ordinance, existing commercial uses directly across Heritage Avenue within the City of Eules.
- f. Retaining walls that are adjacent to residential lots shall be constructed with a stone facade.

Sec. 5. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as specifically amended herein.

Sec. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

Sec. 7. THAT if any section, paragraph, subdivision, clause, phrase or provision of

this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 8. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 9. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 16th day of October 2007.

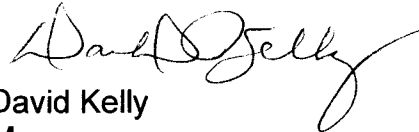
The second reading and public hearing being conducted on the 6th day of September 2007.

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

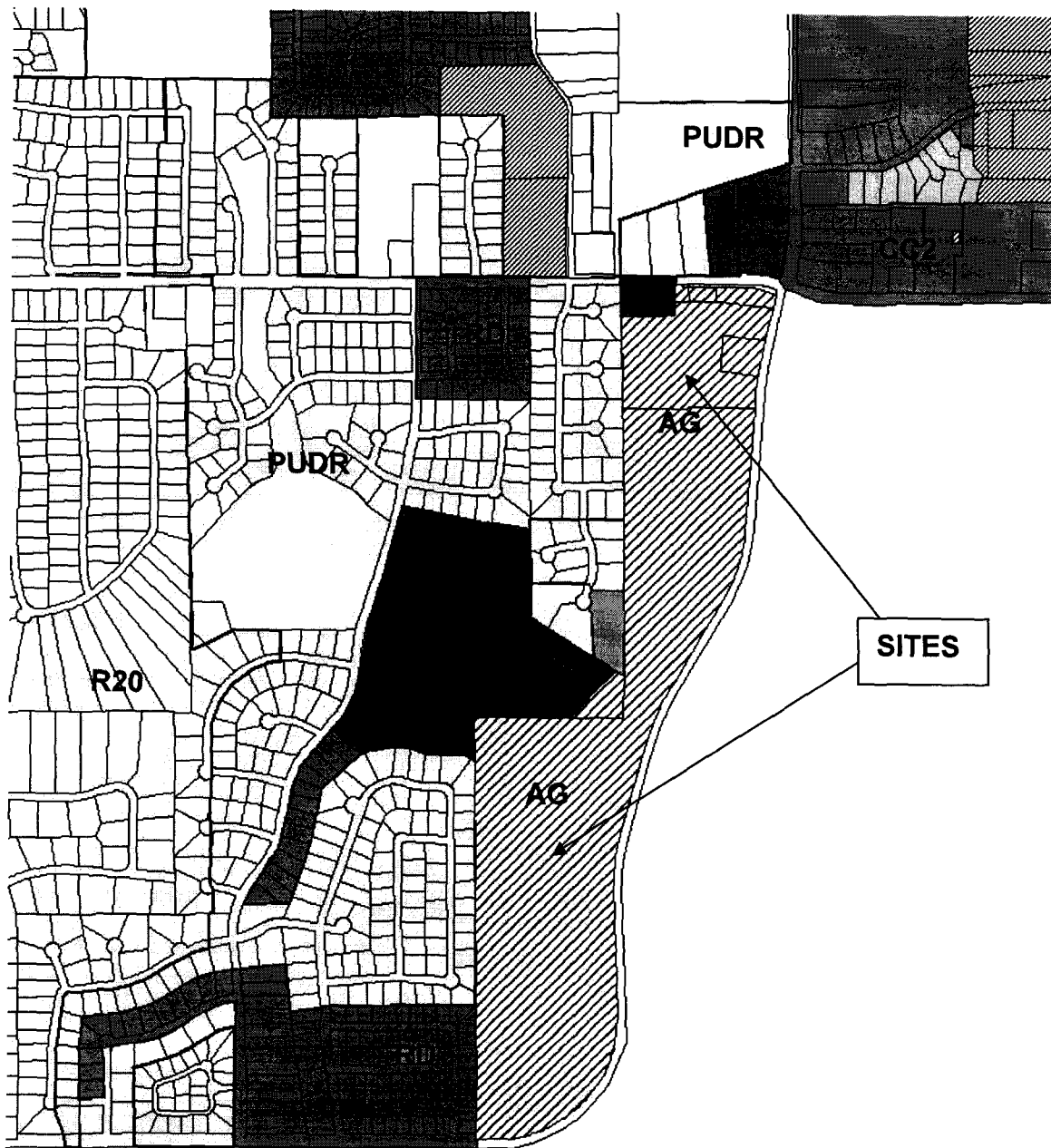


Exhibit "B" Legal Description

**CREEKSIDE AT COLLEYVILLE (PUD-R)
108.5 ACRE ZONING TRACT**

BEING A 108.5 ACRE TRACT OF LAND SITUATED IN THE ELIZABETH COX SURVEY, ABSTRACT NO. 352, THE JOHN H. HAVENS SURVEY, ABSTRACT NO. 685, THE JESSE DOSS SURVEY, ABSTRACT NO. 441 AND THE S.C.H. WITTEN SURVEY, ABSTRACT NO. 1734, CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS. SAID 108.5 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT NEAR THE INTERSECTION OF THE CENTERLINE OF GLADE ROAD AND THE INTERSECTION OF;

THENCE S 09°46'23" W, OVER AND ACROSS SAID GLADE ROAD AND HERITAGE AVENUE, A DISTANCE OF 99.73 FEET TO A POINT FOR CORNER IN THE EAST RIGHT-OF-WAY (R.O.W.) LINE OF SAID HERITAGE AVENUE;

THENCE ALONG THE EAST LINE OF SAID HERITAGE AVENUE THE FOLLOWING COURSES AND DISTANCES;

S 12°21'40" W, A DISTANCE OF 447.71 FEET TO A POINT FOR CORNER;

S 05°25'11" W, A DISTANCE OF 195.30 FEET TO A POINT FOR CORNER;

S 04°21'00" W, A DISTANCE OF 720.00 FEET TO A POINT FOR CORNER;

ALONG A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 27°31'41", A RADIUS OF 1121.05 FEET, AN ARC LENGTH OF 538.62 FEET, A CHORD BEARING OF S 17°31'00" W, AND A CHORD LENGTH OF 533.45 FEET TO A POINT FOR CORNER;

S 30°41'03" W, A DISTANCE OF 515.89 FEET TO A POINT FOR CORNER;

ALONG A CURVE TO THE LEFT HAVING A DELTA ANGLE OF 15°51'46", A RADIUS OF 2840.34 FEET, AN ARC LENGTH OF 786.37 FEET, A CHORD BEARING OF S 22°45'00" W, AND A CHORD LENGTH OF 783.86 FEET TO A POINT FOR CORNER;

S 14°48'57" W, A DISTANCE OF 308.22 FEET TO A POINT FOR CORNER;

ALONG A CURVE TO THE LEFT HAVING A DELTA ANGLE OF 16°05'15", A RADIUS OF 1407.20 FEET, AN ARC LENGTH OF 395.12 FEET, A CHORD BEARING OF S 06°46'30" W, AND A CHORD LENGTH OF 393.82 FEET TO A POINT FOR CORNER;

S 00°46'00" E, A DISTANCE OF 772.57 FEET TO A POINT FOR CORNER;

RECEIVED

FEB 06 2007

Per

ALONG A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 70°04'32", A RADIUS OF 843.50 FEET, AN ARC LENGTH OF 1031.64 FEET, A CHORD BEARING OF S 33°59'27" W, AND A CHORD LENGTH OF 968.53 FEET TO A POINT FOR CORNER AT THE INTERSECTION OF THE NORTH R.O.W. LINE OF CHEEK SPARGER ROAD;

THENCE S 89°18'56" W, ALONG THE NORTH R.O.W. LINE OF SAID CHEEK SPARGER ROAD, A DISTANCE OF 437.70 FEET TO A POINT FOR THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AS PACEL 1 IN DEED TO SPARGER FAMILY LIMITED PARTNERSHIP RECORDED IN VOLUME 16472, PAGE 390 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS (D.R.T.C.T.);

THENCE N 00°01'23" W, ALONG THE WEST LINE OF SAID PARCEL 1, A DISTANCE OF 2658.46 FEET TO A POINT FOR THE NORTHWEST CORNER OF SAID PARCEL 1;

THENCE S 89°02'53" E, ALONG THE NORTH LINE OF SAID TRACT 1, A DISTANCE OF 549.10 FEET TO A POINT FOR CORNER;

THENCE LEAVING THE NORTH LINE OF SAID PARCEL 1 THE FOLLOWING COURSES AND DISTANCES;

N 44°32'16" E, A DISTANCE OF 504.74 FEET TO A POINT FOR CORNER;

S 58°08'37" E, A DISTANCE OF 82.37 FEET TO A POINT FOR CORNER IN THE WEST LINE OF A CALLED 136.34 ACRE TRACT OF LAND DESCRIBED IN DEED TO SPARGER FAMILY LIMITED PARTNERSHIP PARTNERSHIP RECORDED IN VOLUME 16472, PAGE 390 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS (D.R.T.C.T.);

THENCE N 00°39'20" E, ALONG SAID WEST LINE, A DISTANCE OF 541.65 FEET TO A POINT FOR CORNER;

THENCE N 00°15'08" E, A DISTANCE OF 443.19 FEET TO A POINT FOR CORNER;

THENCE N 00°28'33" W, A DISTANCE OF 1306.92 FEET TO A POINT FOR CORNER;

THENCE S 89°50'41" E, A DISTANCE OF 344.46 FEET TO A POINT FOR CORNER;

THENCE N 00°09'51" W, A DISTANCE OF 225.22 FEET TO A POINT FOR CORNER;

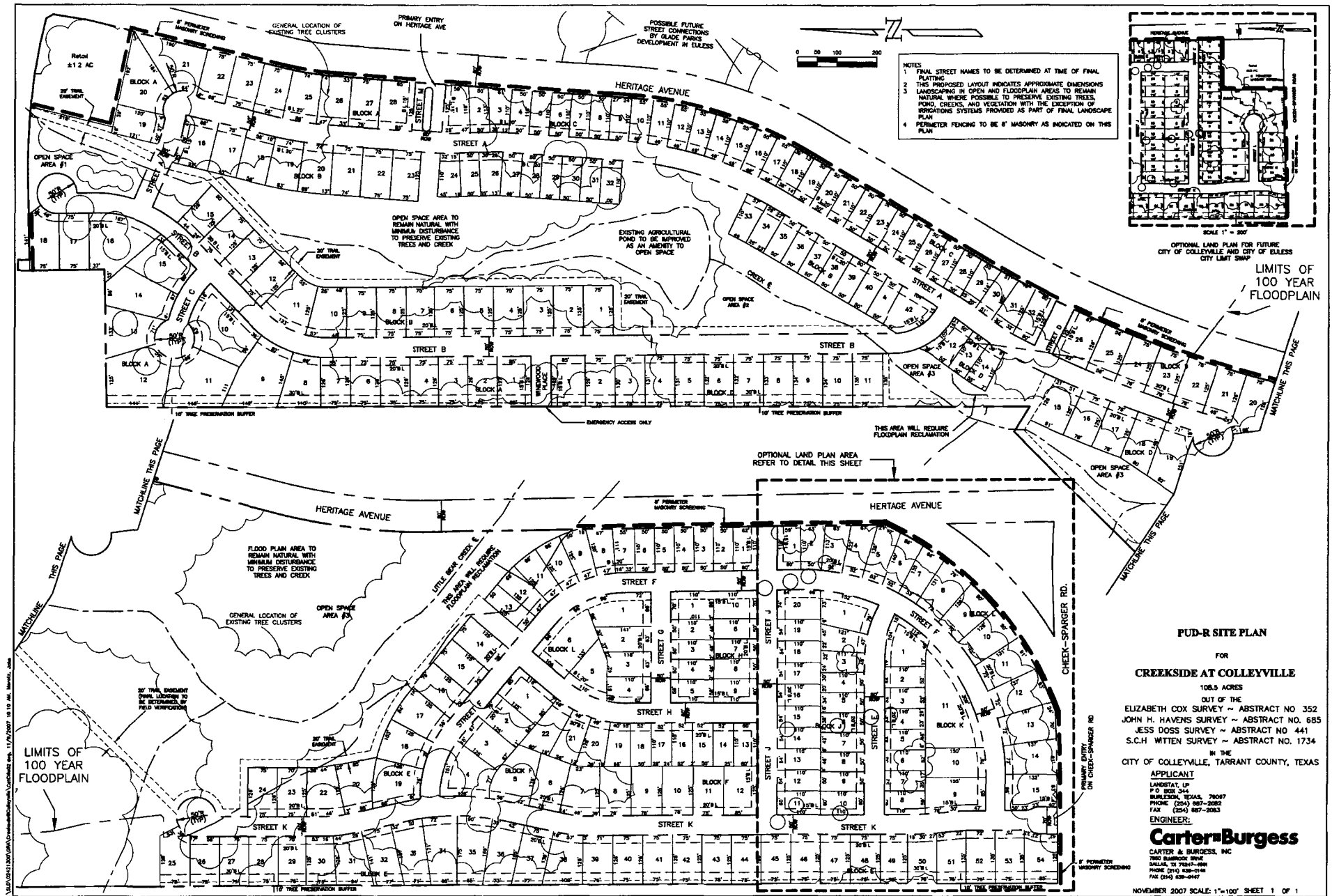
THENCE N 88°42'20" E, A DISTANCE OF 22.07 FEET TO A POINT FOR CORNER;

THENCE S 00°27'31" E, A DISTANCE OF 28.94 FEET TO A POINT FOR CORNER;

THENCE N 89°23'34" E, A DISTANCE OF 195.12 FEET TO A POINT FOR CORNER;

THENCE ALONG A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 13°35'47", A RADIUS OF 1587.18 FEET, AN ARC LENGTH OF 376.64 FEET, A CHORD BEARING OF S 84°20'11" E, AND A CHORD LENGTH OF 375.76 FEET TO A POINT FOR CORNER;

THENCE S 76°13'22" E, A DISTANCE OF 105.52 FEET TO THE POINT OF BEGINNING, AND CONTAINING 108.5 ACRES OF LAND, MORE OR LESS.



ORDINANCE O-13-1866

AN ORDINANCE AMENDING ORDINANCE O-07-1645 CONDITIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council approved Ordinance O-07-1645 on November 27, 2007, to establish the zoning of 108.5 acres out of the Elizabeth Cox Survey, Abstract 352, The John H. Havens Survey, Abstract 685, the Jesse Doss Survey, Abstract 441, and the S.C.H. Witten Survey, Abstract 1734 under case Z07-0008; and

WHEREAS, the applicant has requested an amendment to Ordinance O-07-1645 to further amend the commercial zoning requirements at the southwest corner of Glade Road and Heritage Avenue; to amend the trail location requirements within the development; and to submit a detailed site plan for 14.75 acres of the development per the requirements of Section 4(2)a under Ordinance O-07-1645, under Case ZC12-031; 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 amending Ordinance O-07-1645 conditions.
- Sec. 3. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by amending the zoning and development requirements on 108.5 acres out of the Elizabeth Cox Survey, Abstract 352, the John H. Havens Survey, Abstract 685, the Jesse Doss Survey, Abstract 441, and the S.C.H. Witten Survey, Abstract 1734 as depicted on the attached Exhibit "A".
- Sec. 4. 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. 5. THAT the above described tract of land shall be subject to the following conditions:

1. DETAILED SITE PLAN REQUIREMENT

- a. Exhibit "B" shall be deemed to satisfy the site plan requirements of Ordinance O-07-1645 Section 4(2)a. A full size copy of the site plan shall be kept on file in the Community Development Department until the final plat is approved, at which time a copy of the detailed site plan shall be kept in the plat file for this development. The phase one final plat shall be consistent with Exhibit "B".
- b. The remainder of the subject property within this PUD shall be required to submit a detailed site plan per Section 4(2)a of Ordinance O-07-1645 prior to the submission of a final plat.

2. GENERAL AMENDMENTS

- a. Sections 4(8) "d" and "e" of Ordinance O-07-1645 are hereby deleted.
- b. The maximum building height in this development shall not exceed 35 feet.
- c. The ten (10) foot wide concrete trail shown as Trail 24 on the 2005 City of Colleyville Pathways Plan map shall be constructed by the developer along the west side of Heritage Avenue prior to the acceptance of public improvements. Trail 24 must connect to all other trails noted on the 2005 Colleyville Pathways Plan.
- d. This development may be developed as a gated community with private streets in accordance with Chapter 10-Private Streets and Gate Entrances of the Land Development Code.
- e. The developer shall improve Heritage Avenue where it is adjacent to the development to the current standards of the Land Development Code and the Master Thoroughfare Plan at the time of development of the adjacent property. There shall be no option to escrow said construction costs as a perimeter street fee for future roadway improvements.

- 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 Ordinance O-07-1645 and 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 19th day of February 2013.

The second reading and public hearing being conducted on the 5th day of March 2013.

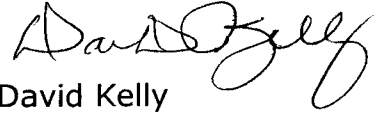
PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 5th day of March 2013.

ATTEST:



Amy Shelley
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

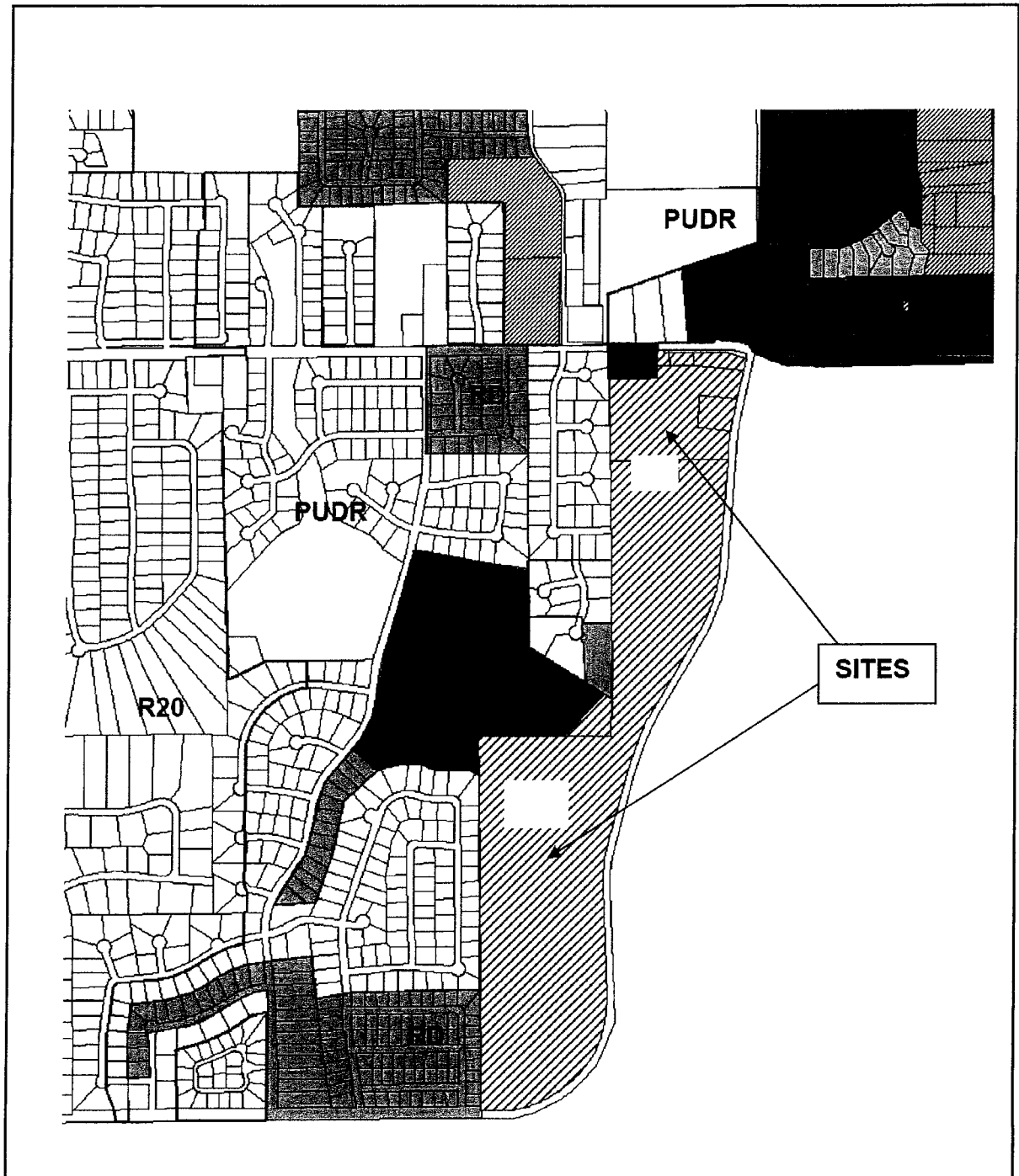
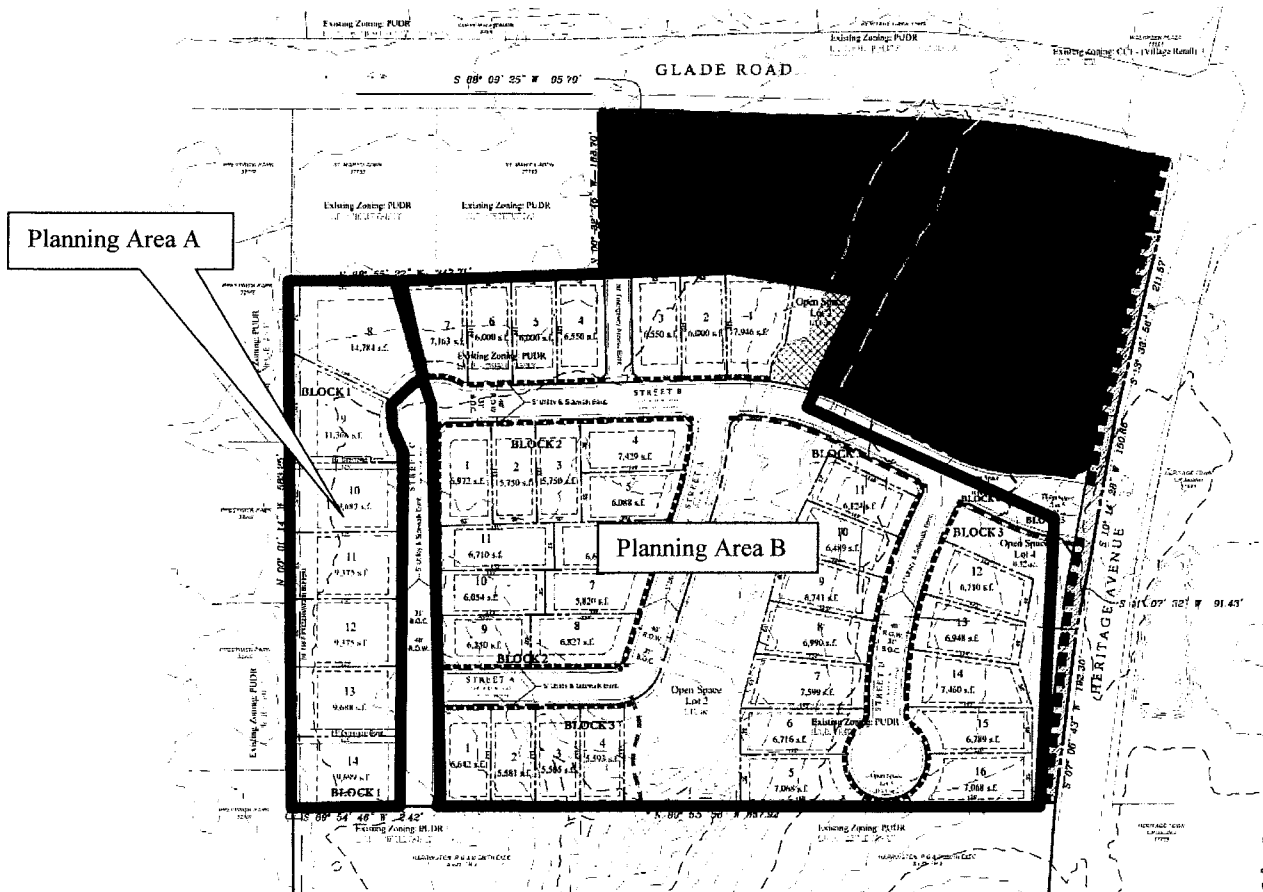


Exhibit "B" Detailed Site Plan



ORDINANCE O-13-1899

AN ORDINANCE AMENDING ORDINANCE O-07-1645 AND ORDINANCE O-13-1866 CONDITIONS AND AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 4.4 ACRES LOCATED IN THE JESSE DOSS SURVEY AT THE NORTHWEST CORNER OF CHEEK-SPARGER ROAD AND HERITAGE AVENUE FROM THE AG-AGRICULTURAL DISTRICT TO THE PUD-R-PLANNED UNIT DEVELOPMENT RESIDENTIAL DISTRICT; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council approved Ordinance O-07-1645 on November 27, 2007, to establish the zoning of 108.5 acres out of the Elizabeth Cox Survey, Abstract 352, the John H. Havens Survey, Abstract 685, the Jesse Doss Survey, Abstract 441, and the S.C.H. Witten Survey, Abstract 1734 under case Z-07-008; and

WHEREAS, the City Council approved Ordinance O-13-1866 on March 5, 2013, amending Ordinance O-07-1645 conditions and approving a detailed site plan for phase one of the development under case ZC12-031; and

WHEREAS, the applicant has requested an amendment to Ordinance O-07-1645 and Ordinance O-13-1866 and requests to rezone 4.4 acres located in the Jesse Doss Survey at the northwest corner of Cheek-Sparger Road and Heritage Avenue, acquired from the City of Euless in a boundary adjustment approved under Ordinance O-12-1828, so as to incorporate the property into the PUD authorized by Ordinance O-07-1645 under Case Z-07-008 and approve a detailed site plan for phase two of the development; and

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

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

enforced therein and to recommend a new zoning ordinance;
and

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

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, to the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by amending Ordinance O-07-1645 and Ordinance O-13-1866.
- Sec. 3. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by

changing the zoning of 4.4 acres located in the Jesse Doss Survey at the northwest corner of Cheek-Sparger Road and Heritage Avenue from the AG-Agricultural District to the PUD-R-Planned Unit Development Residential District, as depicted in the attached Exhibit "A" and described in Exhibit "B".

Sec. 4. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.

Sec. 5. THAT the above described tract of land shall be subject to the following conditions:

1. DETAILED SITE PLAN REQUIREMENT

- a. Exhibit "C" shall be deemed to satisfy the site plan requirements of Ordinance O-07-1645 Section 4(2)a and Ordinance O-13-1866 Section 5(1)b. A full size copy of the site plan shall be kept on file in the Community Development Department until the final plat is approved, at which time a copy of the detailed site plan shall be kept in the plat file for this development. The phase two final plat shall be consistent with Exhibit "C".

2. GENERAL AMENDMENTS

- a. Section 5(2)e of Ordinance O-13-1866 is hereby deleted.
- b. The developer may enter into a City/Developer Agreement with the City of Colleyville for any required public improvements, in conjunction with this development. Said agreement, if submitted, shall be approved and executed prior to the filing of the final plat for phase two of the development.
- c. Prior to the issuance of a building permit for the 1.9 acre commercial tract shown at the southwest corner of the development on Exhibit C, the developer shall submit a detailed site plan which shall, at a minimum, meet the requirements of Section 3.23 J.K.6. of the Land Development Code, be consistent with Ordinance O-07-1645 and any subsequent amendments, and may also be required to show additional conditions provided in Section 3.23 M.b. of the Land Development Code. Further, such detailed site plan(s)

shall be considered as a legislative approval, subject to the sole discretion of the City Council upon the recommendation of the Planning and Zoning Commission.

- d. Section 4(7)b of Ordinance O-07-1645 is hereby amended to read as follows: A six (6) foot masonry wall shall be built along the perimeter of the subdivision along Heritage Avenue, Glade Road and Cheek Sparger Road. The design for such wall shall be stamped and sealed by a licensed engineer. The standards and detail for such wall shall be included as part of the detailed Site Plan and shall, otherwise, meet the requirements of the Land Development Code.
- e. Except as noted in subsection "d" above and Section 4(7)a and "c" in Ordinance O-07-1645, all fences shall be constructed per Exhibit D.
- f. Section 5(2)c of Ordinance O-13-1866 is hereby amended to read as follows: The ten (10) foot wide concrete trail shown as Trail 24 on the 2005 City of Colleyville Pathways Plan map shall be constructed by the developer along the west side of Heritage Avenue prior to the acceptance of public improvements and shall connect to all other trails noted on the 2005 Colleyville Pathways Plan with the following exceptions: The developer may escrow the cost of constructing the trail in lieu of actual construction only for the portion of the trail that traverses the Little Bear Creek floodplain. If the developer chooses to escrow said funds, the developer shall build a minimum four (4) foot wide sidewalk across Little Bear Creek that links the internal sidewalks in the portion of the development that is south of Little Bear Creek to the internal sidewalks in the portion of the development that is north of Little Bear Creek. Said sidewalk connection shall link to Trail 24 on both sides of Little Bear Creek within a public pedestrian access easement, which shall be dedicated on the final plat(s) for the development.

Sec. 6. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.

- Sec. 7. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 8. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 9. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 10. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.
- Sec. 11. THAT Ordinance O-07-1645 and Ordinance O-13-1866 shall remain in full force and effect, except where amended by this ordinance.

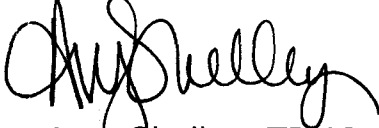
AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of December 2013.

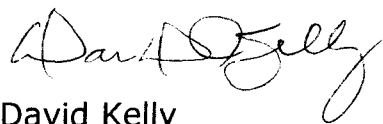
The second reading and public hearing being conducted on the 17th day of December 2013.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 17th day of December 2013.

ATTEST:


Amy Shelley, TRMC
City Secretary

CITY OF COLLEYVILLE


David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

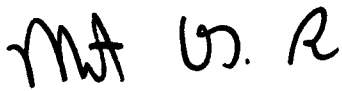

Matthew C. G. Boyle
City Attorney

Exhibit "A" –Location and Zoning Map

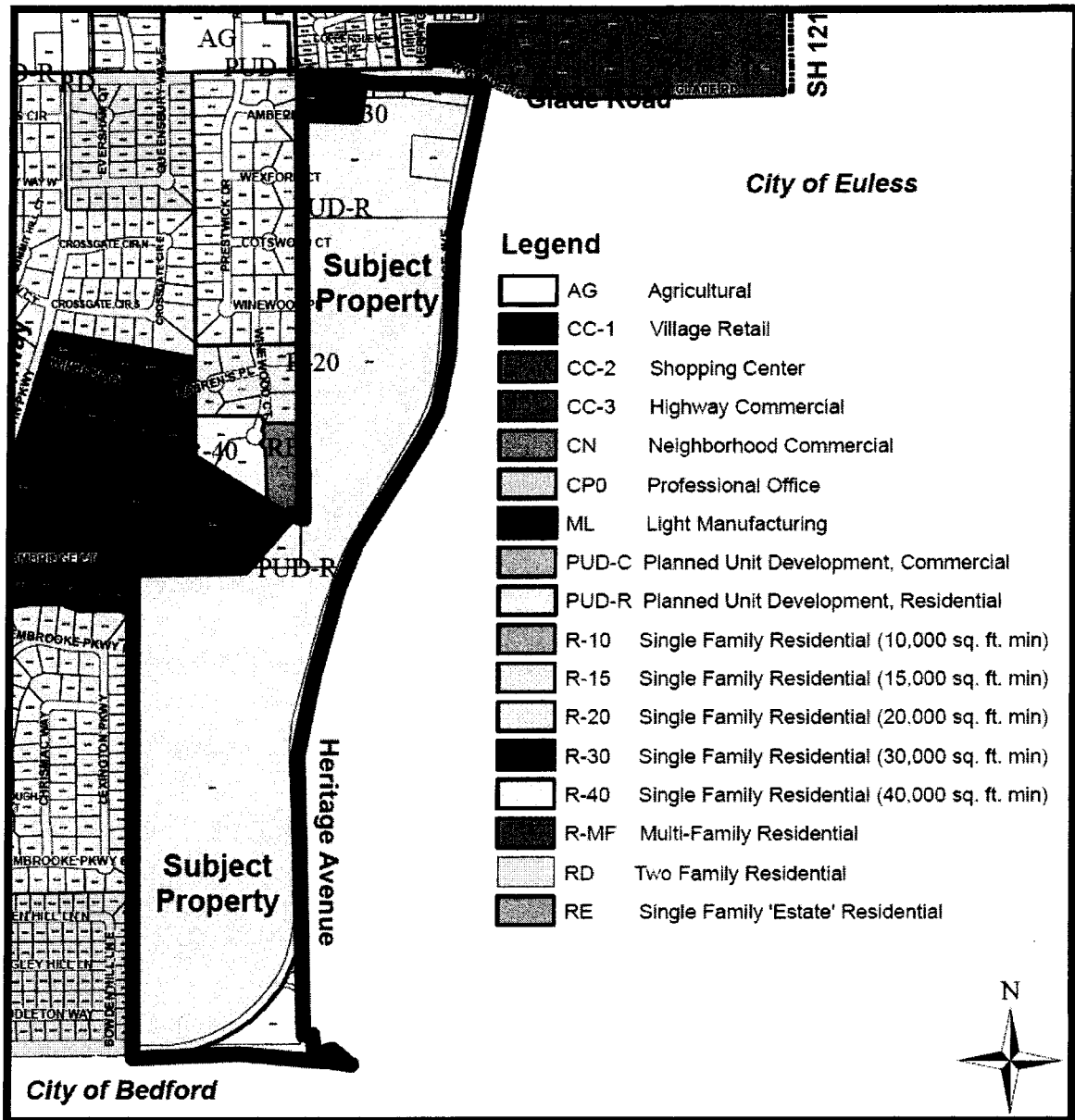


Exhibit "B" – Legal Description of Property Zoned from AG-Agricultural to PUD-R-Planned Unit Development Residential

Being the certain tract of land situated in the J. DOSS SURVEY, Abstract No. 441 and being a portion of the Ordinance No. 192 to City of Euless and a portion of the tract described in the deed to Sparger Family limited Partnership as recorded in Volume 16472, Page 390 of Deed Records, Tarrant County, Texas and being more particularly described as follows:

BEGINNING at a point at the intersection of the Colleyville City Limit and the Bedford City Limit boundaries from which a 5/8" iron rod found for the southwest corner of said Sparger tract bears North 69°11'27" West at 207.68 feet;

THENCE North 00°07'13" West, 25.16 feet to the beginning of a curve to the left;

THENCE northeasterly with said curve to the left, having a radius of 843.63 feet, a central angle of 37°42'05", an arc length of 250.26 feet to the apparent intersection of the north right-of-way of said Cheek Sparger Road and the east right-of-way line of Heritage Avenue, continuing with said east right-of-way line a total arc length of 1281.93 feet and a long chord of North 42°29'27" East at 1162.08 feet to a 5/8 inch iron rod found for the end of said curve, same being the merging of the east right-of-way line of Woodpark Lane;

THENCE South 01°02'49" East with said east right-of-way line of Woodpark Lane, 750.80 feet to the southwest corner of the tract described to Charles A. Hoel, Jr. and wife, Mary lea Hoel as recorded in Volume 3522, Page 540 of said Deed Records;

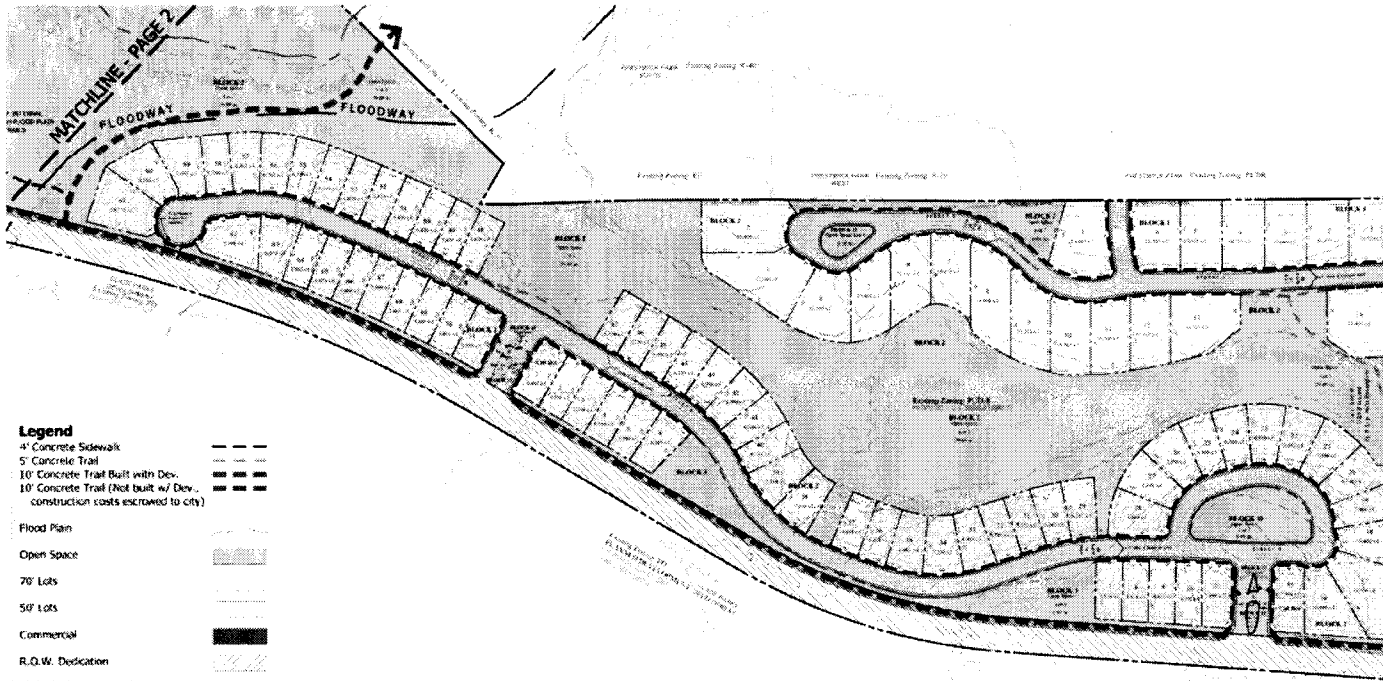
THENCE South 89°57'50" East with the south line of said Hoel tract, approximately 38.00 feet to the northwest corner of the tract described to Cheek-Sparger Properties, LLP., as recorded in Document No. 0206013089 of said Deed Records;

THENCE South 05°10'42" East, 58.85 feet to the beginning of a curve to the right;

THENCE southeasterly with said curve to the right, having a radius of 1058.63 feet, a central angle of 12°33'23", an arc length of 232.00 feet and a long chord of South 71°31'54" East at 231.54 feet;

THENCE South 65°18'09" East, 4.39 feet to said north City limit line of the City of Bedford and south City Limit line of the City of Colleyville;

THENCE North 89°52'47" West with said common City Limit line, 1065.70 feet to the place of beginning and containing 4.438 acres of land, more or less.



- Legend**
- 4" Concrete Sidewalk
 - 5" Concrete Trail
 - 10" Concrete Trail Built with Dev.
 - 10" Concrete Trail (Not built w/ Dev. - construction costs escrowed to city)
 - Flood Plan
 - Open Space
 - 70' Lots
 - 50' Lots
 - Commercial
 - R.O.W. Dedication

FOR LEGAL DESCRIPTION OF PROPERTY, SEE ATTACHED FILE

Owner:
Harrington Family
7000 Cherry Bark Lane
North Richland Hills, TX 76182

Applicant:
Terri / Manna, L.L.C.
395 W. State Hwy. 114, Suite 300
Southlake, TX 76092
Contact: Paul Spain

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

Site Data Summary Chart

Single Family Residential Lots	228
Commercial Lots	1
Common Areas	17
COMMERCIAL	
Commercial Sites	1.90 ac.
RESIDENTIAL	
Residential Lots	41.50 ac.
Open Space	30.51 ac.
R.O.W.	13.19 ac.
R.O.W. Dedication (on Heritage)	7.24 ac.
Total Residential	94.44 ac.
GROSS AREA	96.36 AC

Residential Lot Summary

Residential Lots	228
Minimum Building Lot Area	5,000 s.f.
Average Building Lot Area	8,311 s.f.
Common Areas	17

L.U.D. / Zoning

Existing Zoning:	PUD-R
Proposed Zoning:	PUD-R

Notes:

- Planning Area A - Front Setbacks are 20', or 15' with a swing garage
- Planning Area A - Rear Setbacks are 30' Typical
- Planning Area A - Side Setbacks are 5'
- Planning Area B - Front Setbacks are 20', or 15' with a swing garage
- Planning Area B - Rear Setbacks are 10' Typical
- Planning Area B - Side Setbacks can be a center-load 5' sidewalk, 9'12' or 10'10'. (10' total, minimum between structures)
- There will be no outside storage onsite
- Open space lots & landscape easements will be maintained by the Homeowners Association (HOA).

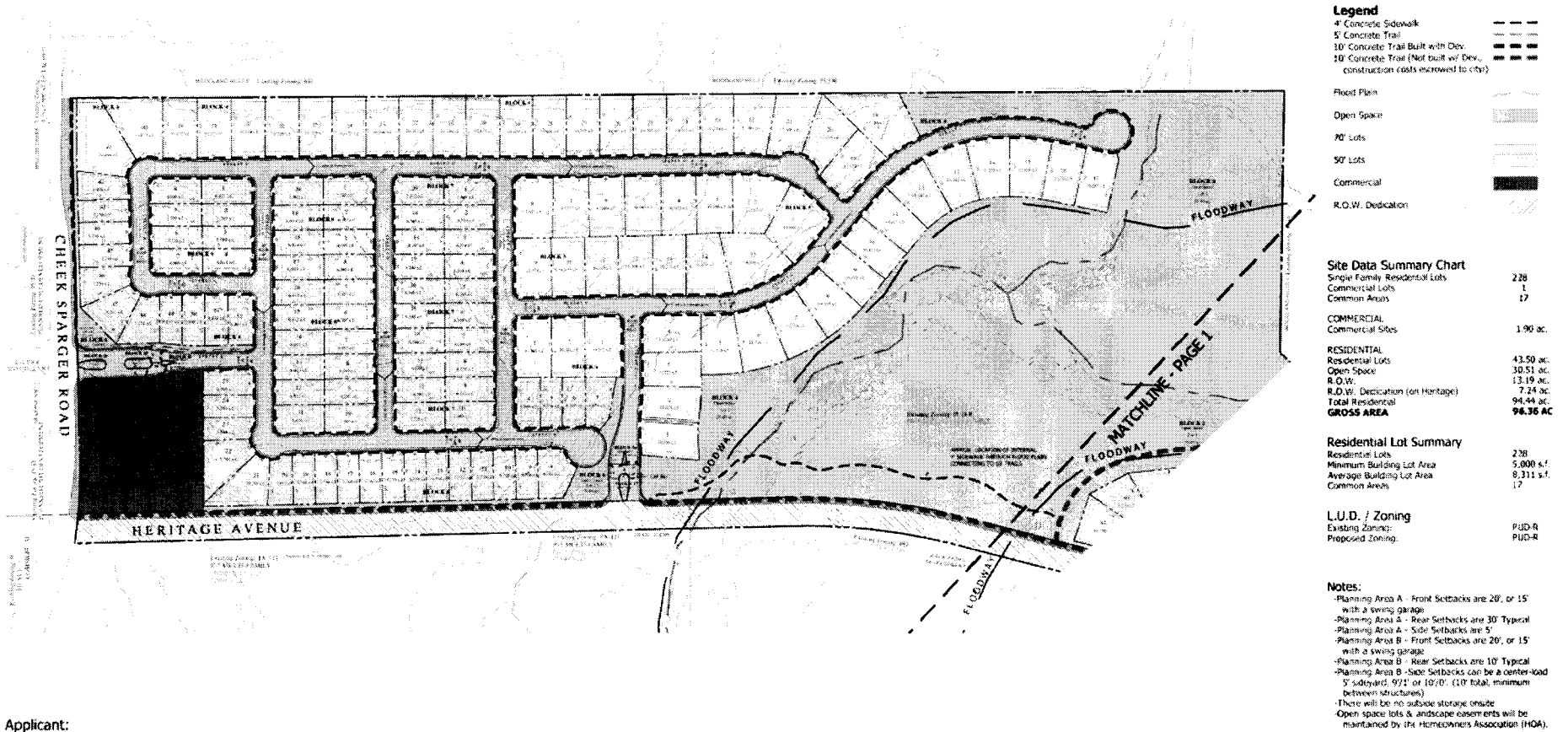
Zoning Exhibit for
Zoning Change Request
For PUD-R Amendment
Case # ZC13-017

Zoning Case #ZC13-017



Phase 2 Development Plan

Creekside at Colleyville



Applicant:
Terra / Manna, L.L.C.
395 W. Skote Hwy. 114, Suite 300
Southlake, TX 76092
Contact: Paul Span

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

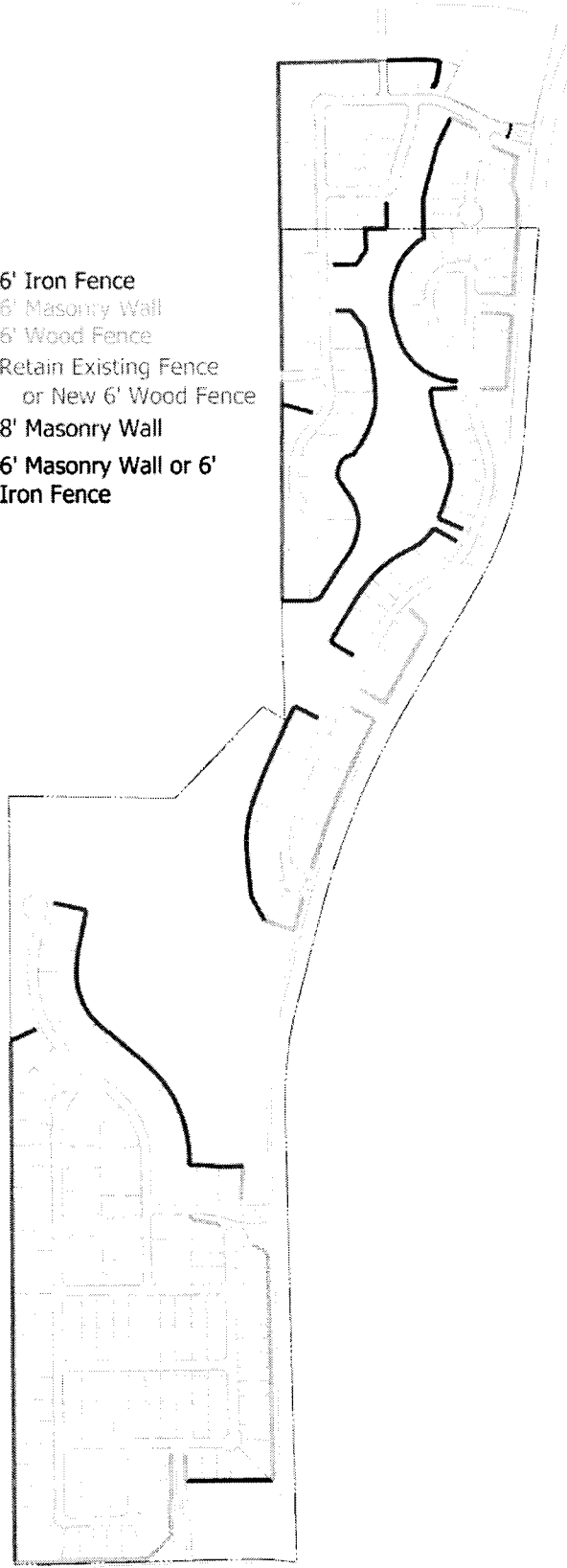


Phase 2 Development Plan

Creekside at Colleyville

Exhibit 'D'

6' Iron Fence
6' Masonry Wall
6' Wood Fence
Retain Existing Fence
or New 6' Wood Fence
8' Masonry Wall
6' Masonry Wall or 6'
Iron Fence



Owner:
Harrington Family
7000 Cherry Bark Lane
North Richland Hills, TX 76182

Applicant:
Terra / Manna, L.L.C.
395 W. State Hwy. 114, Suite 300
Southlake, TX 76092
Contact: Paul Spain

Planner:
SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
TEL: 817-424-2526

18 DEC 13



Wall/Fence Diagram



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 06/23/2014	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of an amendment to the PUDC-Planned Unit Development Commercial zoning requirements on Lots 1 and 2, Block 1, of the Pecan Gardens Addition located at 6220 and 6226 Colleyville Boulevard, Case ZC14-008

Explanation

The applicant is requesting an amendment to PUD-C Ordinance O-94-950 in order to construct two general office buildings located at 6226 Colleyville Boulevard, located at the southwest corner of Tinker Road and Colleyville Boulevard.

Existing Conditions and Zoning. The subject property is zoned PUD-C-Planned Unit Development Commercial and contains six existing professional office buildings. The zoning was approved on May 17, 1994 by Ordinance O-94-950 (attached). The Pecan Gardens final plat subdivided approximately 2.88 acres into two lots and was approved December 22, 1997. The approved ordinance contained several conditions of approval regarding the development of the property, as follows.

1994 Statement of Planning Objectives:

- 1) A general site plan shall be required at the time of approval of the PUD ordinance for the subject site. The final site plan shall require approval of the Planning and Zoning Commission and the City Council following a public hearing with standard notice required for zoning changes.
- 2) The minimum rear setback along the western edge of the property shall be 25 feet.
- 3) The final site plan shall include elevation designs which when viewed from the western or northern boundaries of the site will resemble residential structures similar to those of typical residential dwellings within 300 feet of the subject site.
- 4) A building within 100 feet of the western edge of the property may not be more than one story in height, nor more than 16 feet tall at the roof eaves, nor more than 30 feet tall at the highest point of the roof.
- 5) No window built above the first floor may openly face the residential developments on the western or northern edges of the site.

- 6) All mechanical equipment and dumpsters shall be screened from all views.
- 7) All facades, exclusive of doors and windows, shall be at least 90 percent brick. Design features may include decorative tile, stone or block provided such design features do not exceed 10 percent of the exterior wall area. The developer of the site may request approval of alternative façade designs at the time of final site plan approval by the Planning and Zoning Commission.
- 8) A concept plan shall be prepared for the future development of the property located immediately east of the subject site as a second phase of the proposed development. Said concept plan shall be made as part of the final site plan.
- 9) All conditions listed here shall be in addition to the requirement for the site set forth in the Zoning Ordinance and Building Code.
- 10) A final site plan shall contain design considerations for the inclusion of Tract 2W3, Abstract 331, in a joint development plan with the subject PUD. Said joint development plan is intended to serve as a guide for review of future development requests related to Tract 2W3.
- 11) The main entrance and exit to the project shall be on Highway 26 with a 40 foot divided entrance and a landscaped median. A monument sign may be erected in this median if sight distances permit.
- 12) A masonry screening wall shall be erected along the western edge of the property.
- 13) Sidewalks shall be provided in accordance with the Sidewalk Ordinance on or adjacent to the rights-of-way of Highway 26 and Tinker Road.

Condition 1: A general site plan shall be required at the time of approval of the PUD ordinance for the subject site. The final site plan shall require approval of the Planning and Zoning Commission and the City Council following a public hearing with standard notice required for zoning changes.

Condition 1 cannot be confirmed as there is no record on file.

Condition 2: The minimum rear setback along the western edge of the property shall be 25 feet.

The two proposed buildings will be setback 25 feet from the western edge of the property.

Condition 3: The final site plan shall include elevation designs which when viewed from the western or northern boundaries of the site will resemble residential structures

similar to those of typical residential dwellings within 300 feet of the subject site.

The two proposed buildings resemble residential structures similar to those of typical residential structures. All new buildings must comply with the provisions of Chapter 6-Commercial Building Design in the Land Development Code.

Condition 4: A building within 100 feet of the western edge of the property may not be more than one story in height, nor more than 16 feet tall at the roof eaves, nor more than 30 feet tall at the highest point of the roof.

The two proposed buildings are one story in height and will be required to meet current development standards. All new buildings must comply with the provisions of Chapter 6-Commercial Building Design in the Land Development Code.

Condition 5: No window built above the first floor may openly face the residential developments on the western or northern edges of the site

The two proposed buildings are proposed as one story in height.

Condition 6: All mechanical equipment and dumpsters shall be screened from all views.

The two proposed buildings will be required to screen all mechanical equipment and dumpsters from view. The proposed buildings will be required to comply with the provisions of Chapter 6-Commercial Building Design in the Land Development Code.

Condition 7: All facades, exclusive of doors and windows, shall be at least 90 percent brick. Design features may include decorative tile, stone or block provided such design features do not exceed 10 percent of the exterior wall area. The developer of the site may request approval of alternative façade designs at the time of final site plan approval by the Planning and Zoning Commission.

The two proposed buildings must comply with the provisions of Chapter 6-Commercial Building Design in the Land Development Code.

Condition 8: A concept plan shall be prepared for the future development of the property located immediately east of the subject site as a second phase of the proposed development. Said concept plan shall be made as part of the final site plan.

Condition 8 cannot be confirmed as there is no record on file.

Condition 9: All conditions listed here shall be in addition to the requirement for the site set forth in the Zoning Ordinance and Building Code

The two proposed buildings must comply with the all applicable ordinances, codes and

regulations.

Condition 10: A final site plan shall contain design considerations for the inclusion of Tract 2W3, Abstract 331, in a joint development plan with the subject PUD. Said joint development plan is intended to serve as a guide for review of future development requests related to Tract 2W3

Condition 10 cannot be confirmed as there is no record on file.

Condition 11: The main entrance and exit to the project shall be on Highway 26 with a 40 foot divided entrance and a landscaped median. A monument sign may be erected in this median if sight distances permit

Elements stated within Condition 11 are existing.

Condition 12: A masonry screening wall shall be erected along the western edge of the property.

An 8-foot in height masonry screening wall exists along the western edge of the property.

Condition 13: Sidewalks shall be provided in accordance with the Sidewalk Ordinance on or adjacent to the rights-of-way of Highway 26 and Tinker Road.

A 4-foot wide sidewalk has been constructed adjacent to Tinker Road. Given that Tinker Road is designated as a Minor Collector on the Master Thoroughfare Plan, a 5-foot wide sidewalk will be required.

There are no existing sidewalks along Highway 26.

Applicant's Request. Per the attached Statement of Planning Objectives, the applicant is requesting to amend PUD-C Ordinance O-94-950 in order to construct two new professional office buildings on Lot 1, Block 1 of the Pecan Gardens Addition.

Surrounding Properties. The surrounding properties include the following uses: a medical office building to the west and single family residential uses to the north, south and east of the subject property.

Building Design Standards. The applicant has submitted conceptual renderings of the proposed office buildings. The proposed buildings will be required to comply with the provisions of Chapter 6-Commercial Building Design in the Land Development Code

Parking. The applicant will be adding 29 additional parking stalls for general office parking. All parking shall meet the requirements of the Land Development Code at the

time building permit submittal.

Staff Recommendation Related to Existing PUD: The majority of the conditions within the 1994 ordinance approving for this development are no longer applicable as they have either been addressed with previous development of the property or are less stringent than the Land Development Code currently requires. Staff recommends that PUD-C Ordinance O-94-950 be repealed and amended in its entirety while retaining two of the original conditions for future development:

- **Condition 4:** A building within 100 feet of the western edge of the property may not be more than one story in height, nor more than 16 feet tall at the roof eaves, nor more than 30 feet tall at the highest point of the roof.
- **Condition 5:** No window built above the first floor may openly face the residential developments on the western or northern edges of the site

Public Notification. Staff mailed notices to 21 adjacent property owners regarding this. All school districts within the City of Colleyville were notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. Staff has received no correspondence regarding this request to date.

Summary. Development of the two proposed professional office buildings are in compliance with the existing conditions of approval within Ordinance O-94-950. The applicant has not requested any variances to the requirements of the Land Development Code.

Recommendation

Approval with the following conditions:

Staff recommends approval of the rezoning request with the following conditions:

1. Permitted uses shall be limited to Professional and General Office.
2. All new buildings must comply with the provisions of Chapter 6-Commercial Building Design in the Land Development Code.
3. The layout of the buildings on the property shall be generally consistent with Exhibit "B".
4. A building within 100 feet of the western edge of the property may not be more than one story in height, nor more than 16 feet tall at the roof eaves, nor more than 30 feet tall at the highest point of the roof.
5. No window built above the first floor may openly face the residential developments

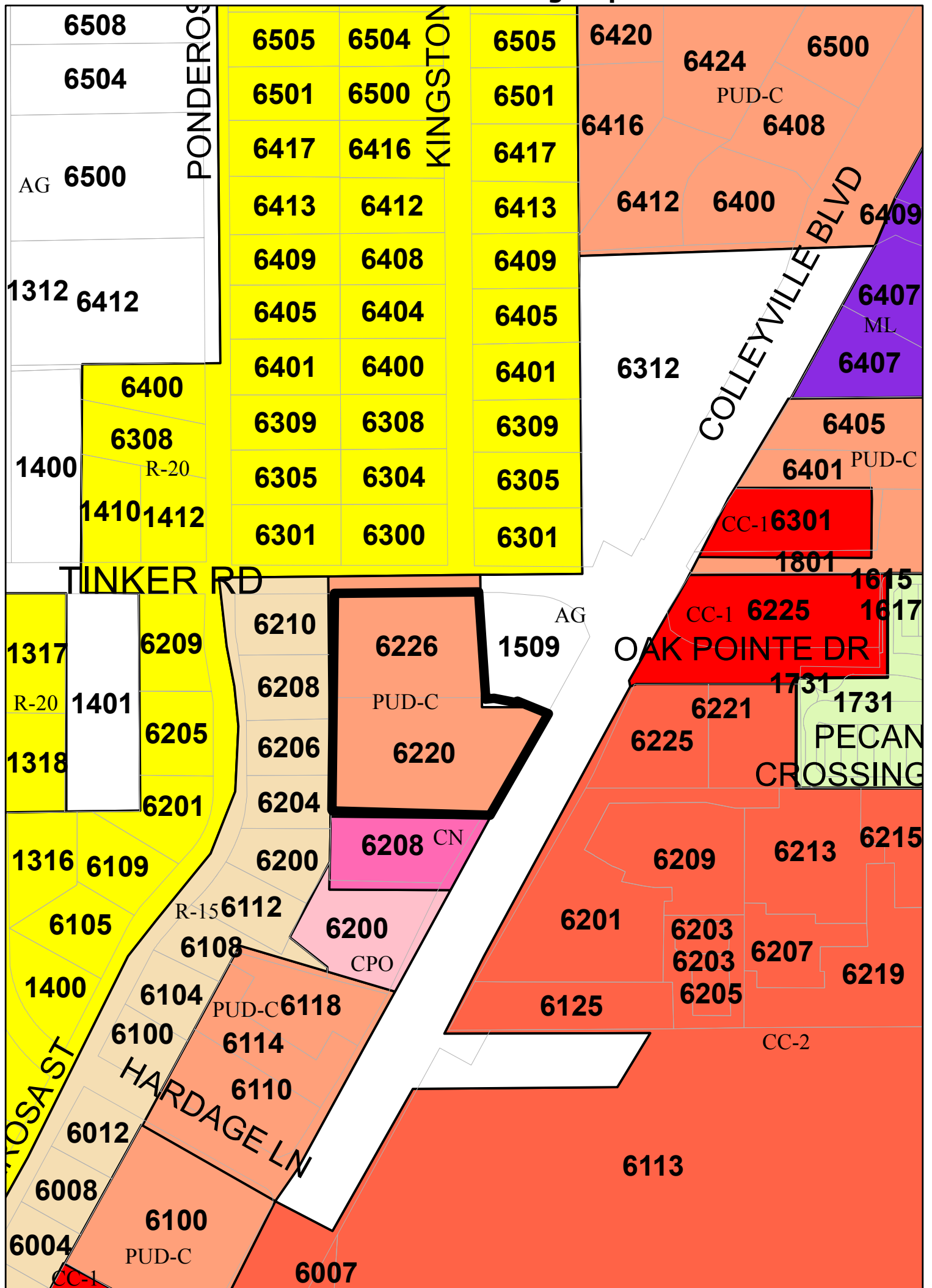
on the western or northern edges of the site.

6. The proposed development is subject to all the regulations contained in the Land Development Code, except as amended by this ordinance.

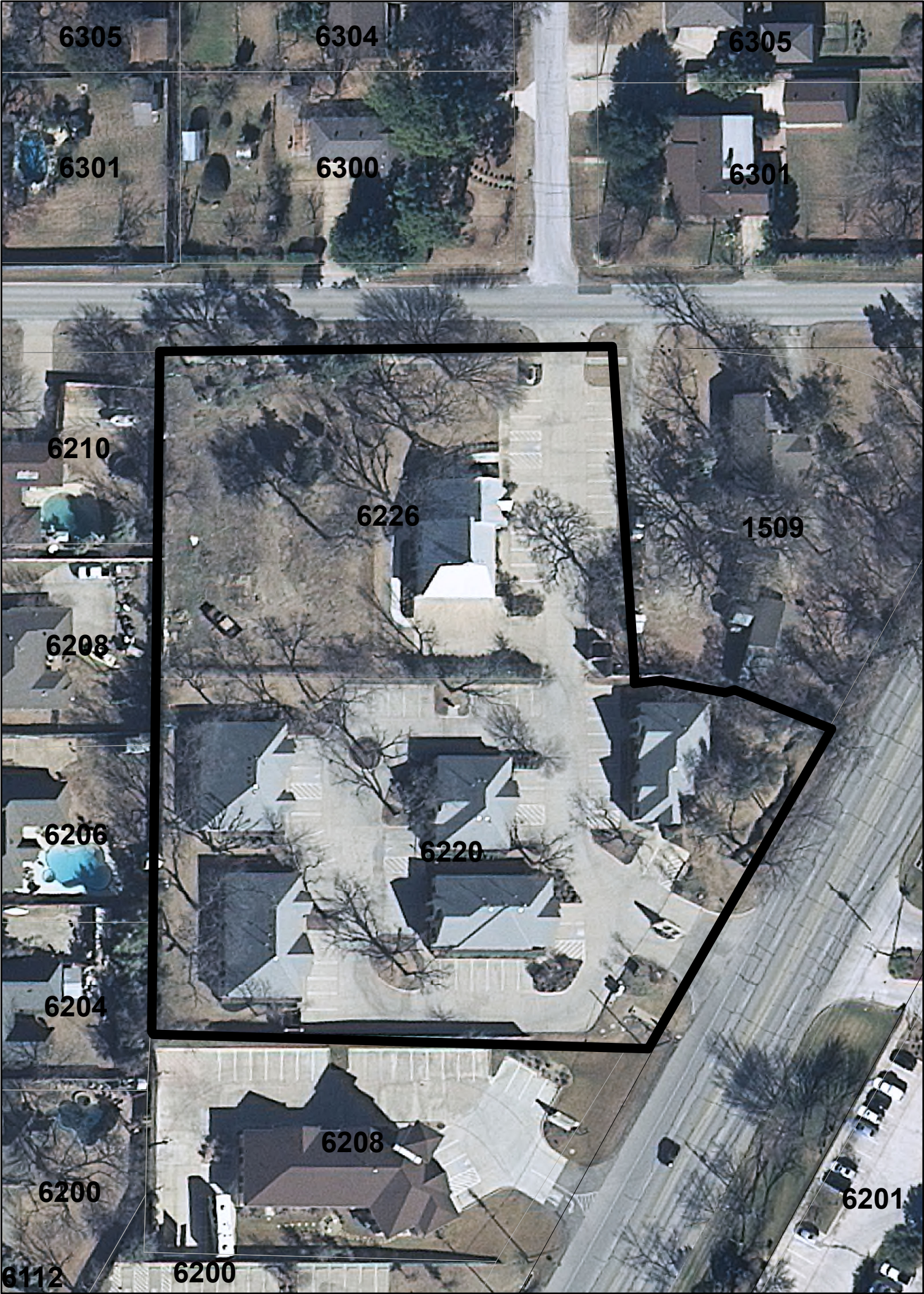
Attachments

1. Location and Zoning Map
2. Aerial
3. Future Land Use Map
4. Buffer Map
5. Notification List
6. Statement of Planning Objectives
7. Conceptual Building Elevations
8. Conceptual Site Plan
9. Conceptual Floor Plan
10. Ordinance Approved May 17, 1994
11. Proposed Ordinance 0-14-XXXX

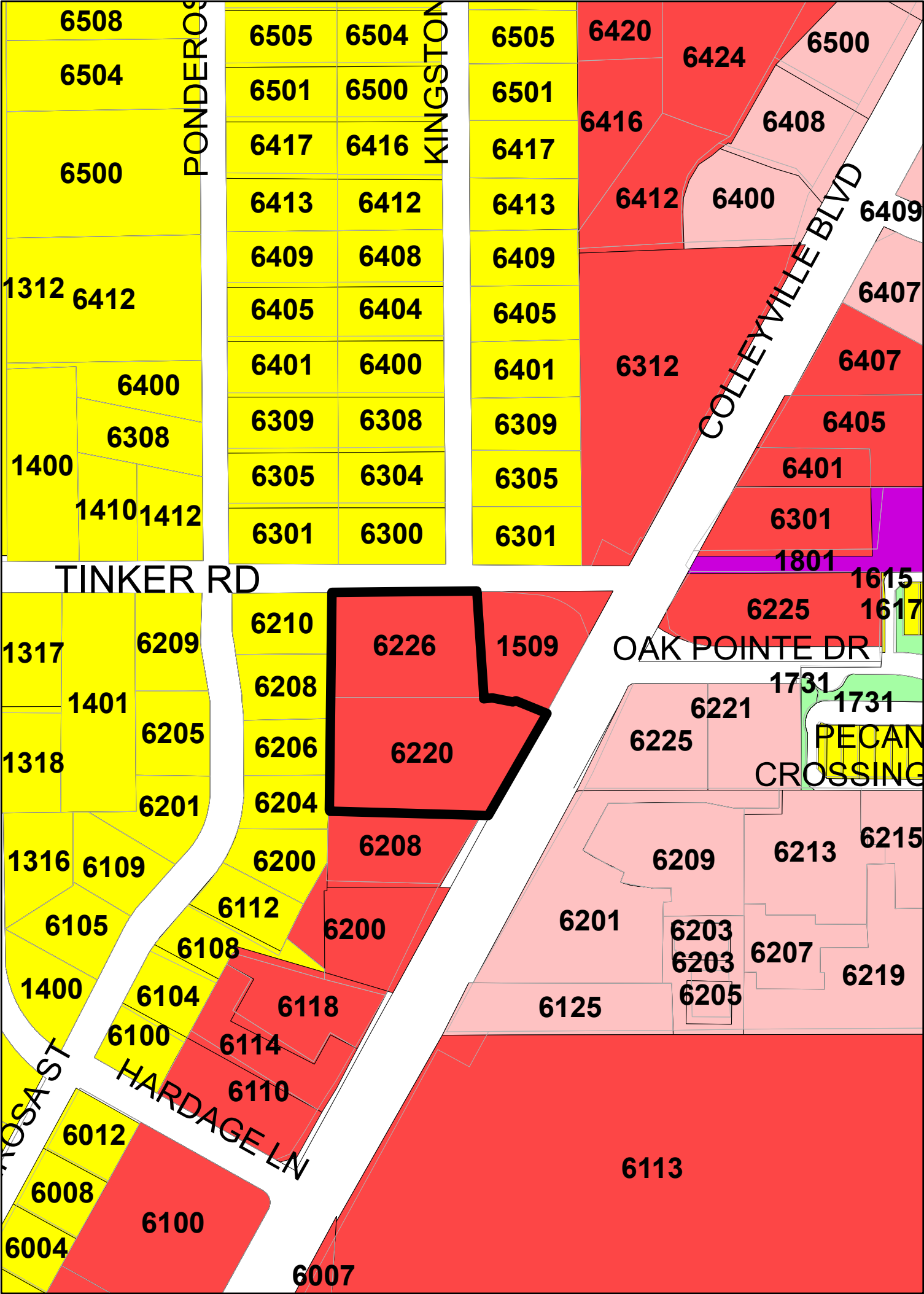
Location and Zoning Map



Aerial



Future Land Use Map



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
LAM, CONNER	1280 POST OAK TRL	SOUTHLAKE	TX	76092	006312 COLLEYVILLE BLVD
R H LENDING INC	6209 COLLEYVILLE BLVD	COLLEYVILLE	TX	76034	006209 COLLEYVILLE BLVD
PMT PARTNERS IX LTD	1585 KAPIOLANI BLVD STE 1110	HONOLULU	HI	96814	006201 COLLEYVILLE BLVD
COLLEYVILLE PROPERTIES LLC	3145 GEARY BLVD STE 737	SAN FRANCISCO	CA	94118	006225 COLLEYVILLE BLVD
ARANA, WANDA TRUSTEE	36 ARANA CIR	SAUSALITO	CA	94965	006200 COLLEYVILLE BLVD
JACE PROPERTIES LLC	3241 HORSESHOE DR	GRAPEVINE	TX	76051	006208 COLLEYVILLE BLVD # A
BUFE, MARTHA	1509 TINKER RD	COLLEYVILLE	TX	76034	001509 TINKER RD
GLASS, THOMAS ETUX GLENDA	6304 KINGSTON	COLLEYVILLE	TX	76034	006304 KINGSTON DR
ENOS, CHARLES H ETUX SHERRY A	6305 KINGSTON	COLLEYVILLE	TX	76034	006305 KINGSTON DR
BURTON, EUGENE ETUX KAREN L	6112 PONDEROSA ST	COLLEYVILLE	TX	76034	006112 PONDEROSA ST
TUCKER, CHARLES	6206 PONDEROSA ST	COLLEYVILLE	TX	76034	006206 PONDEROSA ST
FOLKES, JAMES ETUX KIMBERLY	6200 PONDEROSA ST	COLLEYVILLE	TX	76034	006200 PONDEROSA ST
TOUCHSTONE, GARY ETUX JULIE	6208 PONDEROSA ST	COLLEYVILLE	TX	76034	006208 PONDEROSA ST
THOMAS, PHILIP H ETUX MILDRED	6204 PONDEROSA ST	COLLEYVILLE	TX	76034	006204 PONDEROSA ST
DE BERARD, LAWRENCE L & LINDA	6210 PONDEROSA ST	COLLEYVILLE	TX	76034	006210 PONDEROSA ST
WOOD, ROSY MARTINEZ	6300 KINGSTON	COLLEYVILLE	TX	76034	006300 KINGSTON DR
BROWN, KATHLEEN G	25 SAN FELIPE WAY	NOVATO	CA	94945	006305 PONDEROSA LN
SPANN, TERESA G	6301 KINGSTON	COLLEYVILLE	TX	76034	006301 KINGSTON DR
JENNINGS, JEFF L & N J JACOBI	6301 PONDEROSA LN	COLLEYVILLE	TX	76034	006301 PONDEROSA LN
GRAPEVINE-COLLEYVILLE ISD	3051 IRA E. WOODS AVE	GRAPEVINE	TX	76051	COURTESY NOTICE
MR. TOM ADAIR, APPLICANT	901 JOHN MCCAIN ROAD	COLLEYVILLE	TX	76034	APPLICANT

Public hearing notices were mailed
Fri., June 13, 2014 by Taci Wrisley

Statement of Planning Objectives

PECAN GARDEN ESTATES

DEVELOPMENT REVIEW COMMITTEE

RE; ZC14-008 PUD AMENDMENT 6220-6230 COLLEYVILLE BLVD

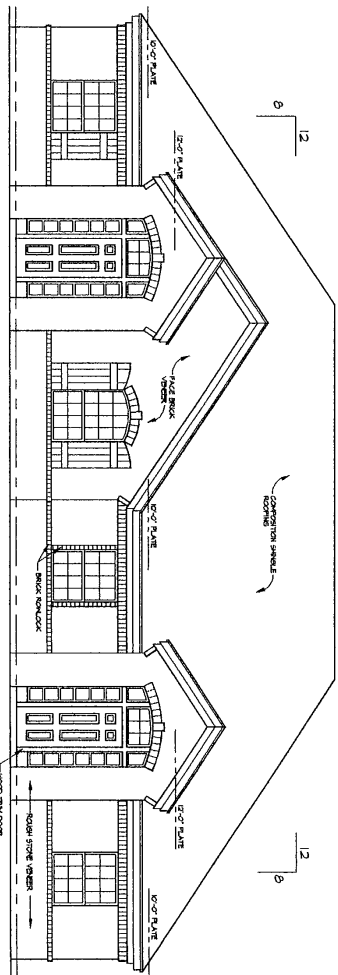
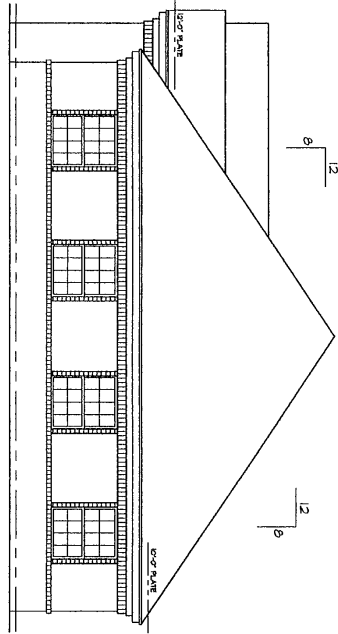
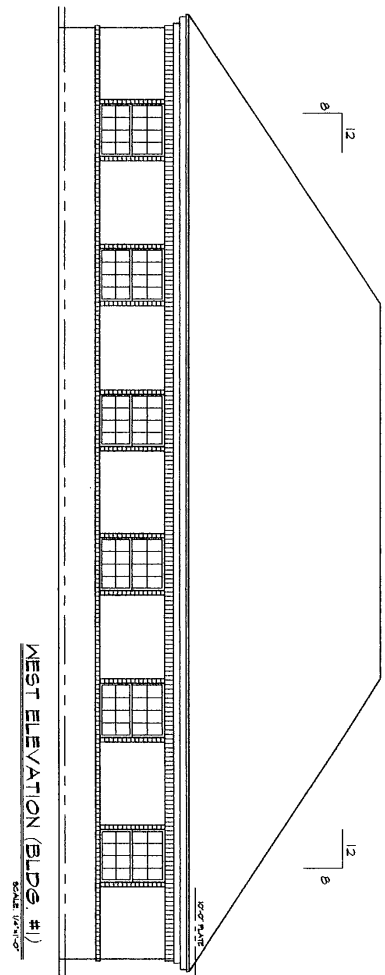
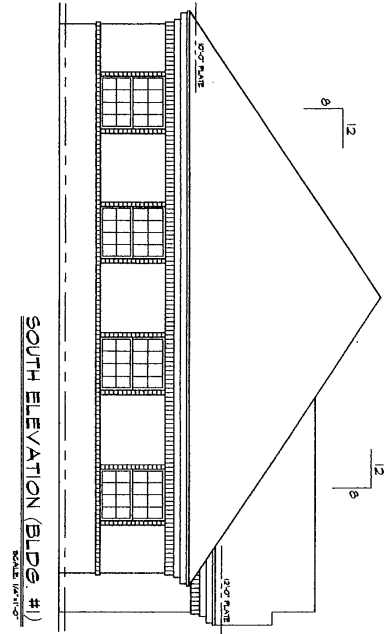
(1) ADDITIONAL CONSTRUCTION OF TWO GENERAL OFFICE BUILDINGS ON LOT ONE

BLOCK ONE PECAN GARDENS WITH ADDITIONAL PARKING AREA.

(2) THIS LETTER AND TEN FULL SIZE AND ONE 8.5 X 11 SITE PLANS HAVE BEEN SUBMITTED AS
PER YOUR REQUEST.


THOMAS D. ADAIR

Conceptual Building Elevations



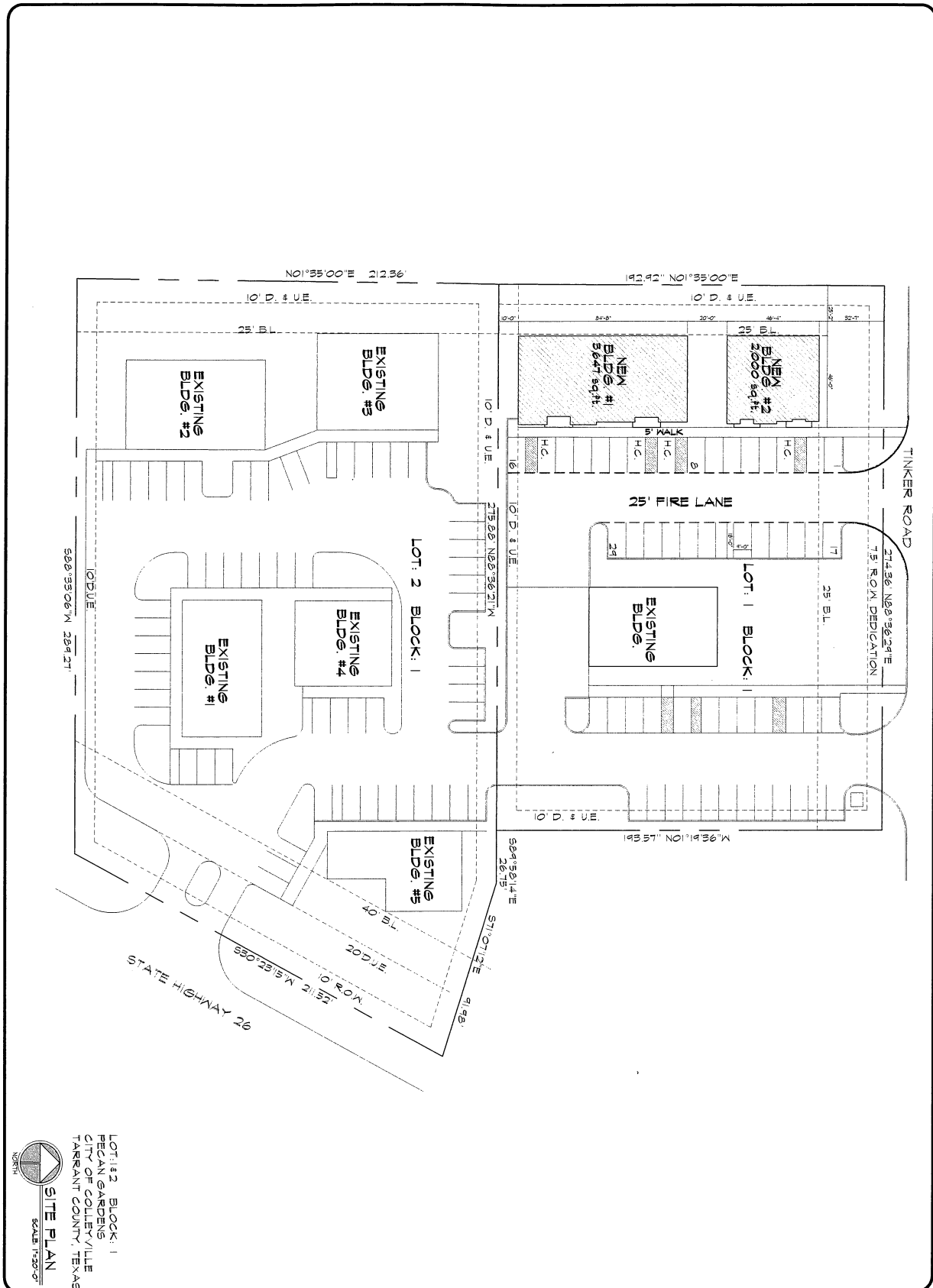
SHEET
A-1
OF 3 SHEETS

PECAN GARDENS
HWY. 26 & TINKER ROAD COLLEYVILLE TEXAS

DESIGNED BY: DAVID COLEY
817-713-6770
8116 CHAMIZAL DR. • FORT WORTH, TEXAS • 76137



Conceptual Site Plan



LOT 1 & 2, BLOCK 1
PECAN GARDENS
CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS
SCALE 1"=20'-0"

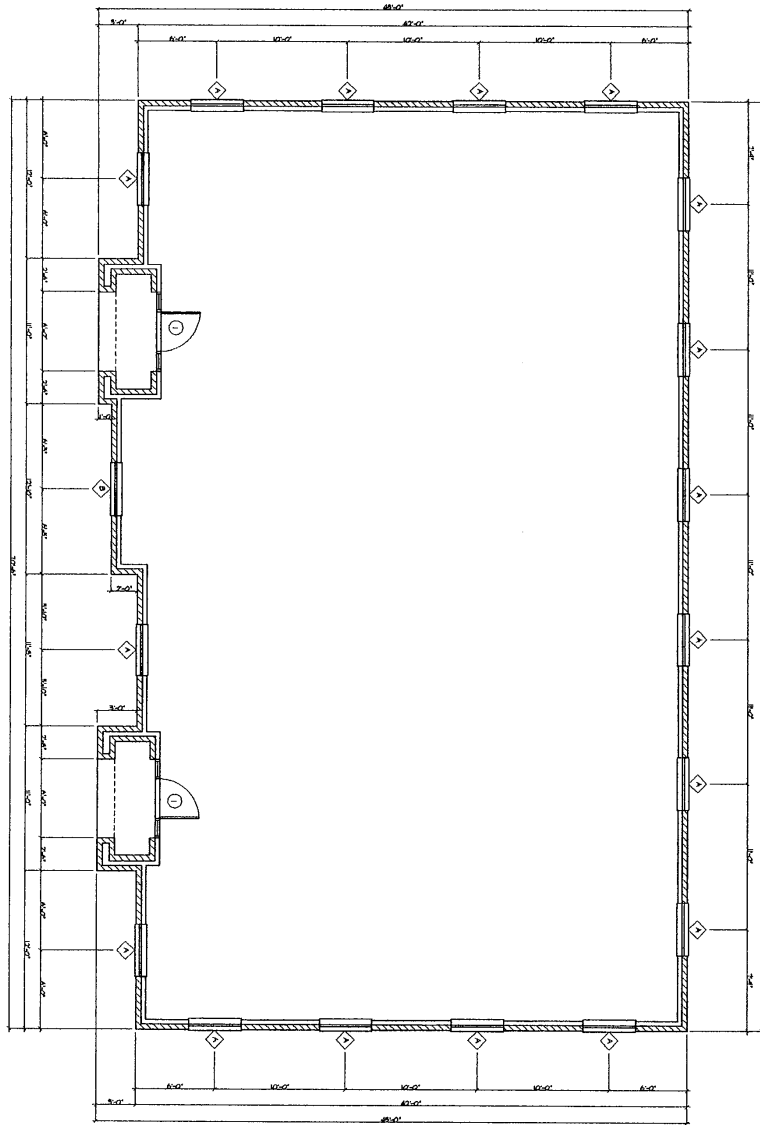
SHEET
SP-1
OF 1 SHEETS

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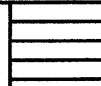


Conceptual Floor Plan



FIRST FLOOR PLAN (BLDG#2)
SCALE: 1/8"=1'-0"

DOOR SCHEDULE			
NO.	SIZE	TYPE	REMARKS
1	8'-0" x 6'-0" SWH	SWH	DOOR TO ENTRY
2	8'-0" x 6'-0" SWH	SWH	DOOR TO ENTRY
WINDOW SCHEDULE			
NO.	SIZE	TYPE	REMARKS
A	4'-0" x 8'-0"	SH	WINDOW
B	4'-0" x 8'-0"	SH	WINDOW
AREAS			
TOTAL BUILDING AREA			2073 SQ. FT.
TOTAL WINDOW AREA			80 SQ. FT.



Ordinance Approved May 17, 1994

ORDINANCE 0-94-950

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF 2.885 ACRES OUT OF THE J.L. BYAS SURVEY, ABSTRACT 180, TRACT 2W2 AND A PORTION OF TRACT 2W, IN THE CITY OF COLLEYVILLE, TEXAS FROM THE AG (AGRICULTURAL) DISTRICT TO THE PUD-C (PLANNED UNIT DEVELOPMENT-COMMERCIAL) DISTRICT; PROVIDING A PENALTY AND AUTHORIZING PUBLICATION.

WHEREAS, an application for zoning change was filed by Trey Hagar, Metrovest, Inc., on January 07, 1994 under Case No. Z-93-046 and a written request to amend the change to PUD-C rather than CC on March 03, 1994; and,

WHEREAS, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 10 days before such hearing; and,

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

WHEREAS, notices were posted on the subject land as provided by the zoning ordinance; and,

WHEREAS, public hearings to change the zoning and the Master Plan on the property herein described were held before both the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation that the zoning request be changed to PUD-C; and,

WHEREAS, the City Council is of the opinion that the zoning change herein effectuated furthers the purpose of zoning as set forth in the Zoning Ordinance and is in the best interest of the citizens of the City of Colleyville;

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

Sec. 1. THAT the Master Plan, the Zoning Ordinance of the City of Colleyville, Texas, and the accompanying Zoning Map (as indicated in Exhibit A) are hereby amended insofar as they relate to certain land located in Colleyville, Texas, and described by metes and bounds (Exhibit B) as follows by changing the zoning of said property from the AG (Agricultural) district to

Ordinance Approved May 17, 1994

O-94-950

the PUD-C (Planned Unit Development-Commercial) district together with all site plans, supporting documents, and other conditions and restrictions imposed and approved by the Council, which are incorporated herein by reference including, but not limited to: those statements set forth in the Statement of Planning & Objectives from the applicant, Trey Hagar of Metrovest, Inc. which is Attachment 1 to this ordinance; the Conditions of Approval which is Attachment 2 to this ordinance. Attachments 1 and 2 shall be incorporated in this ordinance for all purposes.

Sec. 2. Any person, firm or corporation violating any of the provisions of this ordinance as read together with the Zoning Ordinance of the City of Colleyville and accompanying official Zoning Map thereto shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00). Each and every day such violation continues shall constitute a separate offense and shall be punishable as such.

Sec. 3. The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 19th day of April, 1994.

The second reading and public hearing being conducted on the 3rd day of May, 1994.

The third reading and public hearing being conducted on the 17th day of May, 1994.

ATTEST:


Jean Harris, CMC
City Secretary

CITY OF COLLEYVILLE


Cheryl Feigel
Mayor

APPROVED AS TO FORM AND LEGALITY:


Ross T. Foster
City Attorney

Ordinance Approved May 17, 1994

ATTACHMENT 1
ORDINANCE 0 - 94 - 950



METROVEST, INC.

**ZONING PETITION
SUPPORTING DOCUMENTATION**

The property to be developed is currently zoned AG. We are requesting a zoning change to PUD-C. Our objective is to create a unified development which will be sensitive to the residential neighborhoods around the property. We will provide an aesthetically-pleasing retail strip for the fast-growing community of Colleyville. New residential developments have created demand for additional neighborhood commercial areas. The development we are proposing will include a retail strip with parking, loading areas and landscaping per code requirements.

Construction of the project is expected to begin in mid 1994.

Metrovest, Inc. will provide a drainage study in order to plat the property. The drainage study will include a proposal for sanitary sewer extensions, upgrading and increase of line size; and proposal for water drainage conditions and upgrading of existing water lines to site. These proposals will be implemented through proper detailed construction planning and subsequent construction.

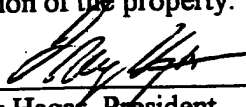
Metrovest, Inc. is purchasing the property. Provisions in the contract allow for the change of zoning petition. Trey Hagar, representing Metrovest, Inc., is requesting the zoning change. Present owner is Linda Clark, Receiver for Carroll, Detaloff Et Al.

Please refer to "Addendum B" for a legal description of the property.

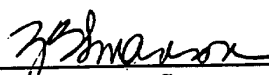
Date: December 14, 1993

Revised: January 6, 1994

Revised: March 23, 1994



Trey Hagar, President
Metrovest, Inc.



Zaida Basora Swanson, AIA
Project Architect

Ordinance Approved May 17, 1994

O-94-950

ATTACHMENT 2

ORDINANCE O-94-950

ZONING CHANGE REQUEST FROM "AG" TO "PUD-C"

CONDITIONS OF APPROVAL

1. A general site plan shall be required at the time of approval of the PUD ordinance for the subject site. The final site plan shall require approval of the Planning and Zoning Commission and the City Council following a public hearing with standard notice required for zoning hearings.
2. The minimum rear setback along the western edge of the property shall be 25 feet.
3. The final site plan shall include elevation designs which when viewed from the western or northern boundaries of the site will resemble residential structures similar to those of typical residential dwellings within 300 feet of the subject site.
4. A building within 100 feet of the western edge of the property may be not more than one story in height, nor more than 16 feet tall at the roof eaves, nor more than 30 feet tall at the highest point of the roof,
5. No window built above the first floor may openly face the residential developments on the western or northern edges of the site.
6. All mechanical equipment and dumpsters shall be screened from all views.
7. All facades, exclusive of doors and windows, shall be at least 90 percent brick. Design features may include decorative tile, stone or block provided such design features do not exceed 10 percent of the exterior wall area. The developer of the site may request approval of alternative facade designs at the time of final site plan approval by the Planning and Zoning Commission.
8. A concept plan shall be prepared for the future development of the property located immediately east of the subject site as a second phase of the proposed development. Said concept plan shall be made a part of the final site plan.
9. All conditions listed here shall be in addition to the requirements for the site set forth in the Zoning Ordinance and Building Code.
10. A final site plan shall contain design considerations for the inclusion of Tract 2W3 Abstract 331, in a joint development plan with the subject PUD. Said joint development plan is intended to serve as a guide for review of future development requests related to Tract 2W3.

Ordinance Approved May 17, 1994

O-94-950
Attachment 2
cont.

11. The main entrance and exit to the project shall be on Highway 26 with a 40 foot divided entrance and a landscaped median. A monument sign may be erected in this median if sight distances permit.
12. A masonry screening wall shall be erected along the western edge of the property.
13. Sidewalks shall be provided in accordance with the Sidewalk Ordinance on or adjacent to the rights-of-way of Highway 26 and Tinker Road.

Ordinance Approved May 17, 1994

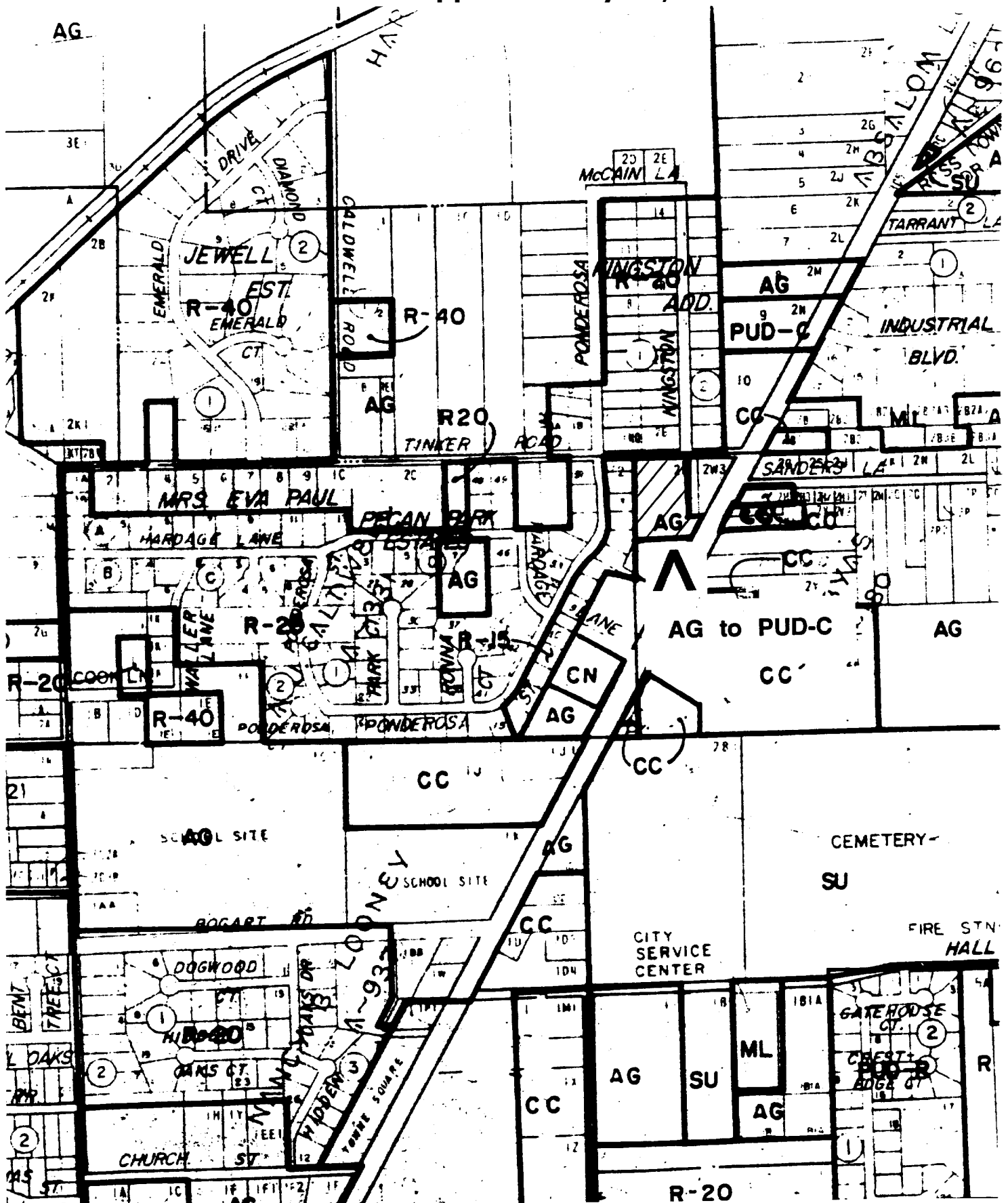


EXHIBIT A
ORDINANCE NO. 0 - 94 - 950

METES AND BOUNDS DESCRIPTION

The property is described as:

BEING A TRACT OF LAND situated in the J. L. BYAS SURVEY, Abstract No. 180, and being a portion of that certain 4.65 acre tract conveyed to Irma Mae Forsythe as recorded in Volume 2399, Page 185, Deed Records, Tarrant County, Texas and also described by metes and bounds as follows:

COMMENCING at the Northwest corner of the J. L. BYAS SURVEY and in the center line of Tinker Road (County Road No. 3055), a 50 foot wide right-of-way at this point;

THENCE South 01 degrees 37 minutes 00 seconds West, 25.00 feet to a 5/8 inch iron rod set, from which a 2.0 foot square rock monument found bears North 01 degrees 37 minutes 00 seconds East, 1.69 feet, said 5/8 inch iron rod being in the South line of said Tinker Road, the West line of said Forsythe tract, and the POINT OF BEGINNING;

THENCE South 88 degrees 46 minutes 00 seconds East, 301.5 feet to a 5/8 inch iron rod set in the West line of that certain .198 acre tract of land conveyed to Robert G. Bufe and Martha L. Bufe; an addition to that certain .75 acre of land conveyed to Robert G. Bufe and Martha L. Bufe as recorded in Volume 3735, Page 312, Deed Records, Tarrant County, Texas;

THENCE leaving said South line of Tinker Road, South 01 degrees 14 minutes 00 seconds West along the West line of the Bufe tract, 275.59 feet to a 5/8 inch iron rod set;

THENCE South 88 degrees 46 minutes 00 seconds East along the South line of said Bufe tracts 57.83 feet to a 5/8 inch iron rod set in the North westerly right-of-way line of State Highway 26 (100 feet wide);

THENCE leaving the South line of the Bufe tract, South 30 degrees 02 minutes 00 seconds West along said Northwesterly right-of-way line of State Highway No. 26, 149.29 feet to the Northeast corner of that certain 0.75 acre tract of land conveyed to A. G. Skaggs as recorded in Volume 3686, Page 579, Deed Records, Tarrant County, Texas, and a 5/8 inch rod set from which a 5/8 inch iron rod found bears, 88 degrees 39 minutes, 00 seconds West, 0.71 feet;

THENCE leaving the Northwesterly right-of-way of State Highway 26 North 88 degrees 39 minutes 00 seconds West, 290.10 feet to 1/2 inch iron rod found in the East line of PECAN PARK ESTATES;

THENCE North 01 degrees 37 minutes 00 seconds East, 405.15 feet to the POINT OF BEGINNING.

REVISED 3-9-94

ORDINANCE O-14-xxxx

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AS HERETOFORE AMENDED; BY REPEALING ORDINANCE O-94-950; BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 2.88 ACRES OF LOTS 1 AND 2, BLOCK 1 OF THE PECAN GARDENS 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. ZC14-008; and

WHEREAS, Ordinance O-94-1950 is hereby repealed in its 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 2.88 acres of Lots 1 and 2, Block 1, Pecan Gardens 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 Ordinance O-94-1950 is hereby repealed in its entirety.
- Sec. 5. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL AMENDMENTS

- a. Permitted uses shall be limited to Professional and General Office.
- b. All new buildings must comply with the provisions of Chapter 6-Commercial Building Design in the Land Development

Code.

- c. The layout of the buildings on the property shall be generally consistent with Exhibit "B".
- d. A building within 100 feet of the western edge of the property may not be more than one story in height, nor more than 16 feet tall at the roof eaves, nor more than 30 feet tall at the highest point of the roof.
- e. No window built above the first floor may openly face the residential developments on the western or northern edges of the site.
- f. The proposed development is subject to all the regulations contained in the Land Development Code, except as amended by this ordinance.

Sec. 6. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.

Sec. 7. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

Sec. 8. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 9. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 10. THAT all provisions of the Land Development Code shall remain in full force and effect, except where amended herein.

Sec. 11. 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 15th day of July 2014.

The second reading and public hearing being conducted on the 5th day of August 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

Exhibit "A" –Location and Zoning Map

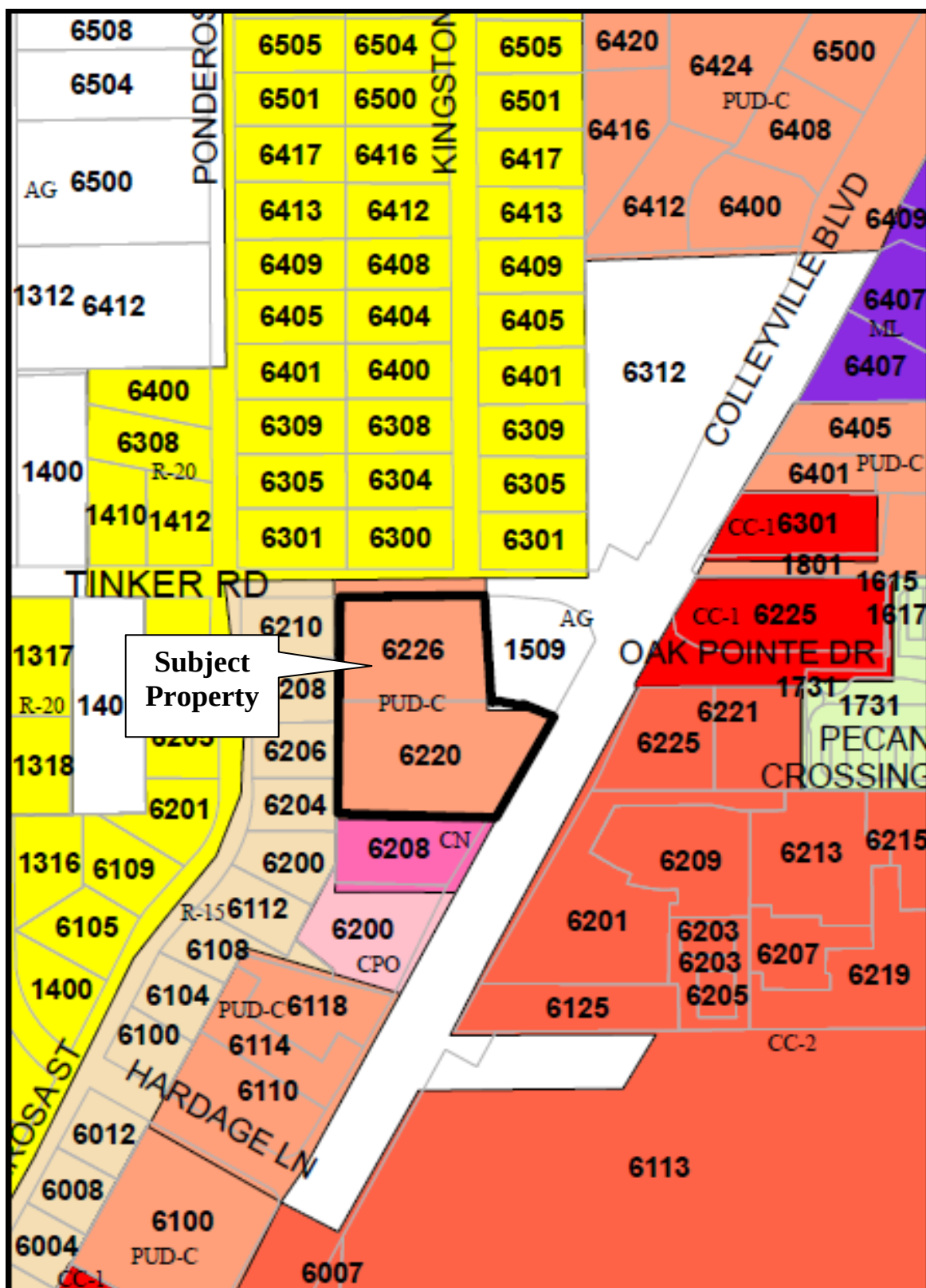
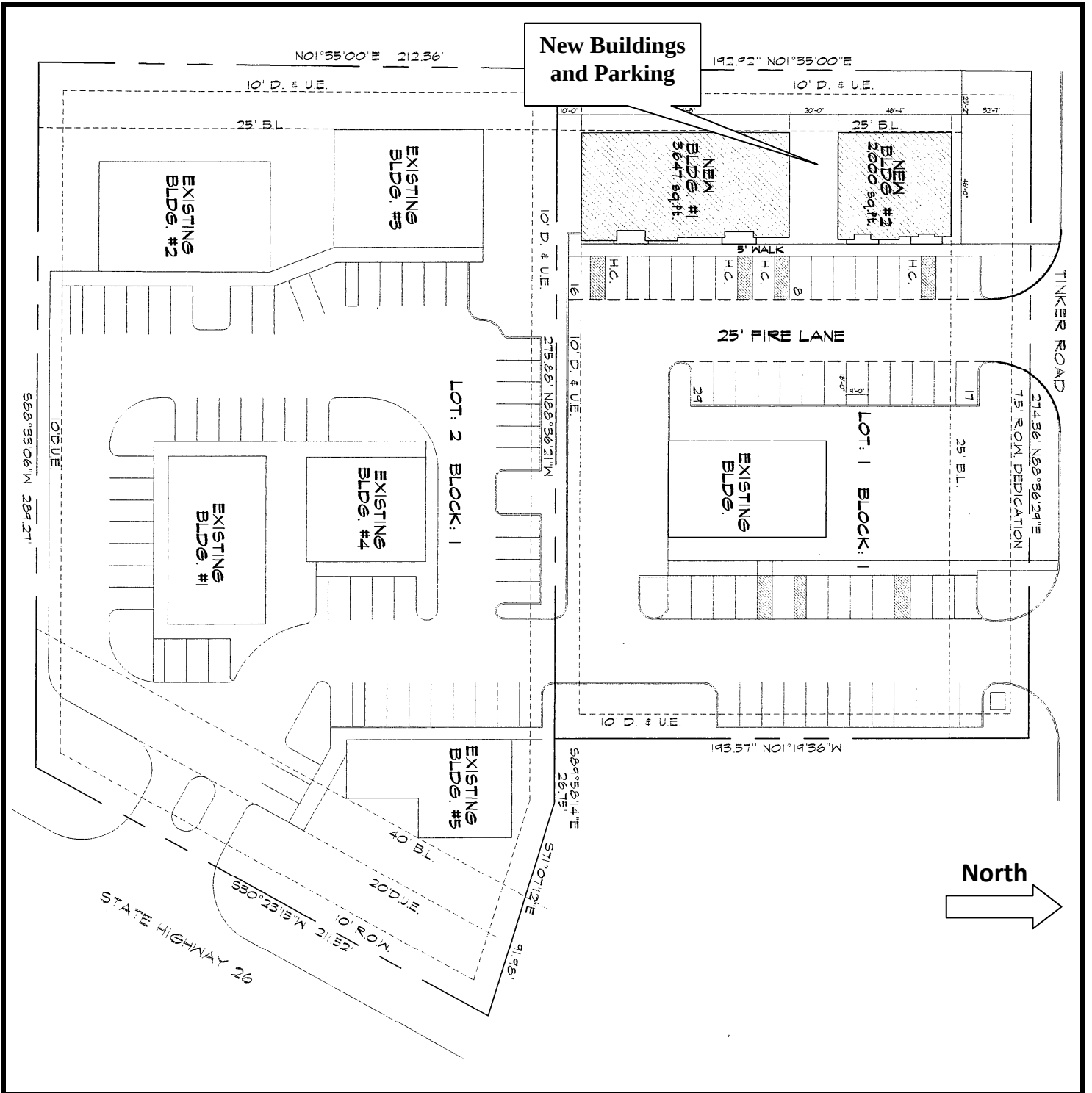


Exhibit "B" Site Plan





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 06/23/2014	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of azoning change from the R-20 Single Family Residential zoning district to the PUDC-Planned Unit Development Commercial zoning district on 1.36 acres of Lots 1 and 2, Block 1, of the Sunrise Terrace Addition located at 1105 Glade Road, Case ZC14-009

Explanation

BYD Development is requesting to rezone 1.36 acres located at 1105 Glade Road from the R-20-Single Family Residential district to the PUD-C Planned Unit Development Commercial district in order to develop two buildings for professional office uses.

Existing Conditions. The property is platted as the Sunrise Terrace Addition, Block 1, Lots 1 and 2 and is currently vacant. The property is zoned R-20-Single Family Residential.

Master Plan. The rezoning request is not consistent with the Colleyville Master Plan, adopted in 2004, which designates the subject property for future Single Family uses. Properties to the west are designated as Retail. Properties to the north and east are designated as Office. Properties to the south are designated as Single Family.

At the December 2, 2008 City Council meeting, upon approving the rezoning for 1117 Glade Road from the R20-Single Family Residential zoning district to the PUDC-Planned Unit Development Commercial zoning district, the City Council directed City staff to communicate with any potential developers of property on the south side of Glade Road adjacent to, and in the general vicinity of, 1117 Glade Road that commercial office is an acceptable use provided the ordinance approving the PUDC zoning for 1117 Glade Road, Ordinance O-08-1695 (attached), is used as a model ordinance for any future rezoning requests.

Proposed Rezoning Request. The applicant has submitted a Statement of Planning Objectives (attached) describing the proposed development. The applicant is requesting to rezone to the PUD-C zoning district to develop the site for two professional office buildings. Building 1, at the corner of Bedford Road and Glade Road, is proposed to be a two-story, 9,493 square foot building. Building 2 is proposed to be a one-story, 7,543 square foot building.

Lot Dimensions and Setbacks. The PUD-C zoning district establishes a 40-foot front

yard setback, a 10-foot side yard setback and a 25-foot rear yard setback. The proposed development meets the side and rear yard setback requirements.

Variance Request: The applicant is requesting to reduce the 40-foot front yard setback to 10 feet. The purpose of this request is to increase the distance of the buildings and parking areas from the single family residential homes to the south and to enhance the streetscape along Glade Road.

Development Standards. The applicant is proposing to develop the site for two commercial office buildings. Building 1, at the corner of Bedford Road and Glade Road, is proposed to be a two-story, 9,493 square foot building. The proposed building height of 35-feet meets the maximum height limit of the PUD-C zoning district. The exterior wall materials consist of masonry materials as permitted by the Land Development Code.

Building 2 is proposed to be a one-story, 7,543 square foot building. The proposed building height of 22-feet meets the maximum 35-foot height limit of the PUD-C zoning district. The exterior wall materials consist of masonry materials as permitted by the Land Development Code.

Building Design Standards. The applicant has submitted conceptual renderings of the proposed office buildings. The proposed buildings will be required to comply with the provisions of Chapter 6-Commercial Building Design in the Land Development Code

Parking. The site plan provides 57 parking stalls as required by the Land Development Code for general business office parking.

Perimeter Fencing. The applicant proposes an 8-foot tall masonry fence along the rear lot line, adjacent to the existing single family homes. The proposed fence is in compliance with the Land Development Code.

Garbage Container Screening. The Land Development Code requires all garbage container enclosures and containers to be located behind all required building setbacks. As the proposed non-residential development abuts a lot zoned and used for residential purposes the rear yard setback is 25 feet. The proposed garbage container location is within the setback area, approximately 8-feet from the property line.

Variance Request: A variance will be required to locate the garbage container within the 25-foot setback as proposed.

Landscaping. The proposed landscape plan exceeds the minimum standards required by the Land Development Code. Twenty percent of the total site must be a landscape area. The landscape plan illustrates that 26% of the total area will be landscaped. Fifty percent of the total landscape area must be within the street yard. The applicant has

provided 58% of the total landscape area within the street yard.

The Land Development Code requires a minimum 20 foot wide green belt adjacent to residential districts. Where a fire lane is required, the green belt may be reduced to 5 feet. Within the proposed development, the majority of the area abutting the residential uses maintains a 25-foot buffer, however there are portions of the site where the fire lane encroaches into the green belt. In areas where there is an encroachment, the green belt is not less than 5 feet.

The Land Development Code requires that shrubs be planted on-site for each five (5) linear feet of public street rights-of-way located adjacent to the property. The applicant has exceeded the required 106 shrubs by proposing 126 shrubs.

A development must retain or plant one (1) three (3) inch caliper tree per each forty (40) feet of street frontage on collector streets, or larger. Trees are to be planted on the street frontage.

Variance Request: Due to the proposed office layout and utility easements along Glade Road, the applicant requests to modify the location of the tree plantings. The landscape plan proposes six trees along Glade Road and two trees along Bedford Road. The remaining required trees are planted along the southern property line.

Open Space. For all non-residential uses, open space land, comprising not less than twenty percent (20%) of the non-residential area, shall be provided. The landscape plan has exceeded this requirement. The property owner will be responsible for the ownership and maintenance of the open space.

Access. The applicant is proposing access from Bedford Road, Glade Road, and an extension of an internal drive connecting to the existing professional office development to the east.

Bedford Road is classified as a minor collector on the Thoroughfare Plan. Glade Road is classified as a minor arterial.

Sidewalks. A minimum five foot wide sidewalk is required along Glade Road and Bedford Road whenever any new structures are built. The site plan proposes a six foot wide sidewalk along Glade Road and a five foot wide sidewalk along Bedford Road.

Traffic Generation. Per the Institute of Transportation Engineers 6th Edition Trip Generation manual, general office uses generate an average rate of 188 trips per weekday.

Preliminary Drainage Analysis. The applicant has submitted a Preliminary Drainage Analysis prepared in accordance with drainage analysis requirements of the Land Development Code. The analysis has been reviewed and accepted by the Public Works

Department.

Surrounding Properties. The properties to the north are zoned PUD-C, R-20 Single Family, and PUD-R. The property zoned PUD-C is developed as a professional office; the property zoned R-20 is an existing single family home; the property zoned PUD-R is developed as commercial uses along the frontage of Glade Road. The property to the east and west are zoned PUD-C and developed as a professional offices. The properties to the south are zoned R-20 and developed as single family residential homes.

Summary of Variance Requests. The applicant is seeking the following three variance requests from the Land Development Code:

1. The applicant is requesting to reduce the 30-foot front yard setback to 10 feet. The purpose of this request is to increase the distance of the buildings and parking areas from the single family residential homes to the south and to enhance the streetscape along Glade Road
2. A variance will be required to locate the garbage container within the 25-foot setback and landscape green belt as proposed.
3. Due to the proposed office layout and utility easements along Glade Road, the applicant requests to modify the location of the tree plantings. The landscape plan proposes six trees along Glade Road and two trees along Bedford Road. The remaining required trees are planted along the southern property line.

Public Notification. Staff mailed notices to 19 adjacent property owners regarding this request and all homeowner's associations within 500 feet. All school districts within the City of Colleyville were notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. A petition containing 16 signatures opposed to the request has been received.

Summary. The applicant is requesting to rezone 1.36 acres located at 1105 Glade Road from the R-20-Single Family Residential district to the PUD-C Planned Unit Development Commercial district in order to develop two buildings for professional office uses. While not in compliance with the Colleyville Master Plan, the proposed rezoning does align with surrounding Future Land Use designations and is consistent with the direction provided to staff from the City Council on December 2, 2008 and noted above.

Recommendation

Approval with the following conditions:

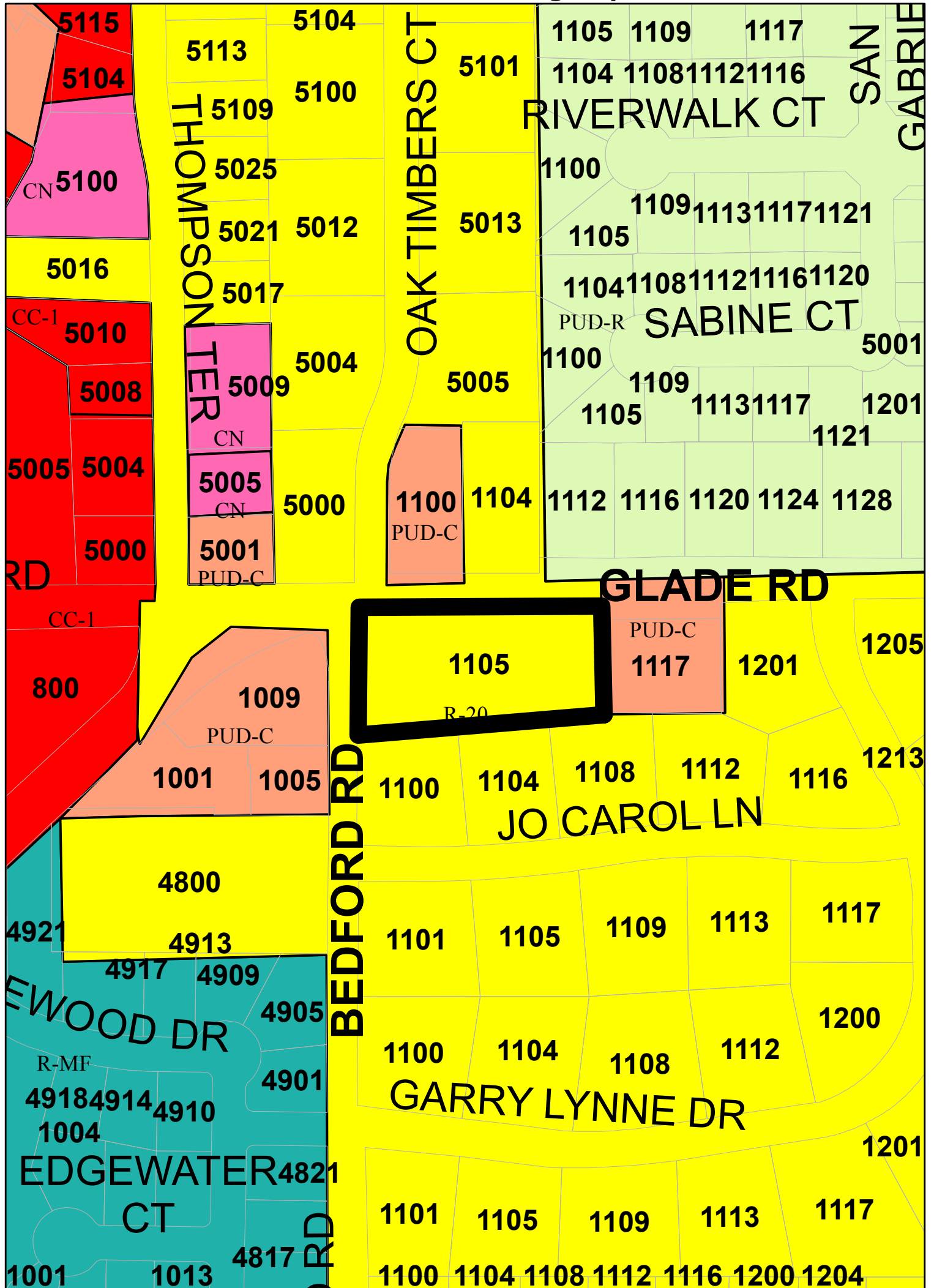
Staff recommends approval of the rezoning request with the following conditions:

1. Permitted uses shall be limited to Professional and General Office.
2. All new buildings must comply with the provisions of Chapter 6-Commercial Building Design in the Land Development Code.
3. The 40-foot front yard setback shall be reduced to 10 feet.
4. The garbage container location shall be permitted within the 25-foot setback and landscape green belt as shown on Exhibit "B".
5. The planting of six trees along Glade Road and two trees along Bedford Road shall be permitted. The remaining required trees shall generally be planted as shown on Exhibit "B".
6. The proposed development is subject to all the regulations contained in the Land Development Code, except as amended by this ordinance.

Attachments

1. Location and Zoning Map
2. Aerial
3. Future Land Use Map
4. Buffer Map
5. Notification List
6. Letters of Opposition
7. Original Statement of Planning Objectives
8. Revised Statement of Planning Objectives
9. Conceptual Site Plan
10. Landscape Plan
11. Preliminary Drainage Analysis
12. Ordinance O-08-1695
13. Conceptual Building Elevations - Southeast Corner of Bedford Road and Glade Road
14. Conceptual Building Elevations - View from Glade Road
15. Proposed Ordinance O-14-XXXX

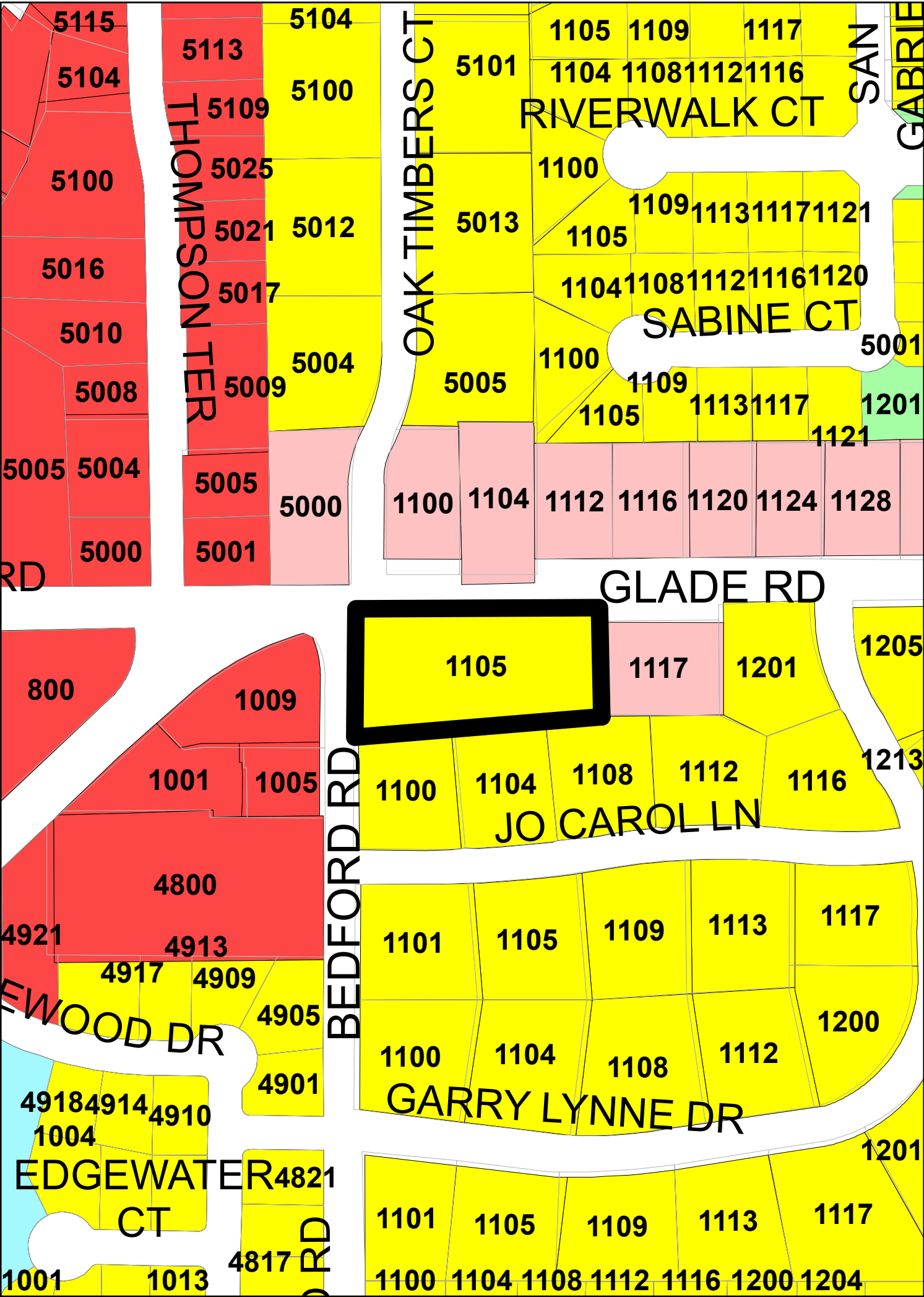
Location and Zoning Map

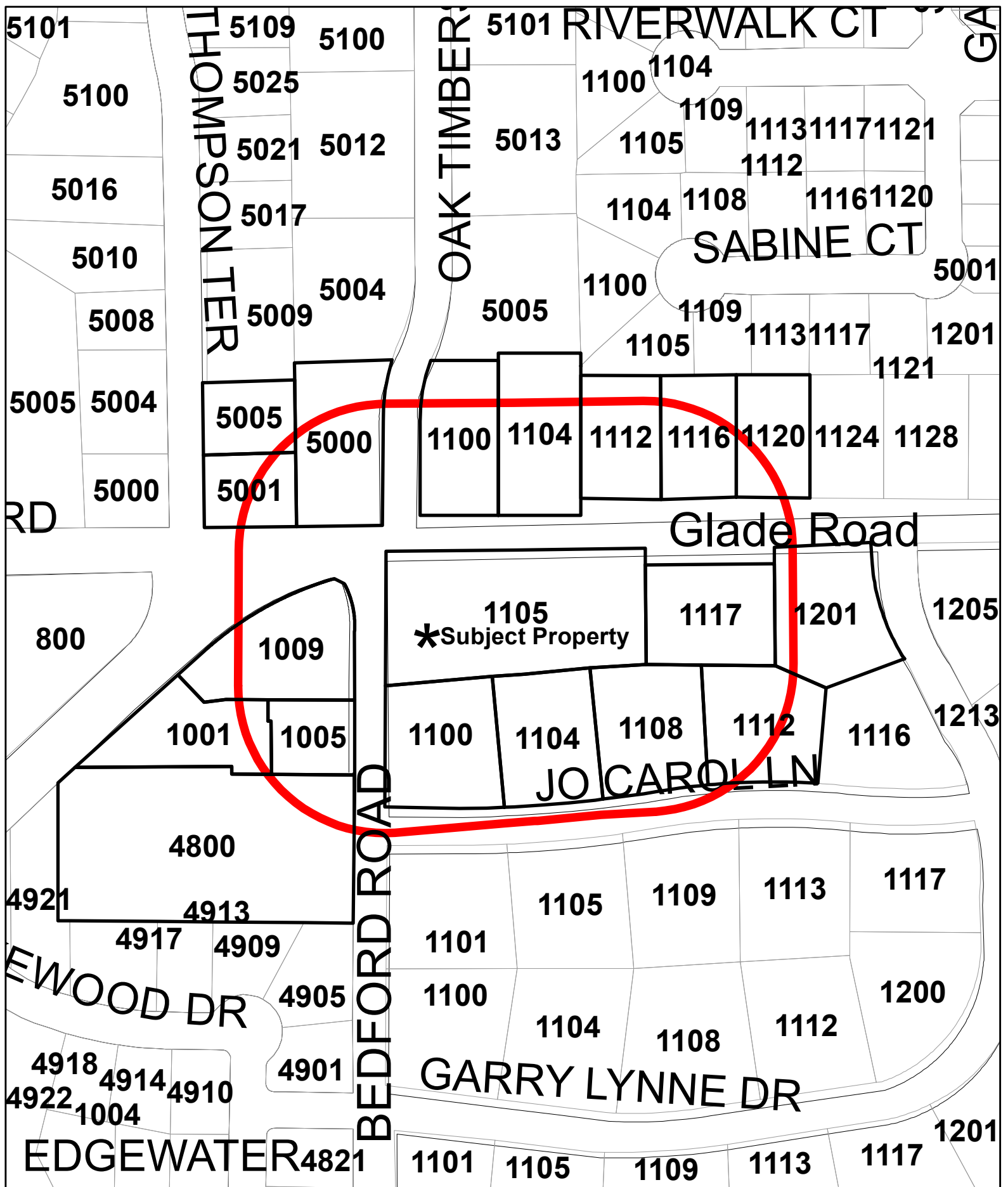


Aerial



Future Land Use Map





Case ZC14-009 - 1105 Glade Road

Legend

-  Properties within 200 Feet
-  Parcels



Notification List

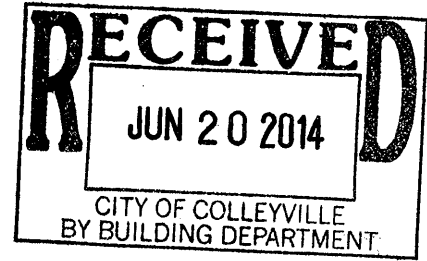
Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
GLADE ROAD CAPITAL LLC	PO BOX 1821	COLLEYVILLE	Texas	76034	001001 VILLAGE PARK DR
THOMPSON BENJAMIN ETUX YEE-PIN	1100 GLADE RD	COLLEYVILLE	Texas	76034	001100 GLADE RD
HOLLAND, AXEL ETUX URSULA	1100 JO CAROL ST	COLLEYVILLE	Texas	76034	001100 JO CAROL LN
GLADE RIVER III LLC	11511 ROSSER RD	DALLAS	Texas	75229	001104 GLADE RD
PETERSON, BARBARA LISA	1104 JO CAROL ST	COLLEYVILLE	Texas	76034	001104 JO CAROL LN
ROBERT SALTER FAMILY LP	209 W 2ND ST # 377	FORT WORTH	Texas	76102	001105 GLADE RD
TRACHIER, STEVE ETUX CONNIE M	1108 JO CAROL ST	COLLEYVILLE	Texas	76034	001108 JO CAROL LN
ADLER, KEITH	1112 GLADE RD	COLLEYVILLE	Texas	76034	001112 GLADE RD
FREEMAN, BECKY A	1112 JO CAROL ST	COLLEYVILLE	Texas	76034	001112 JO CAROL LN
ECKERT TRUST	5225 FONTAINE ST	SAN DIEGO	California	92120	001116 GLADE RD
PREMIER OFFICE EQUITIES	1117 GLADE RD STE 140	COLLEYVILLE	Texas	76034	001117 GLADE RD
GLADE RIVER II LLC	11511 ROSSER RD	DALLAS	Texas	75229	001120 GLADE RD
RIKA, SENNEAR ETVIR TONY	1201 GLADE RD	COLLEYVILLE	Texas	76034	001201 GLADE RD
SANDLIN, SCOTT	5137 DAVIS BLVD	NORTH RICHLAND HILLS	Texas	76180	004800 BEDFORD RD
KING, DALE L	PO BOX 371	COLLEYVILLE	Texas	76034	005000 OAK TIMBERS CT
DREAM MARRIAGE LLC	2968 HARBOR COVE DR	LAS VEGAS	Nevada	89128	005001 THOMPSON TERR
WINDY PINE PLACE LP	12815 SE RIVERCREST DR	VANCOUVER	Washington	98683	005005 THOMPSON TERR
GRAPEVINE-COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE	Texas	76051	COURTESY NOTICE
RIVERWALK HOA	1108 NUECES COURT	COLLEYVILLE	Texas	76034	COURTESY NOTICE
LAKEWOOD ESTATES HOA	4908 LAKESHORE COURT	COLLEYVILLE	Texas	76034	COURTESY NOTICE
PETER SLOVER, APPLICANT	1203 S. WHITE CHAPEL, SUITE 250	SOUTHLAKE	Texas	76092	APPLICANT

Public hearing notices were mailed Fri.
June 13, 2014 by Taci Wrisley

Letters of Opposition

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

Re: Zoning Case Number ZC14-009
1105 Glade Road
Lots 1 and 2, Block 1, of the Sunrise Terrace Addition



Dear City of Colleyville,

First, I would like to address the size of the site plan diagram sent to the owners of real property within 200 feet. It is so small that it can't be read even with the assistance of a magnifying glass. I find this deceitful. If I had not taken the time to enlarge the plans and use a magnifying glass, I would have overlooked the fact that there is a proposed two story office building going in. My complaint regarding the site plan diagram is that it was not legible.

We are vehemently opposed to a two story commercial office building being placed backing up to a residential neighborhood. Building a two story office building would rob us of our privacy. Office workers and patrons would be looking down on us and our back yards throughout the day. This would be very intrusive as we would not know any of the office people or their clients. Whereas with a two story residence, we would know our neighbors. Also security night lights would be shining in our back yards all night long. This is currently a problem I face now with the commercial office building at 1117 Glade Road.

Parking in the rear of the proposed building is not acceptable. It will create noise and not allow those of us that have night jobs the peace that we need to sleep during the day. We seriously would like to know why BYD Development and Clay Moore Engineering even would consider having rear parking spaces rather than parking in the front? All of the nearby commercial businesses on this part of Glade have front parking. Why the change?

The trash dumpster in the rear of the building will not only create more of a noise factor during its collection but will also attract more rats to the area. We have already experienced an increase in rat activity with the clearing of adjacent lands. As well, neighbors do not want the noise pollution from the release of the dumpster being dropped. This noise would be right in our backyards.

Running the road/parking easement behind the building would add to the noise factor as well as creating a by-pass from Bedford Road to Glade Road. I also want to point out the adjacent property has parking in the front and the building backing up to our homes. Building another office building next to it with the opposite plan would not be aesthetically pleasing. Again, rear parking is not acceptable.

There is no provision that states that the new 8' screen wall will match the existing wall. As well, will any landscape trees be planted to give more privacy than an 8' wall would provide? If no trees other than the three existing trees are provided, will the height of the wall be increased?

Where are the A/C units going to be placed? Are we going to have to hear the compressors all of the time and not be able to enjoy our back yards?

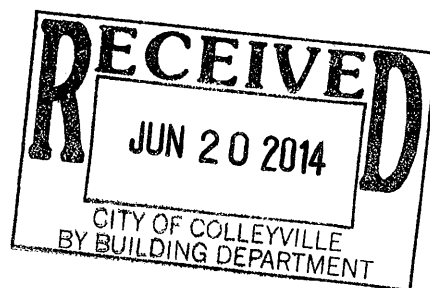
Letters of Opposition

Drainage is also an issue. The more concrete, the more run off to the properties in the back. We know that you have addressed some of the drainage issues but your diagram shows it going to Bedford Road and Glade Road. Where does it go from there? As well, how much will the elevation be raised before the building starts? As we well found out with the commercial building at 1117 Glade, when it was being built a ton of fill dirt was brought in to raise the elevation of the building. The problem with that was that the commercial building is now so much higher than the screen wall. The trees they planted have helped, but the commercial building still towers over our residences.

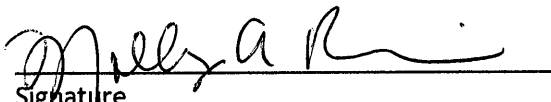
In closing, we are not opposed to Colleyville as a city advancing and developing. We are protesting Zone Case Number ZC14-009 as presented. We are especially opposed to the two story development, road access and parking in rear and dumpster placement next to our back fences. This project deviates from the existing area commercial development along Glade. Current development has been very tasteful with only single story home-like structures with parking in front which contributes to the overall residential feel of the neighborhood.

Sincerely,


Becky Freeman
1112 Jo Carol
Colleyville, Texas 76034
214-223-7750 / yobecky@yahoo.com



Protesting Neighbors:


Signature

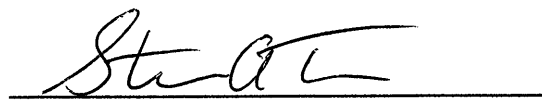
Molly A. Rice
Printed Name

Address 1109 Jo Carol Ln
Colleyville, TX 76034


Signature

BOBBIE FOWLER
Printed Name

Address 1113 JO CAROL LN.
COLLEYVILLE, TX 76034


Signature

STEVEN A. TRACHIER
Printed Name

Address 1108 JO CAROL
COLLEYVILLE, TX

Letters of Opposition

S. Felt

Signature

SENNER RIKH

Printed Name

Address 1201 GLADE RD

COLL. TX. 76034
817 319 8268.

Jackie Rodgers

Signature

817 456 1422

Jackie Rodgers

Printed Name

Address 1213 Garry Lynne
Colleyville, TX
76034

Wayne Lambdin

Signature

Wayne Lambdin

Printed Name

Address 1209 Glade Rd
Colleyville TX 76034

Miki Lorenzen

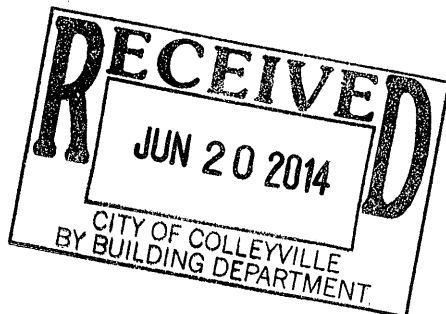
Signature

Miki Lorenzen

Printed Name

Address 1105 So Carol
Colleyville TX 76034

Signature

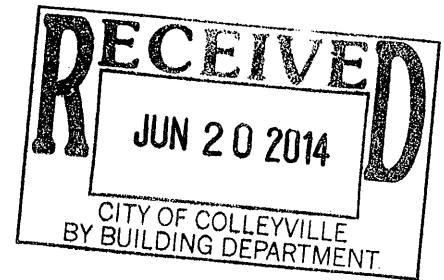


Printed Name

Address

Letters of Opposition

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City of Colleyville
100 Main Street
Colleyville, Texas 76034



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Letters of Opposition

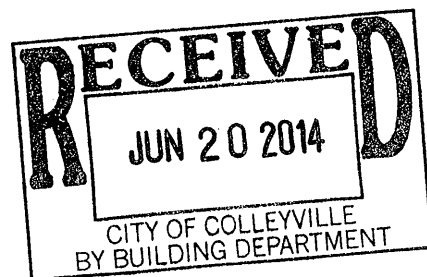
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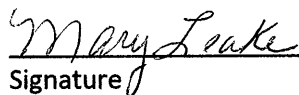
Sincerely,



Becky Freeman
1112 Jo Carol
Colleyville, Texas 76034
214-223-7750 / yobecky@yahoo.com

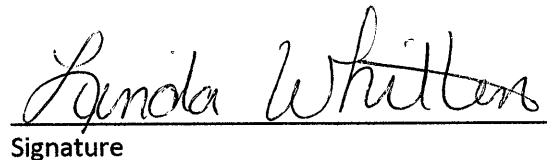


Protesting Neighbors:


Signature

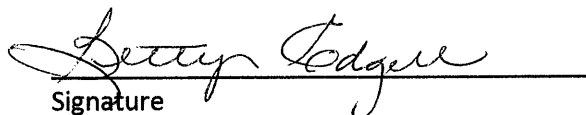
MARY LEAKE
Printed Name

Address 1117 JO CAROL
Colleyville


Signature

Linda Whitten
Printed Name

Address 1209 Garry Lynne
Colleyville


Signature

BETTY EDGELL
Printed Name

Address 1112 GARRY LYNNE
COLLEYVILLE TX

Letters of Opposition

Garland W. Edgell
Signature

GARLAND W. EDGELL
Printed Name

Address 1112 GARRY LYNN
COLLEYVILLE, TX

Axel M Holland
Signature

Axel M Holland
Printed Name

Address 1100 Jo Carol Lane
Colleyville, TX

Lisa PETERSON
Signature

Lisa Peterson
Printed Name

Address 1104 Jo Carol Lane
Colleyville, TX 76034

Keith Edgell
Signature

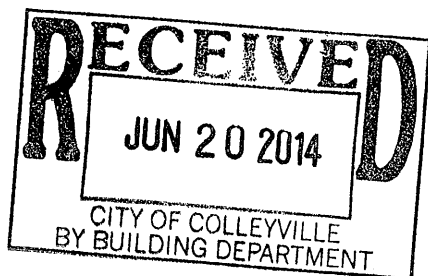
Keith Edgell
Printed Name

Address 1116 Jo Carol
Colleyville TX 76034

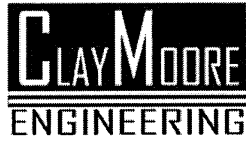
Amy Edgell
Signature

Amy Edgell
Printed Name

Address 1116 Jo Carol
Colleyville, TX



Original Statement of Planning Objectives



May 1, 2014

Mr. Ron Ruthven
Community Development Director
City of Colleyville
100 Main Street
Colleyville, Texas 76034

Re: Statement of Planning Objective
1105 Glade Road

Dear Ron,

Please let this letter serve as the Statement of Planning objectives for the planned re-zoning of 1105 Glade Road. This tract is approximately 1.36 acres and located at the SEC of Glade Road and Bedford Road. Our Client proposes to rezone the property from the current R-20 classification to a PUD-C district. The planned use of the site is commercial office.

Below are variances to the Development Code that are proposed as part of this PUD-C request.

- Reduction of Front Yard Building Setback – Our Client proposes to have the buildings along Glade Road.
- Street Trees – Due to the proposed office layout and utility easements along Glade Road, we propose modifications to the street tree requirement and location of the proposed trees. Reference the Landscape Plan included in this submittal for our request.

Should you have any questions, please feel free to contact me.

Sincerely,

Claymoore Engineering, Inc.

A handwritten signature in black ink, appearing to read "Matt Moore".

Matt Moore, P.E.

Revised Statement of Planning Objectives



Statement of Planning Objectives 1105 Glade Road Southeast Corner of Glade Rd and Bedford Rd

The proposed tract is approximately 1.36 acres at the corner of Bedford Road and Glade Road. Our client proposes to rezone the property from the current R-20 classification to a PUD-C district with the use for the site being commercial office. The development objective is to provide two Premier Professional Office buildings as a cohesive complex and relevant to the adjoining property uses on Glade Road. These buildings are to be of top quality finishes inside and out. The exteriors are to be constructed of masonry materials including stone, brick, stucco, commercial window wall systems, and metal roofing. The site allows for access to the property from both streets. The buildings have been strategically placed away from the residential neighbors to the rear of the property to minimize any impact to the residents. This also brings the buildings forward toward Glade Road which allows for greater interaction of the building on the streetscape. There are open green spaces which will be used for the beautification of the area through landscaping. At the rear, a masonry screen wall and landscape buffer will be provided per the unified development code and city ordinances.

Bayley Yandell Development will develop and occupy a portion of the building along with Graham Hart Home Builder with the balance of space being leased out.

Conceptual Site Plan

ENGINEER

CLAYMOORE
ENGINEERING

TEXAS REGISTRATION #11109
1105 CHEEK SPARGER RD
SUITE #1
COLLEEVILLE, TX 76034
PH: 817.281.0572
FAX: 817.281.0574
CONTACT: MATT MOORE, PE
EMAIL: MATT@CLAYMOOREENG.COM

ARCHITECT

WARD ARCHITECTURE, PLLC
609 CHEEK SPARGER, SUITE 118
COLLEEVILLE, TX 76034
TEL: (817) 281-5600
CONTACT: GERALD WARD

DEVELOPER

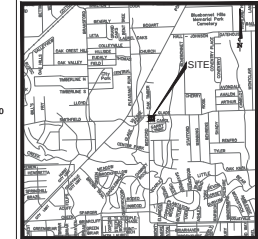
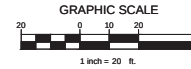
BYD DEVELOPMENT
1203 S. WHITE CHAPEL, SUITE 250
SOUTHLAKE, TX 76092
TEL: (817) 228-7807
CONTACT: PETER SLOVER

SURVEYOR

MILLER SURVEYING, INC.
430 MID CITIES BLVD.
HURST, TX 76054
TEL: (817) 577-1052
CONTACT: JASON RAWLINGS

FLOODPLAIN NOTE

ACCORDING TO MAP NO. 4843C0064, DATED SEPTEMBER 25, 2008 OF THE NATIONAL FLOOD INSURANCE PROGRAM MAP FLOOD INSURANCE RATE MAP OF TARRANT COUNTY, TEXAS, FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, THIS PROPERTY IS WITHIN ZONE "X" AND IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA. IF THIS SITE IS NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.



VICINITY MAP
N.T.S.
MAPSCO #S: 39R, 39R, 40N, & 40S

LEGEND	
	HEAVY DUTY CONCRETE PAVEMENT
	STANDARD DUTY CONCRETE PAVEMENT
	CONCRETE SIDEWALK
	PROPOSED CONCRETE CURB AND GUTTER
	FULL DEPTH SAWCUT - CONNECT TO EX. PAVEMENT
	PROPOSED FIRE LANE

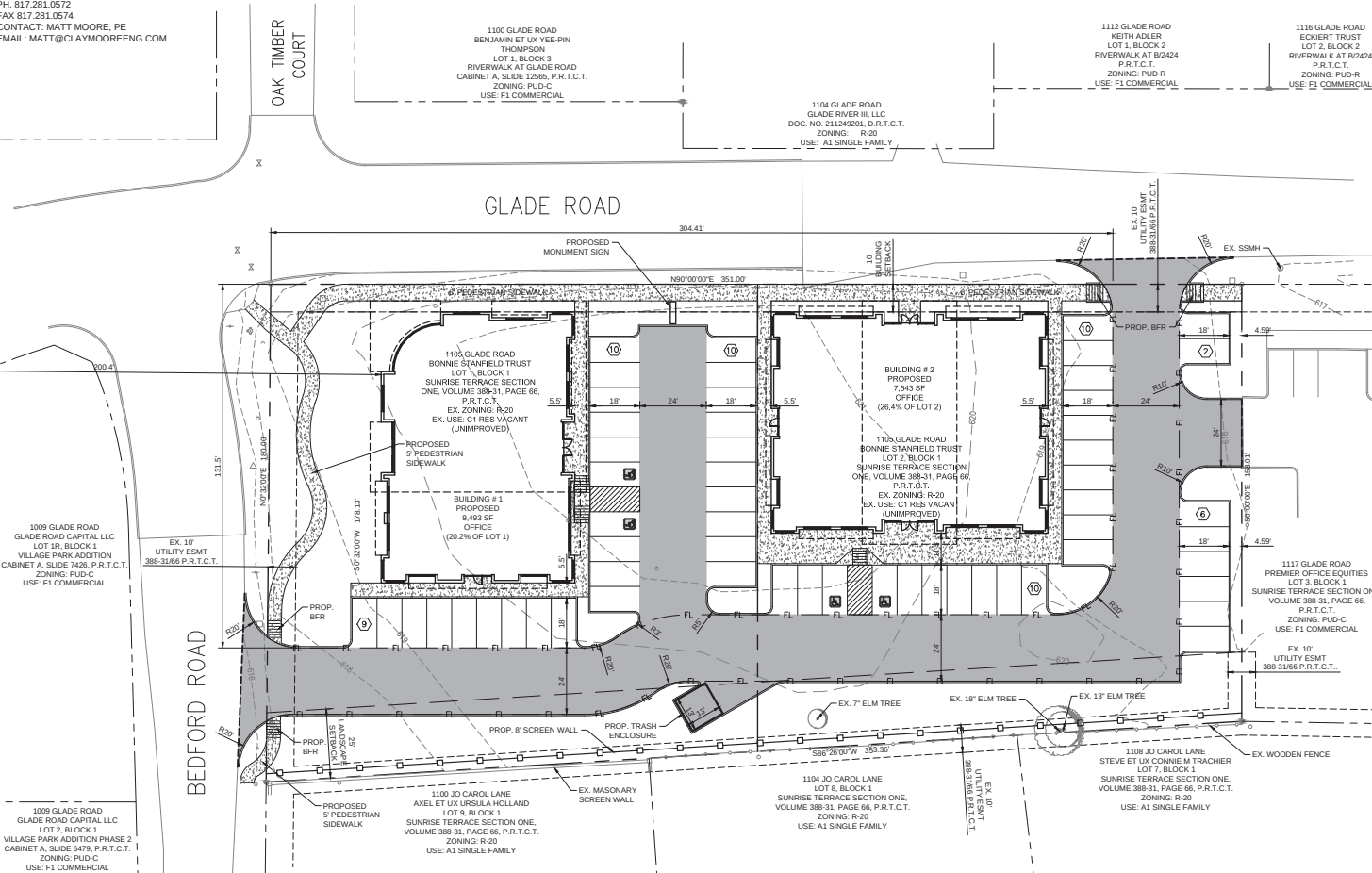
PARKING CALCULATIONS	
1 SPACE REQUIRED FOR EVERY 300 SF (27,288 SF OF BUILDING)	57 (2 ADA) SPACES
PARKING PROVIDED	57 (8 ADA) SPACES

NOTES:

- ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
- REFER TO ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS AND EXACT DOOR LOCATIONS.
- ALL LIGHTING WILL BE MOUNTED ON THE BUILDING.
- ALL SIGNAGE SHALL CONFORM TO APPLICABLE CITY CODES AND REGULATIONS.

GLADE ROAD

BEDFORD ROAD



SITE DATA SUMMARY

LOT	BLOCK	ADDITION	LOT AREA (ACRES)	LOT AREA (SF)	EXISTING ZONING	PROPOSED ZONING	EXISTING USE	PROPOSED USE	BUILDING AREA	BUILDING HEIGHT	LOT COVERAGE	FLOOR AREA RATIO	IMPERVIOUS AREA	PERCENT IMPERVIOUS	OPEN SPACE AREA	PERCENT OPEN SPACE
1	BLOCK 1	SUNRISE TERRACE ADDITION	0.70 ACRES	30,046 SF	R-20	PUD-C	UNIMPROVED	OFFICE	9,402 SF	30' - 0" (2 STORY)	30.2%	4.13	21,465 SF	68.7%	9,355 SF	30.2%
2	BLOCK 1	SUNRISE TERRACE ADDITION	0.66 ACRES	28,608 SF	R-20	PUD-C	UNIMPROVED	OFFICE	7,543 SF	22' - 0" (2 STORY)	26.4%	33.125	23,136 SF	80.9%	5,470 SF	19.1%

ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM R-20 TO PUD-C.

TEXAS REGISTRATION #11109
CLAYMOORE
ENGINEERING



BYD DEVELOPMENT
GLADE & BEDFORD
COLLEEVILLE, TX

PUD-C EXHIBIT

DESIGN: B.S.
DRAWN: B.S.
CHECKED: B.S.
DATE: 8/13/2014

SHEET
X-1

17th July 2014

PLOTTED BY: CLAYMOORE
LOCATION: 6/13/2014 2:18 PM
LAST SAVED: 6/13/2014 2:18 PM

Landscape Plan



LANDSCAPE NOTES

1. Contractor verify all existing and proposed site elements and notify Architect of any discrepancies. Survey data of existing conditions was supplied by others.
2. Contractor shall locate all existing underground utilities and notify Architect of any conflicts. Contractor shall exercise caution when working in the vicinity of underground utilities.
3. Contractor is responsible for obtaining all required landscape and irrigation permits.
4. Contractor to provide a minimum 2% slope away from all structures.
5. All planting beds and lawn areas to be separated by steel edging. No steel to be installed adjacent to sidewalks or curbs.
6. All landscape areas to be 100% irrigated with an underground automatic irrigation system and shall include rain and freeze sensors.
7. All lawn areas to be Solid Soil Thermosolabs, unless otherwise noted on the drawings.

MAINTENANCE NOTES

1. The Owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscape.
2. All landscape shall be maintained in a neat and orderly manner at all times. This shall include mowing, grading, pruning, fertilizing, weeding and other such activities common to landscape maintenance.
3. All landscape areas shall be kept free of trash, tires, weeds and other such material or plants not part of this plan.
4. All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year.
5. All plant material which dies shall be replaced with plant material of equal or better value.
6. Contractor shall provide separate bid proposal for one year's maintenance to begin after final acceptance.

GENERAL LAWN NOTES

1. *Final goals are to achieve final conditions indicated on end plans.*
2. *Adjust contours to achieve positive drainage away from buildings. Provide uniform runoff of top and bottom of ditches and other breaks in grade. Correct irregularities and areas where water may stand.*
3. *All lawn areas to receive solid soil and be left in a maximum of 1" below final finish grade. Contractor to coordinate completion with on-site Construction Manager.*
4. *Imported topsoil shall be natural, friable and from the region, known as Indian soil, from brown loam, clay, light sandstone and red soils, vegetation, stumps, containing no salt and black to brown in color.*
5. *All lawn areas to be free of weed, irrigation tracheae completely applied, and final grade approved by the Owner's Construction Manager or Architect prior to installation.*
6. *All concrete 3/4" diameter and larger, dirt chills, blocks, concrete spalls, etc. shall be removed prior to placing topsoil and any lawn installation.*
7. *Contractor shall provide 100% inch of imported topsoil on all areas to receive topsoil.*

SOLID SOD NOTES

- [illegible]

LANDSCAPE TABULATIONS

SITE LANDSCAPE: 20% of total site is to be landscaped area (38,438 sq ft)

[illegible]

PROGRESS SET - FOR REVIEW ONLY
ISSUED

06.13.2014
These documents are NOT FOR REGULATORY APPROVAL,
PERMITTING OR CONSTRUCTION.
They were prepared by, or under the supervision of,

Chris M. Tromzano, Tx. Lic. #20432
SMR Landscape Architects, Inc.

smr
landscape architects, inc.
1756 N. Gaffin Street
Dallas, Texas 75203
Tel 214.871.0080
Fax 214.871.0080
Email smr@smr-la.com



WARD ARCHITECTURE PLLC
609 CHEEK SPARGER ROAD SUITE 118
COLLEYVILLE, TEXAS 76034

BYD DEVELOPMENT
NEW OFFICE BUILDING
GLADE ROAD AND BEDFORD ROAD
COLLEYVILLE, TEXAS 76034

Issued:	CITY COMMENTS	06/13/2014
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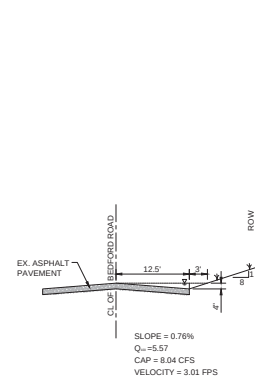
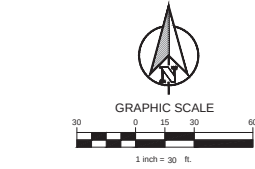
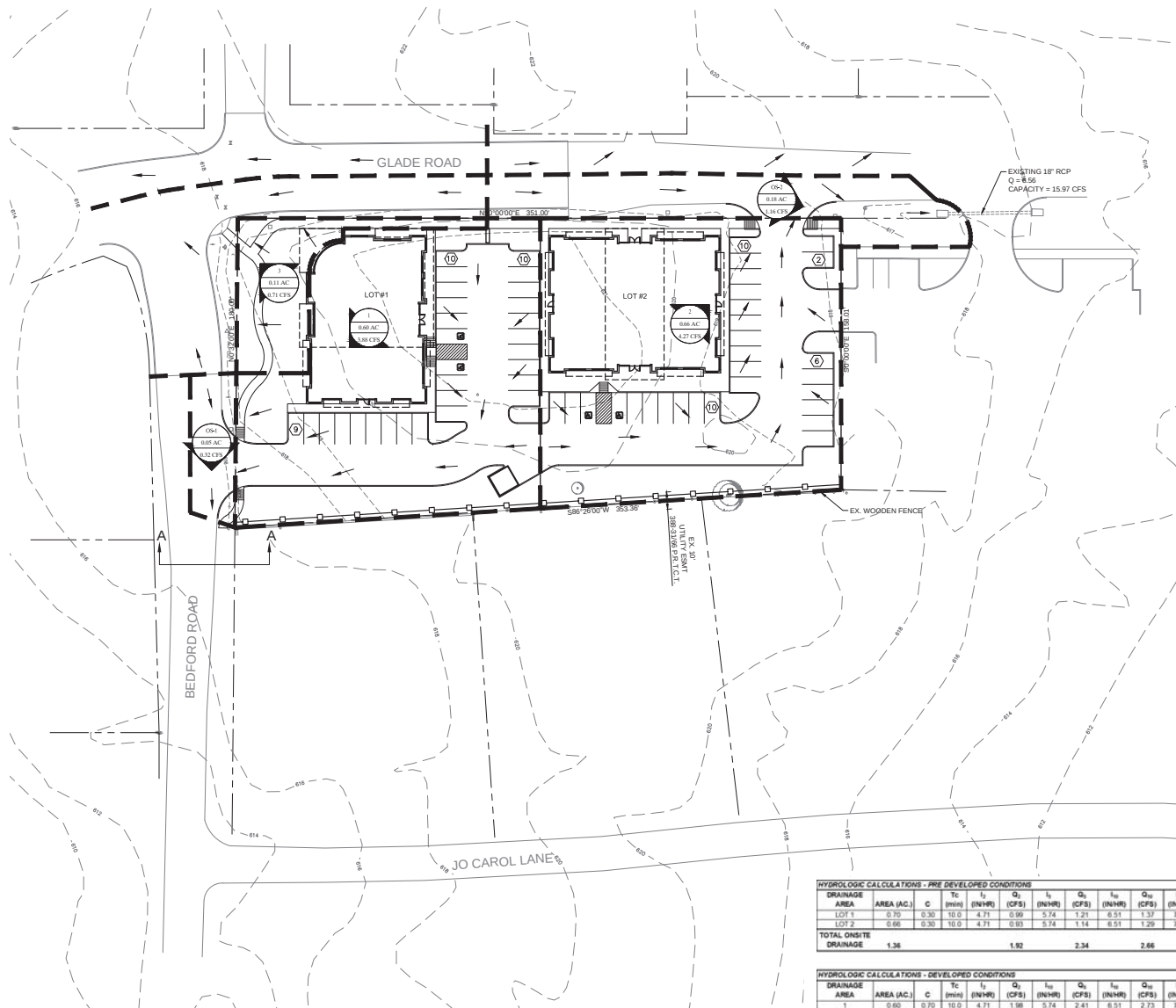
LANDSCAPE PLAN

L.1

Sheet Number

Preliminary Drainage Analysis

PLOTTED BY: CLAYMOORE
 DATE: 6/13/2014 2:07 PM
 LOCATION: CLAYMOORE PROJECTS\PROJECTS\2014-030 BYD COLLEEVILLE OFFICE\CAUD\EXHIBIT-2 DRAINAGE EXHIBIT.DWG
 LAST SAVED: 6/13/2014 2:07 PM



CAPACITY OF BEDFORD ROAD RIGHT-OF-WAY
SECTION A

FLOODPLAIN NOTE

ACCORDING TO MAP NO. 4848300006, DATED SEPTEMBER 25, 2009 OF THE NATIONAL FLOOD INSURANCE PROGRAM MAP, FLOOD INSURANCE RATE MAP OF TARRANT COUNTY, TEXAS, FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, THIS PROPERTY IS WITHIN ZONE "X" AND IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA. IF THIS SITE IS NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, ON SOME OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

LEGEND	
	- DRAINAGE AREA
	- DRAINAGE AREA IN ACRES
	- FLOW FOR DRAINAGE AREA IN CFS
	- DIRECTION OF FLOW
	- DRAINAGE AREA BOUNDARY

HYDROLOGIC CALCULATIONS - PRE DEVELOPED CONDITIONS

DRAINAGE AREA	AREA (AC.)	C	Tc (min)	I _p (IN/HR)	Q _p (CFS)	I _{ap} (IN/HR)	Q _{ap} (CFS)	I _{bp} (IN/HR)	Q _{bp} (CFS)	I _{cp} (IN/HR)	Q _{cp} (CFS)	I _{dp} (IN/HR)	Q _{dp} (CFS)	REMARKS	
LOT 1	0.70	0.30	10.0	4.71	0.99	5.74	1.21	6.51	1.37	7.55	1.59	8.40	1.76	9.24	DRAINS TO BEDFORD ROAD
LOT 2	0.66	0.30	10.0	4.71	0.93	5.74	1.14	6.51	1.29	7.55	1.49	8.40	1.66	9.24	DRAINS TO GLADE ROAD
TOTAL ONSITE DRAINAGE	1.36				1.92		2.34		2.66		3.08		3.77		

HYDROLOGIC CALCULATIONS - DEVELOPED CONDITIONS

DRAINAGE AREA	AREA (AC.)	C	Tc (min)	I _p (in/hr)	Q _p (cfs)	I _{ap} (in/hr)	Q _{ap} (cfs)	I _{bp} (in/hr)	Q _{bp} (cfs)	I _{cp} (in/hr)	Q _{cp} (cfs)	I _{dp} (in/hr)	Q _{dp} (cfs)	REMARKS	
1	0.60	0.70	10.0	4.71	1.98	5.74	2.41	6.51	2.73	7.55	3.17	8.40	3.53	9.24	DRAINS TO BEDFORD ROAD
2	0.66	0.70	10.0	4.71	2.18	5.74	2.65	6.51	3.01	7.55	3.49	8.40	3.88	9.24	DRAINS TO GLADE ROAD
3	0.11	0.70	10.0	4.71	0.36	5.74	0.44	6.51	0.50	7.55	0.58	8.40	0.65	9.24	DRAINS TO BEDFORD/CLADE ROAD
OS-1	0.05	0.70	10.0	4.71	0.16	5.74	0.20	6.51	0.23	7.55	0.26	8.40	0.29	9.24	DRAINS TO BEDFORD ROAD
OS-2	0.18	0.70	10.0	4.71	0.59	5.74	0.72	6.51	0.82	7.55	0.95	8.40	1.06	9.24	GLADE ROAD
TOTAL ON-SITE DRAINAGE	1.60				5.28	6.43	7.29	8.46	9.41	10.35					

CLAYMOORE
ENGINEERING

BYD DEVELOPMENT
GLADE & BEDFORD
COLLEEVILLE, TX

DRAINAGE EXHIBIT

DESIGN: B.S.
DRAWN: B.S.
CHECKED: C.S.
DATE: 6/13/2014
SHEET: X-2
FIG. NO.: 2014-030

ORDINANCE O-08-1695

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AS HERETOFORE AMENDED; BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 0.64 ACRES ON LOT 3, BLOCK 1, OF THE SUNRISE TERRACE ADDITION, FROM THE R20-SINGLE FAMILY RESIDENTIAL ZONING DISTRICT TO THE PUDC-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. Z-08-017; and

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

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

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

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration 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 of .64 acres on Lot 3, Block 1, of the Sunrise Terrace Addition, from the R20-Single Family Residential zoning district to the PUDC-Planned Unit Development Commercial district, as depicted in the attached Exhibit "A", labeled Location and Zoning Map; Exhibit "B", labeled Conceptual Site Plan; and Exhibit "C", labeled Building Elevations.
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The purpose of this PUDC is for a professional office building.
- b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.

2. CONCEPTUAL PLAN AND PLATTING

- a. The layout of the development shall be generally consistent with the Conceptual Site Plan, labeled as Exhibit "B", which shall not be considered the final replat.
- b. The developer shall submit and receive approval from the City, a final replat in accordance with the requirements of the Land Development Code prior to development of this PUDC.

3. PERMITTED USES

- a. Uses allowed in the CPO-Professional Office Commercial zoning district.

4. COMMERCIAL BUILDING ELEVATIONS

- a. All structures shall be generally consistent with the building elevations, attached as Exhibit "C" as shall, otherwise, meet the minimum building design requirements of the CPO-Professional Office Commercial district.

5. COMMERCIAL LOT REQUIREMENTS AND SETBACKS

The subject commercial lot requirements and setbacks shall comply with the following provisions:

- a. Minimum Lot Size 20,000 square feet.
- b. Minimum Lot Width 175 feet.
- c. Front Building Line 40 feet.
- d. Side Building Line 15 feet.
- e. Rear Building Line 20 feet.

6. SCREENING AND LANDSCAPING

- a. An eight (8) foot masonry wall shall be constructed and maintained along the rear property line adjacent to single family residential used properties prior to issuance of a certificate of occupancy.
- b. Nine (9) trees, measuring at least three (3) inches in caliper and spaced a minimum of 20 feet apart shall be planted within the 20 foot rear greenbelt.
- c. Four (4) trees, measuring at least three (3) inches in caliper, shall be planted within each 15 foot side greenbelt.
- d. A minimum six (6) wood or masonry fence shall only be built along both side property lines adjacent to property used and/or zoned as single family residential. The fencing shall not extend beyond the front line of the main structure. The fencing shall not be required upon a change in zoning or use to commercial on the adjacent properties.
- e. All landscaping shall meet the minimum requirements of Chapter 4 – Landscaping and Buffering in the Land Development Code, except where amended herein.

7. OPEN SPACE

- a. This development shall provide not less than 30 percent common open space, which shall generally be configured as shown on Exhibit "B". All open space areas shall be landscaped and maintained by the property owner.

8. SIDEWALKS

- a. Sidewalks, five (5) foot in width, shall be required along Glade Road and installed prior to issuance of a Certificate of Occupancy.

9. OTHER

- a. The building shall be limited to one-story and allowed no more than two (2) tenants at any given time.
- b. A 24 foot mutual access easement shall be provided along the entire front of the property to allow for future connectivity to the lot.
- c. No dumpster shall be placed on this lot, for any purpose, including for garbage, refuse, or recycling.
- d. Lighting along the rear of the building shall be limited to security lighting, not to be a nuisance to adjacent residential properties.

Sec. 5. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.

Sec. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

Sec. 7. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 8. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 9. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 16th day of September 2008.

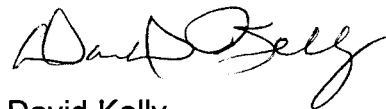
The second reading and public hearing being conducted on the 7th day of October 2008.

ATTEST:



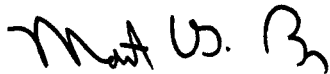
Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:



Matthew C. G. Boyle
City Attorney

EXHIBIT "A"- Location and Zoning Map

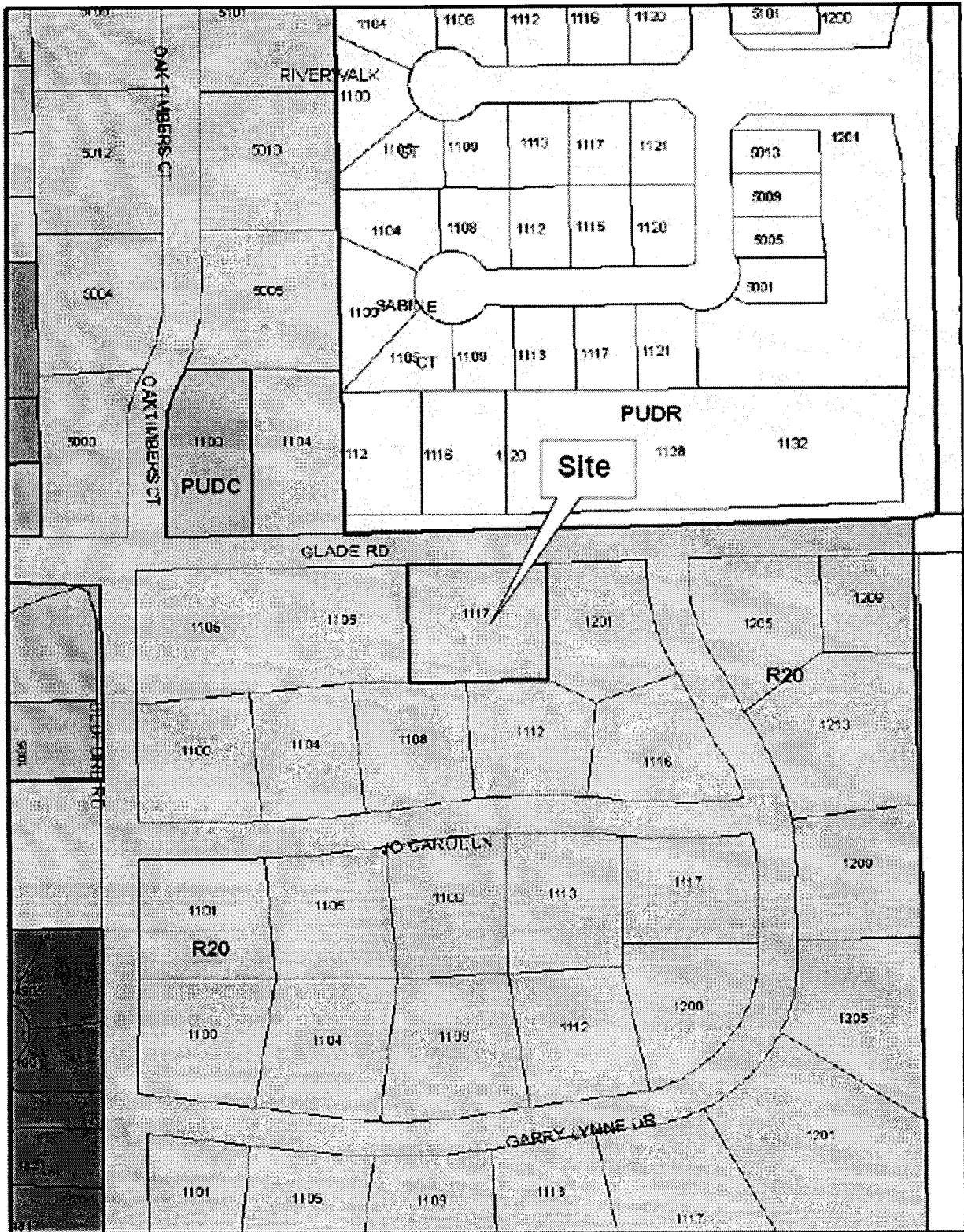


EXHIBIT "B" - Conceptual Site Plan

1117 GLADE ROAD

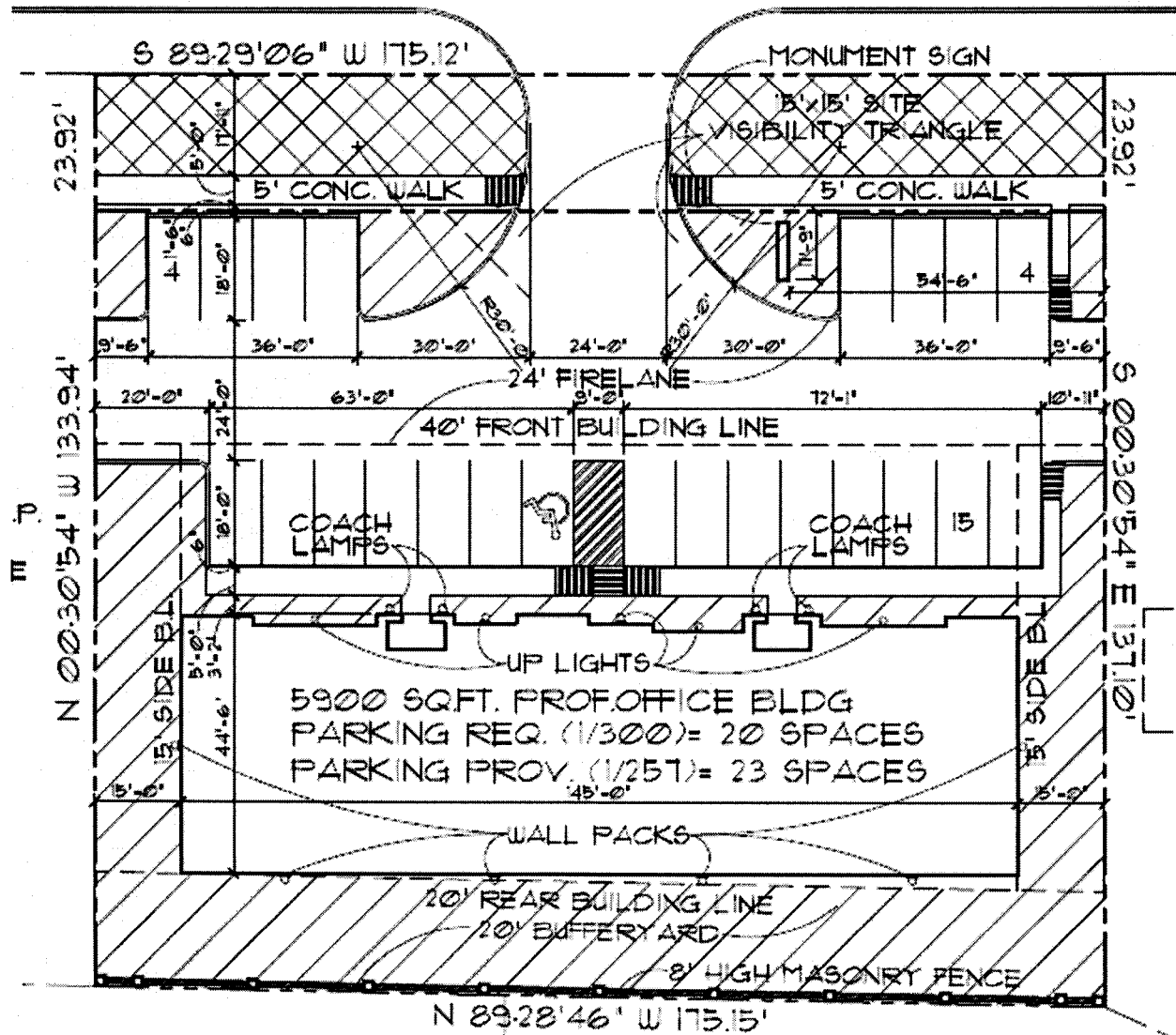
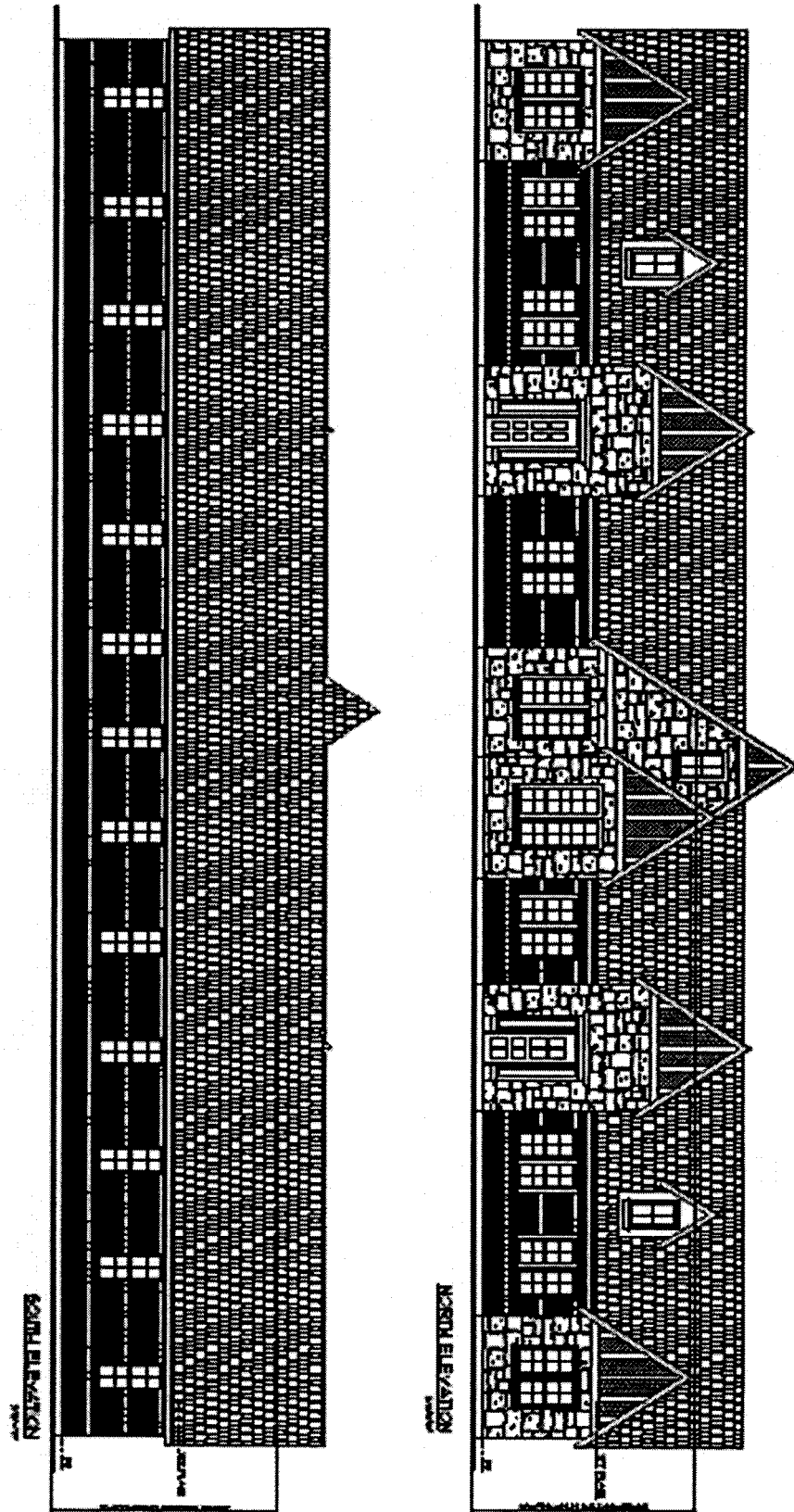


EXHIBIT "C" - Building Elevations



Conceptual Building Elevations - Southeast Corner of Bedford Road and Glade Road



Conceptual Building Elevation - View from Glade Road



ORDINANCE O-14-xxxx

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 1.36 ACRES ON LOTS 1 AND 2, BLOCK 1, SUNRISE TERRACE ADDITION, FROM THE R-20-SINGLE FAMILY RESIDENTIAL 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 a rezoning under Case No. ZC14-009; and

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

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

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

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, to the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance

Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 1.36 acres on Lots 1 and 2, Block 2, Sunrise Terrace Addition, from the R-20-Single Family Residential zoning district to the PUD-C-Planned Unit Development Commercial zoning district, as depicted in the attached Exhibit "A".
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. Permitted uses shall be limited to Professional and General Office.
- b. The proposed development is subject to all the regulations contained in the Land Development Code, except as amended by this ordinance.

2. BUILDING AND SITE COMPLIANCE PROVISIONS

- a. All new buildings must comply with the provisions of Chapter 6-Commercial Building Design in the Land Development Code.

- b. The 40-foot front yard setback shall be reduced to 10 feet.
 - c. The garbage container location shall be permitted within the 25-foot setback and landscape green belt as shown on Exhibit "B".
 - d. The planting of six trees along Glade Road and two trees along Bedford Road shall be permitted. The remaining required trees shall generally be planted as shown on Exhibit "B".
- Sec. 5. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 7. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 8. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 9. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 15th day of July 2014.

The second reading and public hearing being conducted on the 5th day of August 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

[illegible]

North



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 4c	Agenda Date 06/23/2014	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of azoning change from the CN – Neighborhood Commercial zoning district to thePUDC-Planned Unit Development Commercial zoning district and a consideration of aSpecial Use Permit for on-premiseconsumption of alcoholic beverages on 2.5 acres of Lots 10R and 11R, Block 1, of theAndy Felps Addition located at 125 Acuff Lane, Cases ZC14-010 and ZC14-011

Explanation

Enchanted Real Estate Management, LLC., is requesting to rezone 2.54 acres located at 125 Acuff Lane from CN-Neighborhood Commercial district to the PUD-C Planned Unit Development Commercial district in order to develop an events venue. The applicant is also requesting Specific Use Permit for Alcohol Sales for on-site consumption.

Existing Conditions. The property is platted as the Andy Felps Addition, Block 1, Lots 10R and 11R. Currently, there is a single family home on the site that would be removed with the redevelopment of the property. The property is zoned CN-Neighborhood Commercial.

Master Plan. The rezoning request is consistent with the Colleyville Master Plan, adopted in 2004, which designates the subject property for future Retail uses. Properties to the north, west and east are designated as Retail. Properties to the south are designated as Office.

Proposed Rezoning Request. The applicant has submitted a Statement of Planning Objectives (attached) describing the proposed development. The applicant is requesting to rezone to the PUD-C zoning district to develop the site to develop a multi-use events venue. The site is designed for indoor and outdoor events, which will include general assembly events such as weddings, business meetings, and general social gatherings.

The development will consist of two buildings. Building 1 is proposed as a two-story, approximately 7,000 square foot events venue that will include an approximately 2,600 square foot covered patio area. The applicant anticipates that the building will accommodate 200 people. Building 2 is a proposed one-story, 1,500 square foot building that will accommodate approximately 60 guests.

An amphitheater is proposed near the southwest corner of the site. The amphitheater is accessed by the main venue via a pedestrian path that is adjacent to the pond. The existing pond is proposed to be enhanced and a 75-foot long bridge will tie into the pedestrian path.

The applicant is also requesting Specific Use Permit for Alcohol Sales for on-site consumption.

Hours of Operation. The applicant proposes the following hours of operation: Monday through Saturday, 9:00 a.m. to 11:30 p.m.; and Sunday 9:00 a.m. to 6:00 p.m.

Lot Dimensions and Setbacks. The PUD-C zoning district establishes a 40-foot front yard setback, a 10-foot side yard setback and a 25-foot rear yard setback. Lots 10R and 11R, Block 1 of the Andy Felps Addition were platted with a 35-foot front yard building setback. The building is setback approximately 86 feet from the front property line. The proposed development meets all setback requirements.

Development Standards. The applicant is proposing to develop the site for an events venue. Building 1, the main venue, is proposed to be a two-story, approximately 7,000 square foot events venue that will include an approximately 2,600 square foot covered patio area. The proposed building height of 35-feet meets the maximum height limit of the PUD-C zoning district. The exterior wall materials will be required to meet the masonry materials standards as permitted by the Land Development Code.

Building 2 is a proposed one-story, 1,500 square foot building that will accommodate approximately 60 guests.

Variance: A portion of the pavement surrounding the proposed fountain is located outside of the property line within city right-of-way.

Building Design Standards. The applicant has submitted conceptual renderings of the proposed buildings. The proposed buildings will be required to comply with the provisions of Chapter 6-Commercial Building Design in the Land Development Code.

Parking. The site plan provides 87 parking stalls. The Land Development Code does not specifically list events venue as a use, however it is similar use is Wedding Chapels. Per the Land Development Code, parking standards for Wedding Chapels are determined by the PUD-C ordinance. Based on the applicant's proposed occupancy of all buildings (260 persons), 87 parking stalls equates to one space per three occupants.

Perimeter Fencing. The applicant proposes an 8-foot tall masonry fence adjacent to the existing single family zoning and uses.

Garbage Container Screening. The Land Development Code requires all garbage

container enclosures and containers to be located behind all required building setbacks. The location of the proposed garbage container is in compliance with the Land Development Code.

Landscaping. The proposed landscape plan exceeds the minimum standards required by the Land Development Code. Twenty percent of the total site must be a landscape area. The landscape plan illustrates that 40% of the total area will be landscaped. Fifty percent of the total landscape area must be within the street yard. The applicant has provided 38% of the total landscape area within the street yard.

The Land Development Code requires a minimum 20 foot wide green belt adjacent to residential districts. The development provides a 25-foot wide green belt buffer.

The Land Development Code requires that shrubs be planted on-site for each five (5) linear feet of public street rights-of-way located adjacent to the property. The applicant meets the required 35 shrubs.

Variance: The applicant is seeking a variance to provide 38% of the total landscape area within the street yard. The Land Development Code requires that fifty percent of the total landscape area must be within the street yard.

Open Space. For all non-residential uses, open space land, comprising not less than twenty percent (20%) of the non-residential area, shall be provided. The landscape plan has exceeded this requirement. The property owner will be responsible for the ownership and maintenance of the open space.

Encroachment into Right-of-Way. The Land Development Code states that no building permit shall be issued for any structure that encroaches into public right-of-way, unless an easement encroachment and joint use agreement has been approved by the City Council. A portion of the pavement surrounding the proposed fountain extends approximately 10-feet beyond the property line and encroaches into city right-of-way.

Variance: A portion of the pavement surrounding the proposed fountain extends approximately 10-feet beyond the property line and encroaches into city right-of-way.

Access. The applicant is proposing access from Acuff Lane. Acuff Lane is classified as a local street.

Alcohol Sales SUP. The applicant has submitted a request for a Special Use Permit (SUP) to allow alcoholic beverage sales for on-premise alcohol consumption.

Distance Requirements. The Colleyville City Code of Ordinances requires businesses that serve alcoholic beverages to be located at least 300 feet away from a church, school or public hospital. The distance is measured from property line to property line

for schools and from front door to front door along the street front property lines for churches and hospitals. The property is in compliance with this requirement.

Sidewalks. A minimum five foot wide sidewalk is required along Glade Road and Bedford Road whenever any new structures are built. The site plan proposes a six foot wide sidewalk along Glade Road and a five foot wide sidewalk along Bedford Road.

Traffic Generation. Per the Institute of Transportation Engineers 6th Edition Trip Generation manual, wedding chapel uses generate an average rate of 232 trips per on Sundays.

Preliminary Drainage Analysis. The applicant has submitted a Preliminary Drainage Analysis prepared in accordance with drainage analysis requirements of the Land Development Code. The analysis has been reviewed and accepted by the Public Works Department.

Surrounding Properties. The properties to the north are zoned CC-3 Highway Commercial and R-20 Single Family. The property zoned CC-3 is an existing single family residence; the property zoned R-20 is an existing single family residence. The property to the east is zoned R-20 Single Family and is an existing single family home. The properties to the south are zoned R-20 and developed as single family residential homes. The properties to the west are zoned CC-3 and PUD-C. The property zoned CC-3 is an existing single family residence and the property zoned PUD-C is undeveloped.

Summary of Variance Requests. The applicant is seeking the following three variance requests from the Land Development Code:

1. A portion of the pavement surrounding the proposed fountain is located outside of the property line within city right-of-way.
2. The applicant is seeking a variance to provide 38% of the total landscape area within the street yard. The Land Development Code requires that fifty percent of the total landscape area must be within the street yard.
3. A portion of the pavement surrounding the proposed fountain extends approximately 10-feet beyond the property line and encroaches into city right-of-way.

Public Notification. Staff mailed notices to 48 property owners within 200 feet of this rezoning request and all homeowner's associations within 500 feet. All school districts within the City of Colleyville were notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. One letter of opposition has been received regarding the request.

Summary. The applicant is requesting to rezone 1.36 acres located at 1105 Glade Road from the R-20-Single Family Residential district to the PUD-C Planned Unit

Development Commercial district in order to develop two buildings for professional office uses. While not in compliance with the Colleyville Master Plan, the proposed rezoning does align with surrounding Future Land Use designations. The proposed SUP would authorize the sale of alcoholic beverages for on-premise consumption.

Recommendation

Approval with the following conditions:

Staff recommends approval of the rezoning request with the following conditions:

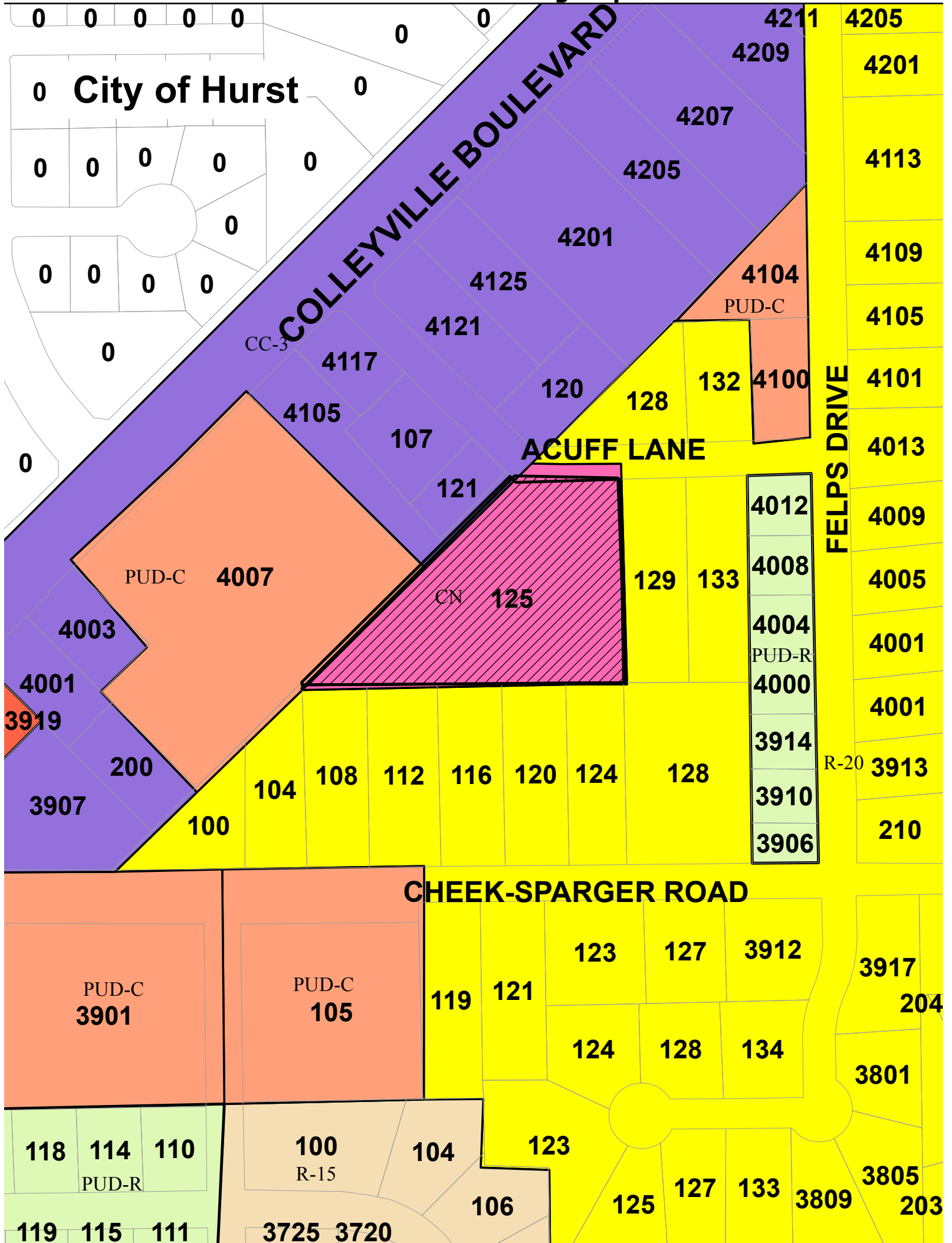
1. The following uses shall be permitted: weddings, business, conference, birthday, graduation, anniversary, or other special receptions, or party events.
2. The development shall be permitted to provide 38% of the total landscape area within the street yard.
3. A portion of the pavement surrounding the proposed fountain extends approximately 10-feet beyond the property line and encroaches into city right-of-way. Prior to issuance of a building permit, approval by the Director of Public Works of a Right-of-way Permit is required for any building encroachments. All maintenance and ownership of the improvements shall be the responsibility of the property owner.
4. All new buildings must comply with the provisions of Chapter 6-Commercial Building Design in the Land Development Code.
5. Hours of operation shall be: Monday through Saturday, 9:00 a.m. to 11:30 p.m.; and Sunday 9:00 a.m. to 6:00 p.m.
6. The Special Use Permit shall apply to the sale of alcoholic beverages for on-premise consumption in conjunction with the special events venue only.
7. The Special Use Permit shall automatically expire upon the abandonment of the business, change in the use, a change in ownership or upon the expiration or termination of the Certificate of Occupancy
8. The proposed development is subject to all the regulations contained in the Land Development Code, except as amended by this ordinance.

Attachments

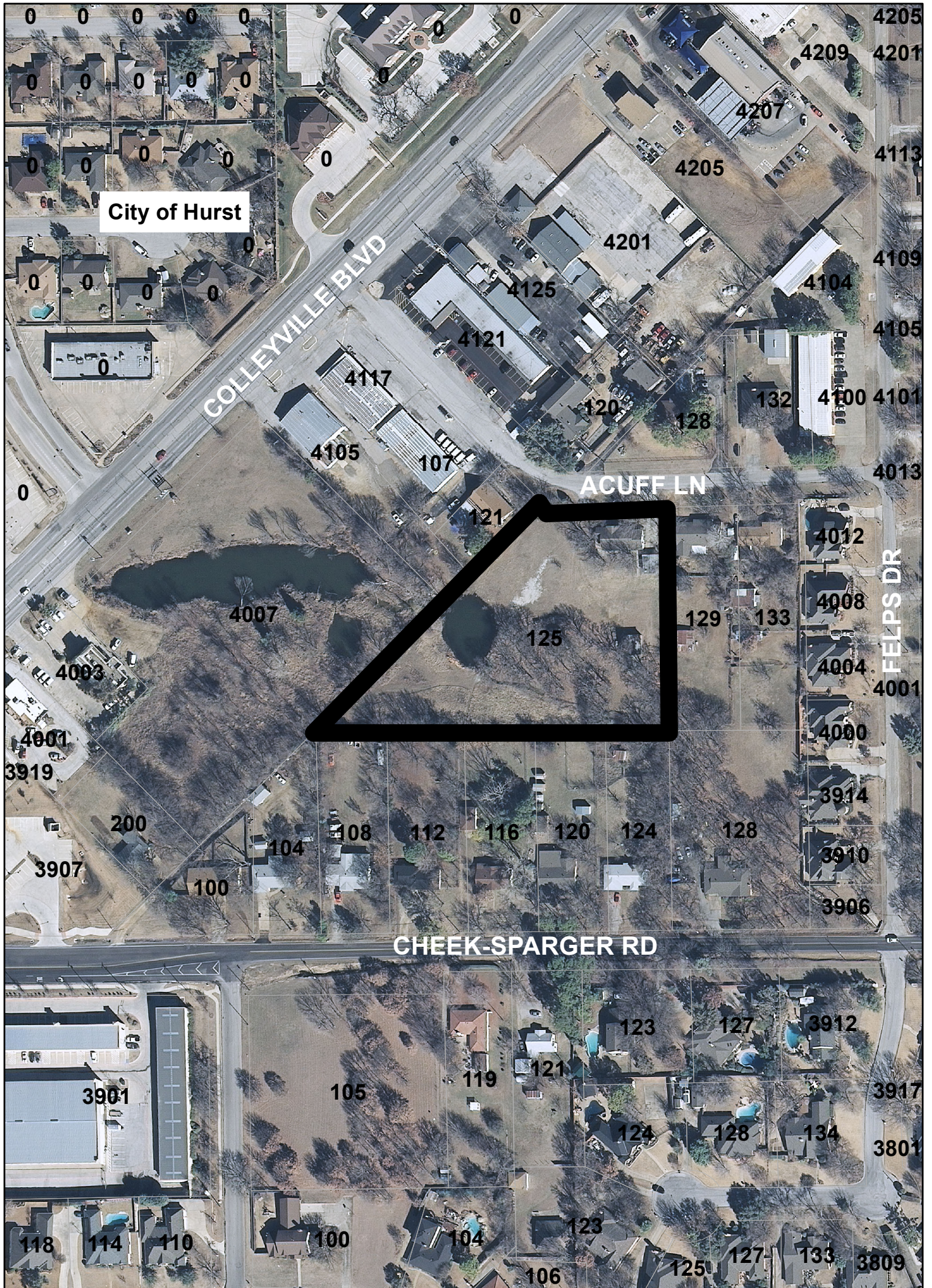
1. Location and Zoning Map
2. Aerial
3. Future Land Use Map
4. Buffer Map
5. Notification List
6. Letter of Opposition
7. Statement of Planning Objectives

8. Site Plan and Landscape Plan
9. Conceptual Building Design
10. Preliminary Drainage Analysis
11. Ordinance 0-14-XXXX

Location and Zoning Map



Aerial



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
3919 COLLEYVILLE BLVD LTD	PO BOX 802736	DALLAS	TX	753802736	003919 COLLEYVILLE BLVD
ACUFF LANE COMMERCIAL PROP LLC	PO BOX 550	TIOGA	TX	762710550	000107 ACUFF LN
AUTO WASH DEPOT CENTERS	14 SUMMER ST STE 302	MALDEN	MA	021483994	004207 COLLEYVILLE BLVD
BARRETT, RAYMOND S	120 ACUFF LN	COLLEYVILLE	TX	760343725	000120 ACUFF LN
BARRICK, ELIZABETH ETVIR WAYNE	3912 FELPS CT	COLLEYVILLE	TX	760343730	003912 FELPS CT
BAUGHMAN, MICHAEL ETUX PATTI	3914 FELPS CT	COLLEYVILLE	TX	760343730	003914 FELPS DR
BEVILL, JAMES H ETUX CLAUDIA M	119 CHEEK SPARGER RD	COLLEYVILLE	TX	760343715	000119 CHEEK SPARGER RD
BLUE STAR STORAGE COLLEYVILLE	1 COWBOYS PKWY	IRVING	TX	750634924	003901 COLLEYVILLE BLVD
BRAND, DONALD R	121 CHEEK SPARGER RD	COLLEYVILLE	TX	760343715	000121 CHEEK SPARGER RD
BRATTON, BILLY W	4009 FELPS DR	COLLEYVILLE	TX	760343708	004009 FELPS DR
BUDRI, AZIZ	400 GREENBRIAR LN	COLLEYVILLE	TX	760348612	004101 FELPS DR
BURNS, EDWARD H & CURTIS M	7713 LEXUS DR	FORT WORTH	TX	761374375	000124 CHEEK SPARGER RD
BYERLY, MIMI & JEFFREY S	7109 PEBBLE HILL DR	COLLEYVILLE	TX	760346372	000125 ACUFF LN
CALLAHAN, JIMMY	5019 BLUEBONNET RD	COLLEYVILLE	TX	760345840	004201 COLLEYVILLE BLVD
CAUNITZ-LUCAS LLC	4008 STEEPLECHASE DR	COLLEYVILLE	TX	760343738	004013 FELPS DR
CHATSWORTH ENTERPRISES LLC	4413 BOWMAN DR	COLLEYVILLE	TX	760344324	000112 CHEEK SPARGER RD
CROMBIE, PHILLIP ETUX KYMBERLE	128 ACUFF LN	COLLEYVILLE	TX	760343725	000128 ACUFF LN
DENNIE, PAUL D ETUX PEGGY M	200 CHEEK SPARGER RD	COLLEYVILLE	TX	760343716	000200 CHEEK SPARGER RD
ESTES, KEITH ETUX TERRIE	3910 FELPS DR	COLLEYVILLE	TX	760343772	003910 FELPS DR
FATEH-HYDER, SYED ETUX S M N	4008 FELPS DR	COLLEYVILLE	TX	760343771	004008 FELPS DR
FRENCH, JAMES E	PO BOX 550	TIOGA	TX	762710550	004100 FELPS DR
GRAPEVINE EXPRESS WASH LP	214 W NORTHWEST HWY	GRAPEVINE	TX	760513232	004205 COLLEYVILLE BLVD
GREER REVOCABLE TR	1440 WATERFORD CT	MARIETTA	GA	300681743	004001 FELPS DR
GREER, VERNELL MAY EST	1440 WATERFORD CT	MARIETTA	GA	300681743	004001 FELPS DR
HAHN, EDWARD & DORIS EST	7500 WINDSWEPT TRL	COLLEYVILLE	TX	760347007	000100 CHEEK SPARGER RD
HARRIS, D KEITH	108 CHEEK SPARGER RD	COLLEYVILLE	TX	760343714	000108 CHEEK SPARGER RD
HAYWORTH, WARD	2757 MESQUITE LN	GRAPEVINE	TX	760510000	004007 COLLEYVILLE BLVD
IBERNIA NATIONAL BANK	275 BROADHOLLOW RD	MELVILLE	NY	117474823	003907 COLLEYVILLE BLVD
HOWELL, DEAN G	104 CHEEK SPARGER RD	COLLEYVILLE	TX	760343714	000104 CHEEK SPARGER RD
JARRELL, JOHN JR ETUX JANIS	4004 FELPS DR	COLLEYVILLE	TX	760343771	004004 FELPS DR
KERBOW, GARY D	210 CHEEK SPARGER RD	COLLEYVILLE	TX	760343716	000210 CHEEK SPARGER RD
LATT PROPERTIES INC	4400 EATON CIR	COLLEYVILLE	TX	760344652	004125 COLLEYVILLE BLVD
LEMMON, WILLIAM M ETUX CAROL A	133 E RIO RDG	AZLE	TX	760201557	004003 COLLEYVILLE BLVD
LINDSEY, VICKI	129 ACUFF LN	COLLEYVILLE	TX	760343725	000129 ACUFF LN
MAHDATO, DAVID A	4109 FELPS DR	COLLEYVILLE	TX	760343710	004109 FELPS DR
MCDOWELL, TOMMY N ETUX CYNTHIA	128 CHEEK SPARGER RD	COLLEYVILLE	TX	760343714	000128 CHEEK SPARGER RD
MCKEOWN, WILLIAM C ETUX SYLVIA	4105 FELPS DR	COLLEYVILLE	TX	760343710	004105 FELPS DR
MOORE, JOE ETUX PEGGY	133 ACUFF LN	COLLEYVILLE	TX	760343725	000133 ACUFF LN
MORRISON, SANDY ETVIR MICHAEL	4012 FELPS DR	COLLEYVILLE	TX	760343771	004012 FELPS DR
NOEL, SUSAN L	655 CASINO RD	NOCONA	TX	762556934	004005 FELPS DR
SKOOG, FREDERICK H ETUX LOUISE	127 CHEEK SPARGER RD	COLLEYVILLE	TX	760343715	000127 CHEEK SPARGER RD
T MARIE MAULDIN LLC	PO BOX 584	COLLEYVILLE	TX	760340584	004121 COLLEYVILLE BLVD
UHLENHAKER, RONNIE R	PO BOX 1705	COLLEYVILLE	TX	760341705	000105 CHEEK SPARGER RD
ULERY, RICHARD G ETUX KRISTIE	123 CHEEK SPARGER RD	COLLEYVILLE	TX	760343715	000123 CHEEK SPARGER RD
VELASQUEZ, FLORENTINO & DAISY	1830 SILVERSIDE DR	COLLEYVILLE	TX	760512953	004001 COLLEYVILLE BLVD
WAIIT, GARY M SR	4000 FELPS DR	COLLEYVILLE	TX	760343771	004000 FELPS DR
WILKS, EARLEEN FAY	132 ACUFF LN	COLLEYVILLE	TX	760343725	000132 ACUFF LN
CITY OF HURST	1505 PRECINCT LINE ROAD	HURST	TX	76054	COURTESY NOTICE
GRAPEVINE-COLLEYVILLE ISD	3051 IRA E WOODS AVENUE	COLLEYVILLE	TX	76034	COURTESY NOTICE
DON AND CYNTHIA HENNIG, APPLICANT	7925 SHADY OAKS	NORTH RICHLAND HILLS	TX	76182	APPLICANT

Public hearing notices were mailed Fri. June
13, 2014 by Taci Wrisley

Letter of Oppositon

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

RE: zoning case number: ZC14-010 & ZC 14-011
125 Acuff Lane, Colleyville

I would like to voice my concern on the proposed planned unit development for 125 Acuff Lane. My home is located at 132 Acuff Lane.

1. The first concern would be the amount of parking spaces for planned venue. 88 parking spaces does not seem sufficient for a venue that will accommodate 200 people. Even if you have two people to a car there will be a overflow of 12 cars that will need somewhere to park. Acuff Lane is a small rural type road with no curbs, excess parking would be along this road where the cars would be parked in the street. If this was to happen with cars parked on both sides of the road it leaves very little room for the flow of traffic, which would be all those cars entering and leaving on Acuff. Because of no curbs its easy for cars to park on the edge of our yards in the grass or worse in front of our driveways. This would not be acceptable. Attached are two photos taken in front of my home facing west. The cars parked are from a business at the far west end of Acuff Lane. I apologize for the poor quality of the photo, but you can see how the cars park half way on the grass and half in the street. One photo shows a truck driving down the road, there is barely room for the truck much less two cars passing.
2. My second concern is the about of noise that will be in our neighborhood during evenings and weekends when we are home. Unlike a neighborhood commercial development where there are offices that people work weekdays and go home evening and weekends, this venue will be busy during our time at home. I don't believe anyone would want loud music, cars coming and going, people talking having a "party of a time" in front of their homes on a weekly basis most often till after midnight.

I am very concerned about the use of alcohol at this venue. People who may have had too much too drink, as is typical of a wedding reception, should not be driving. Having this in front of my home on a weekly and/or nightly basis does not make for a safe neighborhood.

I understand the the Andy Felps Addition area is a very unique area of Colleyville. My home has commercial property on two sides. I am not objecting to a commercial project that would improve the property, as an abandoned home now sits there. But I do not think this project would enhance our unique area, it would only bring more problems.

I would prefer that the zoning be kept Neighborhood Commercial at this time until a better more neighborhood friendly project can be development. Thank you for considering my opinion and concern for this project and hope you can make the best decision for the City of Colleyville.

Earleen Bigio
1 32 Acuff Lane
Colleyville. Texas 76034
817 538 4431
earleenbigio@yahoo.com

Letter of Oppositon



Letter of Oppositon



Statement of Planning Objectives



Statement of Planning Objectives Enchanted Venue 125 Acuff Block 1 Lots 10R and 11R Felps, Andy Addition

Enchanted Real Estate Management, LLC is in process of acquiring lots 10R & 11R of Block 1 of the Andy Felps Survey. The approximately 2.5 acres is located in a transitional commercial area.

The land uses proposed includes a new events venue for 200 guests approximately 7,000 sqft with an approximately 2600 sqft covered area, a second events venue for 60 guests approximately 1,400 sqft, an open green space and amphitheater for an outdoor event, and a 75 foot long bridge over the enhanced existing pond. Parking is calculated at 1 per 3 occupants and is provided on site. The site is screened from adjacent residential neighbors with an 8 foot high masonry fence and 25 foot wide landscape buffer.

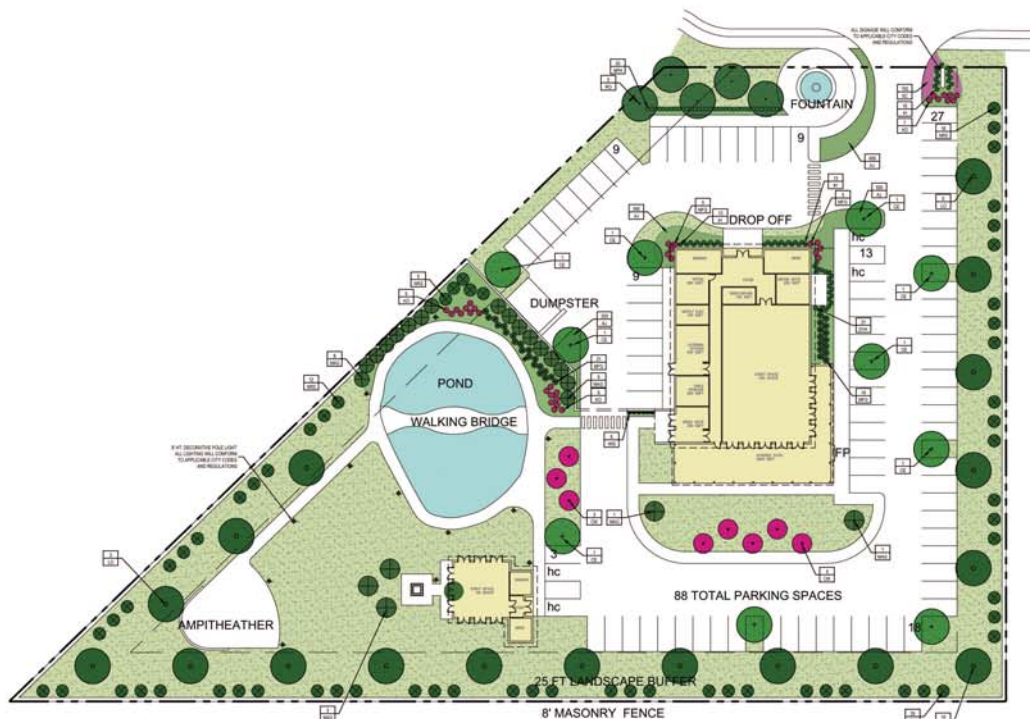
The intended land uses will allow for an assembly usage with both indoor and outdoor settings. Events to be provided for include weddings, business retreats and meetings, and general social functions.

Impact to neighboring communities has been carefully reviewed. It is important to the owners to maintain an emphasis as a good neighbor. The existing residential community surrounding the property will have an eight foot masonry fence barrier as well as a twenty five foot minimum deep landscape buffer planted in a free form or natural style. Existing trees will be maintained where possible.

The owner intends to sell alcoholic beverages for onsite consumption. There will be music played during some events and is the owners intent to follow all city noise standards and ordinances.

General landscaping and landscaping accents will be provided throughout the site for enhancement and beautification of the land. The site will be irrigated throughout. All lighting on site will be around buildings, bridge, low walkway lights, and 8' decorative pole lighting in keeping with the park like setting.

Site Plan & Landscape Plan



PLANT LIST					
TREES	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
CE	Cedar Elm		<i>Ulmus canadensis</i>	3' tall	
LO	Cape May		<i>Lythrum latifolia</i>	8' ft	
CO	Cornus		<i>Cornus virginiana</i>	3' tall	8&S 12 ft., 8' spread min., 5' clear trunk container, 3-5 trunks, 3 trees of spread
MG	Red Oak Magnolia		<i>Magnolia grandiflora 'Little Gem'</i>	6' ft	container grower, 12' spread min., 8' clear trunk
NO	Red Oak		<i>Quercus shumardii</i>	7' tall	container grower, 12' spread min., 8' clear trunk
SHRUBS	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
DYN	Doyle Yagou Hilly			3' gal.	container, full plant, 30" o.s.
AC	Asplenium Claret			3' gal.	container, full plant, 30" o.s.
NO	Douglas Knotroot Rose		<i>Rosa x 'Double Knotroot'</i>	3' gal.	container, full plant, 30" o.s.
MG	Common Feathergrass		<i>Asplenium latifolia</i>	3' gal.	container, full plant, 30" o.s.
NO	Red Oak Magnolia		<i>Magnolia grandiflora 'Little Gem'</i>	3' gal.	container, full plant, 30" o.s.
NO	Norfolk R. Dwarfs Holly		<i>Ilex x 'Norfolk R. Dwarfs'</i>	4' ft.	container, full to bush, 3' gal.
WE	Wisteria		<i>Wisteria</i>	7' gal.	container, full to bush, 3' gal.
GROUNDCOVERS	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
AC	Aster Jacinthe		<i>Trachelium aquilegifolium</i>	4' pots	container, (2) 12" nursery mix, 12" o.s.
SJ	Seaside Coreopsis		<i>Coreopsis lanceolata</i>	4' pots	selection by owner, 12" o.s.
NO	Common Bergamonia		<i>Chamaecrista nictitans</i>	4' pots	wild root, refer to notes

NOTE: Plant list is as sent to bidders only. Contractor should verify all quantities, plant heights and spreads are within tolerance.

NOTE: All plant material shall meet or exceed standards as indicated. All trees to be straight trunks and the matching

NOTE: Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed remarks as indicated. All trees to have straight trunks and be matching within varieties.

01 LANDSCAPE PLAN



LANDSCAPE NOTES

1. Contractor shall verify all existing and proposed site elements and notify Architect of any discrepancies. Survey data of existing conditions were supplied by others.
2. Contractor shall locate all existing underground utilities and notify Architect of any conflicts. Contractor shall exercise caution when working in the vicinity of underground utilities.
3. Contractor is responsible for obtaining all required landscape and irrigation permits.
4. Contractor to provide a minimum 2% slope away from all structures.
5. All planting beds and lawn areas to be separated by steel edging. No sheet to be installed adjacent to sidewalks or curbs.
6. All landscape areas to be 100% irrigated with an underground automatic irrigation system and shall include rain and freeze sensors.
7. All lawn areas to be Solid Soil Dermogras, unless otherwise noted on the drawings.

MAINTENANCE NOTES

- 1 The Owner, Inveest and its agents, if any, shall be jointly and severally responsible for the maintenance of the landscape.
 - a All landscape shall be maintained in a neat and orderly manner at all times. This shall include mowing edges, pruning, fertilizing, weeding, amending and other such activities common to landscape maintenance.
 - b All landscape areas shall be kept free of trash, litter, weeds and other such material or plants not part of this plan.
 - c All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year.
 - d All plant material which dies shall be replaced with plant material of equal or better value.
- 2 Contractor shall provide separate bid proposal for one year's maintenance to begin after final acceptance.

GENERAL LAWN NOTES

1. *Fire grade walls to achieve fire contours indicated on old plans.*
2. *Adapt contours to achieve proposed changes away from buildings. Provide additional walls at end of building and adjust contours at other levels in grade.*
3. *Construct impervious and airtight walls where they meet rock.*
4. *All areas are to receive seal and the left is a maximum of 1" above the first bench grade.*
Contractor to coordinate operations with on-site Construction Manager.
5. *Impervious layering to be natural, flatter and from the region, known as bottom and not, free from lumps, clay, brick substitutes, rocks, debris, aggregate, stones, containing no seal and back in brown in color.*
6. *All areas are to be fire graded, impervious trenches completely sealed, and the trench areas approved by the Owner's Construction Manager or Architect prior to installation.*
7. *All rocks 24" diameter and larger, old drivs, slabs, concrete walls, etc shall be removed prior to placing grout and any new installation.*
7. *Contractor shall provide (7) 1" core of impervious grout on all areas to*

SOLID SOP NOTES

- ## SUCCEED TOPICS
1. **Find out what your contract includes!** Learn how to review **Topic 7** before final design gets in printing and area 1 below the first floor.
 2. **Adjust contracts to achieve proper drainage away from buildings.** Provide details of floor and below of drainage and other building. Keep regularities and areas where water may stand.
 3. **All been areas to receive solid and be at a maximum of 7" below first floor grade.** Contract to coordinate operations with on-site Construction Manager.
 4. **Contract to coordinate with on-site Construction Manager for availability of existing lot.**
 5. **Plant and by hand to cover indicated areas completely.** Ensure edges of all are finished. Top dress points just above surface to 10% to 10%.
 6. **Roll grass areas to achieve a smooth, even surface, free from craters or ruts.**
 7. **Water and thoroughly as soon as operations possible.**
 8. **Contract shall maintain all lawn areas until after acceptance.** This includes but is not limited to: mowing, watering, weeding, cultivating, cleaning and replacing seed or lawn areas to keep plants in a vigorous, healthy condition.
 9. **Contract shall guarantee establishment of an acceptable lawn area and shall provide replacement from total supply if necessary.**
 10. **If reseeded areas on September 1st and March 1st, all and areas to be reseeded with Winter Ryegrass, as a type of 100% area are shown in the plan.**

PROGRESS SET - FOR REVIEW ONLY

06.12.14
These documents are NOT FOR REGULATORY APPROVAL,
PERMITTING OR CONSTRUCTION.
They were prepared by, or under the supervision of:
Chris M. Tronzano, Tx. Lic. #2842

smr
landscape architects, inc.
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Oakton, Virginia 22122
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Fax: 214.871.0545
Email: smr@smr-la.com



ENCHANTED VENUE
EVENT CENTER
125 ACUFF LANE
COLLEYVILLE, TEXAS 76034

Issue:	CITY SUBMITTAL	6/12/2014
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LANDSCAPE PLAN

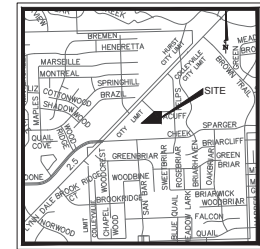
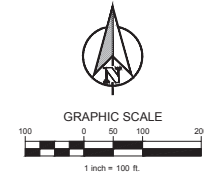
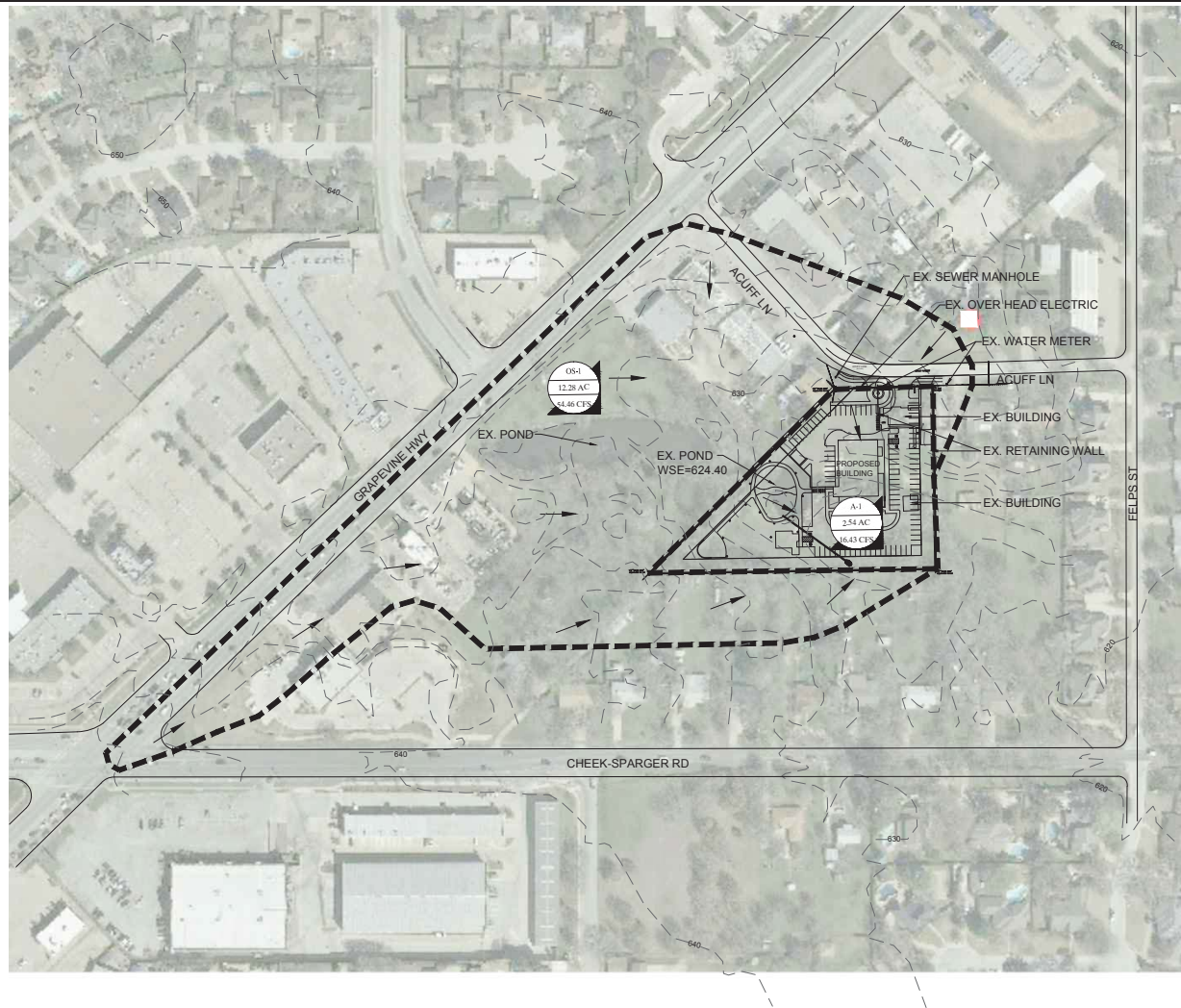
L.1

Sheet Number

Conceptual Building Design



Preliminary Drainage Analysis



VICINITY MAP
N.T.S.
MAPSCO #S: 39T & 39U

LEGEND	
	- DRAINAGE AREA
	- DRAINAGE AREA IN ACRES
	- FLOW FOR DRAINAGE AREA IN CFS
	DIRECTION OF FLOW
	DRAINAGE BOUNDARY

HYDROLOGIC CALCULATIONS - PRE DEVELOPED CONDITIONS													
DRAINAGE AREA	AREA (AC)	C	Tc (min)	I _p (IN/HR)	Q _p (CFS)	I _u (IN/HR)	Q _u (CFS)	I ₁₀ (IN/HR)	Q ₁₀ (CFS)	I ₅ (IN/HR)	Q ₅ (CFS)	I ₂ (IN/HR)	Q ₂ (CFS)
A-1	2.54	0.30	10.0	4.71	3.59	5.74	4.37	6.51	4.96	7.55	5.75	8.40	6.40
TOTAL ONSITE DRAINAGE	2.54			3.59		4.37		4.96		5.75		7.54	

HYDROLOGIC CALCULATIONS - DEVELOPED CONDITIONS													
DRAINAGE AREA	AREA (AC)	C	Tc (min)	I _p (IN/HR)	Q _p (CFS)	I _u (IN/HR)	Q _u (CFS)	I ₁₀ (IN/HR)	Q ₁₀ (CFS)	I ₅ (IN/HR)	Q ₅ (CFS)	I ₂ (IN/HR)	Q ₂ (CFS)
A-1	2.54	0.30	10.0	4.71	8.37	5.74	10.21	6.51	11.57	7.55	13.42	8.40	14.94
TOTAL ONSITE DRAINAGE	2.54			8.37		10.21		11.57		13.42		14.94	

HYDROLOGIC CALCULATIONS - OFFSITE													
DRAINAGE AREA	AREA (AC)	C	Tc (min)	I _p (IN/HR)	Q _p (CFS)	I _u (IN/HR)	Q _u (CFS)	I ₁₀ (IN/HR)	Q ₁₀ (CFS)	I ₅ (IN/HR)	Q ₅ (CFS)	I ₂ (IN/HR)	Q ₂ (CFS)
OS-1	12.28	0.48	10.0	4.71	27.76	5.74	33.83	6.51	38.37	7.55	44.50	8.40	49.51
TOTAL ONSITE DRAINAGE	12.28			27.76		33.83		38.37		44.50		49.51	

OFFSITE COMPOSITE FACTOR		
OS-1	AREA (AC)	C
COMMERCIAL	3.81	0.85
RESIDENTIAL	0.29	0.6
UNDEVELOPED	8.18	0.3
COMPOSITE C	12.28	0.48

FLOODPLAIN NOTE
BASED ON SCALING THE SURVEYED LOT SHOWN HEREON ONTO THE FEMA FLOOD INSURANCE RATE MAP NO. 4836200R (REV. 9-26-00), SAID LOT LIES WITHIN FEMA ZONE X AND DOES NOT LIE WITHIN THE FEMA DESIGNATED 100-YEAR FLOOD PLAIN. MILLER SURVEYING, INC. MAKES NO STATEMENT AS TO THE LIKELIHOOD OF THE ACTUAL FLOODING OF SAID SURVEYED LOT.

CLAY MOORE ENGINEERING

STATE OF TEXAS
CLAY COUNTY
LICENSED PROFESSIONAL ENGINEER
00000

ENCHANTED VENUE
EVENT CENTER
COLLEYVILLE, TX

DESIGN: MB
DRAWING: MS
CHECKED: CS
DATE: 6/13/2024

PRELIMINARY DRAINAGE ANALYSIS

SHEET
Z-2

FILE NO. 2024-002

ORDINANCE O-14-xxxx

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 2.54 ACRES ON LOTS 10R AND 11R, BLOCK 1, ANDY FELPS ADDITION, FROM THE CN- NEIGHBORHOOD COMMERCIAL ZONING DISTRICT TO THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT; BY AUTHORIZING A SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a rezoning under Case No. ZC14-010; and

WHEREAS, has received an application for on-premise consumption of alcohol under Case No. ZC14-011; and

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

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

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

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, to the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 2.54 acres on Lots 10R and 11R, Block 1, Andy Felps Addition, from the CN-Neighborhood Commercial zoning district to the PUD-C-Planned Unit Development Commercial zoning district, and authorizing a Special Use Permit for the sale of alcoholic beverages for on-premise consumption, as depicted in the attached Exhibit "A".
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The following uses shall be permitted: weddings, business, conference, birthday, graduation, anniversary, or other special receptions, or party events.
- b. The development shall be permitted to provide 38% of the total landscape area within the street yard.

- c. A portion of the pavement surrounding the proposed fountain extends approximately 10-feet beyond the property line and encroaches into city right-of-way. Prior to issuance of a building permit, approval by the Director of Public Works of a Right-of-way Permit is required for any building encroachments. All maintenance and ownership of the improvements shall be the responsibility of the property owner.
- d. All new buildings must comply with the provisions of Chapter 6-Commercial Building Design in the Land Development Code.
- e. Hours of operation shall be: Monday through Saturday, 9:00 a.m. to 11:30 p.m.; and Sunday 9:00 a.m. to 6:00 p.m.
- f. The Special Use Permit shall apply to the sale of alcoholic beverages for on-premise consumption in conjunction with the special events venue only.
- g. The Special Use Permit shall automatically expire upon the abandonment of the business, change in the use, a change in ownership or upon the expiration or termination of the Certificate of Occupancy
- h. The proposed development is subject to all the regulations contained in the Land Development Code, except as amended by this ordinance.

Sec. 5. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.

Sec. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

Sec. 7. THAT if any section, paragraph, subdivision, clause, phrase or

provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 8. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 9. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 15th day of July 2014.

The second reading and public hearing being conducted on the 5th day of August 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

Exhibit "A" – Location and Zoning Map

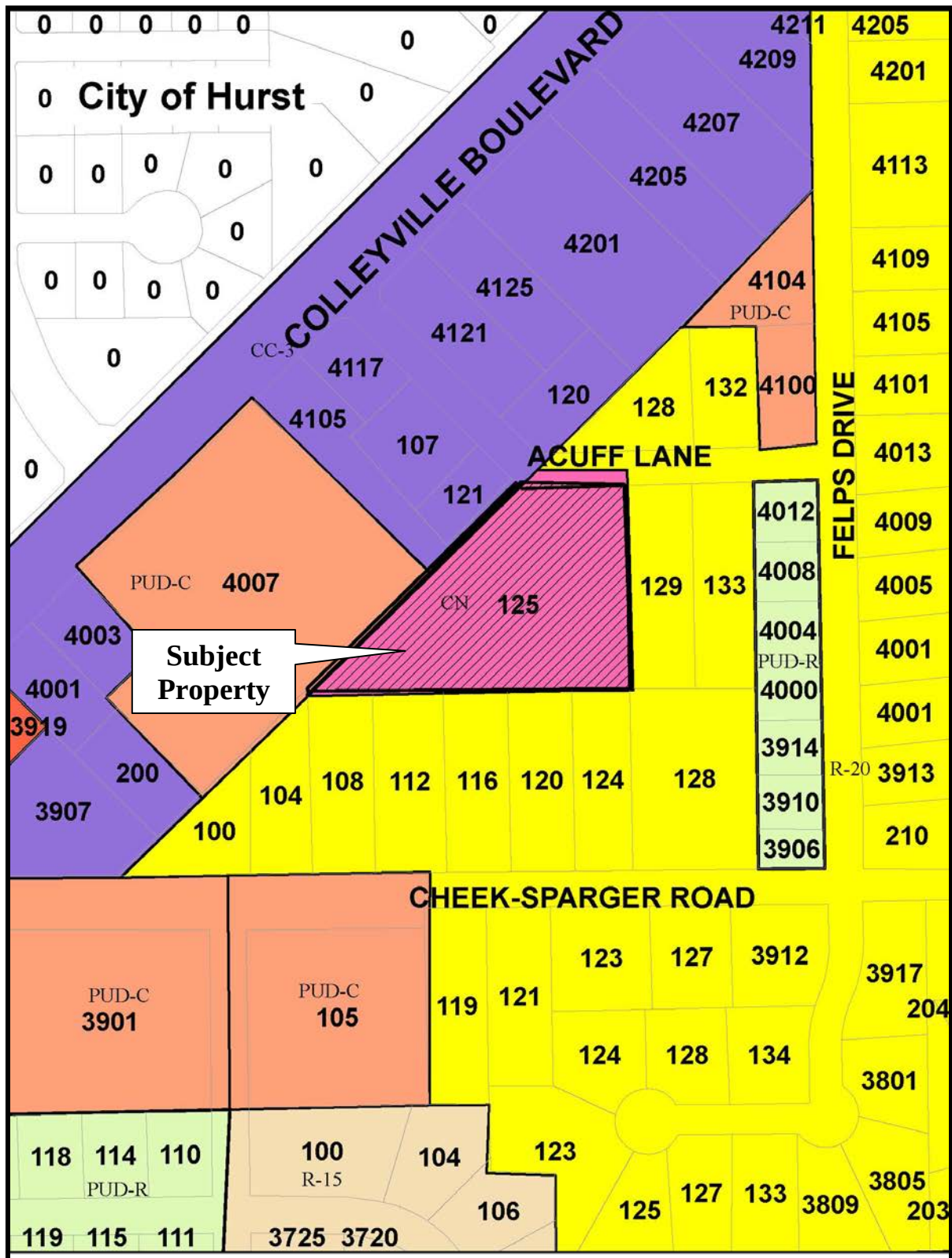
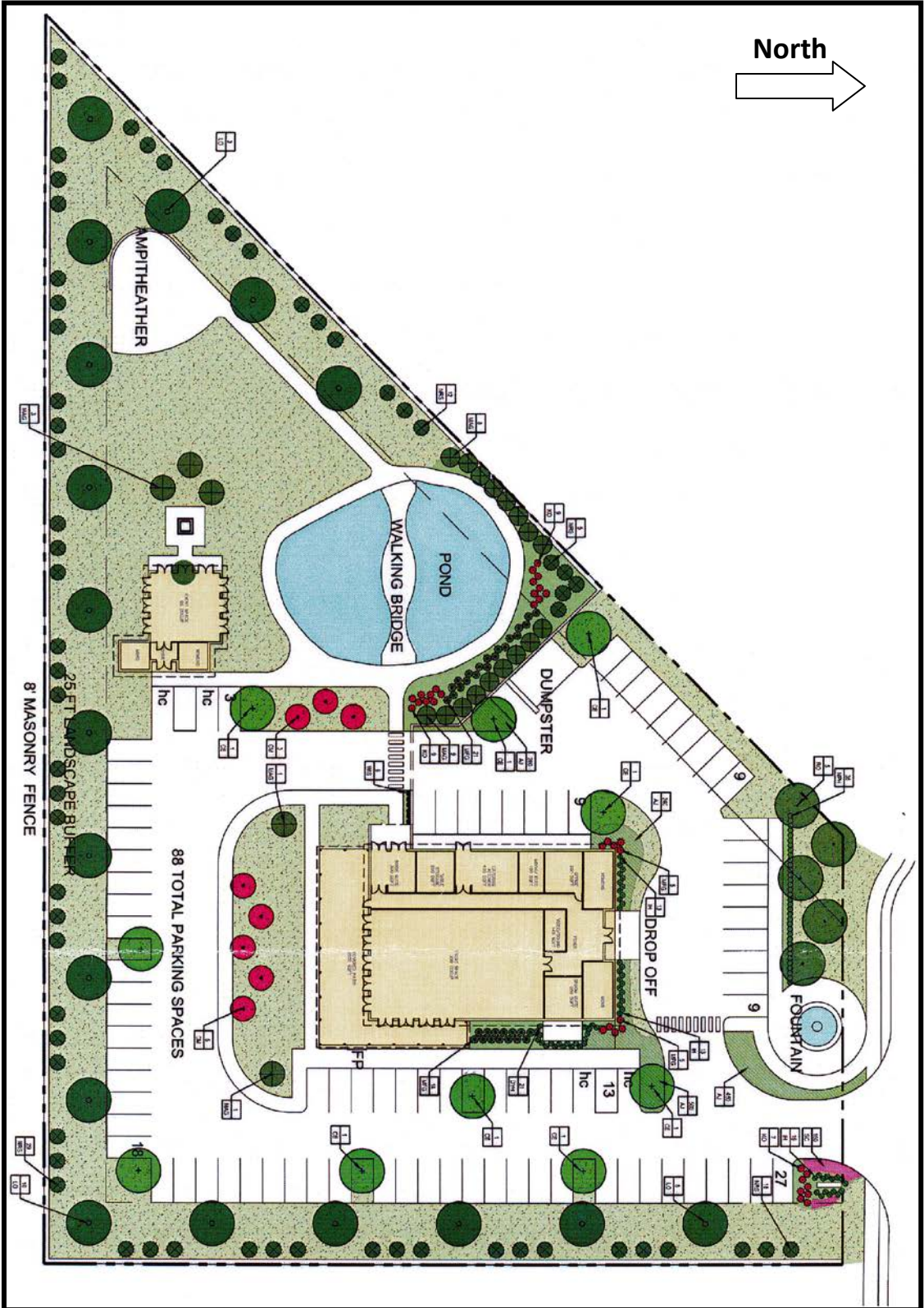


Exhibit B – Site Plan and Landscape Exhibit





City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 4d	Agenda Date 06/23/2014	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Request for an amendment to the Special Use Permit provisions authorizing alcoholic beverage sales for off-premises consumption on Lot 7a, Block 2, Village Park Addition located at 4801 Colleyville Blvd and authorizing alcoholic beverage sales for on-premises consumption on Lots 1R1, 4, 5a, 6a, 7a and 9R, Block 2, Village Park Addition located at 4701, 4709, 4717, 4725, 4801 and 4843 Colleyville Blvd, Case ZC14-014

Explanation

Bevin Prater, on behalf of AC Village Park Partners, LLC, has submitted a request to amend the provisions of the Special Use Permit that allows the sale of alcoholic beverages for on and off premise consumption in the Colleyville Downs shopping center located in the 4700 and 4800 block of Colleyville Boulevard. Specifically the applicant is requesting a waiver the landscaping requirements for the shopping center parking lot.

Existing Zoning and Development Conditions. The subject properties are zoned CC2-Shopping Center zoning district. A Special Use Permit was approved by the City Council on October 2, 2013 by Ordinance O-13-1881 (attached) authorizing the sale of alcoholic beverages for on premise consumption for the entire shopping center and authorizing off premise alcohol sales for 4801 Colleyville Boulevard, which contains the new Whole Foods Market.

As part of the conditions listed in Ordinance O-13-1881, the buildings were required to meet a minimum design score of 30, two landmark signs were approved for the shopping center parking lot, and the entire shopping center site was required to meet the landscaping requirements of Chapter 4-Landscaping and Buffering in the Land Development Code. Included as part meeting the requirements of Chapter 4 is the requirement that the parking lot for the shopping center must contain landscaped islands where none currently exist.

The improvements to the shopping center required by Ordinance O-13-1881 are nearing completion. As part of a routine inspection, staff discovered that the new parking lot islands did not contain the correct landscape mixture.

Applicant's Request. The applicant is requesting a waiver to the parking lot landscaping requirements in Chapter 4-Landscaping and Buffering (attached). The applicant proposes to place Texas river rock in place of the required sod, grass or

mulch as bedding material in the parking lot islands. All other requirements would remain in compliance.

Section 4.6(3)a states that "all ground surfaces not used for buildings, sidewalks, roadways or other impermeable surfaces shall be covered with live grass, turf, shrubbery, trees, ground cover, flowering plants or appropriate mulching. Allowable ground cover materials do not include rock or pave stones. Additionally, section 4.6(3)i4 states that "landscape material in parking lots shall include shrubs and trees or a combination thereof, which in turn may be planted with a combination of grass, ground cover, and/or flowering plants".

In the attached request from the applicant, they state that "turf in medians can pose many issues: the heat of the surrounding pavement causes the turf to dry out during the summer, cars frequently run over turf in medians causing ruts and operating landscape equipment (mowers, edgers, and weedeaters) in medians right next to parked cars poses damage liability". The applicant states that the overall design of the landscaping at Colleyville Downs "was intended to include drought-tolerant, native and low maintenance plants, drip irrigation for water conservation and the stone was selected as a permanent mulch solution, thereby reducing the client's recurring maintenance expense". They further state that "wood mulch would have required replenishing at least once annually, which can be substantial labor and materials expenses". Finally, the applicant states that the stone was specifically selected to aesthetically enhance the stone that was applied to the building façade.

Attached are pictures of a parking lot and a completed landscape island showing the proposed landscape mixture.

Public Notification. Staff notified 110 property owners within 500 feet of the subject properties regarding this request as well as all homeowner's associations within 500 feet. Notice was published in the Fort Worth Star-Telegram as required by state law and the Land Development Code. Staff has not received any correspondence regarding this request.

Summary. Chapter 4-Landscaping and Buffering in the Land Development Code requires all ground cover to contain plant material, grass, sod or mulch. The request by the applicant is not consistent with this requirement.

Recommendation

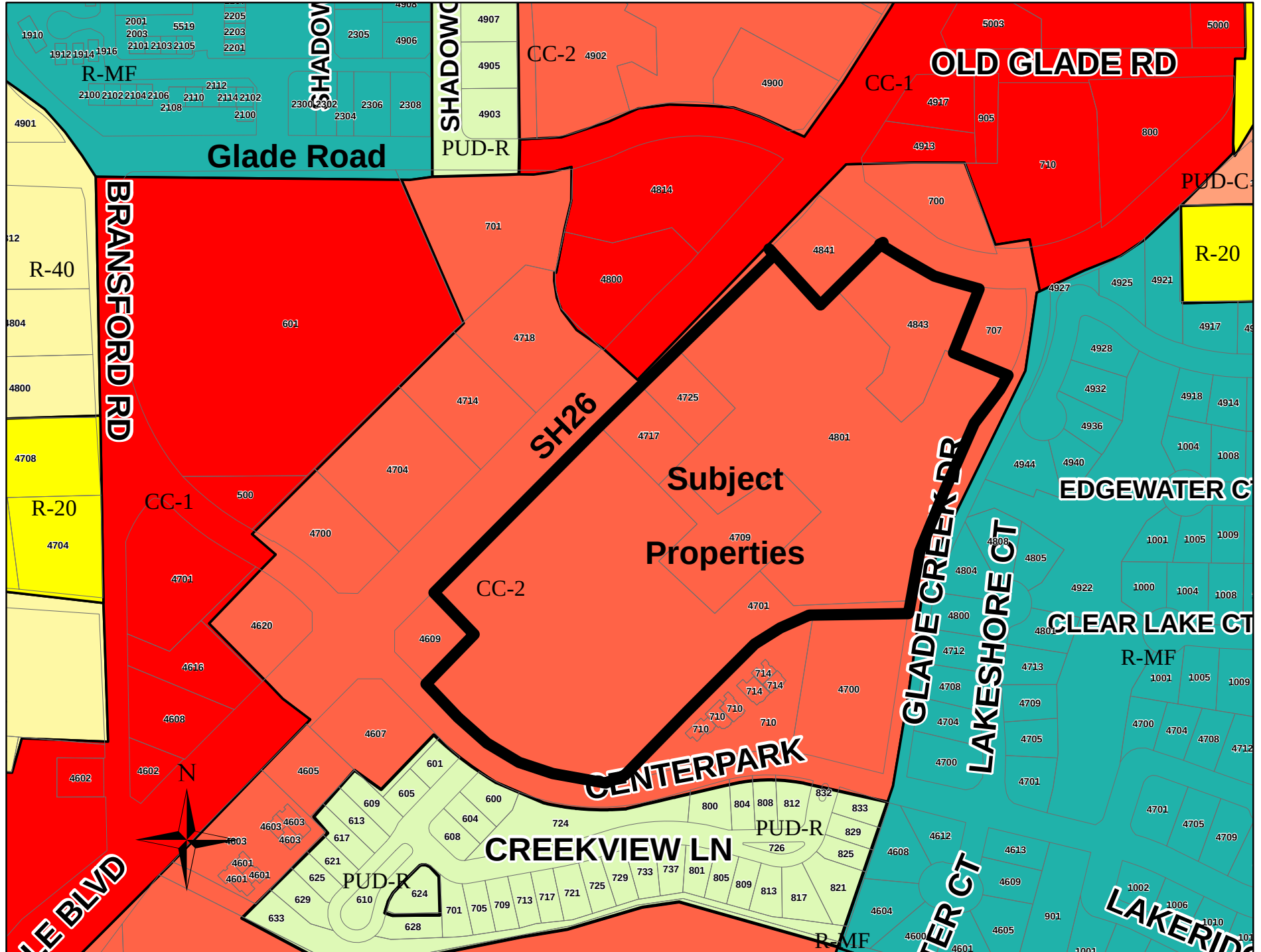
Denial

Attachments

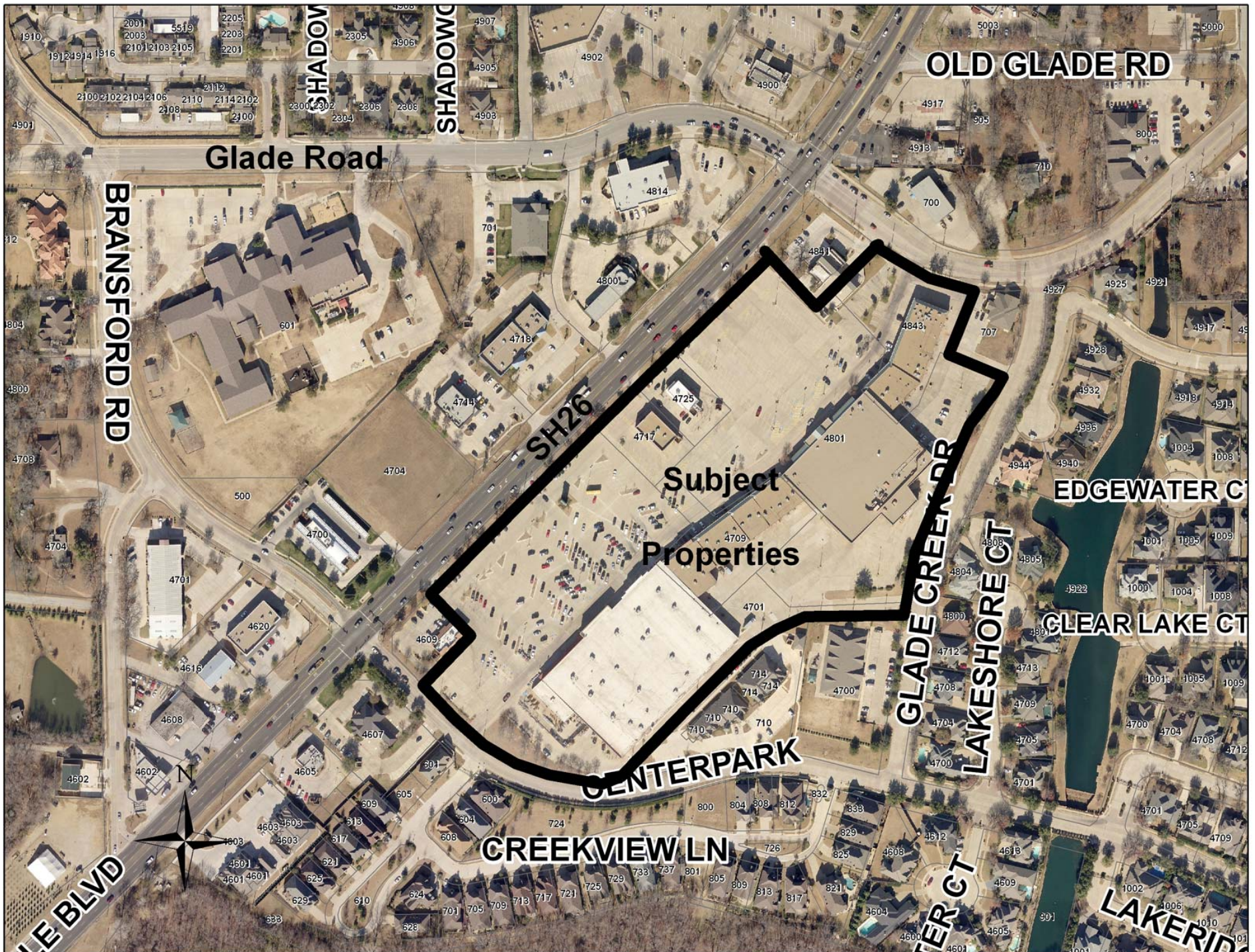
1. Location and Zoning Map
2. Aerial
3. Notification List

4. Buffer Map
5. Applicant's Request
6. Final Landscape Plan
7. Proposed Landscape Islands
8. Ordinance O-13-1881
9. Proposed Ordinance

Location and Zoning Map



Aerial



Notification List

Owner Name	Owner Address	Owner City	State	Situs Address
Y2KITCHEN PROPERTIES LLC	5003 COLLEYVILLE BLVD	COLLEYVILLE	TX	000710 GLADE RD
THOMPSON, JOHN E	5017 MONTCLAIR DR	COLLEYVILLE	TX	000905 OLD GLADE RD
ZELL THREE INC	1190 EXPLORER ST	DUNCANVILLE	TX	000700 GLADE RD
NOBEL SOURCE COMPANY LLC	640 S HILL ST STE 341	LOS ANGELES	CA	000800 GLADE RD
NOBLIT, DON ETUX BARBARA	PO BOX 820895	FORT WORTH	TX	004913 COLLEYVILLE BLVD
R&L CAPITAL PROPERTIES LLC	6903 SHEPHERDS GLN	COLLEYVILLE	TX	004800 COLLEYVILLE BLVD
FONBERG, PETER D	5452 GLEN LAKES DR STE 2	DALLAS	TX	004718 COLLEYVILLE BLVD
4714 COLLEYVILLE BLVD PRTNRS	8235 DOUGLAS AVE STE 65	DALLAS	TX	004714 COLLEYVILLE BLVD
Y2KITCHEN PROPERTIES LLC	4500 DARTMOORE LN	COLLEYVILLE	TX	005003 COLLEYVILLE BLVD
AC VILLAGE PARK PARTNERS LLC	8235 DOUGLAS AVE STE 65	DALLAS	TX	004701 COLLEYVILLE BLVD
DAUNIS, WALTER F & LETAINE	106 BLUE STEM LN	HASLET	TX	004609 COLLEYVILLE BLVD
COMPASS BANCSHARES INC	PO BOX 10566	BIRMINGHAM	AL	004841 COLLEYVILLE BLVD
AC VILLAGE PARK PARTNERS LLC	8235 DOUGLAS AVE STE 65	DALLAS	TX	004801 COLLEYVILLE BLVD
AC VILLAGE PARK PARTNERS LLC	8235 DOUGLAS AVE STE 65	DALLAS	TX	004725 COLLEYVILLE BLVD
BLOCKBUSTER INVESTMENT LTD	2317 CLEARVIEW CT	LEWISVILLE	TX	004608 COLLEYVILLE BLVD
KWIK KAR OF COLLEYVILLE TX LLC	4616 COLLYVILLE BLVD	COLLEYVILLE	TX	004616 COLLEYVILLE BLVD
HAOCHUAN, LI ETUX MEI HAN	4313 PEMBROOKE PKWY N	COLLEYVILLE	TX	004603 COLLEYVILLE BLVD # 120
HOA OF CAMBRIDGE PLACE INC	3500 MAPLE AVE STE 1165	DALLAS	TX	000633 CREEKVIEW LN
CHANDLER, RAMAN	PO BOX 611	COLLEYVILLE	TX	004501 COLLEYVILLE BLVD
TROW, BRADLEY M	PO BOX 1201	HURST	TX	004605 COLLEYVILLE BLVD
PARDO, LISA D	904 SADDLEBROOK DR	COLLEYVILLE	TX	004607 COLLEYVILLE BLVD
LG COLLEYVILLE LLC	2311 CEDAR SPRINGS RD S	DALLAS	TX	004917 COLLEYVILLE BLVD
POSICK, MARTIN A ETUX EVELYN	4932 LAKEWOOD DR	COLLEYVILLE	TX	004932 LAKEWOOD DR
HENDRICKS, CHAS ETUX PATRICIA	4918 LAKEWOOD DR	COLLEYVILLE	TX	004918 LAKEWOOD DR
ENOCHSON, MICHAEL ETUX HEATHER	4914 LAKEWOOD DR	COLLEYVILLE	TX	004914 LAKEWOOD DR
BONEY, MICHAEL	4925 LAKEWOOD DR	COLLEYVILLE	TX	004925 LAKEWOOD DR
BOWDEN, WILLIAM ETUX SHARON	4928 LAKEWOOD DR	COLLEYVILLE	TX	004928 LAKEWOOD DR
TERRY, DOUG ETUX LEE MARTIN	PO BOX 622	COLLEYVILLE	TX	001001 EDGEWATER CT
HARRIS, JOHN	4808 LAKESHORE CT	COLLEYVILLE	TX	004808 LAKESHORE CT
MILLER, HARRY M ETUX BELINDA	4805 LAKESHORE CT	COLLEYVILLE	TX	004805 LAKESHORE CT
ERICKSON, ORLANDO ETUX ANNA	4804 LAKESHORE CT	COLLEYVILLE	TX	004804 LAKESHORE CT
NOORANI, ANIS ETUX REEMA	4940 LAKEWOOD DR	COLLEYVILLE	TX	004940 LAKEWOOD DR
KAREGEANNES, HARRY G ETUX	1004 EDGEWATER CT	COLLEYVILLE	TX	001004 EDGEWATER CT
SALEMIZADEH, A ETUX BELGHEYS G	1005 EDGEWATER CT	COLLEYVILLE	TX	001005 EDGEWATER CT
RHODES, DEE ANN ETVIR JOE	4712 LAKESHORE CT	COLLEYVILLE	TX	004712 LAKESHORE CT
WOLF, GERALD ETUX MARY	4936 LAKEWOOD DR	COLLEYVILLE	TX	004936 LAKEWOOD DR
MCMAHON, DANIEL J	1008 EDGEWATER CT	COLLEYVILLE	TX	001008 EDGEWATER CT
YOUNG, ALAN	1000 CLEAR LAKE CT	COLLEYVILLE	TX	001000 CLEAR LAKE CT
STITTS, ANDREA A	4713 LAKESHORE CT	COLLEYVILLE	TX	004713 LAKESHORE CT
ALAVI, KAMBIZ ETUX HOMA	5009 WESTGROVE LN	COLLEYVILLE	TX	004709 LAKESHORE CT
WREN, DONALD C ETUX BARBARA	4704 LAKESHORE CT	COLLEYVILLE	TX	004704 LAKESHORE CT
TALKINGTON, MARY ALICE	4708 LAKESHORE CT	COLLEYVILLE	TX	004708 LAKESHORE CT
CHARLOTTE WALTERS FAMILY TRUST	3500 HULEN ST # 200	FORT WORTH	TX	004800 LAKESHORE CT
JACKSON, SHARON R	4801 LAKESHORE CT	COLLEYVILLE	TX	004801 LAKESHORE CT
BENTON, RICHARD B ETUX SUSAN N	4705 LAKESHORE CT	COLLEYVILLE	TX	004705 LAKESHORE CT
SAWYER, MATTHEW ETUX CHRISTI	4700 LAKESHORE CT	COLLEYVILLE	TX	004700 LAKESHORE CT

Notification List

BEDFORD, JOHN B ETUX KAMI B	4701 LAKESHORE CT	COLLEYVILLE	TX	004701 LAKESHORE CT
SMALL, MARVIN B JR	4613 CLEARWATER CT	COLLEYVILLE	TX	004613 CLEARWATER CT
DONATO, MARIO JR ETUX MELISSA	4612 CLEARWATER CT	COLLEYVILLE	TX	004612 CLEARWATER CT
HOA - LAKEWOOD ESTATES	6707 BRENTWOOD STAIR F	FORT WORTH	TX	004922 LAKEWOOD DR
MIRZADEH, MARZIA	4608 CLEARWATER CT	COLLEYVILLE	TX	004608 CLEARWATER CT
HAWKINS, CHRISTOPHER & PATRICI	PO BOX 235	COLLEYVILLE	TX	004944 LAKEWOOD DR
HOA - LAKEWOOD ESTATES	12700 PARK CTRL DR STE 6	DALLAS	TX	004935 LAKEWOOD DR
HARDIN, JO DORA	600 CREEKVIEW LN	COLLEYVILLE	TX	000600 CREEKVIEW LN
MOYER, CECILIA C	604 CREEKVIEW LN	COLLEYVILLE	TX	000604 CREEKVIEW LN
JOHNSON, YVONNE F	608 CREEKVIEW LN	COLLEYVILLE	TX	000608 CREEKVIEW LN
LEE, MOON D ETUX YOUNG SUN LEE	628 CREEKVIEW LN	COLLEYVILLE	TX	000628 CREEKVIEW LN
TADLOCK, LARRY & KAREN	624 CREEKVIEW LN	COLLEYVILLE	TX	000624 CREEKVIEW LN
STALFORD, ELIZABETH R TR	701 CREEKVIEW LN	COLLEYVILLE	TX	000701 CREEKVIEW LN
DRENNAN, BILLY ETUX FRANCES	705 CREEKVIEW LN	COLLEYVILLE	TX	000705 CREEKVIEW LN
CAMBRIDGE HOMES LLC	5601 DEMOCRACY DR STE	PLANO	TX	000800 CREEKVIEW LN
NICHOLAS, RENE LOU	808 CREEKVIEW LN	COLLEYVILLE	TX	000808 CREEKVIEW LN
SVESKA, DOROTHY & ROBERT F	4700 LAKEWOOD DR	COLLEYVILLE	TX	000617 CREEKVIEW LN
PETTIT, LOIS JEANNEAN	625 CREEKVIEW LN	COLLEYVILLE	TX	000625 CREEKVIEW LN
FICK, GARY ETUX REBECCA CAST	804 CREEKVIEW LN	COLLEYVILLE	TX	000804 CREEKVIEW LN
SHARP, PERRY L ETUX LORI A	812 CREEKVIEW LN	COLLEYVILLE	TX	000812 CREEKVIEW LN
PILLAI, JAIME	621 CREEKVIEW LN	COLLEYVILLE	TX	000621 CREEKVIEW LN
CURTIS, ELEANOR K TR	629 CREEKVIEW LN	COLLEYVILLE	TX	000629 CREEKVIEW LN
HOA OF CAMBRIDGE PLACE INC	3500 MAPLE AVE STE 1165	DALLAS	TX	000724 CREEKVIEW LN
PATEL, GEETA TR	601 CREEKVIEW LN	COLLEYVILLE	TX	000601 CREEKVIEW LN
CAMBRIDGE HOMES INC	5601 DEMOCRACY DR STE	PLANO	TX	000605 CREEKVIEW LN
GIROIR, RON L ETUX LISINLA G	609 CREEKVIEW LN	COLLEYVILLE	TX	000609 CREEKVIEW LN
RENBURG, TIMOTHY S	613 CREEKVIEW LN	COLLEYVILLE	TX	000613 CREEKVIEW LN
YELLOCK, JOHNNIE ETUX REAGAN	709 CREEKVIEW LN	COLLEYVILLE	TX	000709 CREEKVIEW LN
WINSTEAD, DEBRA A	717 CREEKVIEW LN	COLLEYVILLE	TX	000717 CREEKVIEW LN
MATLOCK, JC JR	805 CREEKVIEW LN	COLLEYVILLE	TX	000805 CREEKVIEW LN
CULVER, DAVID K ETUX CANDIS	813 CREEKVIEW LN	COLLEYVILLE	TX	000813 CREEKVIEW LN
HOA OF CAMBRIDGE PLACE INC	3500 MAPLE AVE STE 1165	DALLAS	TX	000726 CREEKVIEW LN
HART, JOEL ETUX PAMELA	713 CREEKVIEW LN	COLLEYVILLE	TX	000713 CREEKVIEW LN
ROSS, MICKEY K	721 CREEKVIEW LN	COLLEYVILLE	TX	000721 CREEKVIEW LN
CAMBRIDGE HOMES INC	5601 DEMOCRACY DR STE	PLANO	TX	000801 CREEKVIEW LN
OWEN, GEOFFREY R ETUX HELEN M	809 CREEKVIEW LN	COLLEYVILLE	TX	000809 CREEKVIEW LN
WILSON, EDWIN E	817 CREEKVIEW LN	COLLEYVILLE	TX	000817 CREEKVIEW LN
HOA OF CAMBRIDGE PLACE INC	3500 MAPLE AVE STE 1165	DALLAS	TX	000610 CREEKVIEW LN
HOA OF CAMBRIDGE PLACE INC	3500 MAPLE AVE STE 1165	DALLAS	TX	000802 CREEKVIEW LN
MORSE, JULIUS ETUX BILLIE	821 CREEKVIEW LN	COLLEYVILLE	TX	000821 CREEKVIEW LN
SUITER, SCOTT M ETUX JULIE A	825 CREEKVIEW LN	COLLEYVILLE	TX	000825 CREEKVIEW LN
CHONODY, ANDREW ETUX SANDRA	829 CREEKVIEW LN	COLLEYVILLE	TX	000829 CREEKVIEW LN
ZINGER, CHARLES ETUX JOANNE	833 CREEKVIEW LN	COLLEYVILLE	TX	000833 CREEKVIEW LN
CRUMPLER, JOHN K ETUX KANDIS L	725 CREEKVIEW LN	COLLEYVILLE	TX	000725 CREEKVIEW LN
SORLIE, VICTOR A ETUX LINDA	729 CREEKVIEW LN	COLLEYVILLE	TX	000729 CREEKVIEW LN
TEAGUE, MARY P ETVIR DANIEL	733 CREEKVIEW LN	COLLEYVILLE	TX	000733 CREEKVIEW LN
DEHART, DORIS	737 CREEKVIEW LN	COLLEYVILLE	TX	000737 CREEKVIEW LN

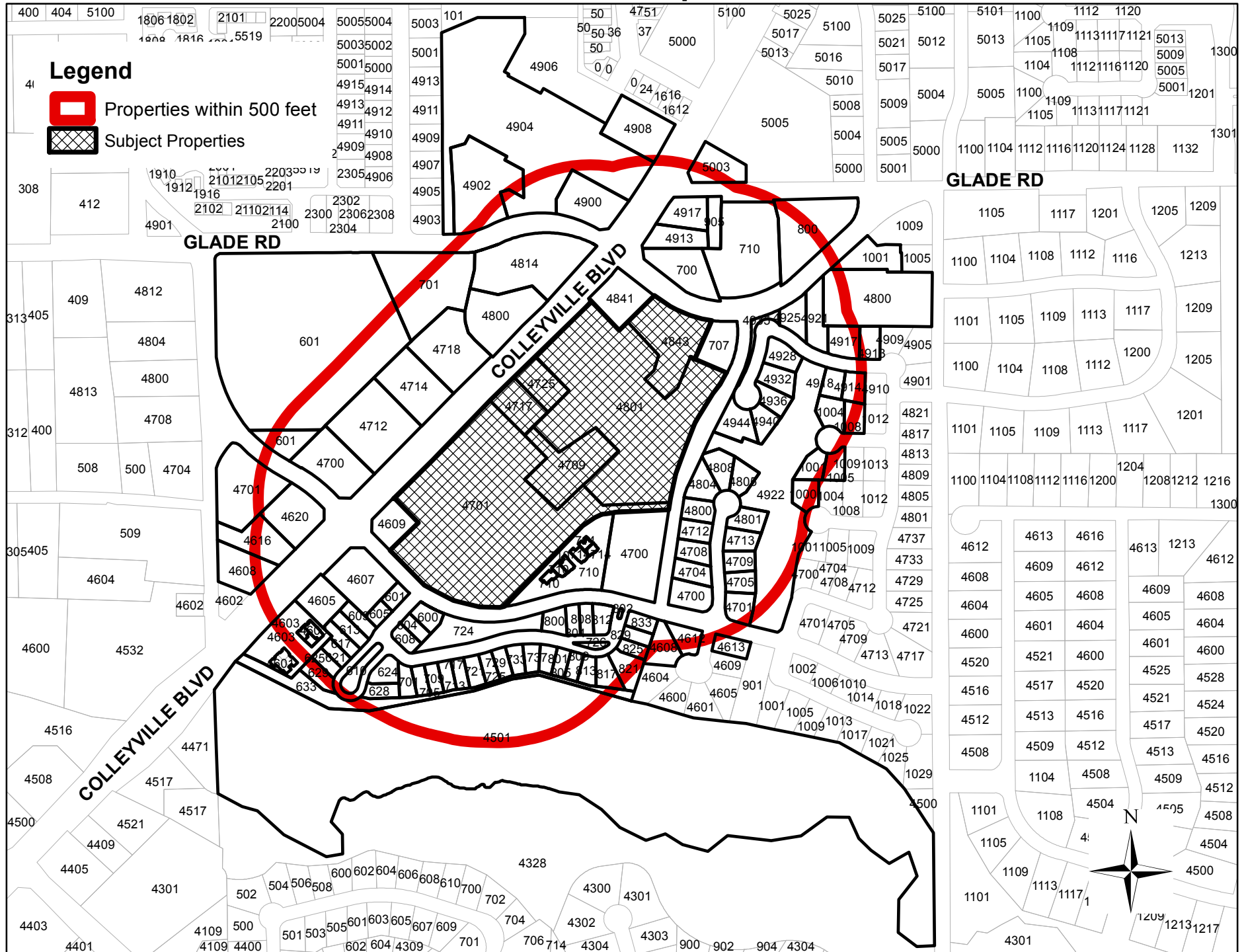
Notification List

WILSON, MARK D & JOHN B BLICK	701 GLADE RD	COLLEYVILLE	TX	000701 GLADE RD
WORTHINGTON NATIONAL BANK	500W MAIN ST	FORT WORTH	TX	004814 COLLEYVILLE BLVD
HERITAGE PERSONAL TRAINING INC	1208 CREST DR	COLLEYVILLE	TX	000707 GLADE RD
AC VILLAGE PARK PARTNERS LLC	8235 DOUGLAS AVE STE 65	DALLAS	TX	004843 COLLEYVILLE BLVD
REALTY INCOME TX PRO 1 LLC	PO BOX 460069	ESCONDIDO	CA	004700 GLADE CREEK DR
AC VILLAGE PARK PARTNERS LLC	8235 DOUGLAS AVE STE 65	DALLAS	TX	004709 COLLEYVILLE BLVD
AC VILLAGE PARK PARTNERS LLC	8235 DOUGLAS AVE STE 65	DALLAS	TX	004717 COLLEYVILLE BLVD
SCHWAB GROUP LLC	714 CENTERPARK DR STE 1	COLLEYVILLE	TX	000714 CENTERPARK
AVIA PROPERTIES LLC	714 CENTERPARK DR STE 1	COLLEYVILLE	TX	000714 CENTERPARK
BETTY B PANNELL REV LIV TR	PO BOX 815	COLLEYVILLE	TX	000710 CENTERPARK
1 CHRONICLES 29:10-20 LLC	6620 CEDAR GROVE DR	NORTH RICHLAND HILLS	TX	000714 CENTERPARK
COLLEYVILLE CENTERPARK ASSOC	PO BOX 47	COLLEYVILLE	TX	000710 CENTERPARK
RAPHAEL LEASING LLC	PO BOX 820895	NORTH RICHLAND HILLS	TX	000710 CENTERPARK
KETTLE, KEITH & TERESA S	714 CENTERPARK DR STE 1	COLLEYVILLE	TX	000710 CENTERPARK
FISCAL FITNESS CENTER LLC	4603 COLLYVILLE BLVD STE	COLLEYVILLE	TX	004603 COLLEYVILLE BLVD # 140
SISDR PROPERTIES LLC	4603 COLLEYVILLE BLVD ST	COLLEYVILLE	TX	004603 COLLEYVILLE BLVD # 100
COLLEYVILLE BLVD CONDO ASSOC	PO BOX 47	COLLEYVILLE	TX	004603 COLLEYVILLE BLVD
WAL-MART REAL ESTATE BUS TRUST	PO BOX 8050	BENTONVILLE	AR	004904 COLLEYVILLE BLVD
COLLEYVILLE PLAZA LP	580 DECKER DR STE 203	IRVING	TX	004902 COLLEYVILLE BLVD
COLLEYVILLE PLAZA LP	580 DECKER DR STE 203	IRVING	TX	004908 COLLEYVILLE BLVD
COLLEYVILLE PLAZA LP	580 DECKER DR STE 203	IRVING	TX	004900 COLLEYVILLE BLVD
CENTERPARK COLLEYVILLE PRTNRS	3008 E HEBRON PKWY BLD	CARROLLTON	TX	004712 COLLEYVILLE BLVD
ERVIN, RICHARD L ETUX TERRI	1155 W WALL ST STE 101	GRAPEVINE	TX	004700 COLLEYVILLE BLVD
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE	TX	000601 GLADE RD
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE	TX	000601 GLADE RD
KRIVSKY-BARTUSIAK INC	3220 CLEAR FORK DR	HURST	TX	004701 BRANSFORD RD
LOVEITA & SCHON LLC	803 CAPROCK DR	BIG SPRING	TX	004620 COLLEYVILLE BLVD
HOA - LAKEWOOD ESTATES	6707 BRENTWOOD STR RD	FORT WORTH	TX	004921 LAKEWOOD DR
SANDLIN, SCOTT	5137 DAVIS BLVD	NORTH RICHLAND HILLS	TX	004800 BEDFORD RD
PITTMAN, BOBBY G	4913 LAKEWOOD DR	COLLEYVILLE	TX	004913 LAKEWOOD DR
BENNETT, JAMES ETUX JOANN	4917 LAKEWOOD DR	COLLEYVILLE	TX	004917 LAKEWOOD DR
GLADE ROAD CAPITAL LLC	PO BOX 1821	COLLEYVILLE	TX	001001 VILLAGE PARK DR
GCISD				

Buffer Map

Legend

-  Properties within 500 feet
-  Subject Properties



Applicant's Request

For the landscape installation project taking place at Colleyville Downs, we respectfully request approval of 4-6" native stone as an appropriate mulching product in medians and beds across the property.

The previous median design included turf. In our experience, turf in medians can pose many issues: the heat of the surrounding pavement causes the turf to dry out during the summer, cars frequently run over turf in medians causing ruts and operating landscape equipment (mowers, edgers, and weed eaters) in medians right next to parked cars poses damage liability.

The overall design of the landscaping at Colleyville Downs was intended to include drought-tolerant, native and low maintenance plants, drip irrigation for water conservation and the stone was selected as a permanent mulch solution, thereby reducing the client's recurring maintenance expense. Wood mulch would have required replenishing at least once annually, which can be substantial labor and materials expenses.

In addition, beds and medians are located on a sloped parking lot and there was concern about wood mulch washing into the parking lot, whereas stone will hold in place. The stone was specifically selected to aesthetically enhance the stone that was applied to the building façade.

We appreciate your consideration.

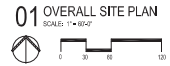
Bevin Prater | Account Manager
1252 W Dove Rd | Southlake, TX 76092
Office 817-430-4848 | Mobile 972-670-0117 | Fax 972-241-3368

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SHEET NO.
L1.00



SHEET NO.
L1.01



Original Landscape Plan



GOMEZ • SWIFT • O'BRIEN

5310 HARVEST HILL ROAD
SUITE 146, LB 156
DALLAS, TEXAS 75230
(972) 385-9651
FAX: (972) 385-3462

www.GSOarchitects.com

COLLEYVILLE DOWNS RENOVATION COLLEYVILLE, TEXAS

ISSUE LOG

NO.	DESCRIPTION	DATE

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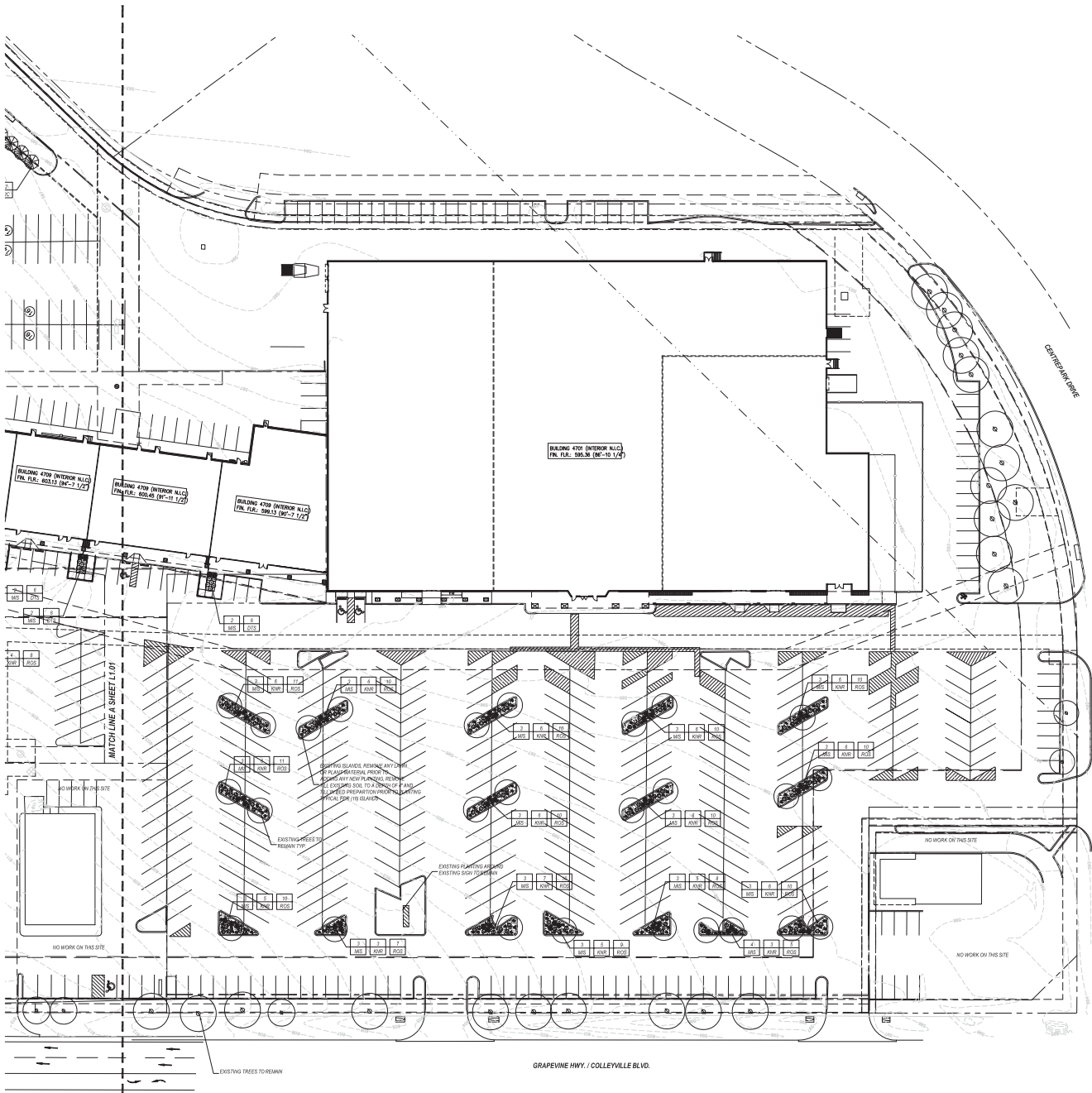
SMR
landscape architects, inc.
1104 N. Main Street
Suite 100
Ft. Worth, Texas 76102
Tel: 817.335.1100
Fax: 817.335.1101
www.smrarch.com



DATE: _____ SIGNED: _____

JOB NO.: 11-006
DATE: 11-25-13
SCALE: AS SHOWN

SHEET NO.
L1.02



PLANT LEGEND

EXISTING PLANT TYPE

TYPE COMMON NAME

DW Dwarf Weeping Willow

EC Eastern Red Cedar

LC Landscape Cypress

SHS Shreve-Hartman Shrub

TYPE COMMON NAME

DBH Dwarf Burford Holly

DTDS Dwarf Texas Sage Compact

KUR Kuratum Koushi Rose

LOR Loropetalum Rose Red

MSB Magnolia Shrub

MSB Magnolia Shrub

ROB Rosemary

SM Shreve-Hartman

TYPE COMMON NAME

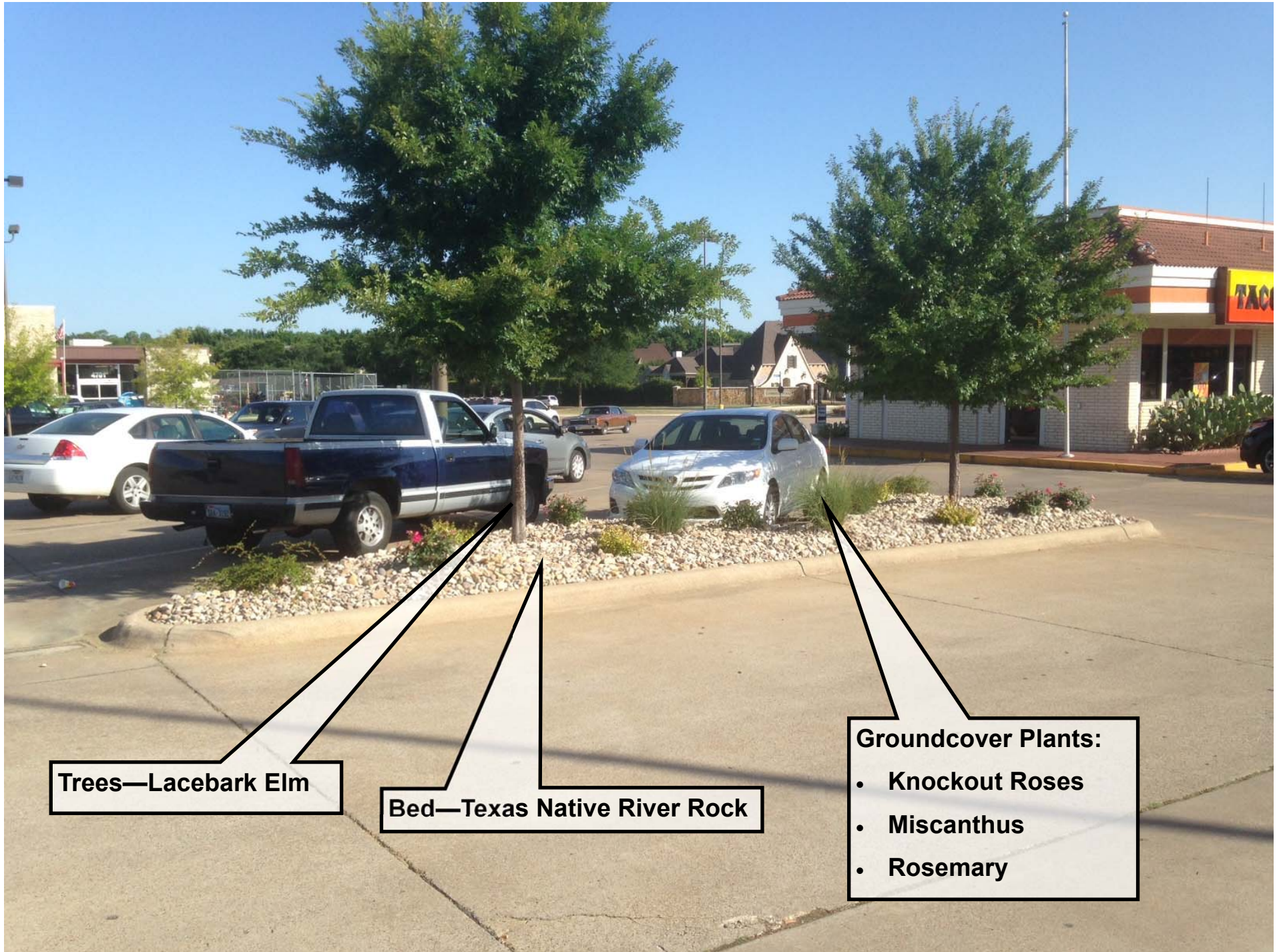
AJ Asian Jasmine

PRP Potted Plant



01 LANDSCAPE PLAN
SCALE: 1" = 30'-0"

Proposed Landscape Islands



Trees—Lacebark Elm

Bed—Texas Native River Rock

Groundcover Plants:

- Knockout Roses
- Miscanthus
- Rosemary

ORDINANCE O-13-1881

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF LOTS 1R1, 4, 5A, 6A, 7A, AND 9R, BLOCK 2 OF THE VILLAGE PARK ADDITION, LOCATED AT 4701, 4709, 4717, 4725, 4801, AND 4843 COLLEYVILLE BOULEVARD, BY AUTHORIZING A SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION AND OFF-PREMISES CONSUMPTION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a special use permit for the sale of alcoholic beverages for on and off-premises consumption under Case No. ZC13-009; 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 in order to create a Special Use Permit for the sale of alcoholic beverages for on and off-premises consumption in accordance with the conditions of approval included in this 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 Lots 1R1, 4, 5A, 6A, 7A, and 9R, Block 2, Village Park Addition, located at 4701, 4709, 4717, 4725, 4801, and 4843 Colleyville Boulevard, by authorizing a Special Use Permit for the sale of alcoholic beverages for on-premises consumption and off-premises consumption, as depicted on Exhibit "A" and described in Exhibit "B" ("Property").
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The Special Use Permit shall allow the sale of alcoholic beverages for on-premises consumption and off-premises consumption in accordance with the below conditions.

- b. Any restaurant located on the Property may sell alcoholic beverages (including beer, wine, and liquor) for on-premises consumption in compliance with the City's alcoholic beverage regulations.
- c. All conditions contained herein that do not specifically address the issuance of certificates of occupancy for businesses engaging in the sale of alcoholic beverages for on and off-premises consumption shall remain valid and enforceable regardless of whether a grocery store doing business under the trade name "Whole Foods Market" (or such other trade name used by Whole Foods in a majority of its other stores in the Dallas/Fort Worth market, hereafter referred to as "Whole Foods") exists on the Property.
- d. Whole Foods may sell alcoholic beverages for on-premises consumption as part of a restaurant use that is accessory or incidental to the grocery store use.
- e. A certificate of occupancy for a restaurant including the sale of alcoholic beverages for on-premises consumption as allowed by section 1(b) above may only be approved if Whole Foods exists on the Property. Provided, however, any restaurant use involving the sale of alcoholic beverages for on-premises consumption that validly obtains a certificate of occupancy in accordance with this section may continue to sell alcoholic beverages for on-premises consumption after Whole Foods ceases to exist on the Property. However, said certificate of occupancy for a restaurant that sells alcohol for on-premises consumption that is allowed to continue per the provisions of this section, "e", shall automatically expire upon the abandonment of the business, change in the use, or upon the expiration or termination of the certificate of occupancy.
- f. A variance to the 300 foot distance requirement from churches, public or private schools, or public hospitals is hereby granted by this ordinance in accordance with Section 6-3(d) of the Code of Ordinances.

- g. All requirements of the Land Development Code and the Code of Ordinances shall be met, except where amended herein.

2. LANDSCAPING AND SCREENING

- a. Prior to the issuance of any Certificate of Occupancy for any business authorized to sell alcoholic beverages on the Property, all landscaping on the Property shall meet the requirements of Chapter 4 of the Land Development Code.
- b. Prior to the issuance of any Certificate of Occupancy for any business authorized to sell alcoholic beverages on the Property, all dumpsters on the Property shall be enclosed and screened in accordance with Section 3.26 of the Land Development Code.

3. BUILDING DESIGN, SIGNAGE, AND PARKING

- a. The front façade of the main shopping center building shall meet the minimum requirements of Chapter 6 of the Land Development Code, except that the maximum allowance for non-masonry building accents for the front façade shall be 25 percent, as generally depicted on Exhibit "C".
- b. No more than two "landmark signs," as defined in Chapter 7 of the Land Development Code, shall be located on the Property. The landmark signs shall be generally consistent with the depictions in Exhibit "D".
- c. The minimum amount of parking required for all uses on the Property is 4.5 parking spaces per 1,000 feet of gross floor area.
- d. No more than two electrical charging stations shall be allowed on the Property in conjunction with this Special Use Permit.

- Sec. 5. THAT any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 6. THAT if any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 7. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 8. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

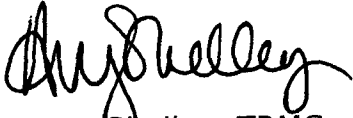
The first reading and public hearing being conducted on the 3rd day of September 2013.

The second reading and public hearing being conducted on the 17th day of September 2013.

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

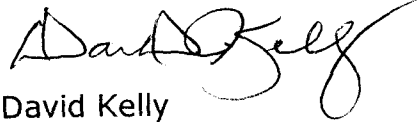
PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 2nd day of October 2013.

ATTEST:



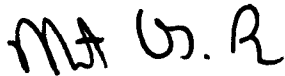
Amy Shelley, TRMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:



Matthew C. G. Boyle
City Attorney

Exhibit "A" – Location and Zoning Map

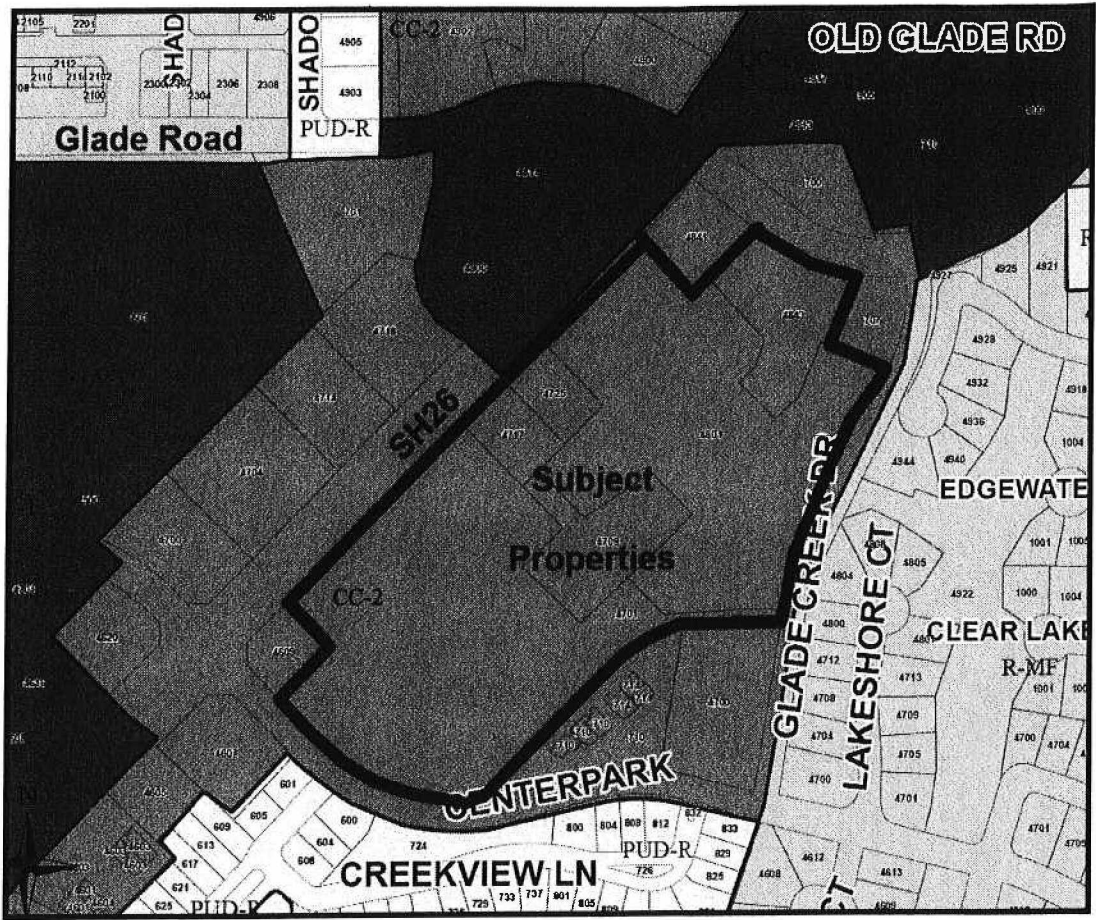


Exhibit "B" – Statement of Planning Objectives

AC VILLAGE PARK PARTNERS, LLC
8235 Douglas Avenue, Suite 655
Dallas, Texas 75225

We currently own the Village Park Shopping Center located at the Southeast corner of Hwy. 26/Colleyville Boulevard and Glade Road, containing approximately 192,865 square feet of retail space (the "Property"). The Property is within Tax Increment Reinvestment Zone Number One and is the subject of an Economic Development Grant Agreement executed on February 19, 2013 between us and the City of Colleyville, Texas.

As you know, we are in the process of redeveloping and rebranding the Property into Colleyville Downs, a Class A shopping center to be anchored by Whole Foods Market. The redevelopment will not only introduce a Whole Foods grocery store to Colleyville, but will also involve a renovation of the shopping center to achieve an elevated quality of appearance, which blends harmoniously with the character and history of the City of Colleyville. In addition, we are working to introduce other new retailers and multiple restaurants to the center. At this point, we have entered into a lease agreement with Whole Foods, are in various stages of pre-leasing other vacancies at the center and in the pre-development stage of our construction activity. While we have had and continue to have success in execution of the business plan, we are in need of assistance to overcome certain obstacles that we have identified and are interfering with our redevelopment plans.

In furtherance of the Colleyville Downs redevelopment plan, we are writing to request that the City adopt a Special Use Permit that would provide for the following:

- **Restaurant Overlay District.** We are working with a number of restaurant operators whose businesses involve the sale of alcoholic beverages for on-premises consumption. In addition, Whole Foods is planning to introduce a restaurant concept within its store, and expects to sell alcoholic beverages for on-premises consumption. We would like to request a Restaurant Overlay District for Lots 1R1, 4, 5A, 6A, 7A and 9R.
- **Sale of Alcohol by Whole Foods.** Whole Foods is in the business of selling beer and wine for off-premises consumption. We would like to request permission for that activity on Lot 7A, Block 2 Village Park Addition – Colleyville.
- **Construction of New Landmark Sign.** Retailers that are interested in Colleyville Downs have demanding criteria for site selection, which include requirements of visibility, access and signage. Considering depth and slope of the parking field together with certain other issues, visibility in portions of the shopping center is limited. As a result, we will need to have the ability to offer additional signage to attract more retailers to the center. We would like to request permission to build a multi-tenant landmark sign at 4801 Colleyville Boulevard. The new landmark sign is designed to be consistent with the materials and design of the shopping center and resemble the existing landmark sign located at 4701 Colleyville Boulevard.

Exhibit "B" – Statement of Planning Objectives Cont.

- **Improvement of Existing Landmark Sign.** As mentioned above, our success in leasing Colleyville Downs is determined in large part by available signage. In addition, considering our plan to improve the appearance of the shopping center, we think it would be appropriate to improve the appearance of existing signage so that it is consistent with the higher quality of the redeveloped shopping center. Thus, we would like to request permission to remodel the existing landmark sign that is identified on Exhibit "B". The remodeled sign would be constructed to be substantially similar to the drawing on Exhibit "C".
- **Establish 4.5 / 1000 Parking Ratio.** In order to accommodate the tenant interest in Colleyville Downs and optimize the occupancy, value, shopping traffic and sales volumes at the center, we would like to request a parking ratio of 4.5 /1000; which will suffice to comply with all permitted uses under the CC-2 Shopping Center district.
- **Allow for two electrical charging stations.** These stations will allow for the charging of electrically powered automobiles. We have not yet determined a final location for these devices and are simply asking for the allowance of the land use in conjunction with this Special Use Permit request.

Exhibit "C" – Front Façade Elevations

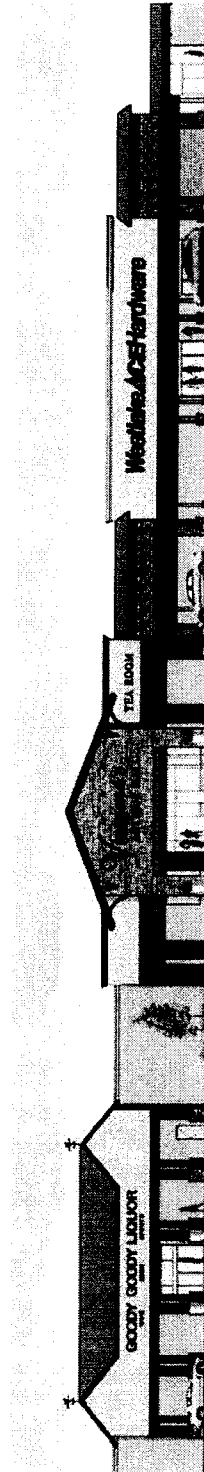
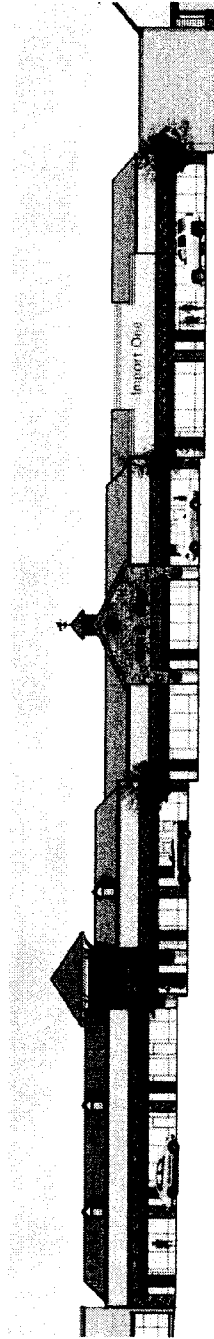
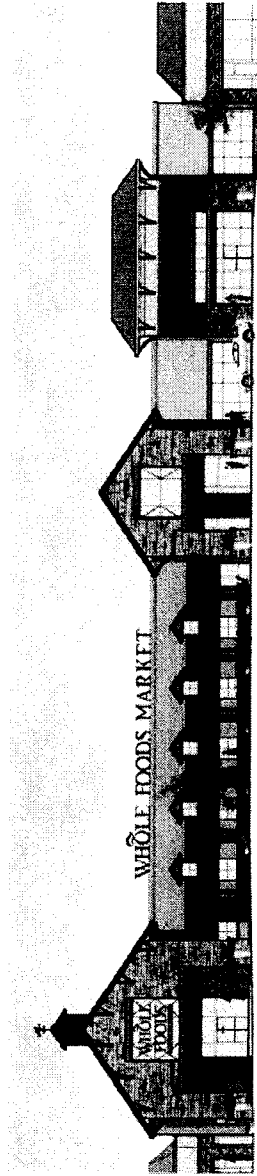
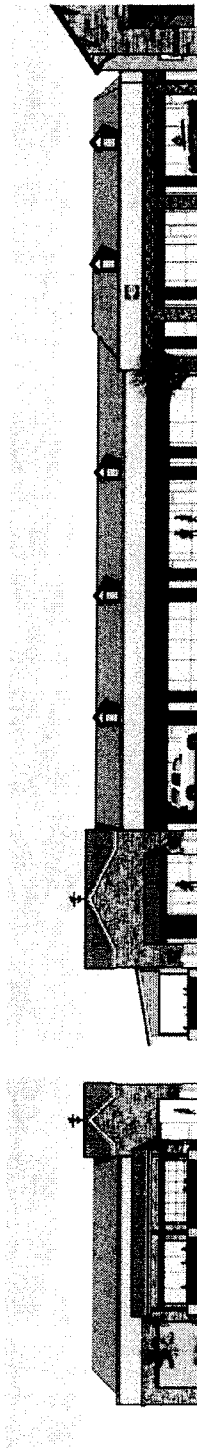
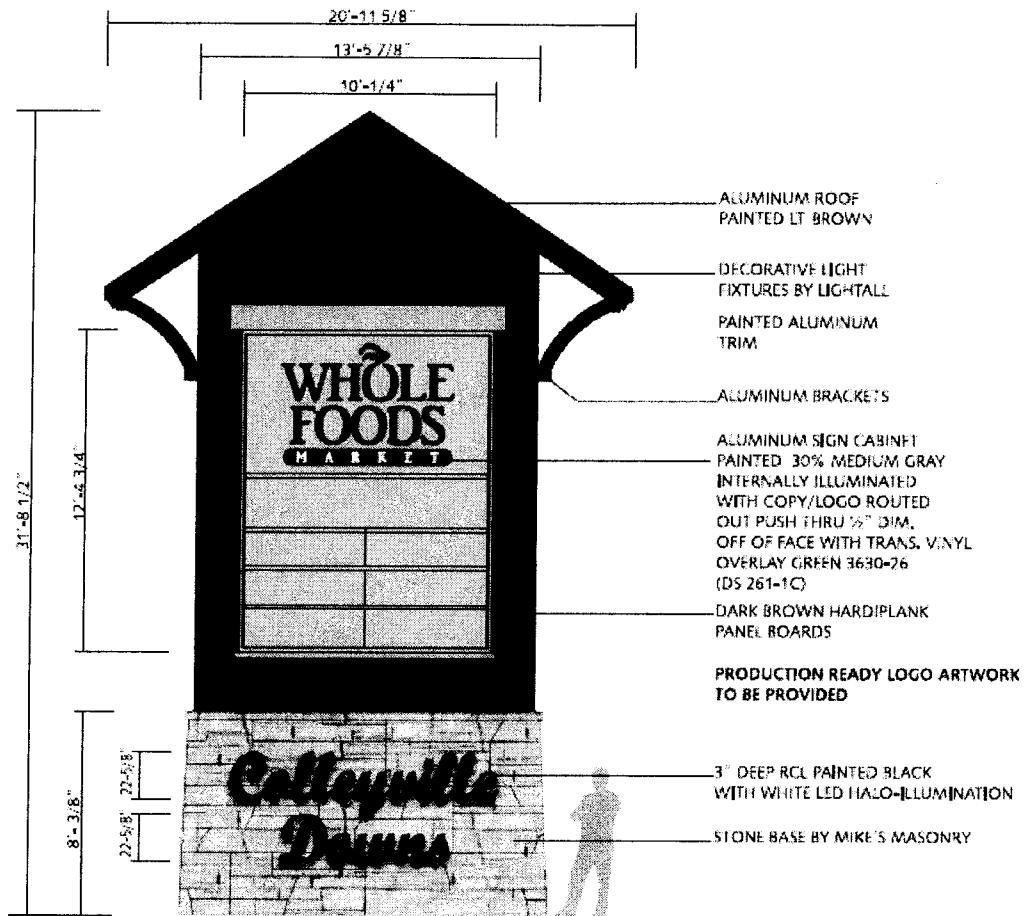


Exhibit "D" – Landmark Sign Exhibits



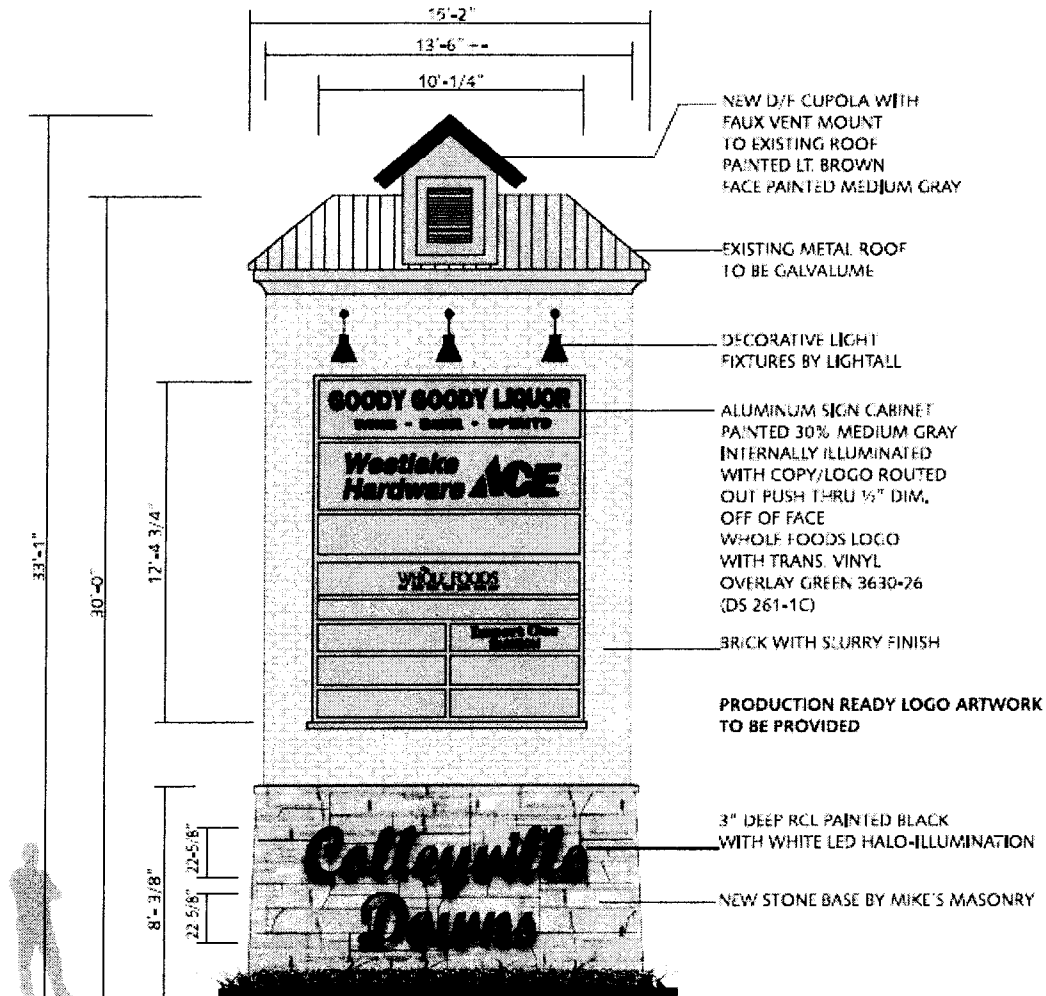
A

D/F MONUMENT SIGN

SCALE: 3/16" = 1'-0"

(1) REQUIRED - MANUFACTURE & INSTALL

Exhibit "D" – Landmark Sign Exhibits Cont.



B D/F EXISTING MONUMENT SIGN MODIFIED SCALE: 3/16" = 1'-0"

(1) REQUIRED - MANUFACTURE & INSTALL
REF. W.O. 360714

ORDINANCE O-14-XXXX

AMENDING ORDINANCE O-13-1881 CONDITIONS; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council approved Ordinance O-13-1881 on October 2, 2013, authorizing alcohol sales for on and off premise consumption Lots 1R1, 4, 5A, 6A, 7A, and 9R, Block 2, Village Park Addition located at 4701, 4709, 4717, 4725, 4801, and 4843 Colleyville Boulevard under zoning case ZC13-009; and

WHEREAS, the applicant has requested an amendment to Ordinance O-13-1881 by requesting a waiver to the requirements of Chapter 4-Landscaping and Buffering in the Land Development Code; and

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

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

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

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, to the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by amending Ordinance O-13-1881.
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The following amendments to Ordinance O-13-1881 are hereby authorized:
 - (1) As it pertains to the requirements of Section 4(1)g and 4(2)a contained in Ordinance O-13-1881, native Texas river rock is hereby approved as acceptable ground cover material in place of sod, grass or mulch within any required parking lot island.
 - (2) All other requirements of the Land Development Code shall remain in full force and effect except where amended herein and approved by Ordinance O-13-1881.

- Sec. 5. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 7. THAT 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 1st day of July 2014.

The second reading and public hearing being conducted on the 15th day of July 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