



City of Colleyville Planning and Zoning Commission Agenda

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

Monday, July 14, 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: Chairman Byerly
PLEDGE OF ALLEGIANCE**

- 1. APPROVAL OF MINUTES**
June 23, 2014
- 2. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON
THE AGENDA AS A PUBLIC HEARING ITEM**
- 3. REGULAR AGENDA ITEMS**
 - 3a** Approval of a final plat for Phase Three of the Creekside at Colleyville
Addition located at 2800 Heritage Avenue, PC14-010

4. PUBLIC HEARING AGENDA ITEMS

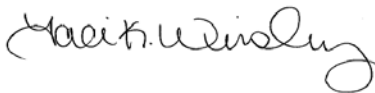
- 4a** Consideration of a zoning change from the R-40 Single Family Residential zoning district to the R-20 Single Family Residential zoning district on 13.09 acres of Tract A and Tract B, of the McEwing Subdivision and a portion of Lot A, of the Giacomini Addition, located at 711, 715, and 805 Lavaca Trail, Case ZC14-012
- 4b** Consideration of a zoning change from the AG-Agricultural zoning district to the R-30 Single Family Residential zoning district on 1.05 acres of Lot 9, of the Mrs Eva Paul's Subdivision located at 1109 Tinker Road, ZC14-013
- 4c** Request for approval of an amendment to the Future Land Use Map of the Colleyville Master Plan for Lots 1 and 2, Block 1, of the Sunrise Terrace Addition located at 1105 Glade Road, from a Single Family Residential to an Office Land Use Designation, Case GC14-014

5. CONTINUED PUBLIC HEARING AGENDA ITEMS

- 5a** 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

6. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards July 11, 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 Minutes

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

Monday, June 23, 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 June 23, 2014 at 7:28 p.m.

Roll Call

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

Staff Present: Ron Ruthven, Taci Wrisley, Rob McKeown, Marty Wieder, Dale Crown, Adam Marsh and Matthew Boyle (City Attorney)

1. APPROVAL OF MINUTES

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

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

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

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

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

3. REGULAR AGENDA ITEMS

3a 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

Ron Ruthven presented the case and briefed the Commission.

Commissioner Phelps questioned staff regarding was the intent of the revision to re-number the phases of this development. Ron Ruthven replied correct.

Jay Volk, on behalf of the applicant, was available for questions.

Commissioner Tornes made a motion to approve Case PC14-007. Commissioner Phelps seconded.

The motion was amended to approve Case PC14-011. The amendment was accepted by Tornes and Phelps.

The motion to approve Case PC14-011 carried by the following vote:

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

- 3b** Approval of a final plat for Phase Two of the Creekside at Colleyville Addition located at 2800 Heritage Avenue, Case PC14-007

Ron Ruthven presented the case and briefed the Commission.

Jay Volk, on behalf of the applicant, was available for questions.

Commissioner Phelps made a motion to approve Case PC14-007. Commissioner Gotcher seconded.

The motion to approve Case PC14-007 carried by the following vote:

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

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

Ron Ruthven presented the case and briefed the Commission.

The public hearing was opened at 7:38 p.m.

Tom Adair, the applicant, came forward and briefed the Commission.

Commissioner Tornes questioned Mr. Adair regarding whether the proposed buildings would look like the other buildings in the office park. Mr. Adair replied yes.

There being no one else wishing to speak, the public hearing was closed at 7:40 p.m.

Commissioner Knox made a motion to approve Case ZC14-008. Commissioner Davis seconded.

The motion to approve Case ZC14-008 carried by the following vote:

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

- 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

Ron Ruthven presented the case and briefed the Commission.

Commissioner Phelps questioned staff regarding whether the model ordinance for developments on this site or the surrounding sites proposed two story structures. Ron Ruthven replied no. He further explained it did not restrict them either.

Commissioner Tornes questioned staff regarding what other options the applicant had on placement of the dumpster. Ron Ruthven replied they would have to relocate it somewhere else on the property. He further explained this would most likely require the loss of some parking.

The public hearing was opened at 7:48 p.m.

Matt Moore, on behalf of the applicant, came forward and briefed the Commission.

Commissioner Gotcher questioned Mr. Moore regarding if the relocation of the dumpster to the east property line was an option. Mr. Moore replied yes.

Commissioner Tornes questioned Mr. Moore regarding whether the applicant would be willing to plant more trees along the southern property line. Mr. Moore replied he would consult with his landscape architect but did not believe it would be an issue to plant more trees.

Chairman Byerly questioned Mr. Moore regarding the second story of

the office building and what is the distance from the southern property line and the second story. Mr. Moore replied the second story is proposed at the front half of the building and is closer to Glade Road versus the residential properties. Mr. Moore stated the second story is approximately 90 to 100 feet away from the southern property line.

Gerald Ward, the project architect, came forward to answer questions.

Commissioner Tornes questioned Mr. Ward regarding the second story windows. Mr. Ward replied the windows would be much like the windows in the conceptual plans the Commission had been given.

Commissioner Phelps questioned Mr. Ward regarding what the driving force is behind the second story and what types of occupants are anticipated in these buildings. Mr. Ward replied the first building would be owner occupied by Graham Hart Home Builder and the other was targeted for professional office space. Mr. Ward also explained the driving force behind the second story was to create an impact along Glade Road moving away or towards Colleyville Boulevard.

Commissioner Wheelwright questioned Mr. Ward regarding the shared screening wall on the southern property line. Mr. Ward replied they have had discussions with the neighbors and are willing to work with them. He further explained the existing fence will need to be raised two feet (2').

Commissioner Tornes questioned Mr. Moore and Mr. Ward regarding whether planting larger caliper trees could be considered. Mr. Moore replied yes.

Commissioner Wheelwright questioned Mr. Ward regarding what type of lighting would be used. Mr. Ward replied they will use landscape and building mounted lighting. He further explained there will be no parking lot lighting.

Mark Howe, 3100 Carisbrooke Court, came forward and spoke in support of this case.

There being no one else wishing to speak, the public hearing was closed at 8:02 p.m.

The public hearing was reopened at 8:03 p.m. to allow more speakers.

Becky Freeman, 1112 Jo Carol Lane, came forward and spoke in opposition.

Lisa Peterson, 1104 Jo Carol Lane, came forward and spoke in opposition.

Amy Pitman, on behalf of 1117 Glade Road, came forward and spoke in opposition.

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

Darla Payriot, 1101 Jo Carol Lane
James MacKay, 1104 Jo Carol Lane
Loralei Peterson, 1104 Jo Carol Lane
Amy Edgell, 1116 Jo Carol Lane
Ursula Holland, 1100 Jo Carol Lane
Axel M. Holland, 1100 Jo Carol Lane
Charles Cunningham, 1101 Jo Carol Lane

There being no one else wishing to speak, the public hearing was closed at 8:21 p.m.

Mr. Moore came forward to address comments and concerns.

Commissioner Gotcher asked Ms. Lisa Peterson, 1104 Jo Carol Lane, to come back to the podium to answer a few questions.

Commissioner Gotcher questioned Ms. Peterson regarding what the main objection to the second story for her is. Ms. Peterson replied the windows of the proposed building and her privacy.

Commissioner Davis questioned Ms. Peterson regarding if she would have any objection to the case if the building looked like the other commercial buildings in the area, if the building were moved to the back of lot and the parking to the front, and if the building were only one (1) story. Ms. Peterson replied she would not have any objections.

Commissioner Tornes questioned Ms. Peterson regarding if she would be more accepting of the second story if more trees were planted and larger trees were planted. Ms. Peterson replied it will take time for those trees to grow in order to not be able to see into her backyard. Ms. Peterson further explained she was open to the discussion of

more trees and larger trees.

Commissioner Phelps questioned staff regarding whether the Glade Road improvement have been taken into consideration for this development design. Ron Ruthven replied City Council has not approved a design for Glade Road, however, Glade Road is on the Master Thoroughfare Plan as an arterial and requires 95 feet of right-of-way. He further explained because the property in question is redeveloping, they will need to replat the property and will be required to provide the required right-of-way at that time.

Commissioner Phelps stated he would concur with the citizens' concerns. He further expressed this location is a transitional area and this design does not fit in a transitional area.

Commissioner Phelps questioned Mr. Moore and Mr. Ward regarding some of the concerns regarding Glade Road improvements, building design, and the removal of windows along the Southside of the building. Mr. Moore replied after working with staff for several months they believe they had the best design they could come up with. Mr. Ward replied windows are preferred in office spaces. He further explained they are willing to plant larger caliper trees in order to provide for more privacy.

Commissioner Tornes questioned Mr. Ward regarding the location of air conditioning units. Mr. Ward replied the units would be screened and would be rooftop units. He further explained they would not be visible from the ground.

Commissioner Davis questioned staff regarding whether a traffic study had been performed for the intersection of Glade Road and Bedford Road. Ron Ruthven replied no.

Chairman Byerly questioned staff regarding whether the building would have to meet the visibility triangle in the Land Development Code. Ron Ruthven replied the currently surpasses meeting the visibility triangle.

Chairman Byerly questioned staff regarding the required right-of-way and whether there will be plenty of room for the proposed development design. Ron Ruthven replied yes, there is room for this development even when Glade Road is improved.

Chairman Byerly questioned staff regarding the applicant's options for the dumpster if the variance was not granted for the rear setback.

Ron Ruthven replied the only location the dumpster would be allowed in would be along the eastern property line.

Chairman Byerly questioned staff regarding whether dumpsters were optional. Ron Ruthven replied they are not required. He further explained the applicant has the option to use the smaller roll away trash receptacles.

Commissioner Tornes questioned Mr. Moore regarding whether a one story was completely out of the question. Mr. Moore replied he would have to consult with his client. He further explained moving to a one story could affect the economics of the project.

Shawn Goff, President and managing member of Graham Hart Home Builder and Bayley Yandell Development, came forward to address Commission questions.

Commissioner Wheelwright questioned Mr. Goff regarding whether redesigning the proposed building was an option in order to make the buildings look more residential. Mr. Goff replied he was not opposed to going back and taking a look at the design. He further explained the intent of the proposed design was to create a landmark look and Class A in nature.

Commissioner Wheelwright stated the current design seemed to be more fitting for Colleyville Boulevard.

Commissioner Phelps questioned Mr. Moore regarding how they wished to move forward. Mr. Moore replied they wished to continue in order to allow time to come up with a new design.

Commissioner Phelps made a motion to continue Case ZC14-009 to the July 14, 2014 Planning and Zoning Commission meeting. Commissioner Gotcher seconded.

Commissioner Tornes questioned Mr. Moore regarding whether there was enough time between now and the next Planning and Zoning Commission meeting to prepare another design. Mr. Moore replied he did not believe so.

Discussion continued amongst staff and the Commission regarding moving the case forward.

Chairman Byerly stated he felt the applicant had a good plan and would like to act on the case at the current meeting.

Commissioner Gotcher stated he echoed Chairman Byerly but he is concerned about the development of Glade Road.

Discussion continued regarding the proposed plan.

The motion to continue Case ZC14-009 to the July 14, 2014 Planning and Zoning Commission meeting carried by the following vote:

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

Nay: 3 – Tornes, Gotcher, and Byerly

- 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

Chairman Byerly recused himself from this case. Commissioner Knox led the meeting in Chairman Byerly's absence.

Ron Ruthven presented the case and briefed the Commission.

Commissioner Tornes questioned staff regarding the adjacent properties to the west of the proposed development. Ron Ruthven replied there are various uses on the properties to the west, including commercial and single family residential uses. He further explained all but one of the properties have existing structures.

The public hearing was opened at 8:56 p.m.

Don Hennig, the applicant, came forward and briefed the Commission.

Commissioner Wheelwright questioned Mr. Hennig regarding proposed times and noise. Mr. Hennig replied they would comply with the city noise ordinances.

Commissioner Tornes questioned Mr. Hennig regarding the possibility of simultaneous events. Mr. Hennig replied there is a possibility of simultaneous events, up to two events.

Commissioner Tornes questioned Mr. Hennig regarding the reason behind the landscape variance. Mr. Hennig replied they would like to preserve as much of the existing, natural landscape as possible.

Commissioner Phelps questioned Mr. Hennig regarding the use of the amphitheater. Mr. Hennig replied the amphitheater would be used for ceremonies only. He further explained all other activities would be held indoors.

Gerald Ward, the architect for the project, came forward to address questions regarding building design.

Commissioner Davis questioned Mr. Ward regarding whether the amphitheater would have an open roof. Mr. Ward replied there will be a cover over the amphitheater, in case of inclement weather.

Commissioner Tornos questioned Mr. Hennig regarding how the sale of alcohol would be managed. Mr. Hennig replied they would have licensed bartenders.

Discussion continued between the Commission and Mr. Hennig regarding how alcohol would be served.

Matt Moore, the engineer for the project came forward to address questions regarding drainage.

Commissioner Gotcher questioned Mr. Moore regarding the drainage plan for this development. Mr. Moore replied the drainage for this development is still being evaluated.

Commissioner Phelps questioned Mr. Ward regarding whether any thought had been given to a second point of access to the facility. Mr. Ward replied given the fact that they are somewhat land locked, they felt the current design was the safest.

Stein Baughman, 3914 Felps Drive, came forward and spoke in opposition.

Michael Hinkle-Morrison, 4012 Felps Drive, came forward and spoke in opposition.

Phil Crombie, 128 Acuff Lane, came forward and spoke in opposition.

Joe Moore, 133 Acuff Lane, came forward and spoke in opposition.

D. G. Howell, 104 Cheek-Sparger Road, came forward and spoke in opposition.

Mimi Byerly, the property owner, came forward and spoke in support.

Jim French, 4100 Felps Drive & 107 Acuff Lane, came forward and spoke in opposition.

Patty Baughman, 3914 Felps Drive, came forward and spoke in opposition.

Keith Estes, 3910 Felps Drive, came forward and spoke in opposition.

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

Tommy and Cindy McDonell, 128 Cheek-Sparger Road and Syed Fateh Hyder, 4008 Felps Drive.

There being no one else wishing to speak, the public hearing was closed at 9:34 p.m.

Mr. Hennig, Mr. Ward, and Mr. Moore came forward to address comments and concerns.

Commissioner Knox questioned Mr. Ward regarding the possibility of reconfiguring the driveway. Mr. Ward replied due to the configuration of the surrounding properties and the subject property, however the driveway is configured, it will affect someone.

Discussion occurred regarding detention and erosion control during construction.

Commissioner Gotcher questioned Mr. Ward regarding the eight foot (8') masonry fence and were they open to making the fence more aesthetically pleasing. Mr. Ward replied they are open to making the fence more aesthetically pleasing, however the Land Development Code requires masonry between commercial and residential.

Commissioner Tornes questioned Mr. Hennig regarding the direction of traffic leaving the facility. Mr. Hennig replied they will have their on-site security guards directing traffic back to Colleyville Boulevard. He further explained this will keep traffic out of the neighborhood.

Discussion occurred regarding noise being limited to 10:00 p.m. regardless of the hours of operation.

Commissioner Tornes questioned Rob McKeown, the fire marshal, regarding having only one point of access. Rob McKeown stated he had previously communicated with the applicant that he would like to

see a stub-out to an adjacent property. He further explained he believes there needs to be a second point of access.

Discussion occurred regarding the possibility of a second point of access.

Commissioner Phelps questioned Dale Crown, the City's project engineer, regarding whether it is possible to restrict drainage from going onto a property. Dale Crown replied no.

Discussion continued regarding drainage from the site.

Commissioner Tornos questioned Mr. Moore regarding his thoughts on the Fire Department issues pertaining to the one point of access. Mr. Moore replied widening the driveway seemed to be the most feasible. He further explained another option would be to try to obtain an access easement from an adjacent property.

Commissioner Phelps questioned staff regarding whether the Commission has the flexibility to restrict outdoor activity to a specific time. Ron Ruthven replied yes.

Commissioner Phelps questioned Mr. Hennig regarding whether they would accept a restricted outdoor activity time. Mr. Hennig replied yes.

Commissioner Tornos questioned staff regarding whether the Commission should require the Fire Department requirements as part of their motion. Ron Ruthven replied he would caution against requiring access through another property.

Commissioner Wheelwright stated he has various issues with the development with regard to traffic, noise, and the types of events to be held at this facility.

Commissioner Phelps stated the development was more attractive than an office park but still has many issues.

Commissioner Davis stated any type of commercial use allowed on this property would have the same issues that have been discussed with this case.

Commissioner Phelps made a motion to approve Cases ZC14-010 and ZC14-011 with the following conditions: 1) All outdoor operations shall cease no later than 9:00 p.m. 2) The

main entrance from Acuff Lane shall be redesigned based on the recommendations of the Fire Marshal in order to maximize emergency access 3) The applicant shall perform a preliminary drainage analysis of the larger area with any potential area drainage issues and impacts from the proposed development identified. Commissioner Davis seconded.

Commissioner Wheelwright questioned staff regarding whether the property was in compliance with the existing zoning. Ron Ruthven replied no.

Discussion occurred amongst the Commission and staff regarding the commercial screening requirements.

The motion to approve Cases ZC14-010 and ZC14-011 with the following conditions: 1) All outdoor operations shall cease no later than 9:00 p.m. 2) The main entrance from Acuff Lane shall be redesigned based on the recommendations of the Fire Marshal in order to maximize emergency access 3) The applicant shall perform a preliminary drainage analysis of the larger area with any potential area drainage issues and impacts from the proposed development identified carried by the following vote:

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

Nay: 2 – Wheelwright and Gotcher

- 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

Ron Ruthven presented the case and briefed the Commission.

Chairman Byerly questioned staff regarding was the request specific to mulch and what was defined as mulch. Ron Ruthven replied yes. He further explained sod, grass, and mulch are materials that may be used.

Commissioner Tornes questioned staff regarding whether the landscape plan had been approved prior to the remodeling of the parking lot areas. Ron Ruthven replied yes. He further explained the original, approved landscape plan depicted Bermuda grass as the material to be used in the beds.

The public hearing was opened at 10:13 p.m.

Bevin Prater, Brinkman came forward to brief the Commission. Scott Woodruff, Centennial Real Estate, was also present to answer any questions.

Commissioner Phelps stated he thought river rock would be just as hot as the concrete.

Commissioner Tornes stated he felt that if a different type of rock were used it would give the parking lot some contrast.

There being no one else wishing to speak, the public hearing was closed at 10:20 p.m.

Commissioner Davis questioned staff regarding the sequence of events that led up to the need to request an amendment to this Special Use Permit. Ron Ruthven replied upon inspection of the site it was discovered the river rock did not meet the approved landscape plan.

Chairman Byerly questioned staff regarding whether mulch was allowed in some areas or none at all. Ron Ruthven replied mulch is allowed, especially at the base of trees.

Discussion occurred regarding how the river rock did not match the vision of the development.

Scott Woodruff, came forward to explain why river rock was chosen as the ground cover versus grass.

Commissioner Gotcher questioned Ms. Prater regarding whether he had considered any of the other options that are allowed by the Land Development Code. Ms. Prater explained the other options were subject to disease, insects, and difficult to keep alive.

Commissioner Phelps questioned Ms. Prater regarding what the particular stone was that has been chosen for this development. Ms. Prater replied Brazos.

Commissioner Wheelwright stated he concurred with Commissioner Tornes, this particular cover looks like additional concrete.

Chairman Byerly questioned staff regarding what the requirements were per parking lot island. Ron Ruthven replied the requirement is

one (1) tree per island.

Discussion continued regarding the requirements.

Commissioner Phelps made a motion to approve Case ZC14-014 with the following conditions: 1) The rock material used for the landscape bed in the parking lot islands shall be "Texas Brazos Native River Rock" and 2) The landscaping shall be consistent to the landscape plan relative to the parking lot islands. Commissioner Davis seconded.

Commissioner Wheelwright stated the proposed plan looks like what the shopping center previously looked like.

The motion to approve Case ZC14-014 with the following conditions: 1) The rock material used for the landscape bed in the parking lot islands shall be "Texas Brazos Native River Rock" and 2) The landscaping shall be consistent to the landscape plan relative to the parking lot islands carried by the following vote:

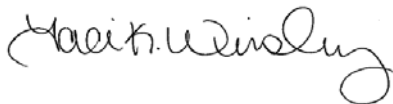
Aye: 4 – Tornes, Davis, Phelps, and Byerly

Nay: 2 – Knox, Wheelwright, and Gotcher

5. ADJOURNMENT

The meeting adjourned at 10:48 p.m.

The minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on July 14, 2014 by a vote of _____.



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 3a	Agenda Date 07/14/2014	Number
Type Regular Agenda Items		
Department Community Development		

Title

Approval of a final plat for Phase Three of the Creekside at Colleyville Addition located at 2800 Heritage Avenue, PC14-010

Explanation

Lisa Cavell, representing Henley USA, LLC, has submitted a request to approve the Phase Three plat for the Creekside at Colleyville addition, which includes 85 single family residential lots and six open space lots on 24.1 acres. The Phase One plat was approved by the City Council on November 19, 2013 and is currently under construction. The Phase Two plat was approved by the Planning and Zoning Commission on June 23, 2014 and will be considered for approval by the City Council on July 15, 2014.

The Phase Three plat is consistent with the preliminary plat, for which a revision was approved by the Planning and Zoning Commission on June 23, 2014. The revised preliminary plat will be considered for approval by the City Council on July 15, 2014.

City Council Approval Required. On January 21, 2014 the City Council approved amendments to Chapter 8-Plat Review Procedures in the Land Development Code such that most plats required final approval only from the Planning and Zoning Commission. The remaining plats that require final City Council approval are preliminary plats and final plats that involve more than one phase.

Detailed Site Plan. A detailed site plan was approved for Phase Two by Ordinance O-13-1899 (attached). The Phase Three final 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 (attached).

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.

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.

Heritage Avenue Right-of-Way Waiver. On March 18, 2014 the City Council approved a right-of-way dedication waiver for Heritage Avenue in conjunction with the original approval of the preliminary plat. 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 applicant was allowed to dedicate only 65 feet of right-of-way along the southern portion of Heritage Avenue south of Little Bear Creek after showing that they could fit a four lane road cross-section into 65 feet of right-of-way.

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. 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. As of the date of this briefing, 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.

Summary. The proposed phase three final plat 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. Per the requirements of the Land Development Code, this plat requires final approval by the City Council given that it is part of a multi-phased development.

Financial Impact

There is no financial impact.

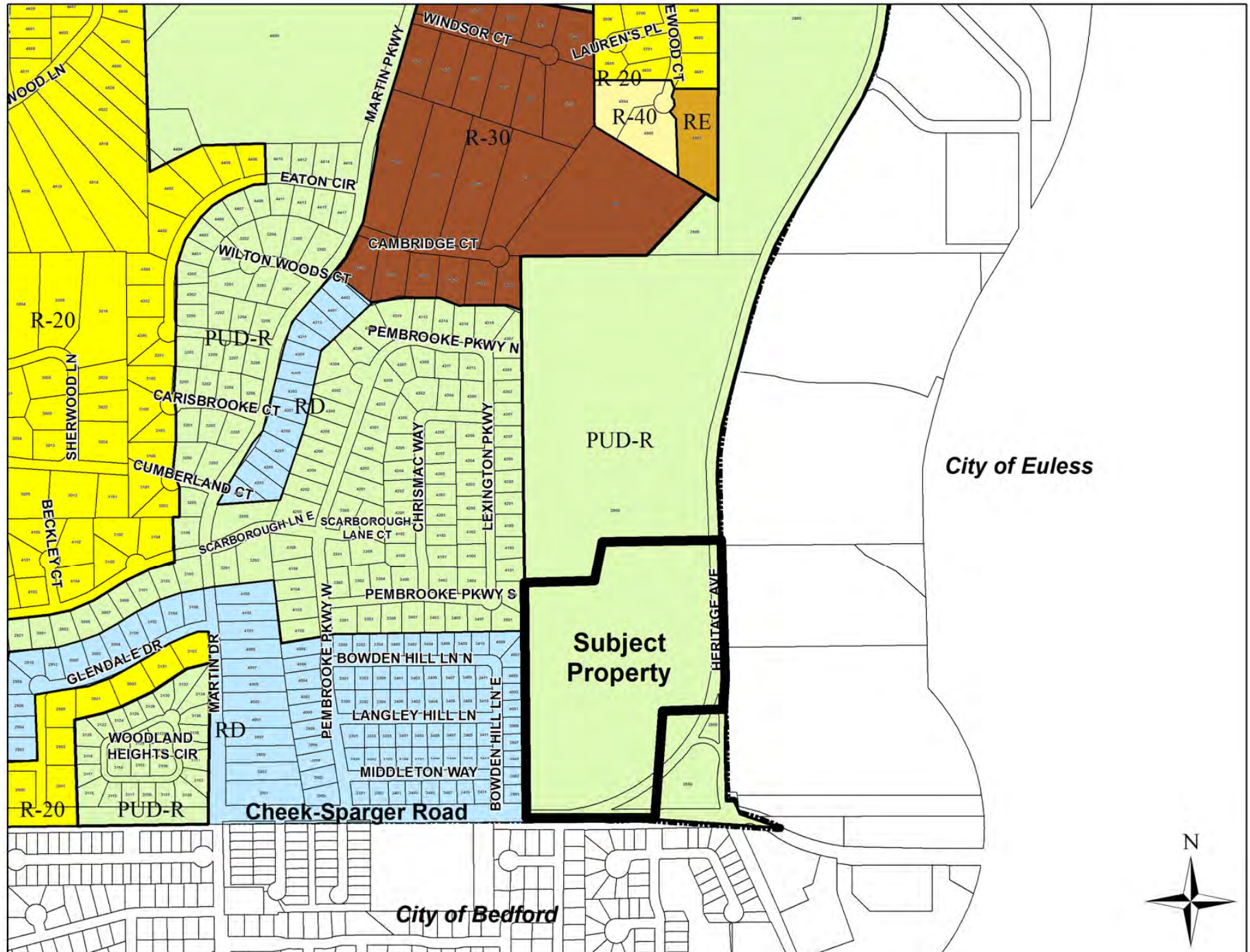
Recommendation

Approve

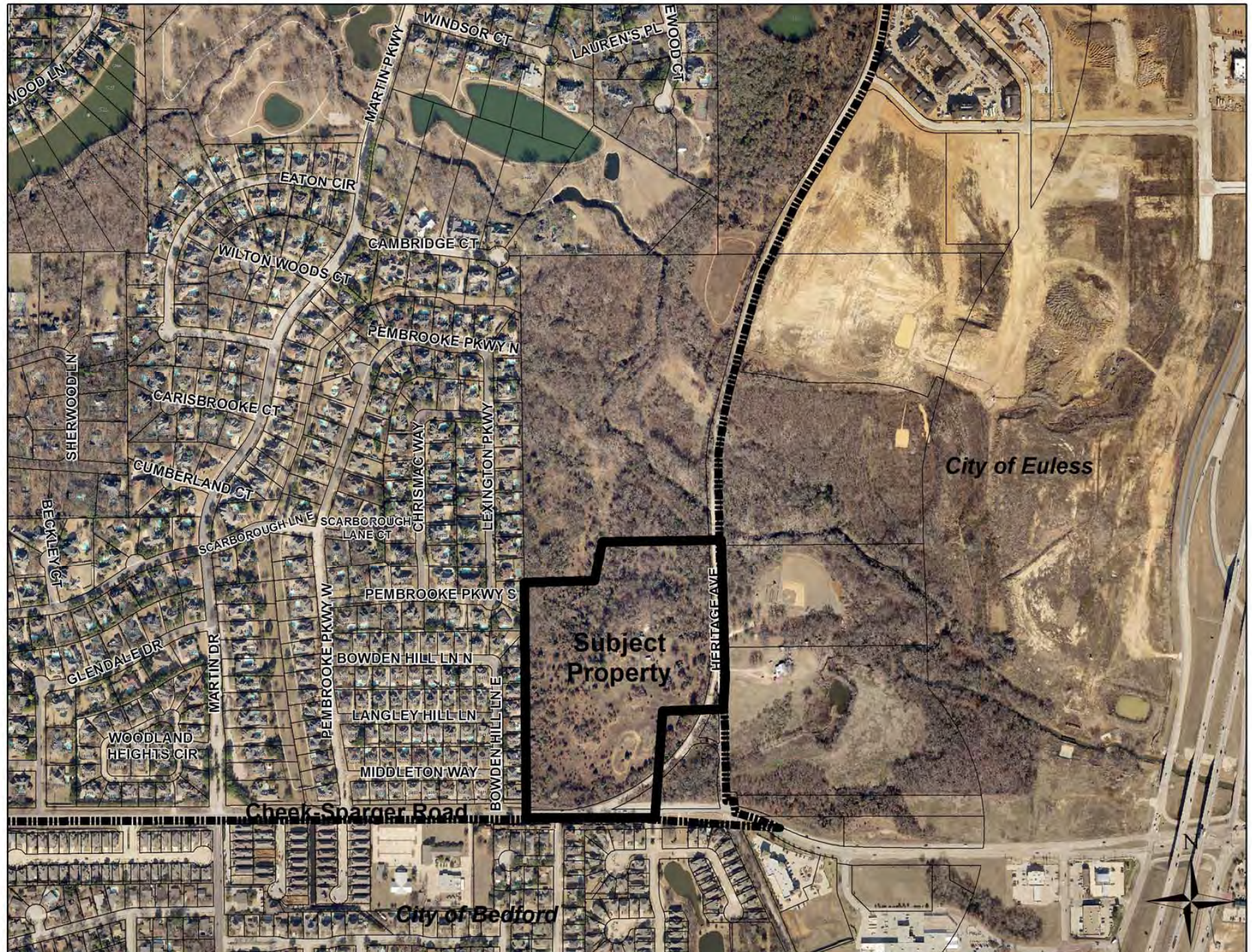
Attachments

1. Location and Zoning Map
2. Aerial
3. Creekside - Phase Three Plat Exhibit
4. Creekside Preliminary plat
5. Ordinance O-07-1645
6. Ordinance O-13-1866
7. Ordinance O-13-1899

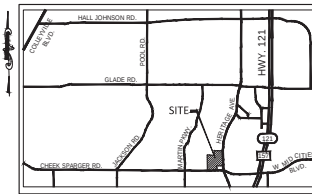
Location and Zoning Map



Aerial



Creekside - Phase Three Plat Exhibit



SCALE 1" = 50'

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:

1. INTERNAL STRIPS (LOT 56, BLOCK 5) ARE TO BE PRIVATE AND SHALL BE ROADWAY, UTILITY, AND DRAINAGE EASEMENTS
2. LOT 55, BLOCK 5 AND LOT 7, BLOCK 6 SHALL BE OPEN SPACE/COMMON AREA LOTS OWNED AND MAINTAINED BY THE H.O.A.
3. ALL 1/2" IRON RODS CAPPED ARE STAMPED "RDS,INC" UNLESS OTHERWISE NOTED
4. FRONT FACING GARAGES SHALL BE SET BACK A MINIMUM OF 20' FROM THE FRONT LOT LINE

BENCHMARKS

- 1) 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) 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'

- 3) 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 RADIIUS POINT.

NORTHING = 7004542.182 EASTING = 2395257.402 ELEV. = 576.69'

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

FINAL PLAT CREEKSIDE AT COLLEYVILLE PHASE THREE

24.147 acres in the
JESSE DOSS SURVEY, A-441
85 Single Family Lots and
6 Open Space Lots

CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS

7 July 2014
SHEET 1 OF 2



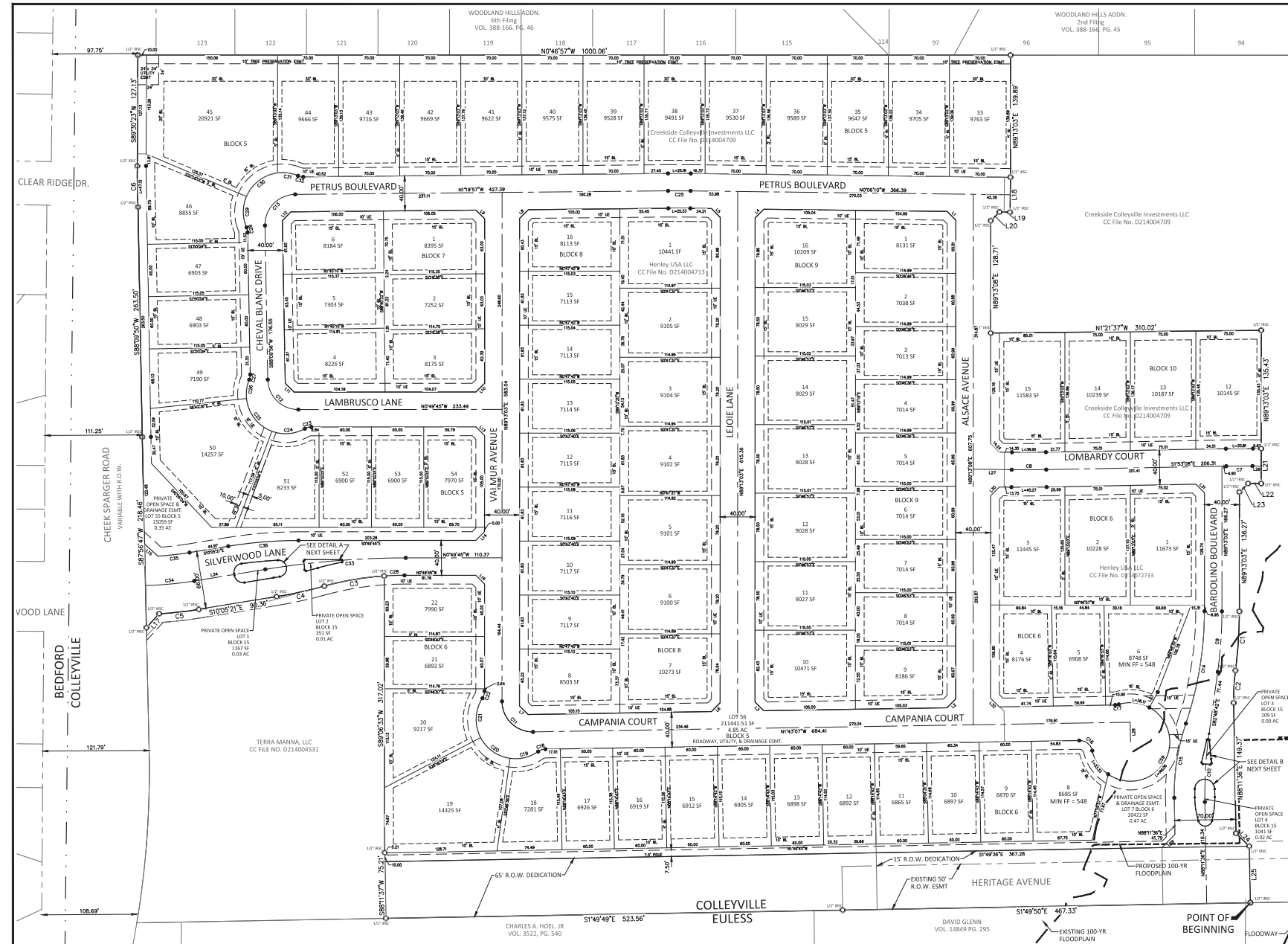
Surveyor:

Ronald D. Smith Surveyor, Inc.
P.O. Box 1679
Forney, Texas 75126
972-564-9840

Owners/Applicants:

Henley USA LLC
11100 Main Street, Suite 100
Bellevue, Washington 98004
425-709-6527

Terra Manna, LLC
101 Gladden Ranch Road
Southlake, Texas 76092
817-251-8505



Creekside - Phase Three Plat Exhibit

DEDICATION CERTIFICATE

24.147 ACRES

88ING 24.147 acre tract of land situated in the Jesse Doss Survey, Abstract No. 441, City of Colleyville, Tarrant County, Texas and being all of that certain tract of land described in deed to Henley USA, LLC as recorded in D214004713, Real Property Records, Tarrant County, Texas and being all of that certain tract of land described in deed to Henley USA, LLC as recorded in D214007733, Real Property Records, Tarrant County, Texas, and being a portion of that certain tract of land described in deed to Creekside Colleyville Investments, LLC as recorded in D214004705, Real Property Records, Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod set, capped "RDS, INC", being in the East 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, a variable width public right-of-way. Also being in the West line of that certain tract conveyed to David M. Glenn, as recorded in Volume 14640, Page 298, said Deed Records;

THENCE South 01 degrees 49 minutes 50 seconds East, along the east line of said 50 foot Easement tract, and the West line of said David M. Glenn tract, a distance of 467.33 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE South 01 degrees 49 minutes 39 seconds East a distance of 523.56 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE South 88 degrees 11 minutes 37 seconds West a distance of 75.21 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE South 89 degrees 06 minutes 33 seconds West a distance of 317.02 feet to a 1/2 inch iron rod set, capped "RDS, INC", being the beginning of a curve to the left, whose radius is 350.00 feet, and whose long chord bears South 10 degrees 28 minutes 36 seconds East, 71.36 feet;

THENCE along said curve to the left, through a central angle of 11 degrees 40 minutes 52 seconds, an arc length of 71.23 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE South 89 degrees 06 minutes 33 seconds West, being the beginning of a curve to the right, whose radius is 500.00 feet, and whose long chord bears South 13 degrees 12 minutes 12 seconds, 54.35 feet;

THENCE along said curve to the right, through a central angle of 6 degrees 13 minutes 41 seconds, an arc length of 54.32 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE South 89 degrees 05 minutes 21 seconds East a distance of 90.36 feet to a 1/2 inch iron rod set, capped "RDS, INC", being the beginning of a curve to the left, whose radius is 433.00 feet, and whose long chord bears South 07 degrees 03 minutes 46 seconds, 45.74 feet;

THENCE along said curve to the right, through a central angle of 06 degrees 03 minutes 10 seconds, an arc length of 45.72 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE South 48 degrees 19 minutes 20 seconds East a distance of 21.67 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE South 87 degrees 58 minutes 47 seconds West along the said North line of Cheek-Sparger Road, a distance of 218.60 feet to a 1/2 inch iron rod set, capped "RDS, INC", being in the North line of Cheek-Sparger Road, a variable width Public Right-of-Way;

THENCE South 88 degrees 09 minutes 50 seconds West a distance of 263.50 feet to a 1/2 inch iron rod set, capped "RDS, INC", being the beginning of a curve to the right, whose radius is 793.50 feet, and whose long chord bears South 88 degrees 09 minutes 50 seconds West, 47.12 feet;

THENCE along said curve to the right, through a central angle of 03 degrees 24 minutes 09 seconds, an arc length of 47.12 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE South 89 degrees 30 minutes 23 seconds East a distance of 127.13 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE North 09 degrees 48 minutes 57 seconds West, along the west line of said 54.66 acres tract, the east line of said block 6, Woodland Hills, South Filing, and continuing along the east line of Block 6, Woodland Hills, Second Filing, an addition to the City of Colleyville, Tarrant County, Texas, according to the plat recorded in Volume 388-165, Page 45, said Plat Records, and continuing along the east line of Block 6, of said Woodland Hills, First Filing, at 1000.06 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE North 89 degrees 13 minutes 03 seconds East a distance of 139.89 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE North 89 degrees 53 minutes 50 seconds East a distance of 40.00 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE South 09 degrees 06 minutes 10 seconds East a distance of 12.14 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE South 45 degrees 26 minutes 31 seconds East a distance of 14.06 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE North 89 degrees 13 minutes 08 seconds East a distance of 128.71 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE North 03 degrees 21 minutes 37 seconds West a distance of 310.02 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE North 89 degrees 13 minutes 03 seconds East a distance of 135.43 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE North 89 degrees 13 minutes 03 seconds East a distance of 40.00 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE South 00 degrees 29 minutes 18 seconds East a distance of 15.02 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE South 45 degrees 36 minutes 57 seconds East a distance of 14.08 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE North 89 degrees 13 minutes 03 seconds East a distance of 136.27 feet to a 1/2 inch iron rod set, capped "RDS, INC", being the beginning of a curve to the right, whose radius is 531.10 feet, and whose long chord bears South 87 degrees 12 minutes 18 seconds East, 66.33 feet;

THENCE along said curve to the right, through a central angle of 07 degrees 09 minutes 20 seconds, an arc length of 66.28 feet to a 1/2 inch iron rod set, capped "RDS, INC", being the beginning of a curve to the left, whose radius is 249.94 feet, and whose long chord bears South 87 degrees 18 minutes 33 seconds East, 39.25 feet;

THENCE along said curve to the left, through a central angle of 08 degrees 59 minutes 49 seconds, an arc length of 39.21 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE North 88 degrees 11 minutes 36 seconds East a distance of 149.37 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE North 43 degrees 13 minutes 36 seconds East a distance of 21.21 feet to a 1/2 inch iron rod set, capped "RDS, INC";

THENCE North 88 degrees 07 minutes 25 seconds East a distance of 64.80 feet to a 1/2 inch iron rod set, capped "RDS, INC" to the POINT OF BEGINNING, and containing 24.147 Acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENT:

That We, Henley USA LLC, 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 Three, 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 and from and upon the said easement for the purpose of constructing, reconstructing, inspecting and repairing the same, without the necessity of any time of procuring the permission of anyone. This plat approved by all parties ordinances, rules, regulations, and resolutions of the City of Colleyville, Texas.

WITNESS MY HAND at Colleyville, Tarrant County, Texas, this _____ day of _____, 2014.

Henley USA LLC

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

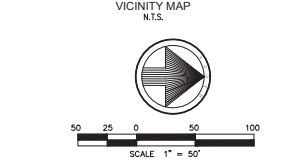
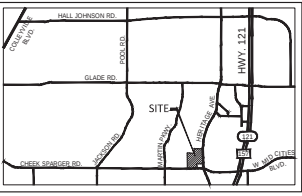
STATE OF TEXAS §
COUNTY OF DALLAS §

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 50-51 of Block 5 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 55, Block 5; Lot 7 Block 6; and Lots 1-4, Block 15.
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 subdivisor 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 assumed, 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 hoas shall be responsible for carrying liability insurance to meet the requirements in this paragraph.

Parcel Line Table		
Line	Length	Direction
L1	14.33	N44° 33' 28"E
L2	14.36	S46° 15' 01"E
L3	14.53	S47° 44' 58"W
L4	14.26	N46° 26' 37"W
L5	14.53	N43° 33' 38"E
L6	14.26	S46° 15' 01"E
L7	14.53	S47° 44' 58"W
L8	14.21	N46° 03' 27"W
L9	14.57	N45° 26' 37"E
L10	14.15	S47° 45' 07"W
L11	14.27	S47° 46' 07"W
L12	14.08	N46° 33' 07"W
L13	14.14	N44° 11' 38"E
L14	14.15	S47° 48' 37"E
L15	20.48	S47° 35' 37"W
L16	14.14	N44° 11' 38"E
L17	23.67	S48° 18' 30"E
L18	40.00	N46° 53' 50"E
L19	12.14	S37° 06' 10"E
L20	14.06	S47° 26' 37"E
L21	40.00	N46° 17' 07"E
L22	15.52	S37° 29' 18"E
L23	14.09	S47° 36' 37"E
L24	21.21	N43° 11' 38"E
L25	64.80	N46° 07' 25"E
L26	5.26	S37° 27' 37"E
L27	44.03	S37° 50' 37"E
L28	22.55	N46° 11' 38"E
L29	21.22	S47° 48' 37"E
L30	14.04	N45° 23' 18"W
L31	14.51	N45° 26' 37"E
L32	14.53	S47° 45' 07"W
L33	20.50	N45° 06' 37"W
L34	82.59	N107° 05' 27"W
L35	1.86	N46° 06' 07"E
L36	3.58	S37° 46' 47"E
L37	42.34	S37° 46' 47"E
L38	5.01	S47° 42' 37"E
L39	8.27	S48° 11' 38"W

Curve Table					
Curve	Length	Radius	Delta	Chord	Chord Bearing
C1	66.33	530.10	007°02'20"	66.28	S87° 18' 18"E
C2	38.25	248.84	008°59'48"	38.21	S87° 18' 37"E
C3	71.36	350.00	01°10'02"	71.23	S37° 35' 36"E
C4	54.35	350.00	009°33'41"	54.32	S13° 12' 18"E
C5	45.74	433.00	008°03'04"	45.72	S37° 03' 40"E
C6	47.12	783.50	003°24'59"	47.12	S88° 09' 58"W
C7	30.36	1005.00	001°26'08"	30.36	S37° 10' 00"E
C8	39.41	1005.00	001°33'28"	39.41	N46° 56' 24"W
C9	69.56	500.00	007°36'10"	69.50	N46° 47' 47"W
C10	78.50	500.00	008°59'42"	78.42	S47° 46' 07"W
C11	15.56	35.00	009°06'10"	49.80	N47° 44' 58"E
C12	54.36	35.00	008°59'40"	49.86	N47° 46' 07"E
C13	35.36	35.00	009°30'07"	49.71	S46° 30' 37"E
C14	121.14	400.00	01°10'02"	120.95	S37° 35' 36"E
C15	86.43	250.00	01°16'30"	86.00	S47° 54' 58"E
C16	20.43	15.00	078°01'33"	18.88	N37° 17' 29"E
C17	4.30	15.00	016°26'34"	4.29	S30° 56' 24"E
C18	8.87	15.00	034°10'58"	8.83	N37° 50' 42"W
C19	33.80	45.00	047°04'57"	33.53	N44° 22' 28"W
C20	42.81	45.00	054°30'17"	41.21	N37° 26' 37"E
C21	47.29	45.00	060°25'52"	45.15	S88° 09' 58"E
C22	8.57	15.00	033°43'33"	8.45	S74° 35' 10"E
C23	7.68	15.00	029°07'07"	7.59	N37° 29' 18"W
C24	39.11	45.00	049°48'07"	37.89	N37° 14' 54"W
C25	44.39	45.00	061°39'57"	41.46	N37° 35' 27"E
C26	22.02	45.00	038°02'58"	20.80	S47° 44' 58"E
C27	6.87	15.00	021°07'14"	6.82	S80° 14' 38"E
C28	5.81	15.00	021°21'32"	5.77	N37° 04' 10"E
C29	36.33	45.00	046°10'38"	35.35	N88° 06' 17"E
C30	44.76	45.00	059°27'57"	44.53	S37° 02' 37"E
C31	23.87	45.00	023°33'07"	23.69	S37° 37' 37"E
C32	61.17	15.00	022°03'26"	61.2	S10° 28' 43"W
C33	161.62	1000.00	001°59'27"	161.44	S30° 37' 37"E
C34	56.10	400.00	008°02'08"	56.05	N06° 04' 17"W
C35	36.50	367.00	005°41'54"	36.48	S37° 14' 24"E
C36	36.28	350.00	001°18'12"	36.22	S37° 37' 37"E
C37	15.90	10.00	091°13'38"	14.28	S47° 10' 30"E
C38	41.83	478.00	005°07'02"	41.82	S30° 10' 30"E
C39	28.84	8.50	172°42'21"	18.86	S82° 41' 38"W
C40	7.31	478.00	005°16'32"	7.31	N37° 31' 18"W
C41	15.74	10.00	091°13'38"	14.17	N30° 06' 37"E
C42	2.77	1.50	159°27'08"	2.39	S33° 42' 27"E
C43	4.42	1.50	168°33'21"	2.99	S83° 36' 57"W
C44	28.43	27.00	014°02'41"	28.42	N14° 07' 47"W
C45	13.92	478.00	014°02'41"	13.82	N14° 20' 00"W
C46	2.79	1.50	165°33'08"	2.40	N38° 37' 37"E
C47	9.70	30.00	016°32'27"	9.66	N42° 36' 27"E
C48	4.30	1.50	164°05'46"	2.97	S33° 03' 47"W
C49	21.76	261.50	002°26'18"	21.78	S83° 54' 27"W
C50	2.83	1.50	168°12'38"	2.43	N47° 11' 18"W
C51	8.36	30.00	019°42'58"	8.34	N67° 03' 47"E
C52	2.83	1.50	168°12'38"	2.43	N46° 16' 57"E
C53	21.76	261.50	002°26'18"	21.78	S77° 46' 38"E
C54	35.32	11.40	177°34'46"	22.79	S20° 34' 18"E
C55	27.81	86.50	015°33'54"	27.52	N48° 31' 37"W
C56	20.69	8.50	148°12'11"	15.39	N30° 46' 24"W
C57	24.81	86.50	015°33'54"	27.52	N48° 14' 39"E
C58	3.77	26.50	002°26'18"	3.87	S37° 45' 47"E
C59	215.56	45.00	272°22'47"	61.11	N67° 30' 47"W



- LEGEND
- POINT OF CURVATURE OR TANGENCY ON CENTER LINE DRAINAGE EASEMENT
 - D.E. DRAINAGE 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.
 - ISC IRON ROD SET CAPPED

- NOTES:
1. INTERNAL STREETS ARE TO BE PRIVATE
 2. LOT 55, BLOCK 5; LOT 7, BLOCK 6; LOTS 1-4, BLOCK 15 SHALL BE OPEN SPACE/Common Area Lots Owned and MAINTAINED BY THE HOA.
 3. ALL 1/2" IRON RODS CAPPED ARE STAMPED "RDS,INC" UNLESS OTHERWISE NOTED

BENCHMARKS

1) 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 S. ALBANS FROM THE CENTERLINE.

NORTHING = 7006375.864. EASTING = 2394116.655. ELEV. = 587.18'

2) 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'

NORTHING = 7004542.182. EASTING = 2395257.402. ELEV. = 576.69'

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

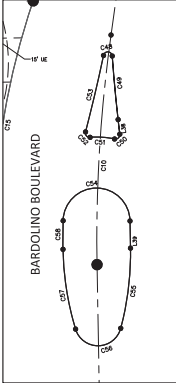
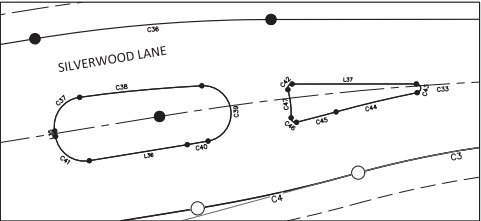
FINAL PLAT
CREEKSIDE AT COLLEYVILLE
PHASE THREE

24.147 acres in the
JESSE DOSS SURVEY, A-441
85 Single Family Lots and
6 Open Space Lots

CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS

July 2014
SHEET 2 OF 2

J. VOLK consulting
800 East Campbell Road, Suite 120
Richardson, Texas 75081
972.201.3100 Texas Registration No. F-13962

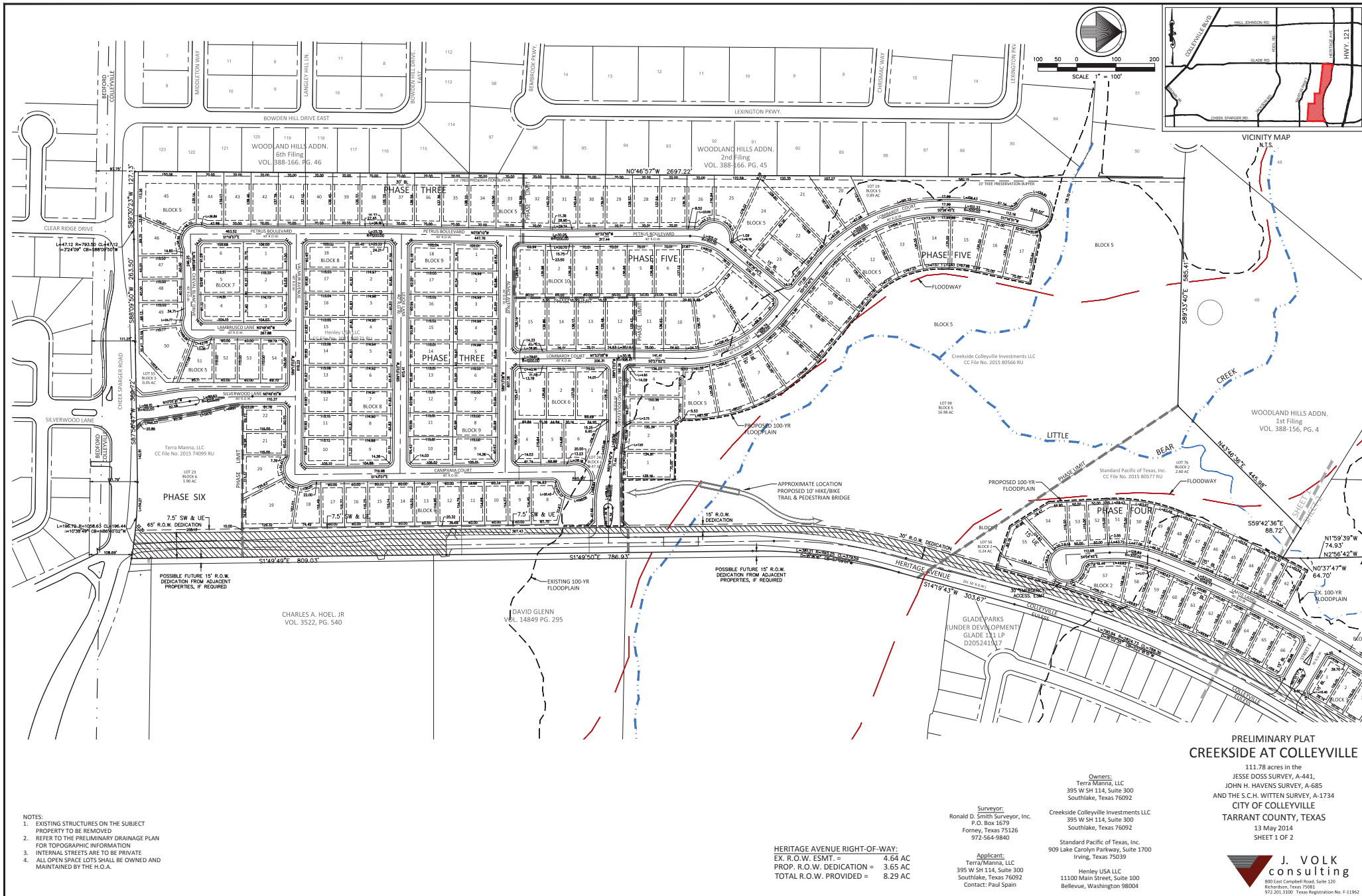


Surveyor:
Ronald D. Smith Surveyor, Inc.
P.O. Box 1679
Forney, Texas 75126
972-564-9840

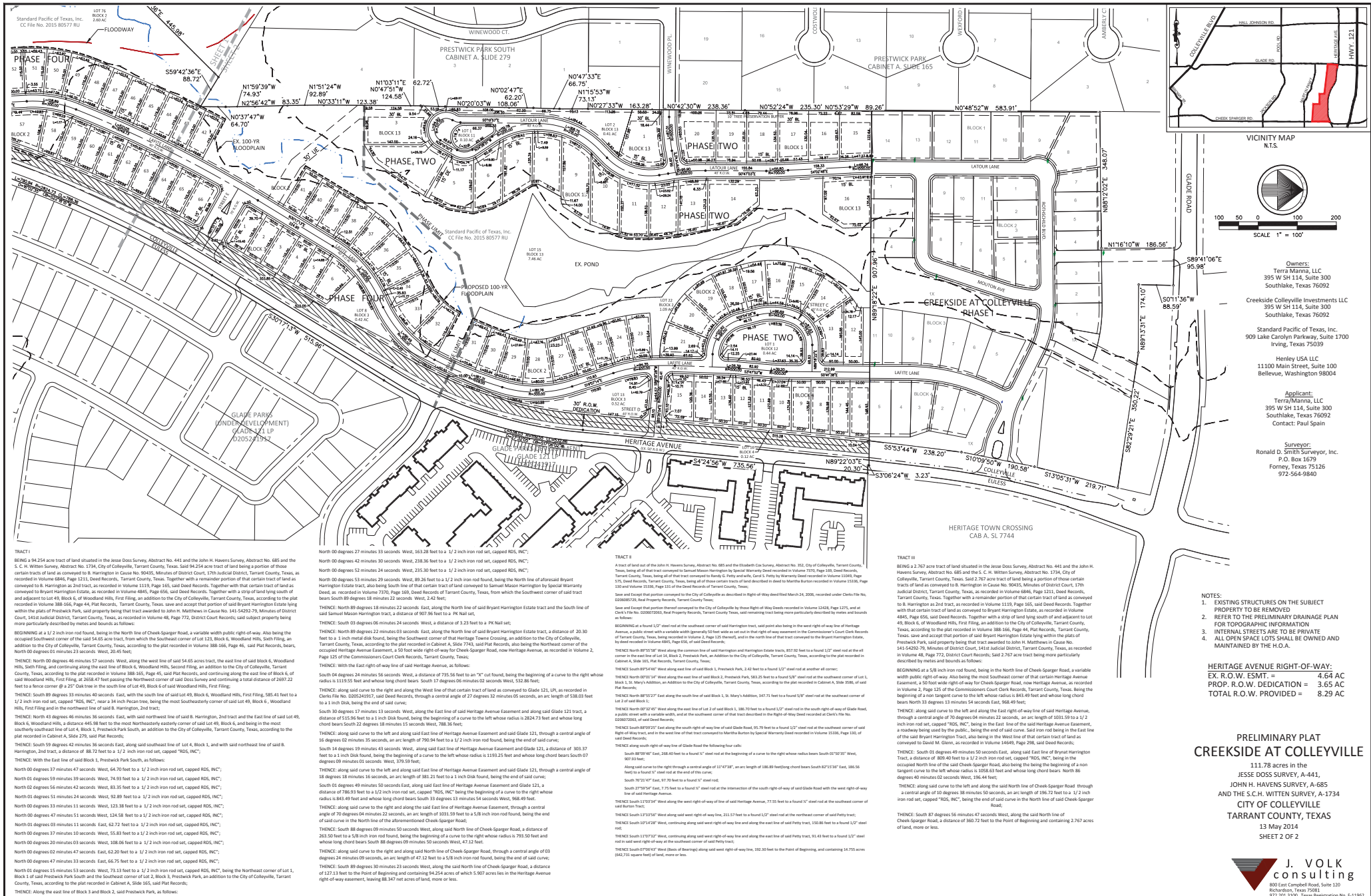
Owners/Applicants:
Henley USA LLC
11100 Main Street, Suite 100
Bellevue, Washington 98004
425-709-6527

Terra Manna, LLC
101 Gladden Ranch Road
Southlake, Texas 76092
817-251-8505

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.

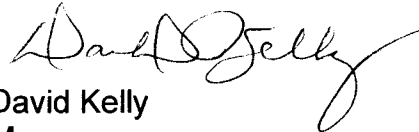
The second reading and public hearing being conducted on the 6th day of September 2007.

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

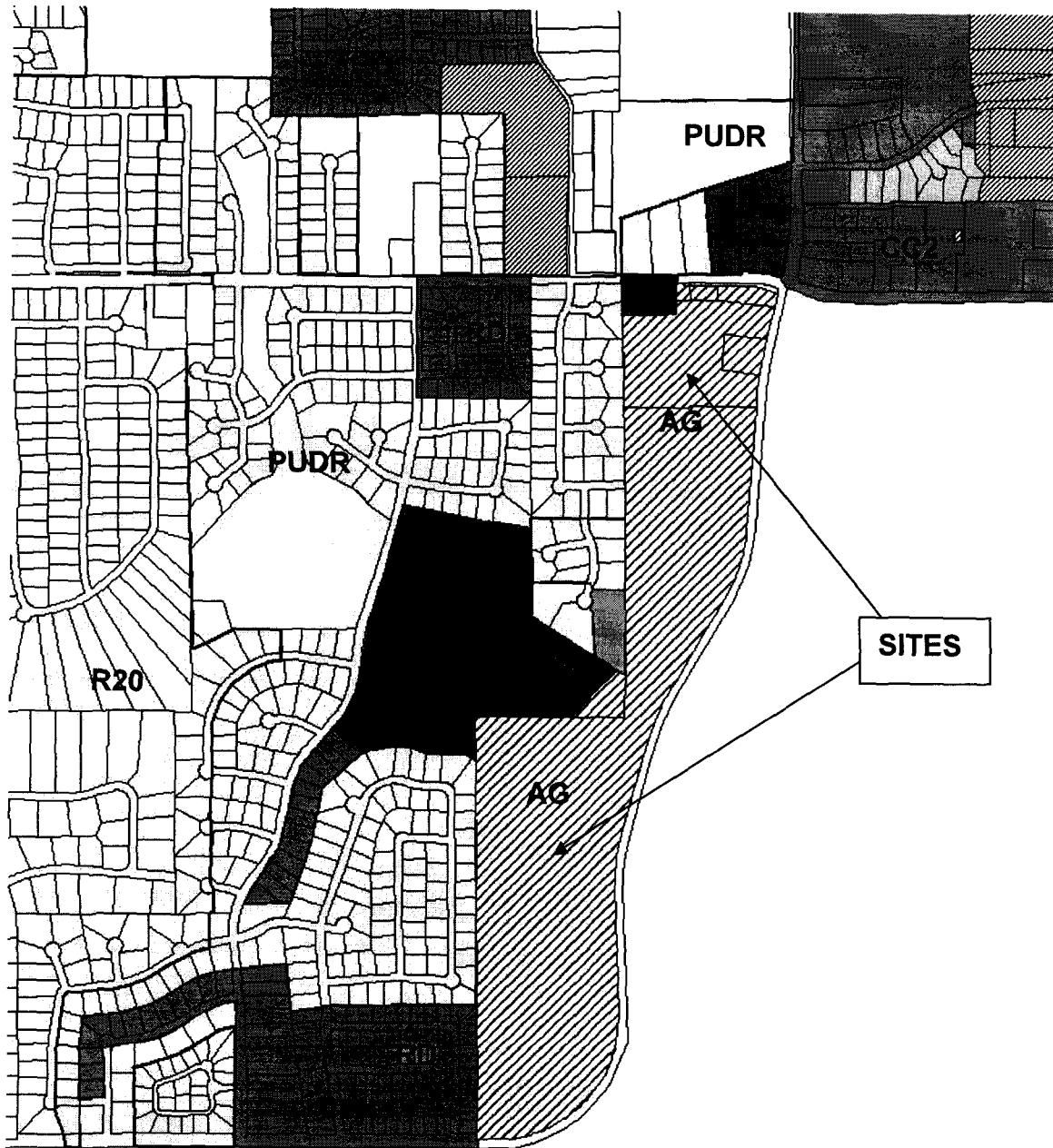


Exhibit "B" Legal Description

**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;

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;

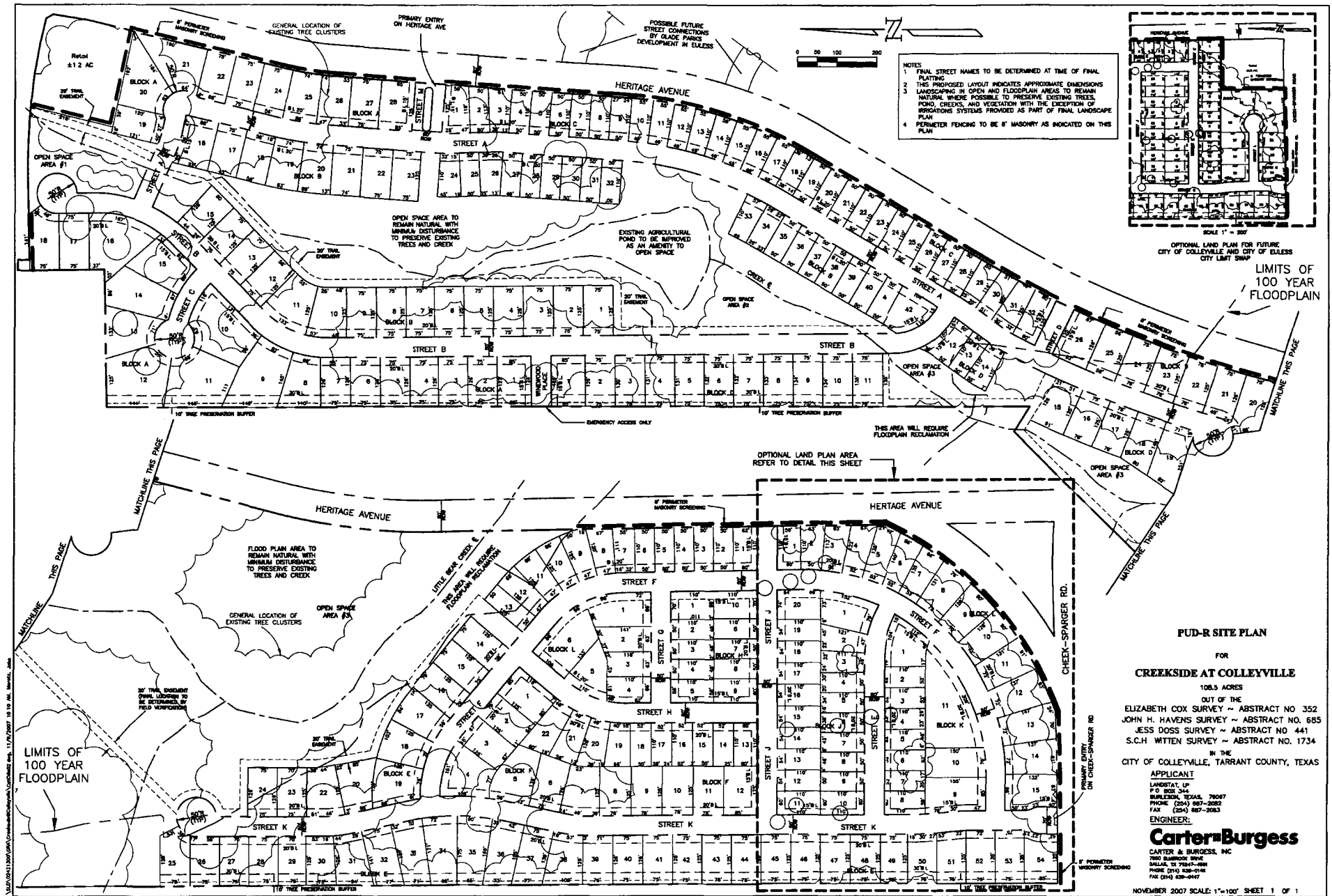
THENCE N 88°42'20" E, A DISTANCE OF 22.07 FEET TO A POINT FOR CORNER;

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.

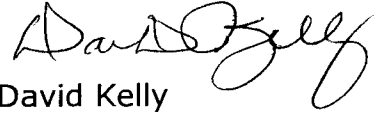
PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 5th day of March 2013.

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

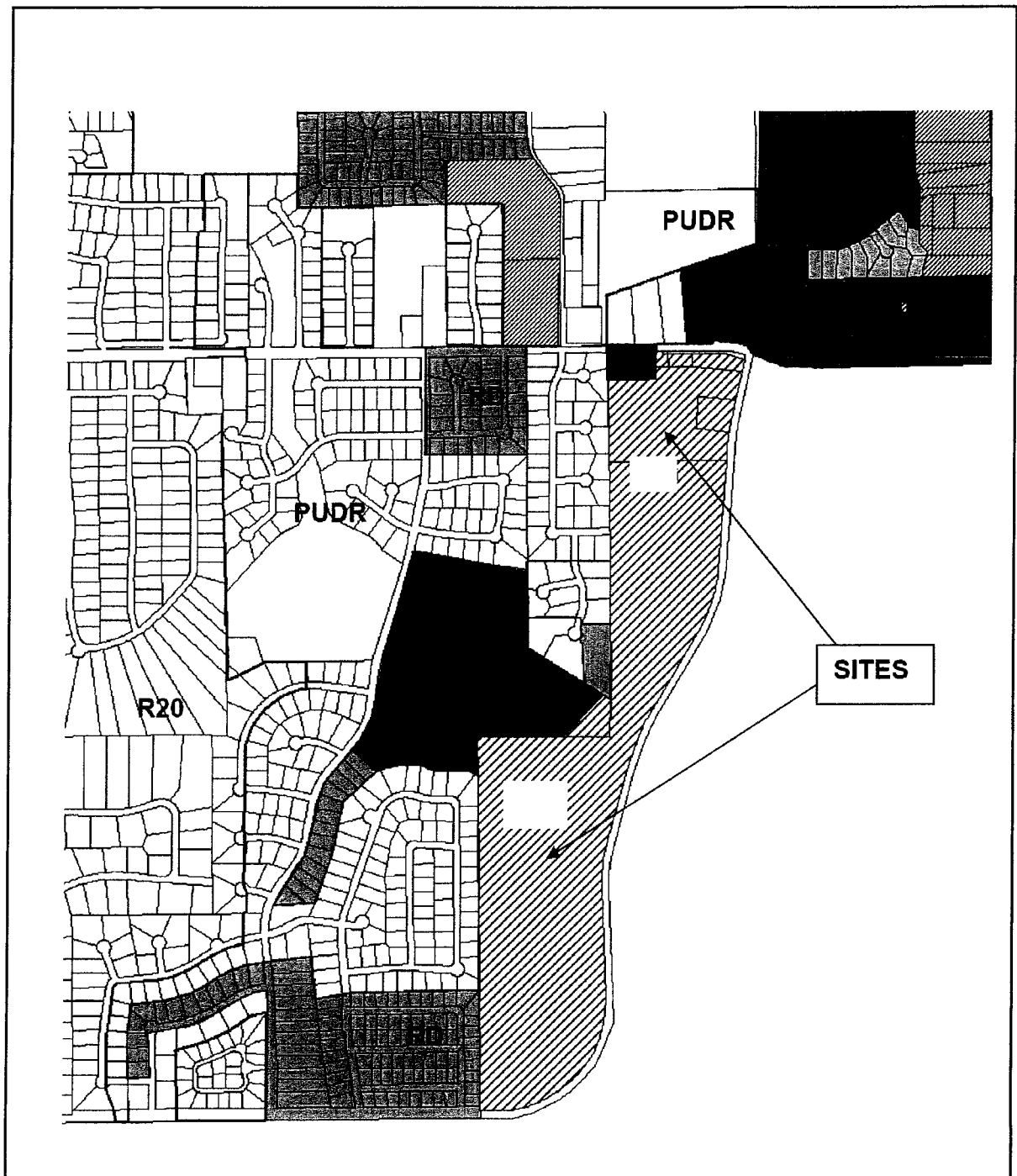
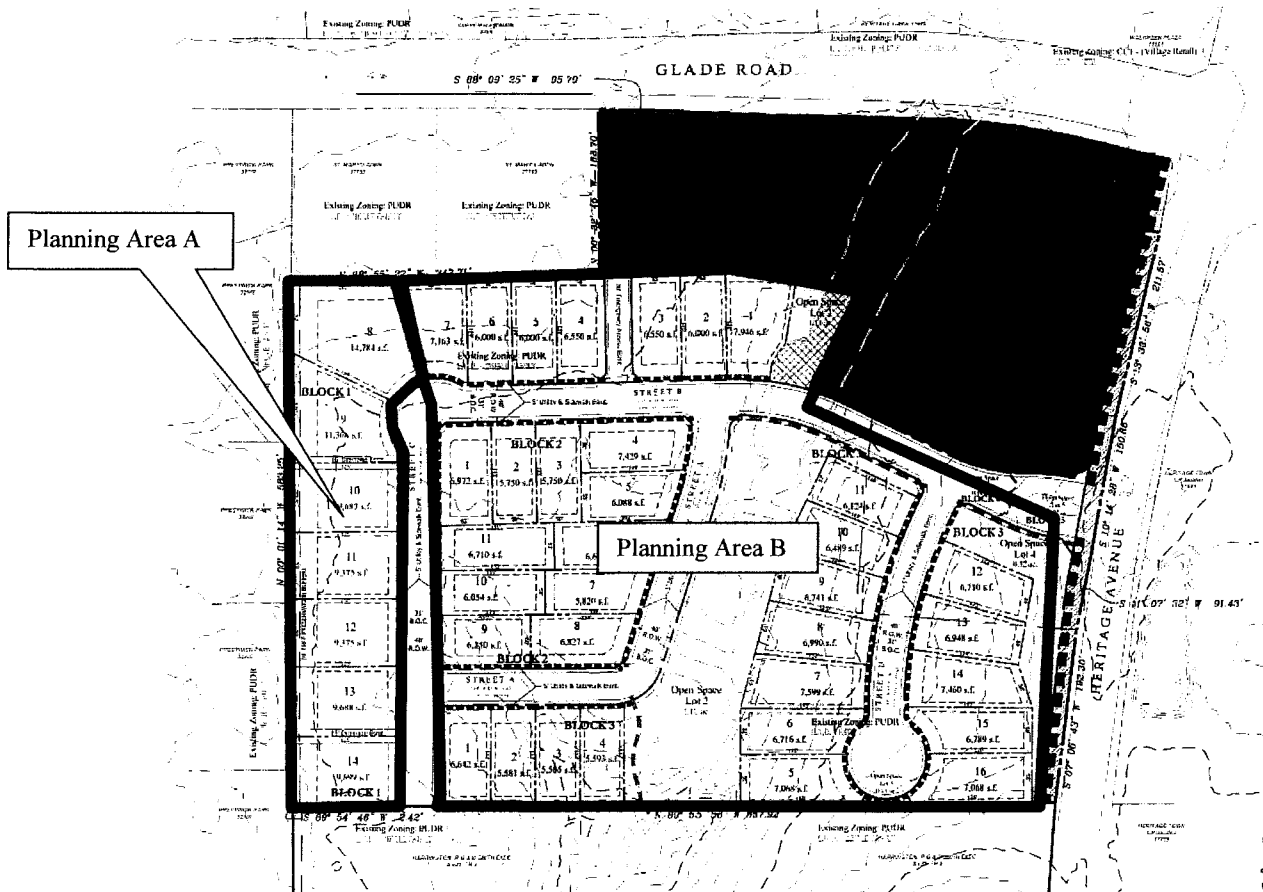


Exhibit "B" Detailed Site Plan



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.

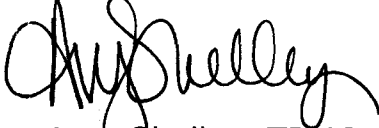
AND IT IS SO ORDERED.

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

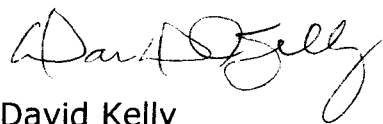
The second reading and public hearing being conducted on the 17th day of December 2013.

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

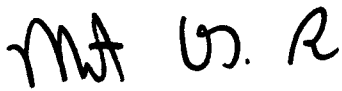
ATTEST:


Amy Shelley, TRMC
City Secretary

CITY OF COLLEYVILLE


David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:


Matthew C. G. Boyle
City Attorney

City of Euless

City of Bedford

Subject Property

Subject Property

Heritage Avenue

Glade Road

SH 121

Legend

AG	Agricultural
CC-1	Village Retail
CC-2	Shopping Center
CC-3	Highway Commercial
CN	Neighborhood Commercial
CP0	Professional Office
ML	Light Manufacturing
PUD-C	Planned Unit Development, Commercial
PUD-R	Planned Unit Development, Residential
R-10	Single Family Residential (10,000 sq. ft. min)
R-15	Single Family Residential (15,000 sq. ft. min)
R-20	Single Family Residential (20,000 sq. ft. min)
R-30	Single Family Residential (30,000 sq. ft. min)
R-40	Single Family Residential (40,000 sq. ft. min)
R-MF	Multi-Family Residential
RD	Two Family Residential
RE	Single Family 'Estate' Residential

N

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;

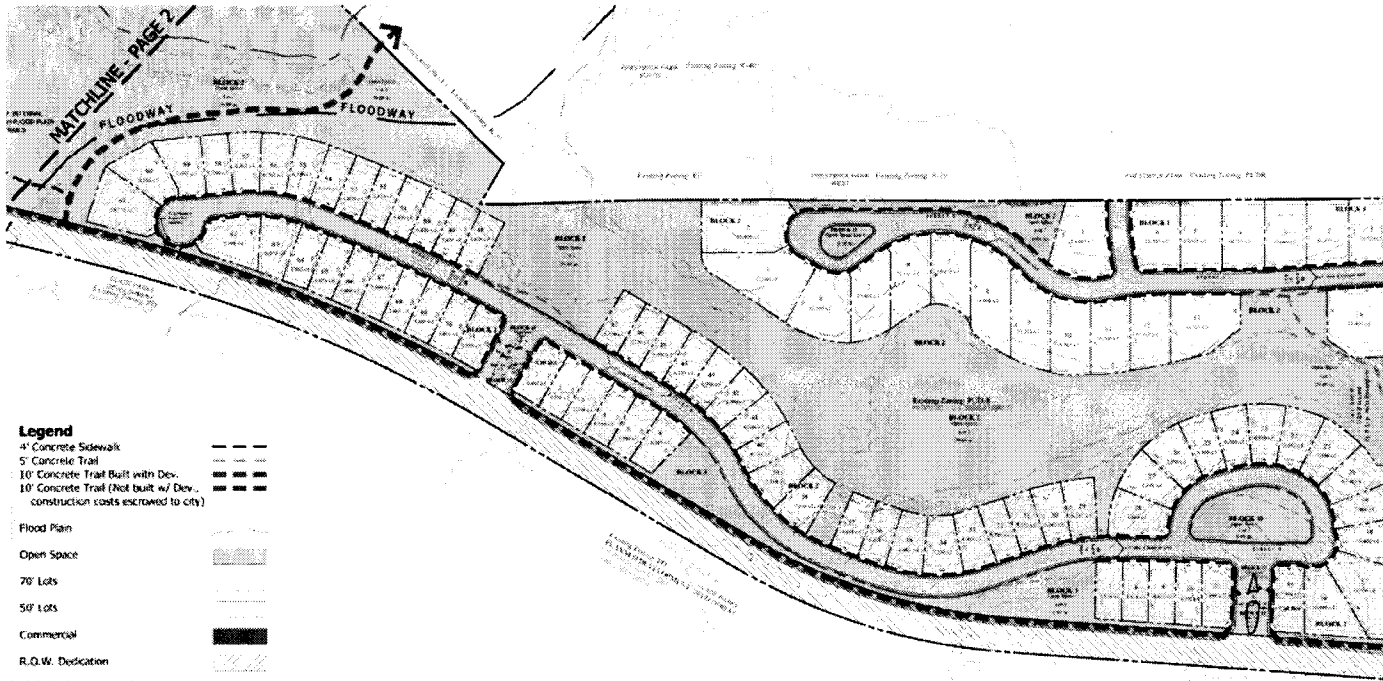
THENCE South 89°57'50" East with the south line of said Hoel tract, approximately 38.00 feet to the northwest corner of the tract described to Cheek-Sparger Properties, LLP., as recorded in Document No. 0206013089 of said Deed Records;

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).

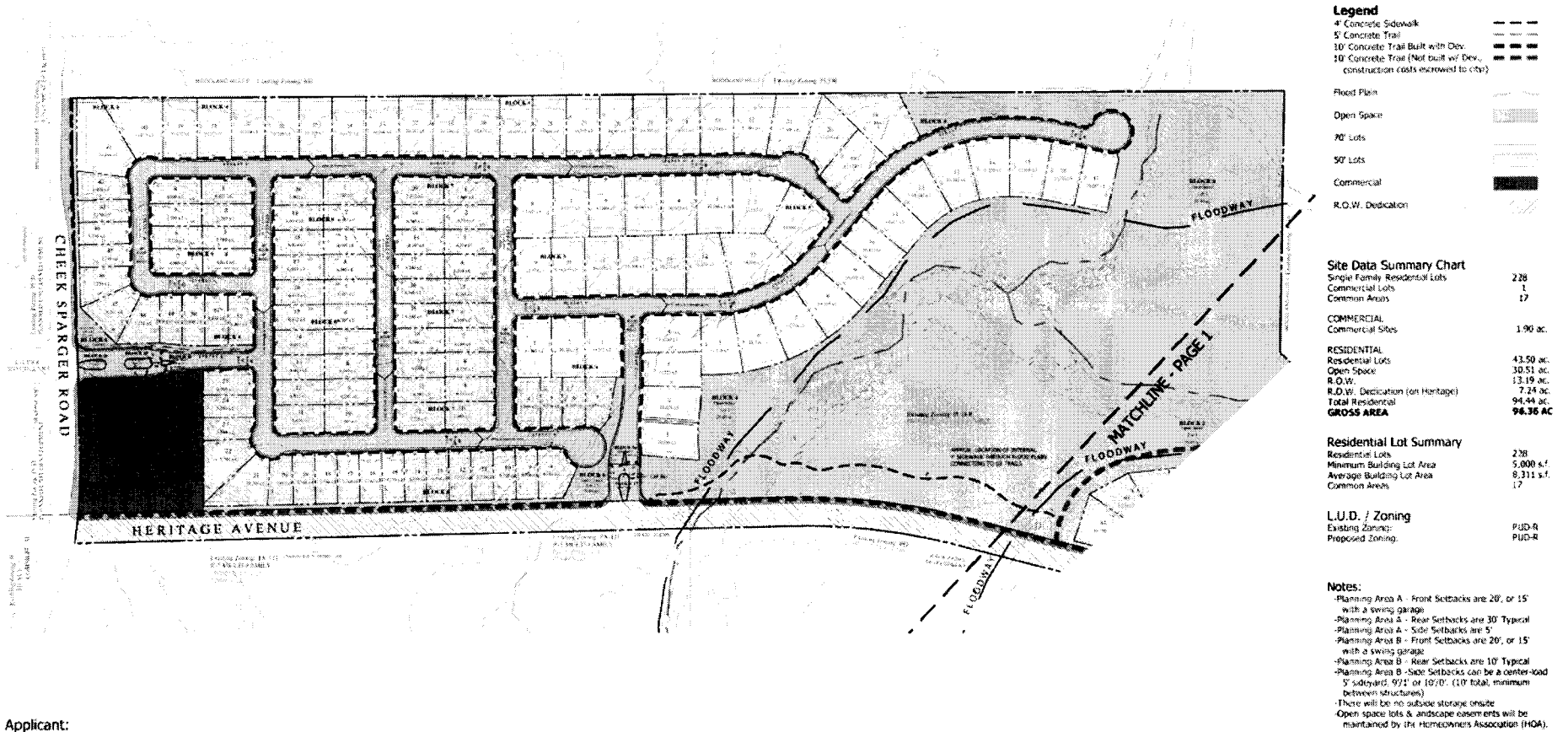
Zoning Exhibit for
Zoning Change Request
For PUD-R Amendment
Case # ZC13-017

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

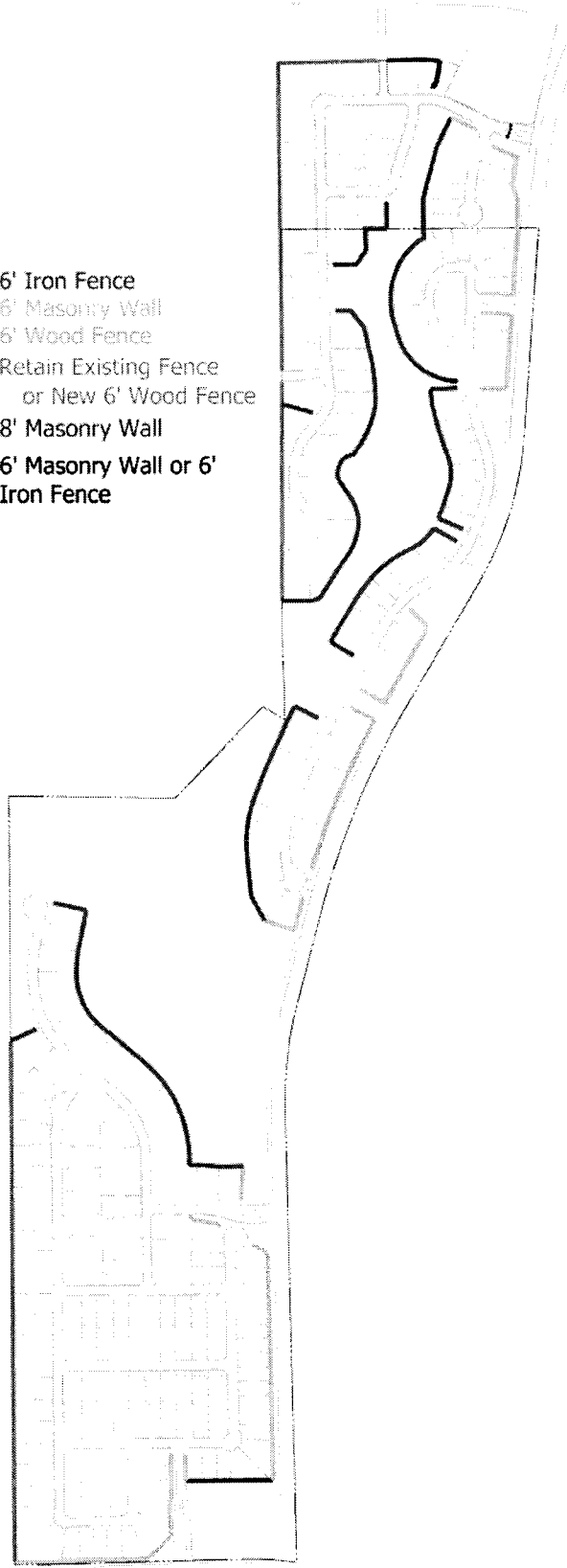


Phase 2 Development Plan

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



1" = 400'



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 07/14/2014	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of azoning change from the R-40 Single Family Residential zoning district to the R-20 SingleFamily Residential zoning district on 13.09 acres of Tract A and Tract B, of the McEwing Subdivision and a portion of Lot A, of the Giacomini Addition, located at 711,715, and 805 Lavaca Trail, Case ZC14-012

Explanation

Kosse Maykus, with Hat Creek Development, has submitted a request to change the zoning on 13.09 acres, located at 711, 715 and 805 Lavaca Trail. The applicant is requesting to rezone the property from the R-40-Single Family Residential zoning district to the R-20-Single Family Residential zoning district. The applicant is seeking a zoning change in order to build a master planned single family residential development.

The applicant has indicated that the proposed master planned development will include the 13.09 acres being considered for rezoning and the 16.96 acres of existing R-20 zoned land adjacent to the west of the subject property. The total development will be 30.05 acres.

Existing Conditions. The subject properties are platted as both the Giacomini and McEwing Additions and contain single family homes.

Statement of Planning Objectives. The applicant has submitted a Statement of Planning Objectives and a conceptual development plan that provide detailed overviews of the proposed development. Though the Statement of Planning Objectives and conceptual development plan provide thorough descriptions of the proposed master planned development, the request to rezone the property to the R-20 zoning district does not permit the City Council to require additional conditions or exactions to the proposed ordinance. The requirements and regulations of the R-20 zoning district are the established standards of the ordinance and the proposed development.

The Statement of Planning Objectives describes the proposed development as an upscale gated community with private streets. The applicant has acknowledged that the request to privatize the streets must be approved by City Council by a separate action at a later date. The entrance to the development will be from Lavaca Trail. The proposed conceptual layout of the development proposes 44 single family lots, with the retention of one of the existing homes. The minimum lot size will be 20,000 square

feet. Based on 30-acres of land, 44 lots will yield a lot density 1.46 dwelling units per acre.

The conceptual design provides six open space lots, including a greenbelt adjacent to the entire frontage of Lavaca Trail and an approximately two acre tree retention area located at the entrance of the development. The applicant states that 14.6% of the development will be designated as open space. City Council approved an amendment to the Colleyville Pathways Plan on the December 5, 2006. The amendment re-aligned Trail 23 to a more westerly location within the Covington subdivision. The applicant proposes to connect and extend the trail from the Covington subdivision through the proposed development, providing a connection from L. D. Lockett Road to Lavaca Trail.

Lot Dimensions and Setbacks. Per Section 3.24 G, Schedule of District Regulations, in the Land Development Code, the R-20 zoning regulations require a minimum lot size of 20,000 square feet with a minimum lot width of 100 feet and lot depth of 125 feet. The following additional standards are applicable to the R-20 zoning designation:

Minimum Front Yard Setback: 30 feet

Minimum Side Yard Setbacks: 10 feet

Minimum Rear Yard Setback: 25 feet

Maximum Building Height: 35 feet

The proposed conceptual plan meets the minimum standards of the Land Development Code for the R-20 zoning district.

Surrounding Development Trends. The properties to the north are zoned R-20 Single Family Residential and are developed as single family detached homes. The properties to the east are zoned PUD-R and R-20 and developed as single family detached homes. The property to the west is zoned R-40 Single Family Residential and developed as single family detached homes. The properties to the south are zoned R-20 Single Family Residential and are developed as single family detached homes.

Master Plan. The Future Land Use Plan designates the subject property for single family residential uses. The proposed rezoning is consistent with the Future Land Use Plan.

Public Notification. Staff mailed notices to 30 property owners within 200 feet as well as all Homeowners Associations within 500 feet of the subject property regarding this request. 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 two letters opposing this request.

Summary. The proposed zoning change is consistent with the Future Land Use Plan, which designates the subject property as single family residential uses. The proposed 13.09-acres meet the minimum standards of the Land Development Code for the R-20

zoning district. Staff recommends approval of the rezoning request.

Recommendation

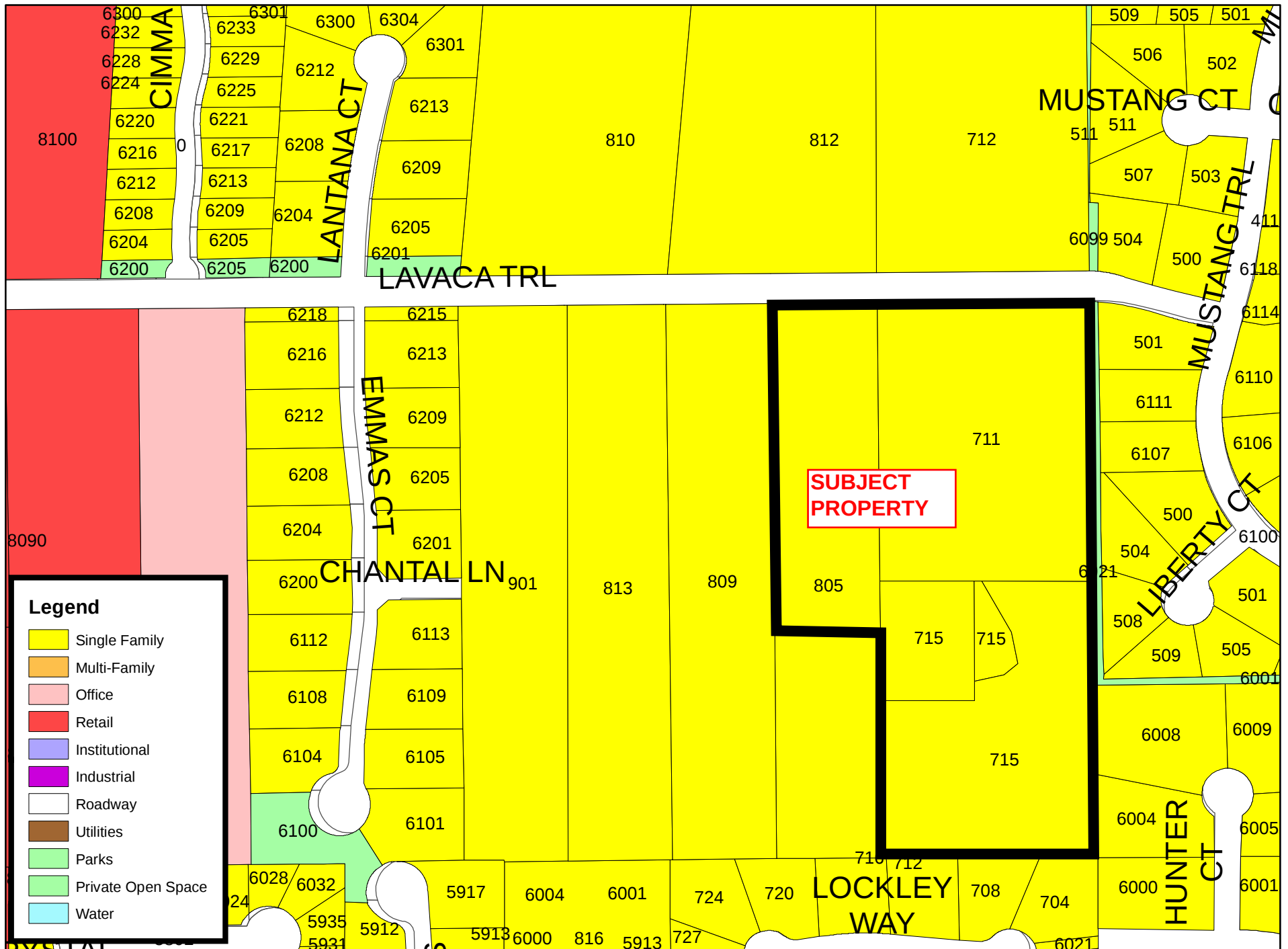
Approve

Attachments

1. Location and Zoning Map
2. Future Land Use Map
3. Aerial
4. Notification Map
5. Notification List
6. Statement of Planning Objectives
7. Conceptual Development Plan
8. Letters of Opposition
9. Letter from Remington Park Home Owner Association Board
10. O-14-xxxx

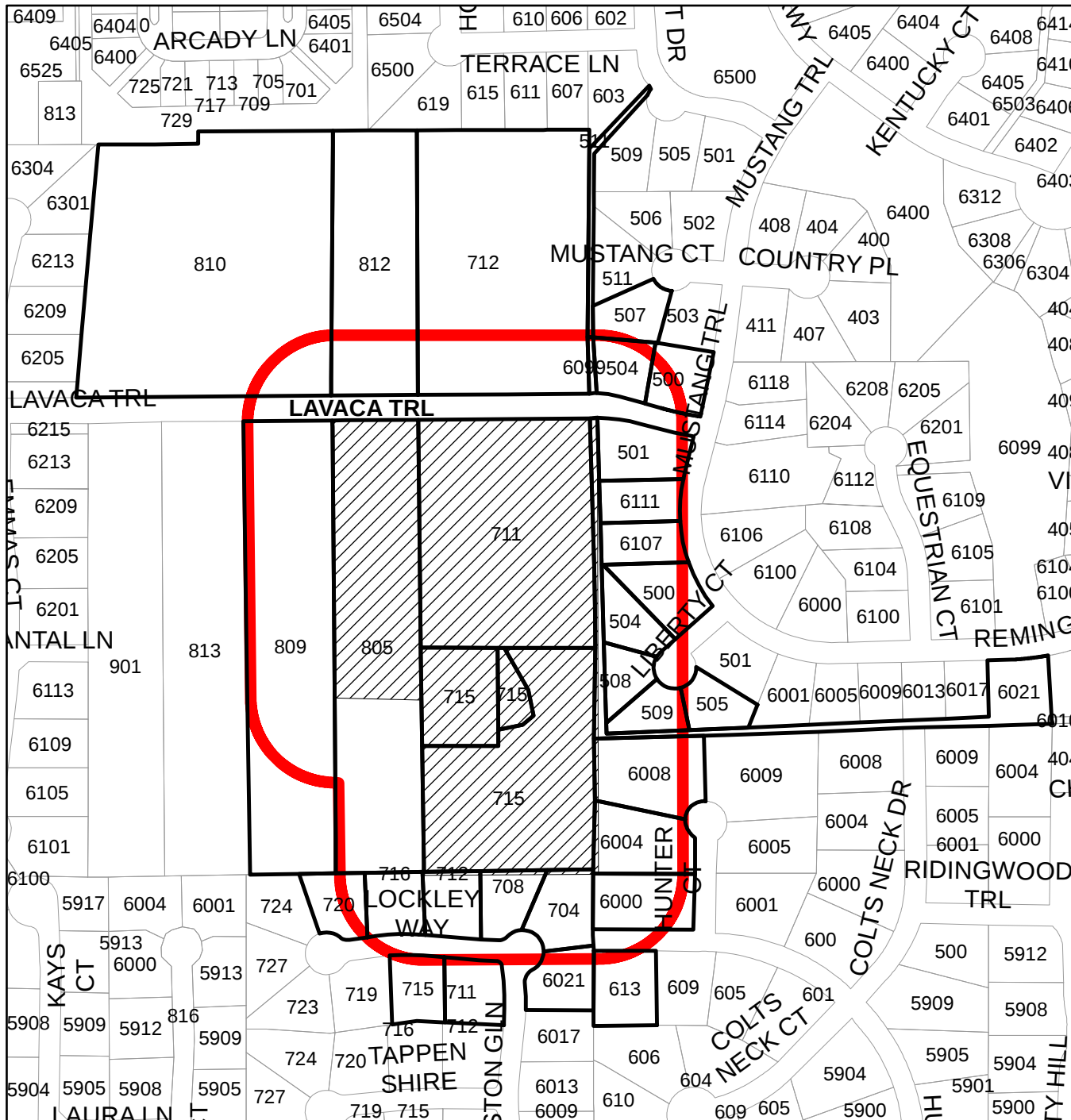
The map displays a residential area with various zoning districts. The central area is labeled 'SUBJECT PROPERTY' and is surrounded by 'R-20' and 'R-40' zones. To the left, there are 'PUD-C' and 'CC-2' zones. To the right, there are 'PUD-R' and 'AG' zones. The map shows a grid of streets including MCDONWELL SCHOOL RD W, REMINGTON CT, BELMONT DR, MUSTANG TRAIL, COUNTRY PL, REMINGTON, CHAMPION WAY, KENTUCKY CT, VINTAGE, REMINGTON, COLTS NECK DR, RIDINGWOOD TRAIL, HUNTER TRAIL, HUNTER CT, COLTS NECK CT, COUNTRY WAY, W L D LOCKETT RD, CHALEFORD CIRCLE, TEW PATH, DUNS, SHIRE, TAPPEN, LOCKLEY WAY, KAYS CT, LAURA LN, ST ANDREWS CT, CRYSTAL WAY, STERLING DR, CRESCENT LN, and CHANTALL LN. The map also shows numerous lot numbers and street names.

Future Land Use Map



[illegible]

Notification Map



Case ZC14-012 -

711, 715, & 805 Lavaca Trl.

Legend

-  Properties within 200 feet
-  Subject properties
-  Parcels



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
LINDSAY, DAVID	715 LOCKLEY WAY	COLLEYVILLE	TX	76034	000715 LOCKLEY WAY
REM PARK HA INC	PO BOX 343	COLLEYVILLE	TX	76034	006021 REMINGTON PKWY
THOMAS, JIMMY ETUX MINDY T	712 LOCKLEY WAY	COLLEYVILLE	TX	76034	000712 LOCKLEY WAY
GOETTING, KAREN K	856 MULLRANY DR	COPPELL	TX	75019	000715 LAVACA TR
ETTINGER, MARK R ETUX GENA M	711 LOCKLEY WAY	COLLEYVILLE	TX	76034	000711 LOCKLEY WAY
ADKINS, STEPHEN D ETUX MARY A	716 LOCKLEY WAY	COLLEYVILLE	TX	76034	000716 LOCKLEY WAY
GIACOMINI, STEPHANIE A	805 LAVACA TRL	COLLEYVILLE	TX	76034	000805 LAVACA TR
MOORE, PAUL L ETUX EVA	613 HUNTER TRL	COLLEYVILLE	TX	76034	000613 W HUNTER TR
GOHR, MARTIN ETUX LORRAINE	809 LAVACA TRL	COLLEYVILLE	TX	76034	000809 LAVACA TR
ADAMS, LINDA B ETUJERRY	6008 HUNTER CT	COLLEYVILLE	TX	76034	006008 HUNTER CT
KANE, JACK J ETUX PATRICIA A	6004 HUNTER CT	COLLEYVILLE	TX	76034	006004 HUNTER CT
MOORE, GARY E ETUX JULIE L	6000 HUNTER CT	COLLEYVILLE	TX	76034	006000 HUNTER CT
PEEK, EDWARD ALLEN ETUX DARCY	507 MUSTANG CT	COLLEYVILLE	TX	76034	000507 MUSTANG CT
PACILIO, WILLIAM J ETUX NANCY	500 LAVACA TRL	COLLEYVILLE	TX	76034	000500 LAVACA TR
MYERS, JOHN R ETUX ADRIENNE A	504 LAVACA TRL	COLLEYVILLE	TX	76034	000504 LAVACA TR
REM PARK HA INC	PO BOX 343	COLLEYVILLE	TX	76034	006099 REMINGTON PKWY
REM PARK H A INC	PO BOX 343	COLLEYVILLE	TX	76034	000511 BELMONT DR
STEWART, TERRACE ETUX KIM	500 LIBERTY CT	COLLEYVILLE	TX	76034	000500 LIBERTY CT
APODACA, TED T ETUX CAROLYN E	508 LIBERTY CT	COLLEYVILLE	TX	76034	000508 LIBERTY CT
BORLAND, JAMES W ETUX ELAINE M	6107 MUSTANG TRL	COLLEYVILLE	TX	76034	006107 MUSTANG TR
ISELL, CHRISTOPHER M ETUX KEL	504 LIBERTY CT	COLLEYVILLE	TX	76034	000504 LIBERTY CT
RASMUSSEN, JASON ETUX ERICA	501 LAVACA TRL	COLLEYVILLE	TX	76034	000501 LAVACA TR
RANDALL, MARK R	6111 MUSTANG TRL	COLLEYVILLE	TX	76034	006111 MUSTANG TR
STOVER, G PAUL ETUX CYNTHIA A	4501 DARTMOORE LN	COLLEYVILLE	TX	76034	000509 LIBERTY CT
BARGER, BRETT ETUX LISA	505 LIBERTY CT	COLLEYVILLE	TX	76034	000505 LIBERTY CT
OMERTA COS II LP	2405 SOUTHERN HILLS CT	KELLER	TX	76248	000810 LAVACA TR
PRATT, LEONARD E ETUX JUDITH K	711 LAVACA TRL	COLLEYVILLE	TX	76034	000711 LAVACA TR
OMERTA COS II LP	2405 SOUTHERN HILLS CT	KELLER	TX	76248	000712 LAVACA TR
NORDLING, RONALD E ETUX TAMMY	715 LAVACA TRL	COLLEYVILLE	TX	76034	000715 LAVACA TR
NORDLING, RONALD E ETUX TAMMY	715 LAVACA TRL	COLLEYVILLE	TX	76034	000715 LAVACA TR
OMERTA COS II LP	2405 SOUTHERN HILLS CT	KELLER	TX	76248	000812 LAVACA TR
VALLINA, JEFFREY ETUX SHANNON	708 LOCKLEY WAY	COLLEYVILLE	TX	76034	000708 LOCKLEY WAY
ASHTON DALLAS RESIDENTIAL LLC	1221 N INTERSTATE 35E # 170	CARROLLTON	TX	75006	006021 SHERSTON GLEN
THOMPSON, JOHN J III & BETSY	704 LOCKLEY WAY	COLLEYVILLE	TX	76034	000704 LOCKLEY WAY
GORDON, MARK K ETUX BEVERLY W	720 LOCKLEY WAY	COLLEYVILLE	TX	76034	000720 LOCKLEY WAY
COVINGTON HOA					NO INFORMATION ON FILE
ST. ANDREWS ESTATES HOA					NO INFORMATION ON FILE
REMINGTON PARK HOA	315 POLO TRL	COLLEYVILLE	TX	76034	COURTESY NOTICE
KELLER ISD	350 KELLER PARKWAY	KELLER	TX	76248	COURTESY NOTICE
KOSSE MAYKUS, APPLICANT	PO BOX 92747	SOUTHLAKE	TX	76092	APPLICANT

Public hearing notices were mailed
Thurs., July 3rd by Taci Wrisley

Statement of Planning Objectives

The Legacy

Colleyville, Texas

Zoning Narrative –27 June 2014

Hat Creek Development, Developer

Sage Group, Inc., Land Planner

Statement of Planning Objectives

The Legacy is a proposed residential neighborhood to be developed by Hat Creek Development under the R-20 Single Family Residential District regulations for residential development in the City of Colleyville. The 30.05 acre property is located on the south side of LaVaca Trail, just west of and adjacent to the Remington Park PUD-R development. About 60% of the property is already zoned R-20, and the remainder is currently R-40. The intent here is to rezone the R-40 portion to R-20 and unify the property into one cohesive, master planned residential development of the highest quality.

There are currently several occupied single-family homes on the various properties that make up this proposal. One of these homes is relatively new and is of the quality level that would be consistent with the high standards planned for this development, so it will be worked into the plan; the remainder will be removed.

The surrounding area is, for the most part, fully developed with similar or smaller sized single-family lots, except for the property across LaVaca Trail to the north, which has yet to be developed. There are existing subdivisions bordering the subject tract on the entire western, eastern and southern boundaries. These subdivisions are zoned R-20 and PUD-R (Remington Park, which contains lots from approximately 14,000 s.f. to over 20,000 s.f.).

The proposed plan, with minimum 20,000 s.f. lots and open space, would be consistent with the neighborhood, as well as the city's Future Land Use Plan.

All residential lots within The Legacy, as shown on the Zoning Concept Plan Exhibit, shall be a minimum of 20,000 s.f., a size which is consistent with the zoning of the adjacent subdivisions. Quality and compatibility with the adjacent residential, as well as the rest of Colleyville is essential, and we have designed this proposal with those goals in mind.

The residences planned for The Legacy will be very upscale, with selling prices estimated to range between \$900,000 to over \$1.5 million. The development will have as its focal point, and feature, a private "forest" park, immediately visible upon entering the neighborhood. This area is particularly tree covered, and we have chosen to save this large area as the best method to assure this large tree area is saved. Rather than turn a "back" to LaVaca Trail, the concept here is to set back from LaVaca Trail with a generous greenbelt, then a perimeter road, allowing the fronts of our homes to face LaVaca Trail, presenting a welcoming and architecturally distinctive orientation toward the road. The LaVaca Trail frontage will be fully landscaped, as will the other open space areas within the project. Open Space will make up almost 15% of the project area.

Statement of Planning Objectives

The Legacy will be proposed as a gated community with private streets. A single entry from LaVaca Trail, positioned to take advantage of the central “Forest Park,” will provide a distinctive and quality main entry. Because there are no existing streets coming from the east or south of the adjacent properties to connect to, a second point of access will be made from the street stubbed to this property from the adjacent development to the west. We propose to have an “Emergency Only” gate installed there, meeting the requirements of the Fire Department for their access.

We propose to build the normal Colleyville street section of 31’ (back of curb to back of curb), in a 40’ R.O.W. with 5’ utility and sidewalk easements.

The large existing trees on the property have been taken into consideration in project planning and many of them will be preserved during development and subsequent home building. As this is planned to be an exclusively custom home development, home sites will not be mass-graded, to allow each home the opportunity to build around the large and plentiful trees. There will be a requirement of two street trees for every residential lot to be installed by the home builders, adjacent to the street rights of way, unless there are already existing trees there that are saved. To encourage pedestrian activity in the neighborhood, sidewalks will be built along the front of each lot, and a connection will be made to the existing pedestrian trail stubbed to this property from the “Covington” neighborhood to the south.

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

Development Schedule

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

Economic Development Information

The Legacy will have a total of forty four (44) homes, each with an estimated average value upon completion of \$1,200,000, resulting in an overall tax base of over \$50,000,000. At the current tax rate of 2.694677%, the total taxes generated from the development are projected to be \$1,347,338, with \$186,226 generated directly for the City.

Statement of Planning Objectives

Development Standards

Permitted Land Use:	Single Family Residential Detached
Minimum House Size:	3,500 square feet for a single story home, 4,000 square feet for a two story home
Minimum Lot Area:	20,000 s.f.
Minimum Lot Width:	One hundred feet (100') measured at the building setback line, except pie-shaped cul-de-sac lots, in which case the minimum shall be eighty three feet (83') at the building setback line.
Front Yard Setbacks:	Thirty feet (30') back of the property line
Rear Yard Setbacks:	Twenty Five feet (25')
Side Yard Setbacks:	Ten feet (10')
Minimum Roof Pitch:	Minimum of a 10:12 roof pitch, unless architecturally required to vary, based on home style.
Garage Standard:	Minimum of a three car garage with wood like, architecturally enhanced doors.
Masonry Requirement:	One hundred percent (100%) brick, stone or real stucco masonry. No EIFS or artificial stucco material shall be permitted in the subdivision.
Additional Elevation Requirements:	All plans will be reviewed by The Legacy Architectural Review Committee. Elevations will have a hierarchy of plate dominance featuring custom front doors and entrances; balanced architectural features and interests with natural tones for paint and exterior finishes. Roofing to be either 40 lb. Architectural Dimensional shingles, slate, tile or standing seam metal. Each elevation should add interest to the entire streetscape.
Windows:	No aluminum widows allowed in the subdivision, only windows of higher quality and energy efficiency will be allowed. All windows will be insulated glass with a "low-e" specification.

Statement of Planning Objectives

Fencing:	Wood fencing between lots is permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry. All lots backing to the Common Open Space shall be open style fencing of decorative metal, and/or Masonry. Where lots back to existing residential lots with wooden screening fences, the existing fence shall be kept, maintained or improved in coordination with each owner, as shown in the diagram on the Zoning Concept Plan. Where open space lots border adjacent properties, either the existing fence will be maintained or improved, or a decorative metal fence will be installed, all in cooperation with the adjacent property owner.
Streetscape Standards:	Minimum of two (2) three-inch (3") caliper trees per front yard, unless quality existing trees are present and saved. Fully landscaped and sprinklered front and rear yard within sixty days of completing a house.
Front Yard Maintenance:	The open space lots within the subdivision shall be maintained in a consistent, uniform manner by The Legacy Homeowners Association through dues collected from the individual homeowners. Membership in the Homeowner's Association is mandatory.
Street Design Standards:	
Right of Way:	Forty feet (40')
Travel Lane Width:	Thirty-one foot (31'), back of curb to back of curb
Turning Radii:	Fifteen feet (15')
Open Space Standards:	Except for the natural tree preservation areas, the Common Open Space shall be fully landscaped and irrigated with a combination of trees and shrubbery pursuant to an approved landscape plan. The Common Open Space shall be owned and operated by The Legacy Homeowners Association which shall have a mandatory membership of all homeowners and shall collect dues in amounts satisfactory to maintain the Common Open Space. The Association shall have fine and lien rights as permitted by law to enforce compliance with the rules of the association.
Signage:	A monument sign identifying the subdivision shall be built at the gated entry from LaVaca Trail.

Conceptual Development Plan



Legend

4' Concrete Sidewalk	---
6' Concrete Trail	---
Common Open Space	Green
Residential Lots	Yellow

Fence/Wall Type Locations



Owner:
Pratt Living Trust
711 West Lavaca Trail
Colleyville, TX 76034

Owner:
Karen Goetting
856 Mullrany Drive
Coppell, TX 75019

Owner:
Tammy Nording
715 West Lavaca Trail
Colleyville, TX 76034

Owner:
Stephanie Giacomini
805 Lavaca Trail
Colleyville, TX 76034

Owner:
Martin & Lorraine Gohr
809 Lavaca Trail
Colleyville, TX 76034

Owner:
Steve Martin
813 Lavaca Trail
Colleyville, TX 76034

Owner:
Daniel Garrison
6401 Westcoat Drive
Colleyville, TX 76034

Applicant:
Hat Creek Development
P.O. Box 92747
Southlake, TX 76092
817-329-3111
Contact: Kossie Maykus



Planner:

SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture

1130 N. Carol Ave., Ste. 200
Southlake, Texas 76092
TEL: 817-424-2626

Site Data Summary Chart

Single Family Residential Lots		44
Common Areas		6
Residential Lots	68.85%	20.69 ac.
Open Space	14.64%	4.40 ac.
R.O.W.	16.51%	4.96 ac.
Res. Gross Acreage	100.00%	30.05 ac.

Site Data

Gross Acreage	30.05 ac.
Gross Density	1.46

Lot Summary

Residential Lots	44
Minimum Building Lot Area	20,000 s.f.
Average Building Lot Area	20,483 s.f.
Common Areas	6

L.U.D. / Zoning

Existing Zoning:	R-20 & R-40
Proposed Zoning:	R-20

Notes:

- Front Setbacks are 30'
- Rear Setbacks are 25'
- Side Setbacks are 10', corner side setbacks are 15'
- There will be no outside storage onsite
- Open space lots & landscape easements will be maintained by the Homeowners Association (HOA).

All of Tract A and Tract B of the McEwing Subdivision, recorded in Volume 388-29, Page 447, Plat Records of Tarrant County, Texas (P.R.T.C.T.), and a portion of Lot A, Giacomini Addition, recorded in Cabinet A, Slide 6002, P.R.T.C.T.

N 88°50'19" E 607.74

S 01°01'51" E 754.59

S 00°00'21" E 319.99

S 89°29'04" W 404.87

N 00°44'20" W 407.34

S 88°42'57" W 203.36

N 00°44'36" W 663.08

Containing 570,372 square feet, or 13.094 acres



Zoning Exhibit for
Zoning Change Request
From R-20 & R-40 to R-20
Case # ZC--014 R-40 to R-20

Zoning Case #ZC14-012

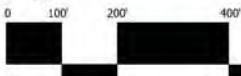
The Legacy

Colleyville, Tarrant County, Texas

27 JUNE 14



1" = 100'



Development Plan

Letters of Opposition

From: Ralph Sells
Sent: Tuesday, July 08, 2014 9:58 AM
To: Taci Wrisley
Cc:
Subject: ZC14-012

Good Morning Taci and thank you for speaking with me this morning.
In reference to our discussion about the request for rezoning of 711, 715 & 805 Lavaca Trail, across the street from my property 712, 812, & 801 Lavaca Trail; I am **opposed** to the rezoning request.
I purchased this tract of land with the intent to build one home, not a subdivision.

If the proposed rezoning is permitted then the desirability of my land as an estate lot for a single home greatly diminishes. I bought this land because it is located in Colleyville and I was told by many Colleyville citizens that it is a fantastic community. I purchased this land because I like the country feel, low traffic, and it's peaceful allure. If you allow high density living across from my land, then you have taken away the very reason I purchased it. At this point I too might as well sell out to a developer and let them rezone and build more homes. I'm not sure how Lavaca Trail will support so much traffic, not to mention getting in/out of Precinct Line.

I went through this very same scenario in Southlake where I own a large estate lot. Southlake permitted the zoning change and consequently I listed my property for sale. I now receive at least one call a week from developers.

I know I alone cannot stop the development of Lavaca Trail but since I own so much land on the road I sincerely hope you will consider my plea. Keep the zoning as is and I will NOT sell to a developer. The neighboring families and children love the cows, alpaca's, horses and goats, please don't take that away from all of us. I was sincerely and most genuinely invited to your community by so many neighbors when I promised I would not take away the "country feel".

Traci, I know you did not ask for a dissertation but I wanted you to know why I and so many others are opposed to this rezoning request. More than anything, these developers don't care about Colleyville, they don't even live in the area. They simply want to make money and move on to the next tract of land. They don't have roots in Colleyville, they don't have pride in the community, they didn't raise their children here – they just want to make money.

Thank you again for listening, and I'll see Monday if you are at the hearing.
Respectfully,

Ralph Sells | President/CEO
9151 Blvd 26, Suite 400 | North Richland Hills, TX 76180

Letters of Opposition

Jeff & Shannon Vallina
708 Lockley Way
Colleyville, TX 76034

7 July 2014

Community Development Department
City of Colleyville
100 Main St.
Colleyville, TX 76034

Subject: Zoning Case Number ZC14-012

Dear Sir/Ma'am,

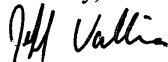
My wife and I own a single family residence at 708 Lockley Way in Colleyville that borders the southern side of the property requesting the above zoning change. I regret to inform you that we will be unable to attend the public hearing for planning and zoning on Monday, July 14th, but wish to write this letter to have our opinions known. We are NOT in favor of this zoning change for the following reasons. First, the entire DFW metroplex is under a severe water shortage, as is well known. Many municipalities are already in Stage 2 or 3 water restrictions as I write this. It seems only a matter of time before the Tarrant Regional Water District raises the restrictions for Colleyville. I fail to see how more and more subdivisions and more and more houses will do anything but exacerbate this problem for the residents of Colleyville.

Secondly, we believe this requested transition to subdivided lots will negatively affect our property's value. Backing up to a green space as it exists now is a tremendous selling point to our house. Without fail, all who enter our house and our backyard positively comment on the space in question. Tearing down the many mature trees that exist in this space will do nothing but reduce the desirability of our home if/when we decide to sell it.

Finally, in a different vein, one of Colleyville's greatest strengths, and one of the main reasons we moved here, is the balance it offers its residents. It strikes us as a municipality that perfectly blends residential and commercial, new and old, and 'city' and country. We love driving home and seeing the houses, the retail, the schools, but also the fields, the horses, and the many, many beautiful trees. I know Colleyville has taken great pains over the years to achieve this harmony. I'm afraid if we continue the trend of what's proposed with ZC14-012, we'll lose that harmony. I don't want to be looking out of an airplane window some day on Colleyville and see roof after roof after roof, like you see in so many other cities in the metroplex, and I hope Colleyville doesn't want that either.

Thank you for your consideration. Please don't hesitate to contact me with any questions.

Sincerely,



Jeff Vallina
c: 757.581.8459

Letter from Remington Park Home Owners Association Board



Remington Park

6500 Remington Parkway
Colleyville, TX 76034

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

To – Planning and Zoning Commissioners

Reference Zoning Case Number ZC14-012, a rezoning request on Lavaca Trail and adjacent to Remington Park Subdivision.

Request you delay making a rezoning decision until the Developer has contacted and briefed the Remington Park HOA. While those families that live within 200 feet of subject property and the HOA were notified of the Hearing this past weekend, we do not have sufficient insight into the Developers plan for the area to make a well informed decision on our support and/or opposition to the rezone request.

Your process indicates that a written protest, if desired, must be submitted prior to the public hearing. We respectfully request that either the Hearing be delayed or at least prior to rendering your decision that the Developer be asked to meet with the residents living within 200 feet of the subject property and the HOA Board.

We owe it to the Commission and to the residents of Remington Park, to give you our very best assessment of the safety and other impacts resulting from the proposed development. With insight into the overall development plan, we can help.

Your favorable consideration in this sensitive matter is greatly appreciated.

Sincerely,

Will Allen

President, Remington Park Home Owners Association Board
Cell: 513.368.2969;

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 AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 13.09 ACRES ON OF TRACT A AND TRACT B, OF THE MCEWING SUBDIVISION AND A PORTION OF LOT A, OF THE GIACOMINI ADDITION, LOCATED AT 711, 715, AND 805 LAVACA TRAIL, FROM THE R40-SINGLE FAMILY RESIDENTIAL ZONING DISTRICT TO THE R20-SINGLE FAMILY 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 rezoning under Case ZC14-012; 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; and 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 13.09 acres on Tract A and Tract B, of the McEwing Subdivision and a portion of Lot A, of the Giacomini Addition located at 711, 715, and 805 Lavaca Trail, from the R40-Single Family Residential zoning district to the R20-Single Family Residential zoning district, as depicted in the attached Exhibit "A" and described in the attached "Exhibit B".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT 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. 5. 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. 6. 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. 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 _____ day of August 2014.

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

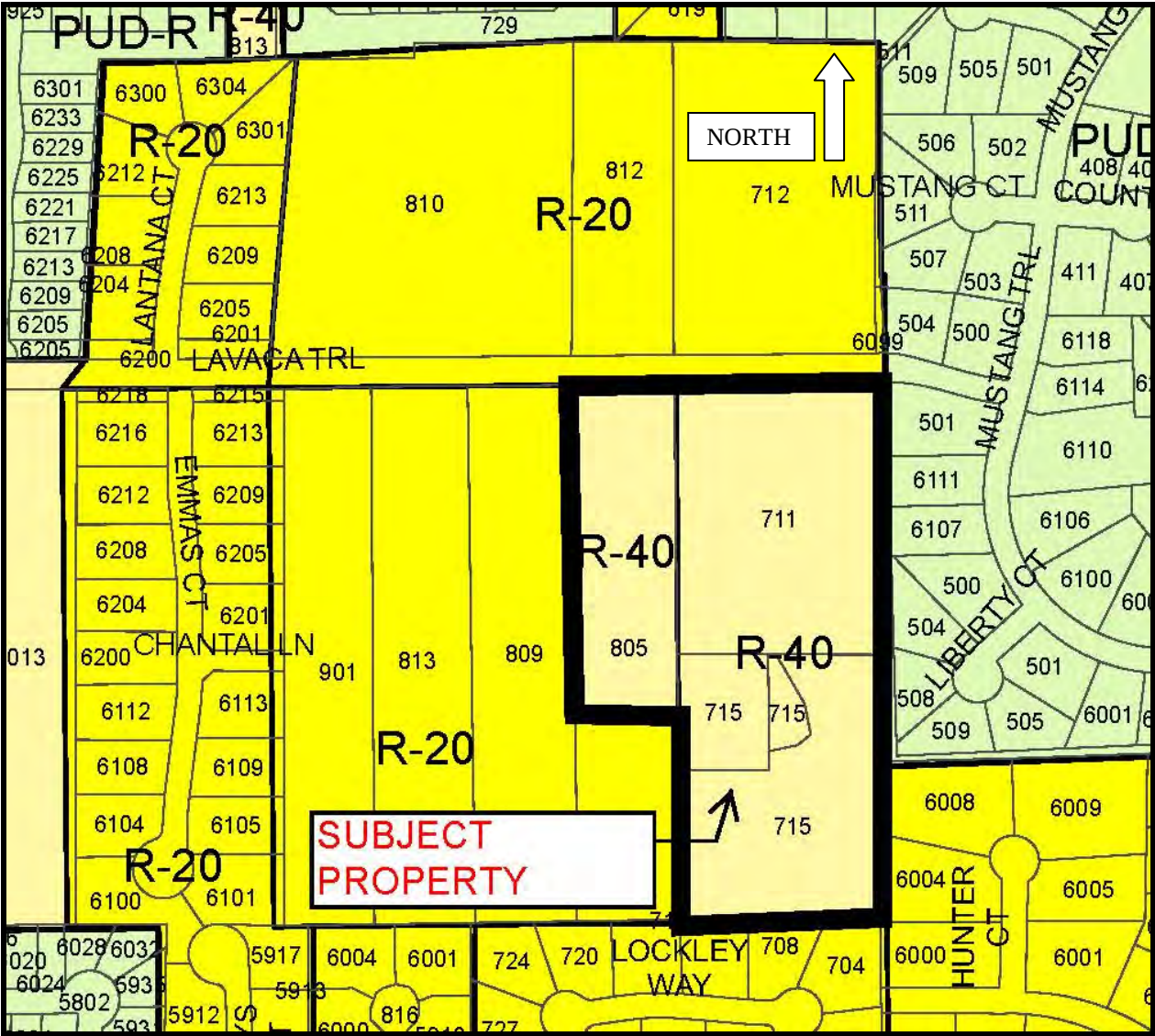


Exhibit "B"- Metes and Bounds Description

METES AND BOUNDS DESCRIPTION of the portion of the property currently zoned R-40, proposed for R-20:

All of Tract A and Tract B of the McEwing Subdvision, recorded in Volume 388-29, Page 447, Plat Records of Tarrant County, Texas (P.R.T.C.T.), and a portion of Lot A, Giacomini Addition, recorded in Cabinet A, Slide 6002, P.R.T.C.T.

N 88°50'19" E 607.74

S 01°01'51" E 754.59

S 00°00'21" E 319.99

S 89°29'04" W 404.07

N 00°44'20" W 407.34

S 88°42'57" W 203.36

N 00°44'36" W 663.08

Containing 570,372 square feet, or 13.094 acres



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 07/14/2014	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a zoning change from the AG-Agricultural zoning district to the R-30 Single Family Residential zoning district on 1.05 acres of Lot 9, of the Mrs. Eva Paul's Subdivision located at 1109 Tinker Road, ZC14-013

Explanation

Bud Sellers, with TRS Custom Homes, has submitted a request to change the zoning on 1.05 acres, located at 1109 Tinker Road. The applicant is requesting to rezone the property from the AG-Agricultural zoning district to the R-30-Single Family Residential zoning district. The applicant is seeking a zoning change in order to build a new single family home. The AG-Agricultural zoning district allows single family uses. However, the AG zoning district requires a minimum 40 foot front yard setback, a 25 foot side yard setback, a minimum rear yard setback of 40 feet, and a minimum lot size of 130,680 square feet.

Existing Conditions. The subject property is platted as Lot 9, Mrs. Eva Paul's Subdivision. The lot is vacant with a single family home currently under construction. The buried propane tank shown on the illustration has been removed from the property.

Zoning Request. As the rezoning request does not involve a Special Use Permit or Planned Unit Development, no extra conditions or exactions may be added to the proposed ordinance as part of any approval by the City Council.

Lot Dimensions and Setbacks. The R-30 zoning regulations, in the Land Development Code, require a minimum lot size of 30,000 square feet with a minimum lot width and lot depth of 125 feet. Per Section 3.24 G, Schedule of District Regulations, in the Land Development Code, the following residential zoning standards apply:

Minimum Front Yard Setback: 35 feet
Minimum Side Yard Setbacks: 10 feet
Minimum Rear Yard Setback: 25 feet
Maximum Building Height: 35 feet
Maximum Lot Coverage: 25 Percent

The current dimensions of the lot meet the minimum standards of the Land

Development Code for the R-30 zoning district.

Surrounding Development Trends. The properties to the north are zoned R-40 Single Family Residential and are developed as single family detached homes. The property to the east is zoned AG-Agricultural and developed as a single family detached home. The property to the west is zoned R-30 Single Family Residential and developed as a single family detached home. The properties to the south are zoned R-20 Single Family Residential and are developed as single family detached homes.

Master Plan. The Future Land Use Plan designates the subject property for single family residential uses. The proposed rezoning is consistent with the Future Land Use Plan.

Public Notification. Staff mailed notices to 14 property owners within 200 feet as well as all Homeowners Associations within 500 feet of the subject property regarding this request. 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. To date, staff has received no correspondence regarding this request.

Summary. The proposed zoning change is consistent with the Future Land Use Plan, which designates the subject property as single family residential uses.

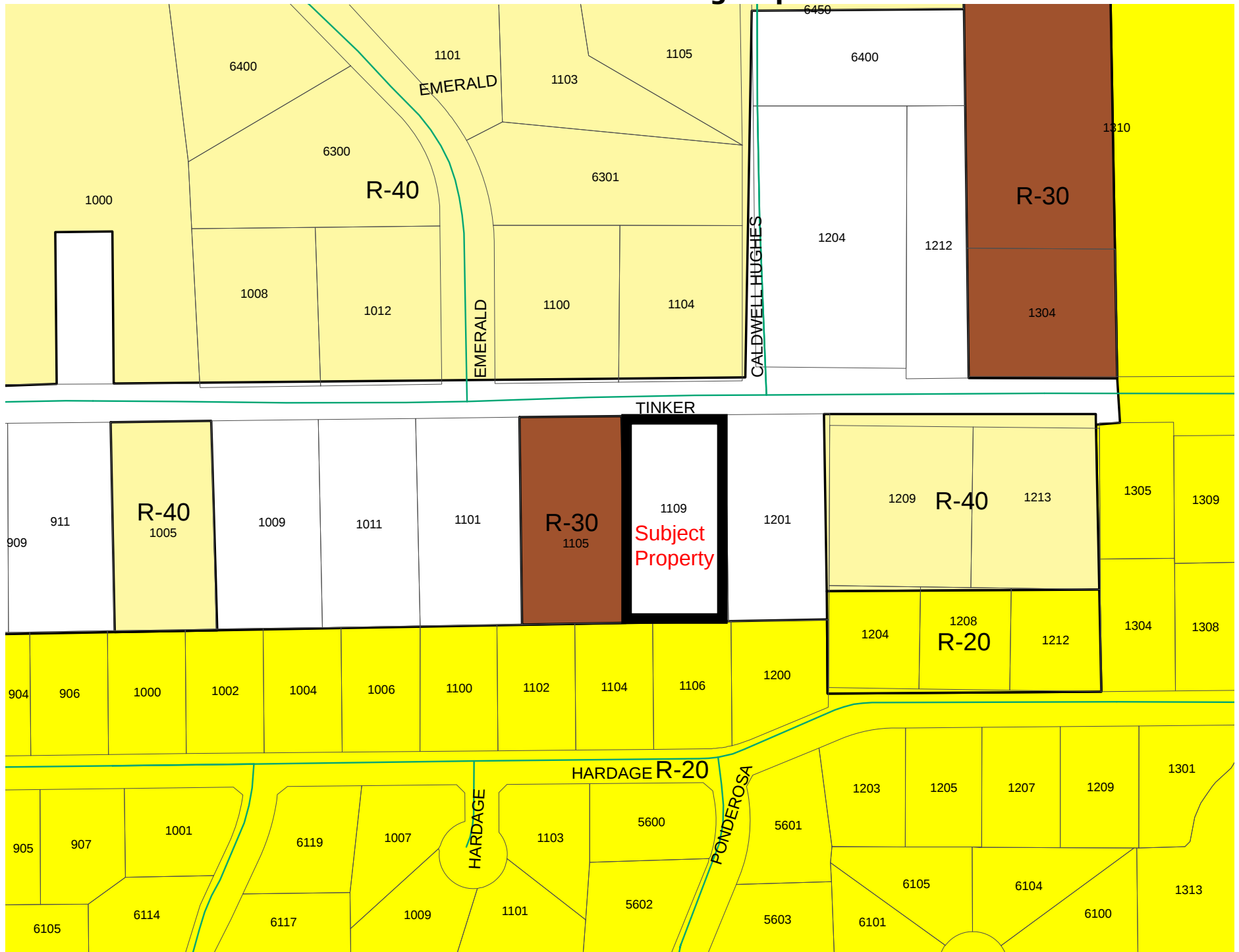
Recommendation

Staff recommends approval of the rezoning request.

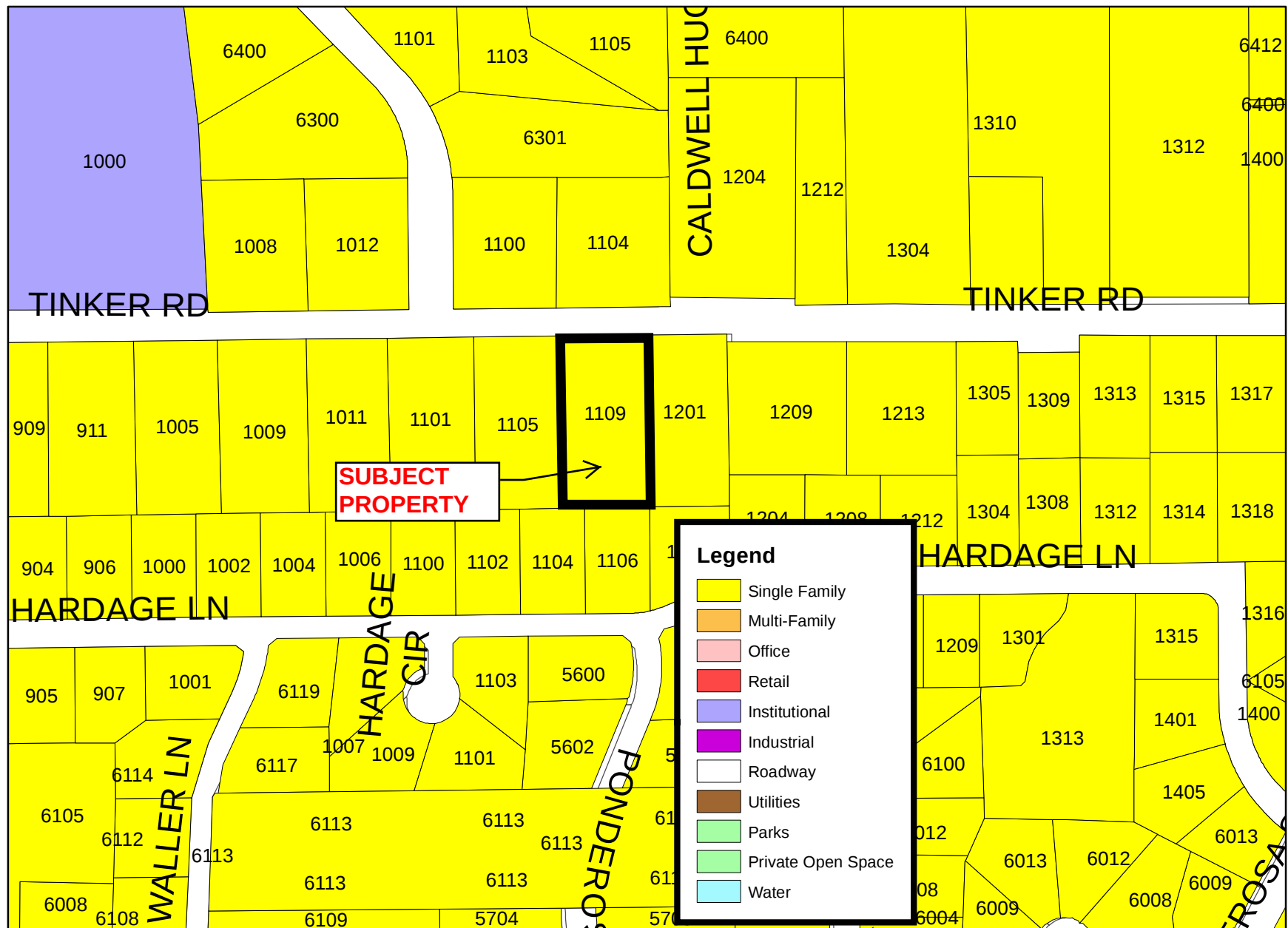
Attachments

1. Location and Zoning Map
2. Proposed Site Plan
3. Proposed Exterior Elevations
4. Property Survey
5. Notification Map
6. O-14-xxxx

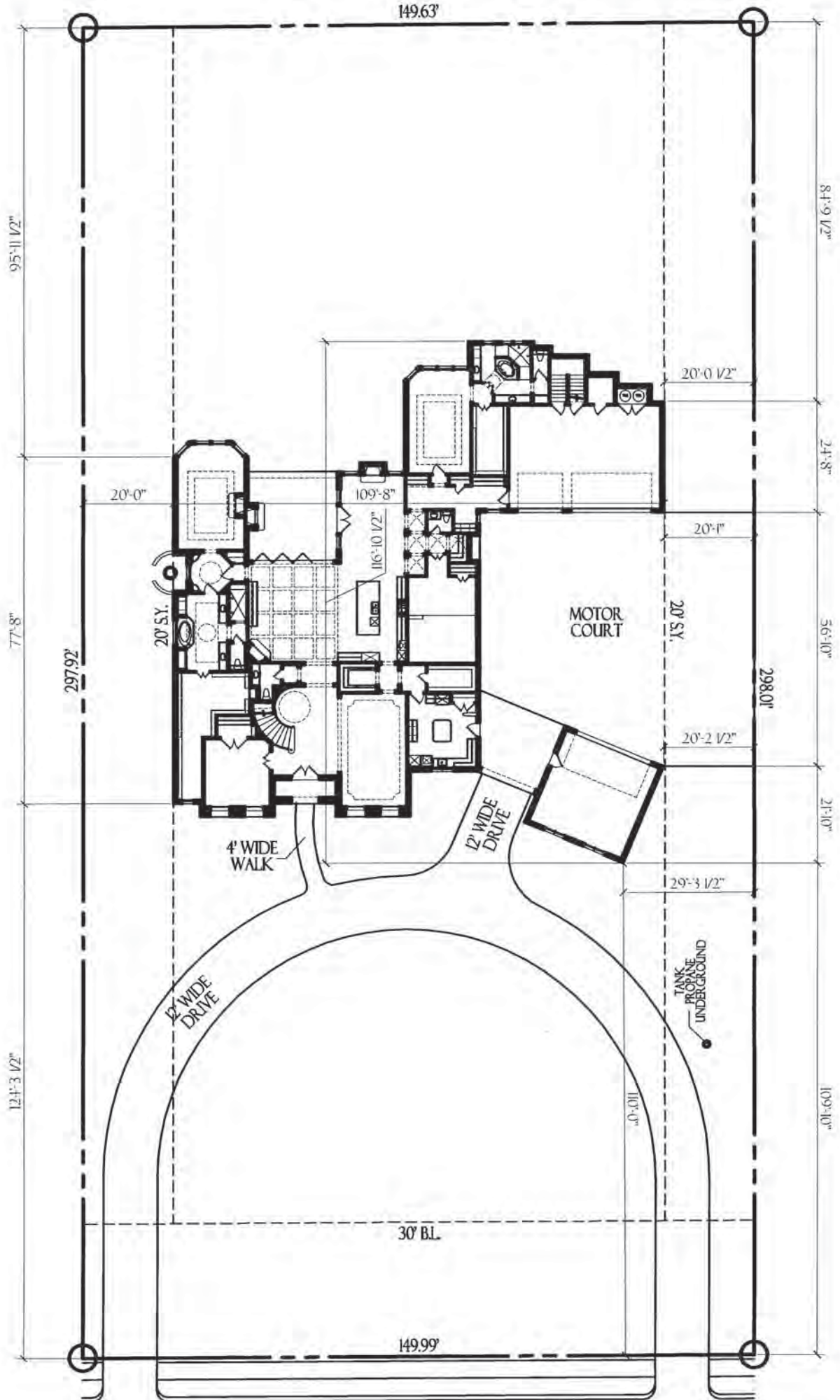
Location and Zoning Map



Future Land Use Map



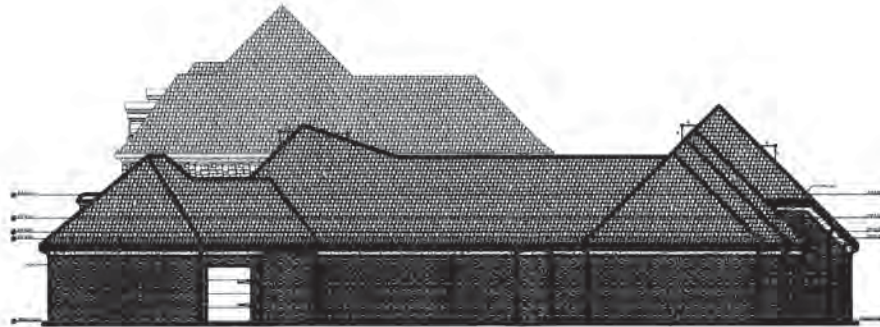
Proposed Site Plan



Proposed Exterior Elevations



LEFT ELEVATION
SCALE: 1/8" = 1'-0"



RIGHT ELEVATION
SCALE: 1/8" = 1'-0"

NOTES

1. All elevations shall be shown in black ink on white paper.

2. All elevations shall be shown in black ink on white paper.

3. All elevations shall be shown in black ink on white paper.

4. All elevations shall be shown in black ink on white paper.

5. All elevations shall be shown in black ink on white paper.

6. All elevations shall be shown in black ink on white paper.

7. All elevations shall be shown in black ink on white paper.

8. All elevations shall be shown in black ink on white paper.

9. All elevations shall be shown in black ink on white paper.

10. All elevations shall be shown in black ink on white paper.

11. All elevations shall be shown in black ink on white paper.

12. All elevations shall be shown in black ink on white paper.

13. All elevations shall be shown in black ink on white paper.

14. All elevations shall be shown in black ink on white paper.

15. All elevations shall be shown in black ink on white paper.

16. All elevations shall be shown in black ink on white paper.

17. All elevations shall be shown in black ink on white paper.

18. All elevations shall be shown in black ink on white paper.

19. All elevations shall be shown in black ink on white paper.

20. All elevations shall be shown in black ink on white paper.

TRS CUSTOM HOMES
1109 TINKER ROAD
COLLEYVILLE, TEXAS
MRS. EVA PAUL'S
LOT 9
CHERI RESIDENCE


HOME DESIGNS
817.412.0896
www.chomedesigns.com

JOB #:
14001
A-6

Proposed Exterior Elevations



FRONT ELEVATION
SCALE: 1/8" = 1'-0"



REAR ELEVATION
SCALE: 1/8" = 1'-0"

OWNER'S NOTES	
1. All work shall be in accordance with the latest edition of the International Building Code (IBC) and the International Residential Code (IRC) as adopted by the State of Texas.	
2. All work shall be in accordance with the latest edition of the Texas Building Code (TBC) as adopted by the State of Texas.	
3. All work shall be in accordance with the latest edition of the Texas Electrical Code (TEC) as adopted by the State of Texas.	
4. All work shall be in accordance with the latest edition of the Texas Mechanical Code (TMC) as adopted by the State of Texas.	
5. All work shall be in accordance with the latest edition of the Texas Plumbing Code (TPC) as adopted by the State of Texas.	
6. All work shall be in accordance with the latest edition of the Texas Fire Code (TFC) as adopted by the State of Texas.	
7. All work shall be in accordance with the latest edition of the Texas Health Code (THC) as adopted by the State of Texas.	
8. All work shall be in accordance with the latest edition of the Texas Safety Code (TSC) as adopted by the State of Texas.	
9. All work shall be in accordance with the latest edition of the Texas Environmental Code (TEC) as adopted by the State of Texas.	
10. All work shall be in accordance with the latest edition of the Texas Transportation Code (TTC) as adopted by the State of Texas.	

TRS CUSTOM HOMES
1109 TINKER ROAD
COLLEYVILLE, TEXAS
MRS. EVA PAUL'S
LOT 9
CHERI RESIDENCE

HOME DESIGNS
817.412.0896
www.homedesigns.com

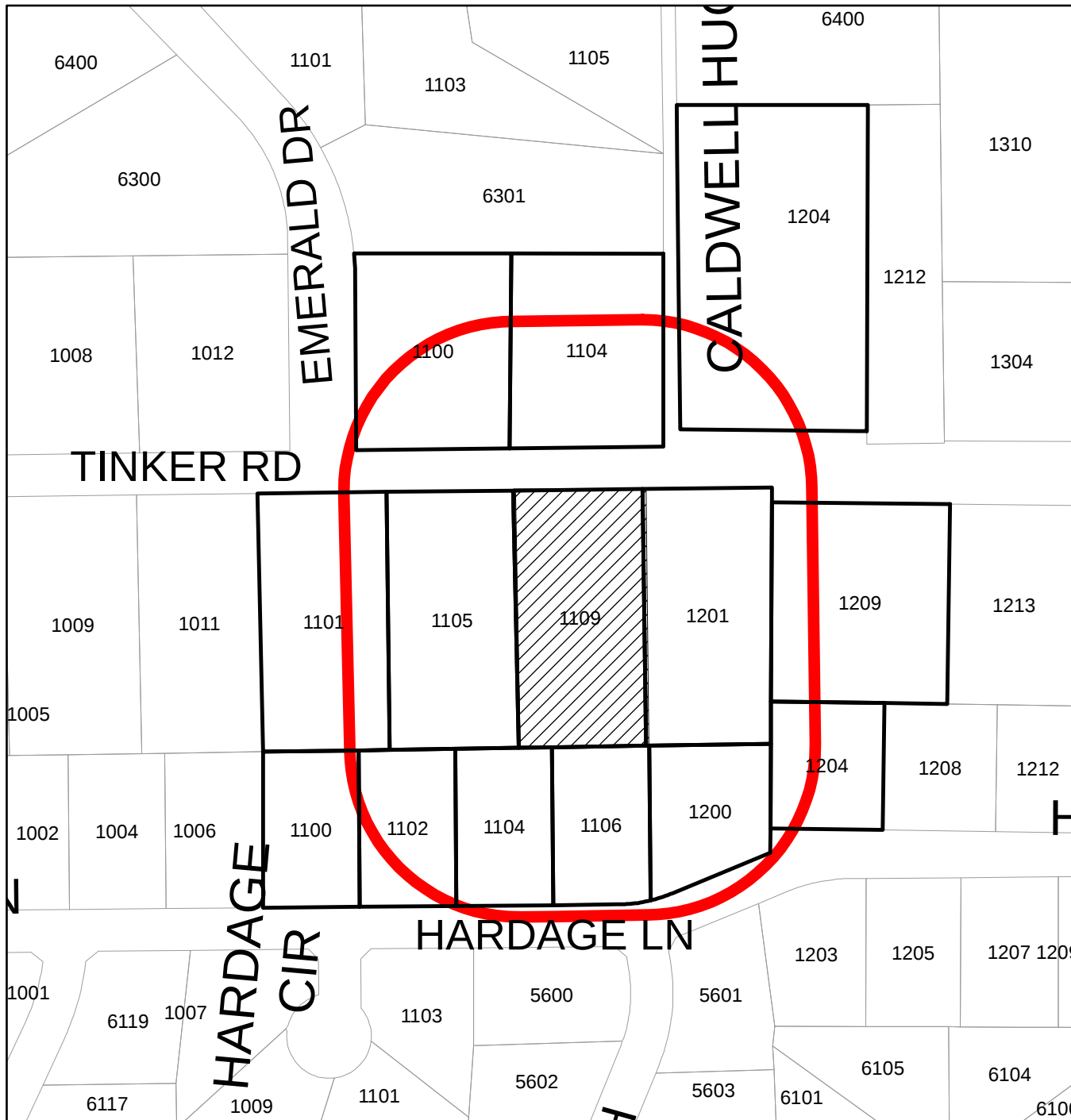
JOB #:
14001
A-5

[illegible]

Notification Map

Case ZC14-013 -

1109 Tinker Rd



Legend

-  Subject property
-  Properties within 200 feet
-  Parcels



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 AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 1.05 ACRES ON LOT 9 OF THE MRS. EVA PAUL'S SUBDIVISION, LOCATED AT 1109 TINKER ROAD, FROM THE AG-AGRICULTURAL ZONING DISTRICT TO THE R30-SINGLE FAMILY 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 rezoning under Case ZC14-013; 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; and 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 1.05 acres on Lot 9 of the Mrs. Eva Paul's Subdivision, located at 1109 Tinker Road, from the AG-Agricultural zoning district to the R30-Single Family Residential zoning district, as depicted in the attached 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 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. 5. 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. 6. 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. 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 _____ day of August 2014.

The second reading and public hearing being conducted on the _____ day of September 2014.

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

ATTEST:

CITY OF COLLEYVILLE

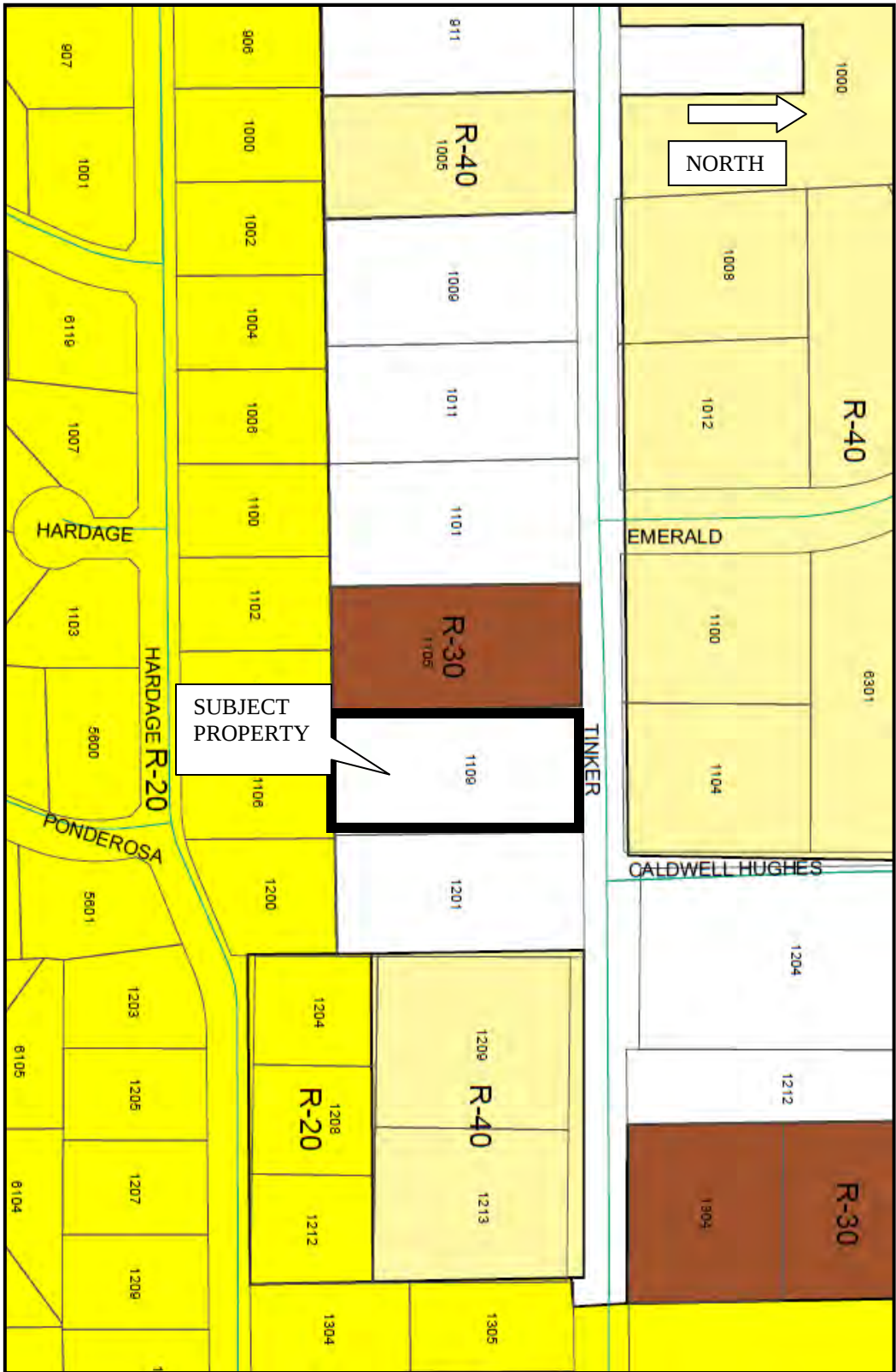
Amy Shelley, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit “A”- Location and Zoning Map





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 07/14/2014	Number
Type Regular Agenda Items		
Department Community Development		

Title

Request for approval of an amendment to the Future Land Use Map of the Colleyville Master Plan for Lots 1 and 2, Block 1, of the Sunrise Terrace Addition located at 1105 Glade Road, from a Single Family Residential to an Office Land Use Designation

Explanation

This item serves as a companion item to agenda item 5a, Case ZC14-009: 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.

Action Requested. Conduct a public hearing and consider a request to amend a Future Land Use designation from Single Family Residential to Office. The applicant proposes to develop two buildings for professional office uses.

Current Land Use Designation. The Colleyville Plan and corresponding Future Land Use Map designate the subject property as Single Family Residential.

Proposed Land Use Designation. The applicant is requesting to amend the Future Land Use designation to Office.

Surrounding Future Land 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.

Section 211.004 of the Local Government Code. The Local Government Code requires that property be zoned in accordance with a comprehensive plan. The request described above and shown in the attached Exhibit "A" is currently designated for single family uses on the future land use plan in the Master Plan. The request for an office development would eliminate any area for single family uses on this property for the purposes of the future land use plan. Therefore, the request does not comply with the future land use plan. As such, in accordance with Section 211.004 of the Texas Local Government Code, the future land use map must be amended.

Summary. The applicant is requesting an amendment to the Future Land Use Map from Single Family Residential to Office in order to develop two buildings for

professional office uses. The proposed Future Land Use amendment is consistent with surrounding Future Land Use designations along this portion of Glade Road.

Recommendation

Approve

The following are the Planning and Zoning Commission's options regarding this agenda item:

The Commission must recommend approval of this agenda item in order to recommend approval of its companion item 5a.

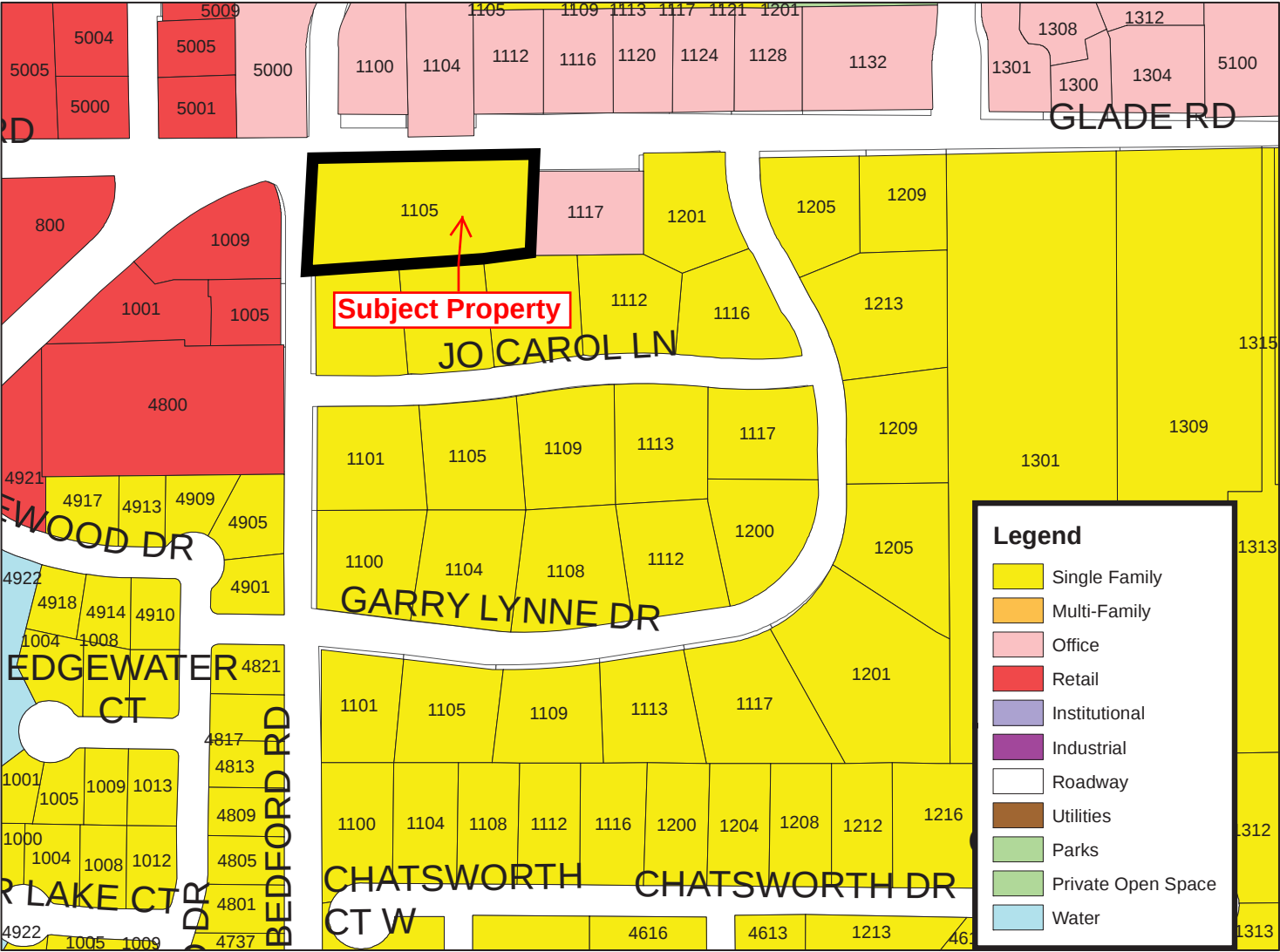
The Commission may recommend approval of this agenda item and recommend denial of its companion item 5a.

If the Commission recommends denial of this agenda item, it is recommended that the Commission deny companion item 5a.

Attachments

1. Future Land Use Map
2. Aerial
3. O-14-xxxx

Future Land Use Map



Aerial



ORDINANCE O-14-xxxx

AN ORDINANCE AMENDING ORDINANCE O-10-1753 BY AMENDING THE FUTURE LAND USE PLAN SPECIFICALLY FOR 1.36 ACRES LOCATED ON LOTS 1 AND 2, BLOCK 1, SUNRISE TERRACE ADDITION, LOCATED AT 1105 GLADE ROAD; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Colleyville approved Ordinance O-04-1483 adopting the 2004-2025 Colleyville Master Plan on October 19, 2004; and

WHEREAS, the City Council approved a new Future Land Use Plan under Ordinance O-10-1753 on June 15, 2010; and

WHEREAS, the City Council of the City of Colleyville desires to update the Future Land Use Plan in order to maintain consistency with approved land uses upon a rezoning of property to a new land use.

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

Sec. 1. THAT Ordinance O-10-1753 is hereby amended by amending the Future Land Use Plan specifically for 1.36 acres on Lots 1 and 2, Block 2, Sunrise Terrace Addition, located at 1105 Glade Road, from a single family land use to an office land use as depicted on Exhibit "A".

Sec. 2. THAT this ordinance shall become effective immediately upon publication.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 19th day of August 2014.

The second reading and public hearing being conducted on the 2th day of September 2014.

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

ATTEST:

CITY OF COLLEYVILLE

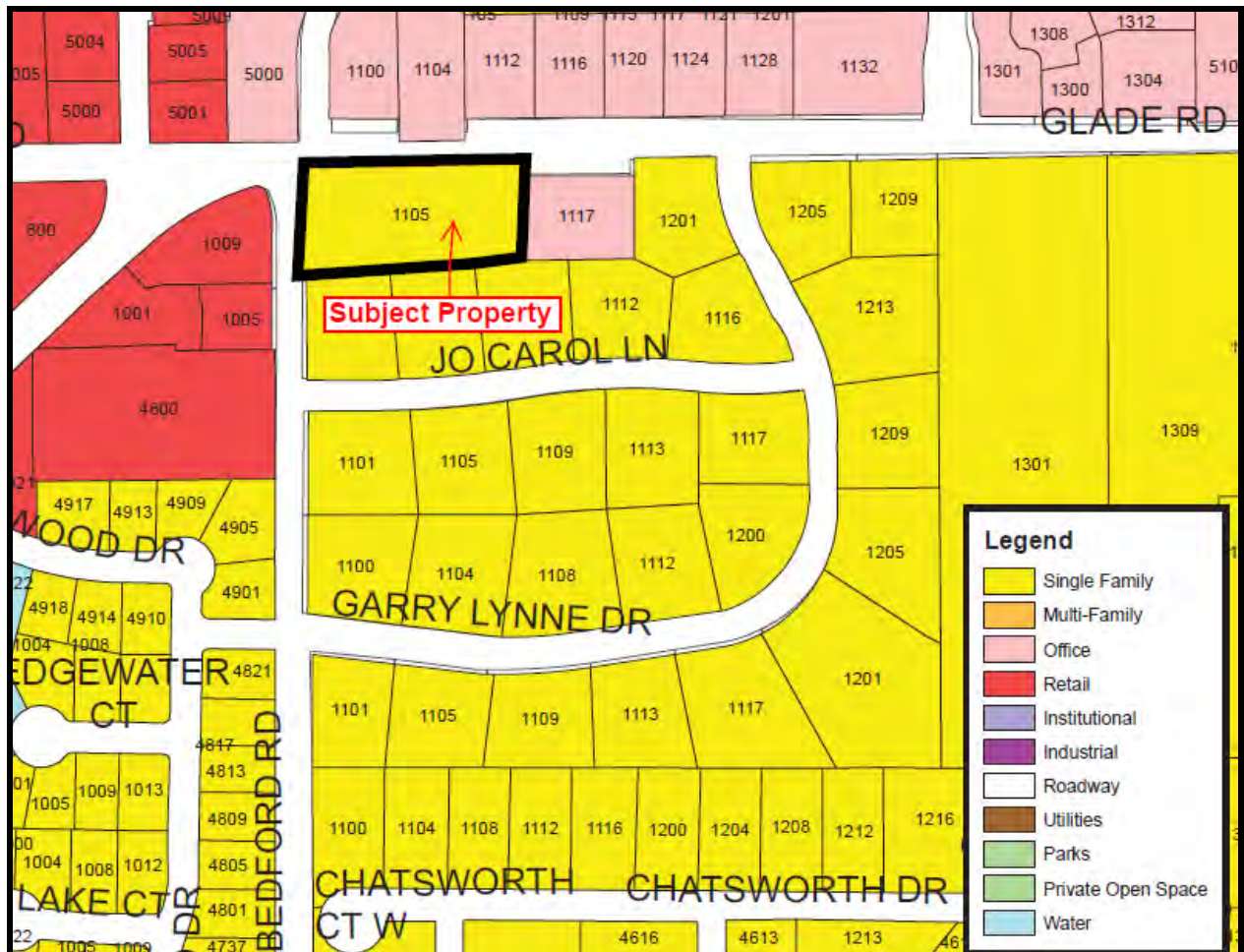
Amy Shelley, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit "A" – Location Map





City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 5a	Agenda Date 07/14/2014	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

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

Explanation

UPDATE. At the June 23, 2014 Planning and Zoning Commission Meeting, this item was continued to the July 14, 2014 meeting.

The applicant has submitted plans illustrating the rear elevations sightline and the trash enclosure. The applicant has submitted a letter justifying the request for a two-story building and declining to submit an alternative single story building design. These materials are attached to this briefing.

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. Nine speaker cards in opposition to the request were submitted at the June 23, 2014 Planning and Zoning Commission Meeting. One letter of support 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

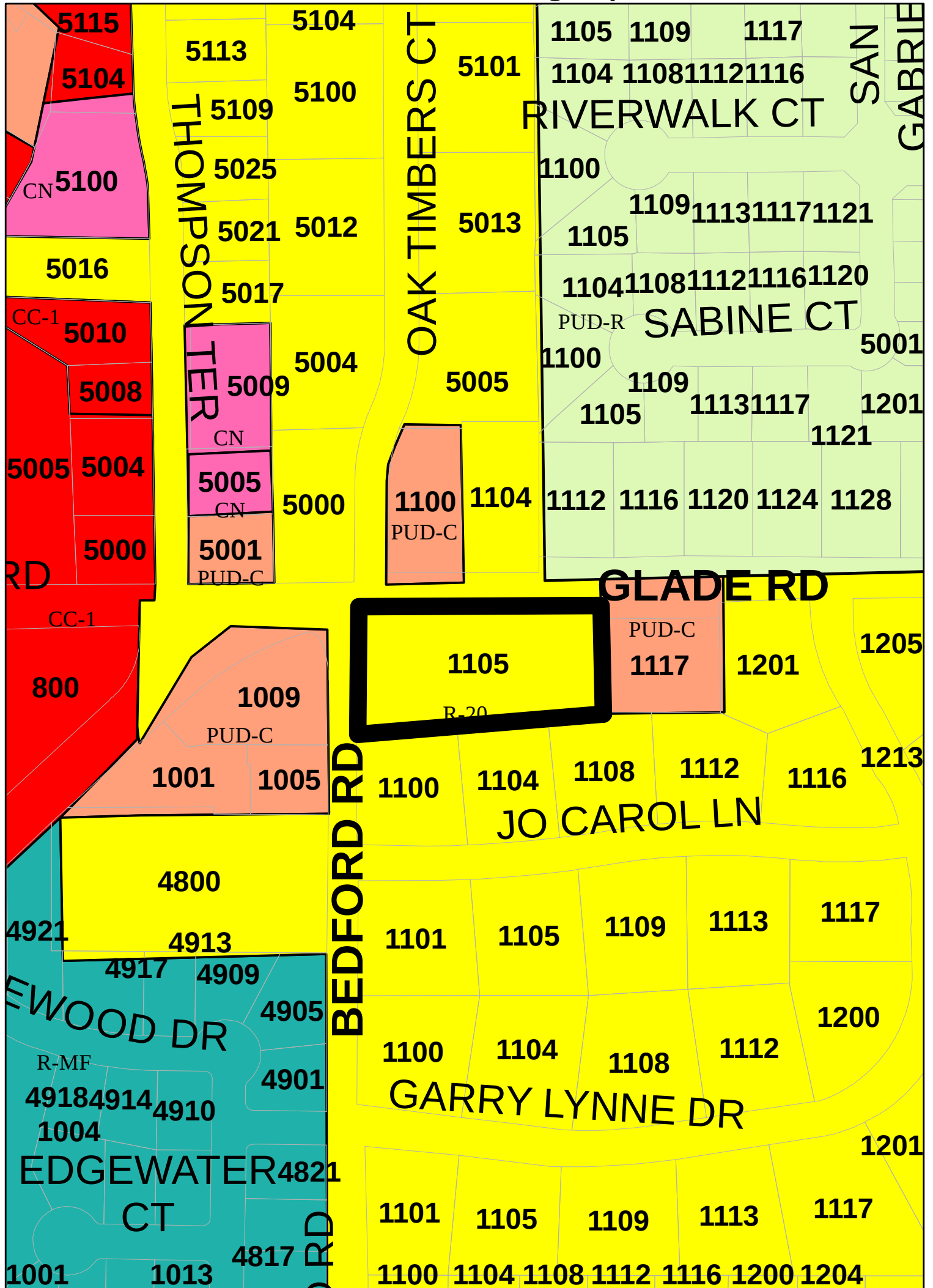
Staff recommends approval of the rezoning request with the following conditions:

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.

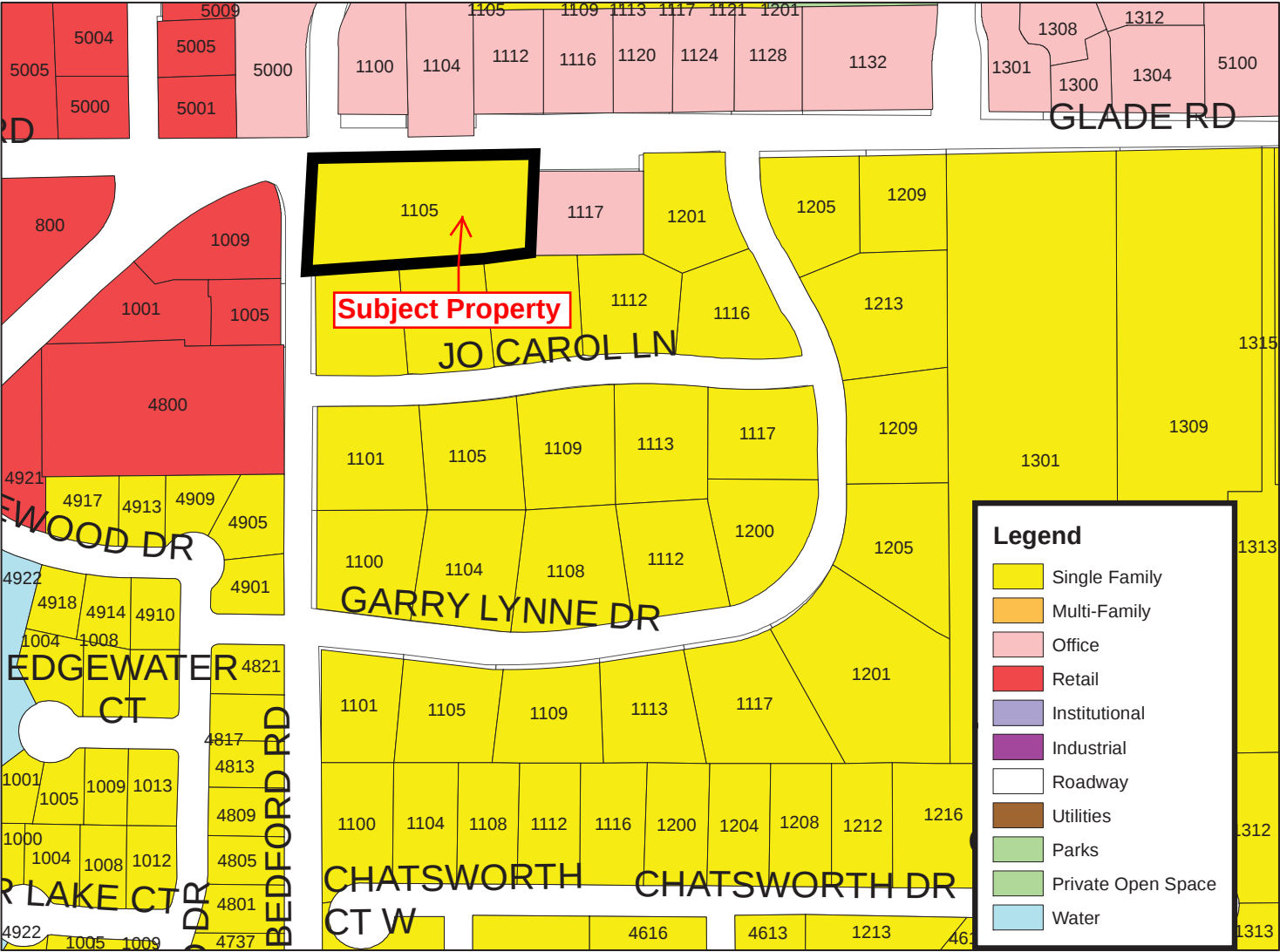
Attachments

1. Location and Zoning Map
2. Future Land Use Map
3. Aerial
4. Buffer Map
5. Letter from Applicant July 9, 2014
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. Trash Enclosure
16. Rear Elevation Sightlines
17. O-14-xxxx

Location and Zoning Map

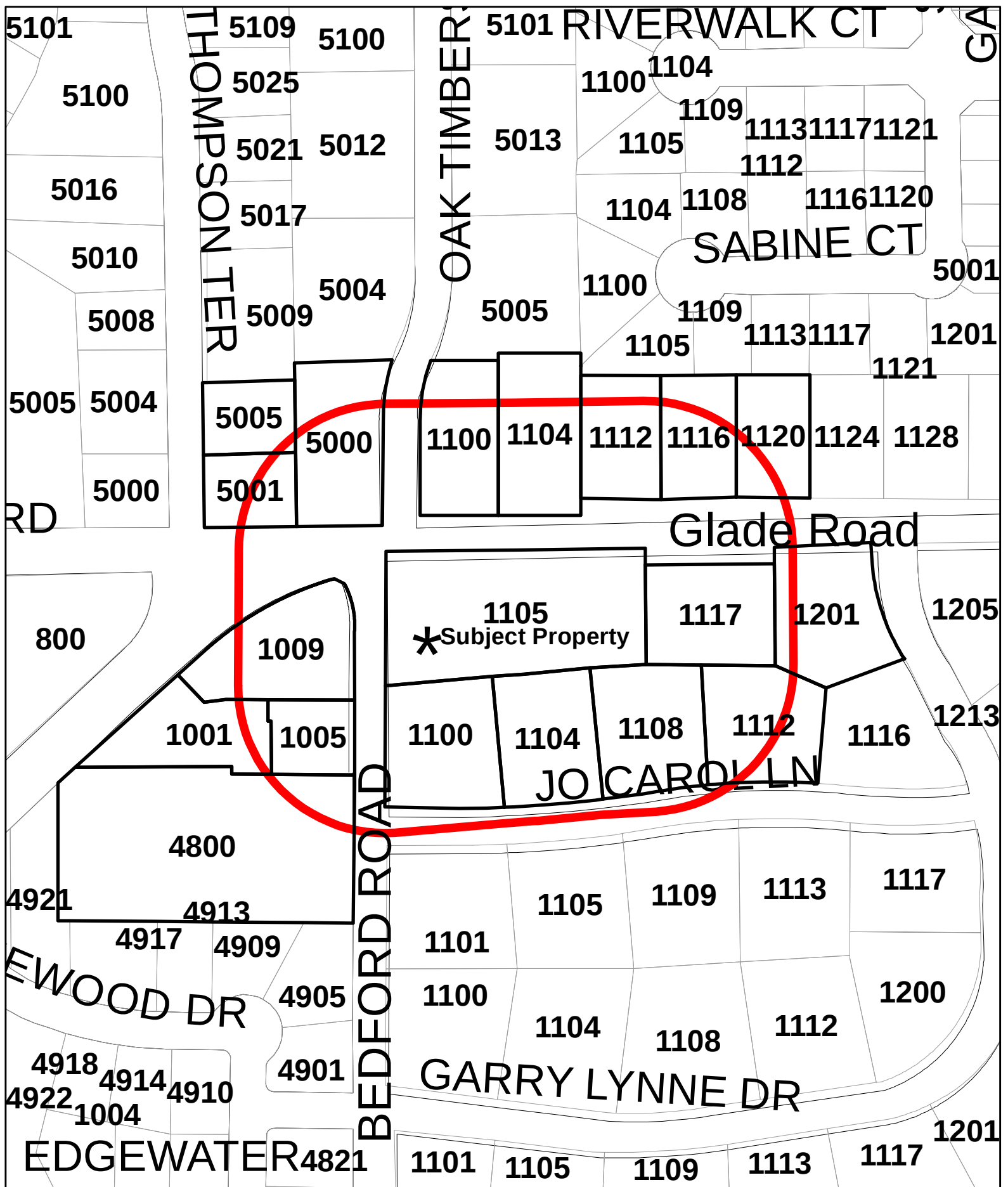


Future Land Use Map



Aerial





Case ZC14-009 - 1105 Glade Road

Legend

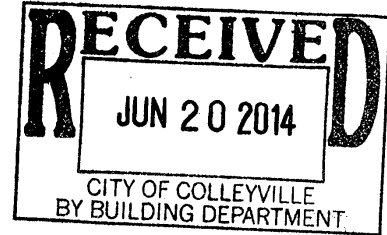
-  Properties within 200 Feet
-  Parcels



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

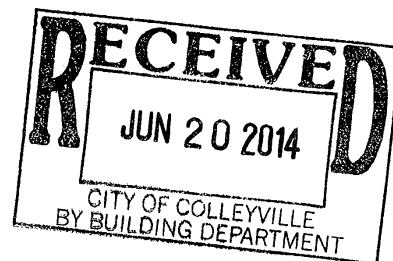
Drainage is also an issue. The more concrete, the more run off to the properties in the back. We know that you have addressed some of the drainage issues but your diagram shows it going to Bedford Road and Glade Road. Where does it go from there? As well, how much will the elevation be raised before 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

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



Protesting Neighbors:

Molly A. Rice
Signature

Molly A. Rice
Printed Name

Address 1109 Jo Carol Ln
Colleyville, TX 76034

Bobbie Fowler
Signature

BOBBIE FOWLER
Printed Name

Address 1113 JO CAROL LN.
COLLEYVILLE, TX 76034

STEVEN A. TRACHIER
Signature

STEVEN A. TRACHIER
Printed Name

Address 1108 JO CAROL
COLLEYVILLE, TX

Letters of Opposition

S. Felle

Signature

SENNEAR RIKH

Printed Name

Address 1201 GLADE RD

COLL. TX. 76034
817 319 8268.

Jackie Rodgers

Signature

817 4561422

Jackie Rodgers

Printed Name

Address 1213 Garry Lynne
Colleyville, TX
76034

Laque Lambdin

Signature

Laque Lambdin

Printed Name

Address 1209 Glade Rd
Colleyville Tx 76034

Miki Lorenzen

Signature

Miki Lorenzen

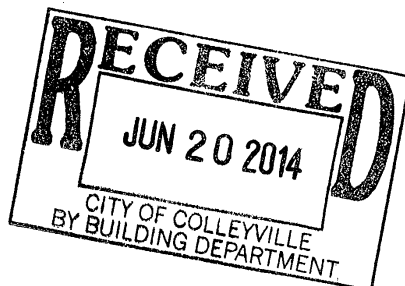
Printed Name

Address 1105 So Carol
Colleyville TX 76034

Signature

Printed Name

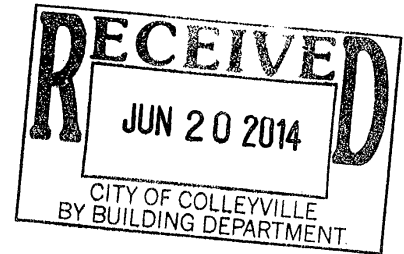
Address _____



Letters of Opposition

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

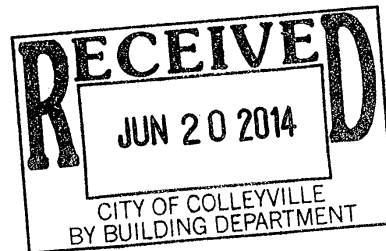
Drainage is also an issue. The more concrete, the more run off to the properties in the back. We know that you have addressed some of the drainage issues but your diagram shows it going to Bedford Road and Glade Road. Where does it go from there? As well, how much will the elevation be raised before 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.

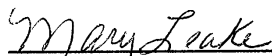
Sincerely,



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



Protesting Neighbors:


Signature

MARY LEAKE
Printed Name

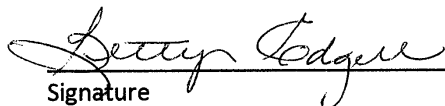
Address 1117 JO CAROL

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

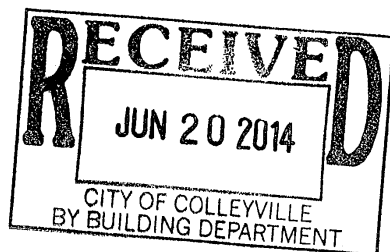
Keith Edgell
Printed Name

Address 1116 Jo Carol
Colleyville TX 76034

Amy Edgell
Signature

Amy Edgell
Printed Name

Address 1116 Jo Carol
Colleyville, TX



Letters of Opposition

Date: 6-23-14

SPEAKER CARD

☐ I will speak **In Support** of this item.

☒ I will speak **In Opposition** to this item.

☐ I do not wish to speak, but please record my: ☐ support ☐ opposition

Agenda Item Number: ZC 14 - 009

Name: BECKY FREEMAN

Address: 1112 JO CAROL

City: COLLEYVILLE State: TX Zip Code: 76034

Telephone Number: 214-223-7750 Representing: SELF + NEIGHBORS
(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: Becky Freeman

This information is a Public Record.

Date: June 23, 2014

SPEAKER CARD

☐ I will speak **In Support** of this item.

☒ I will speak **In Opposition** to this item.

☐ I do not wish to speak, but please record my: ☐ support ☐ opposition

Agenda Item Number: 4B ZC 14.009

Name: Lisa Peterson

Address: 1104 Jo Carol Lane

City: Colleyville State: TX Zip Code: 76034

Telephone Number: 817-428-7072 Representing: SELF
(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: Lisa Peterson

This information is a Public Record.

Letters of Opposition

Date: <u>6/23/14</u>	SPEAKER CARD
☐ I will speak In Support of this item.	
☒ I will speak In Opposition to this item. <i>to certain things</i>	
☐ I do not wish to speak, but please record my: ☐ support ☐ opposition	
Agenda Item Number: <u>4B</u>	
Name: <u>AMY PETERMAN</u>	
Address: <u>1117 Glade Rd</u>	
City: <u>CR</u>	State: <u>TX</u> Zip Code: <u>77451</u>
Telephone Number: <u>974812626</u>	Representing: <u>1117 Glade</u> (organization/self) <u>POE</u>
I understand I am limited to speaking for five minutes.	
For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.	
Signed: <u>[Signature]</u>	
This information is a Public Record.	

Date: <u>23 JUN 2014</u>	SPEAKER CARD
☐ I will speak In Support of this item.	
☐ I will speak In Opposition to this item.	
☒ I do not wish to speak, but please record my: ☐ support ☐ opposition	
Agenda Item Number: <u>4B</u> <u>ZC 14-009</u>	
Name: <u>CHARLES CUNNINGHAM</u>	
Address: <u>1101 LO CAROL LN</u>	
City: <u>COLLEYVILLE</u>	State: <u>TX</u> Zip Code: <u>76034-0134</u>
Telephone Number: _____	Representing: <u>SELF</u> (organization/self)
I understand I am limited to speaking for five minutes.	
For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.	
Signed: <u>[Signature]</u>	
This information is a Public Record.	

Letters of Opposition

Date: <u>6-23-14</u>	SPEAKER CARD
☐ I will speak In Support of this item.	
☐ I will speak In Opposition to this item.	
☒ I do not wish to speak, but please record my: ☐ support ☒ Opposition	
Agenda Item Number: <u>4b</u> <u>ZC 14-009</u>	
Name: <u>Axel M Holland</u>	
Address: <u>1100 Jo Carol Lane</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817.281.8787</u>	Representing: <u>Owner</u> (organization/self)
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u>Axel M Holland</u>	
This information is a Public Record.	

Date: <u>6-23-14</u>	SPEAKER CARD
☐ I will speak In Support of this item.	
☐ I will speak In Opposition to this item.	
☒ I do not wish to speak, but please record my: ☐ support ☒ Opposition	
Agenda Item Number: <u>4 B</u> <u>ZC 14-009</u>	
Name: <u>Ursula Holland</u>	
Address: <u>1100 Jo Carol Lane</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817-281-8787</u>	Representing: <u>owner</u> (organization/self)
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u>Ursula M. Holland</u>	
This information is a Public Record.	

Letters of Opposition

Date: <u>6-23-14</u>	SPEAKER CARD
☐ I will speak In Support of this item.	
☐ I will speak In Opposition to this item.	
☒ I <u>do not wish to speak</u> , but please record my: ☐ support ☒ Opposition	
Agenda Item Number: <u>ZC 14-009</u>	
Name: <u>Amy Edgell</u>	
Address: <u>1116 Jo Carol</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>(817) 996-7681</u> Representing: <u>Self</u> (organization/self)	
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u>Amy Edgell</u> This information is a Public Record.	

Date: <u>6/23/14</u>	SPEAKER CARD
☐ I will speak In Support of this item.	
☐ I will speak In Opposition to this item.	
☒ I <u>do not wish to speak</u> , but please record my: ☐ support ☒ Opposition	
Agenda Item Number: <u>4B</u> <u>ZC 14-009</u>	
Name: <u>Lorelei Peterson</u>	
Address: <u>1104 Jo Carol Ln</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817-428-9072</u> Representing: <u>Self</u> (organization/self)	
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u>Lorelei Peterson</u> This information is a Public Record.	

Letters of Opposition

Date: <u>6-23-14</u>	SPEAKER CARD
☐ I will speak In Support of this item.	
☐ I will speak In Opposition to this item.	
☒ I do not wish to speak, but please record my: ☐ support ☒ opposition	
Agenda Item Number: <u>4B</u> <u>ZC14-009</u>	
Name: <u>JAMES MACKAY</u>	
Address: <u>1104 Jo Carol Ln</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>972-786-4152</u>	Representing: <u>Self</u> (organization/self)
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u>[Signature]</u>	
This information is a Public Record.	

Date: <u>6/23/14</u>	SPEAKER CARD
☐ I will speak In Support of this item.	
☐ I will speak In Opposition to this item.	
☒ I do not wish to speak, but please record my: ☐ support ☒ opposition	
Agenda Item Number: <u>4B</u> <u>ZC14-009</u>	
Name: <u>DARLA PIROTT</u>	
Address: <u>1101 Jo Carol</u>	
City: <u>COLLEYVILLE</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817 233-0314</u>	Representing: <u>(organization/self)</u>
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u>[Signature]</u>	
This information is a Public Record.	

Letter of Support

PREMIER OFFICE EQUITIES

THE RENAISSANCE

1117 GLADE ROAD, SUITE 140

COLLEYVILLE, TX 76034

TELEPHONE: (817) 481-2626

TELEFACSIMILE: (817) 481-2623

Walter D. James III

June 24, 2014

via e-mail

and United States Postal Service, First Class Delivery

Jeffrey Byerly
Chairman
City of Colleyville
Planning and Zoning Commission
100 Main Street
Colleyville, TX 76034

RE: Rezoning Request/1105 Glade Road, Colleyville, TX 76034

Dear Mr. Chairman:

The undersigned is a partner in Premier Office Equities ("POE"), the owner of 1117 Glade Road, Colleyville, Texas, the property adjacent to the 1105 Glade Road property.

It is my understanding that the commercial development of the 1105 Glade Road property involves the construction of two buildings – a single story building adjacent to the POE property and a second building proposed to be one and a half story contemporary design.

Generally, POE does not have an objection to the requested change in the zoning of the 1105 Glade Road property. Rather, POE does have some specific objections to the proposed development as currently presented.

1. The proposed contemporary design does not fit in the surrounding neighborhood, which is comprised of the office/home design concept.

2. POE opposes the proposed location of the parking lot and driveway at the rear of the 1105 Glade Road property. The proposed redevelopment also allows ingress and egress from Bedford Road. The access from Bedford Road will promote a significant amount of "pass-through" traffic, through the parking lots of 1105 Glade Road and, more importantly, 1117 Glade Road, to bypass the intersection at Glade and Bedford

Letter of Support

Jeffrey Byerly
June 24, 2014
Page 2 of 2

Roads. This increase in traffic will pose a health and safety hazard to the tenants of 1117 Glade Road.

3. POE opposes allocation of only a ten (10) foot easement.

a. The City of Colleyville required a twenty (20) foot easement from POE in rezoning the 1117 Glade Road property from residential to commercial;

b. The ten (10) foot easement significantly hinders the line of site that the tenants of 1117 Glade Road property will have when exiting the property. The ten (10) foot easement would create an even further dangerous situation which is already exacerbated by the poor design of the intersection of Glade and Bedford Roads.

c. The proposed Glade Road redesign and the redesign for the Glade/Bedford Road would require a twenty (20) foot easement at a minimum.

4. POE is opposed to a dumpster being located on the property and is specifically opposed to the location of a dumpster in the rear, back east of the property 1105 Glade Road property as currently proposed. Dumpsters were not approved during the rezoning of 1117 Glade Road, primarily based upon noise concerns raised by the surrounding neighbors.

Again, POE does not oppose the rezoning of the 1105 Glade Road property consistent with the current zoning of 1117 Glade Road and consistent with the existing neighbor theme as the rezoning is productive and beneficial to the City of Colleyville.

Should you have any questions, please feel to give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read 'Walter D. James III', with a long horizontal line extending to the right.

Walter D. James III

Speaker Card from June 23, 2014 - Support

Date:

6/23/14

SPEAKER CARD

☒

I will speak **In Support** of this item.

☐

I will speak **In Opposition** to this item.

☐

I do not wish to speak, but please record my: ☐support ☐opposition

Agenda Item Number:

46

Name:

Mark Howe

Address:

3100 Canisbrooke Ct

City:

Gollegville

State:

TX

Zip Code:

76034

Telephone Number:

Representing:

(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed:



This information is a Public Record.

BAYLEY YANDELL
DEVELOPMENT LTD.

July 9, 2014

City of Colleyville
Attention: Community Development Office
Re: ZC14-009 PUDC 1105 Glade Road

This letter is in response to the e-mail dated June 24th from Chris Fuller regarding the continuance of the above case from the P & Z meeting of June 23, 2014 and request for the following two items.

1. A rear building elevation
2. An alternative design showing a single story building with a more traditional garden office design.

Item number 1 has been addressed and is attached for review.

With respect to item number 2, we respectfully decline as this option does not meet our office and development needs for this property. We believe a premier (Class A) office building is warranted for such a prime location.

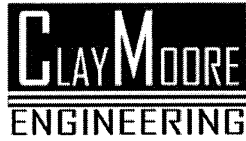
Please advise if there is any additional information that is needed or required in order to insure our place on the July 14th P&Z agenda.

Kind regards,



Peter Slover
817.228.7807

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". The signature is stylized with a large, cursive "M" and "M".

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

Clay Moore
ENGINEERING

TEXAS REGISTRATION #11109
1105 CHEEK SPARGER RD
SUITE #1
COLLEVILLE, 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
COLLEVILLE, TX 76034
TEL: (817) 281-5600
CONTACT: GERALD WARD

DEVELOPER

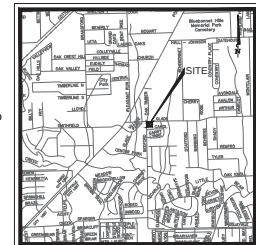
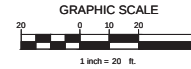
BYD DEVELOPMENT
1203 S. WHITE CHAPEL, SUITE 250
SOUTHLAKE, TX 76092
TEL: (817) 228-7807
CONTACT: PETER SLOVER

SURVEYOR

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

FLOODPLAIN NOTE

ACCORDING TO MAP NO. 484300064, 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

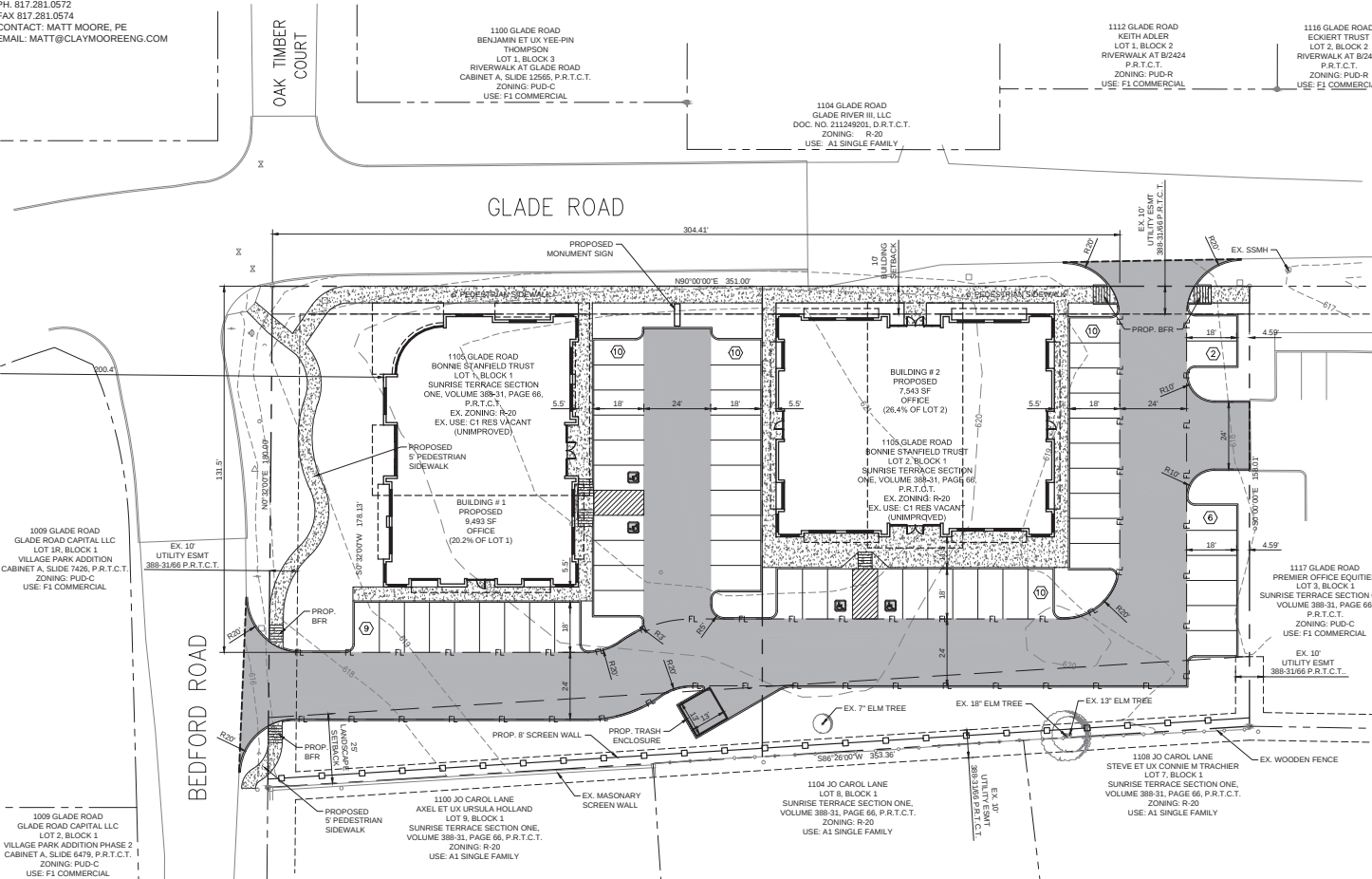
PARKING CALCULATIONS	
1 SPACE REQUIRED FOR EVERY 300 SF (27,283 SF OF BUILDING)	57 (2 ADA) SPACES
PARKING PROVIDED	57 (8 ADA) SPACES

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

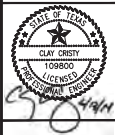


SITE DATA SUMMARY

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	9,482 SF	36' - 47' (2 STORY)	33.2%	4.13	21,465 SF	68.7%	9,355 SF	30.3%
2	BLOCK 1	SUNRISE TERRACE ADDITION	0.66 ACRES	28,608 SF	R-20	PUD-C	UNIMPROVED	OFFICE	7,543 SF	22' - 27' (1 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
Clay Moore
ENGINEERING



BYD DEVELOPMENT
GLADE & BEDFORD
COLLEVILLE, TX

DATE	REVISION

PUD-C EXHIBIT

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

SHEET
X-1

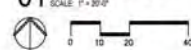
1/16/16 2014.08

PLOTTED BY: CLAYMOORE 2:18 PM
LOCATION: C:\CLAYMOORE\PROJECTS\2014-030 BYD COLLEVILLE OFFICE\CAD\EXHIBIT\Z-1 ZONING EXHIBIT.DWG
LAST SAVED: 8/13/2014 2:18 PM

Landscape Plan



01 LANDSCAPE PLAN



LANDSCAPE TABULATIONS

STREET LANDSCAPE: 20% of total area to be landscaped (see 01.01)	Required: 15,751 sq. ft. (20%)	Provided: 15,751 sq. ft. (20%)
STREET FURNISHING: 20% of total area to be landscaped (see 01.01)	Required: 15,751 sq. ft. (20%)	Provided: 15,751 sq. ft. (20%)
STREET FURNISHING: 20% of total area to be landscaped (see 01.01)	Required: 15,751 sq. ft. (20%)	Provided: 15,751 sq. ft. (20%)
STREET FURNISHING: 20% of total area to be landscaped (see 01.01)	Required: 15,751 sq. ft. (20%)	Provided: 15,751 sq. ft. (20%)
STREET FURNISHING: 20% of total area to be landscaped (see 01.01)	Required: 15,751 sq. ft. (20%)	Provided: 15,751 sq. ft. (20%)
STREET FURNISHING: 20% of total area to be landscaped (see 01.01)	Required: 15,751 sq. ft. (20%)	Provided: 15,751 sq. ft. (20%)
STREET FURNISHING: 20% of total area to be landscaped (see 01.01)	Required: 15,751 sq. ft. (20%)	Provided: 15,751 sq. ft. (20%)
STREET FURNISHING: 20% of total area to be landscaped (see 01.01)	Required: 15,751 sq. ft. (20%)	Provided: 15,751 sq. ft. (20%)
STREET FURNISHING: 20% of total area to be landscaped (see 01.01)	Required: 15,751 sq. ft. (20%)	Provided: 15,751 sq. ft. (20%)
STREET FURNISHING: 20% of total area to be landscaped (see 01.01)	Required: 15,751 sq. ft. (20%)	Provided: 15,751 sq. ft. (20%)

LANDSCAPE NOTES

1. Contractor shall verify all existing and proposed site elements and verify. Architect or any other professional. Survey data of existing conditions were supplied by others.
2. Contractor shall verify all existing underground utilities and verify. Architect or any other professional. Survey data of existing conditions were supplied by others.
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 clear edging. No plant 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 Super Seed Bermudagrass, 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, edging, pruning, fertilizing, watering, weeding and other such activities common to landscape maintenance.
3. All landscape areas shall be kept free of trash, litter, 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 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 acceptable bid proposal for one year's maintenance to begin after final acceptance.

GENERAL LAWN NOTES

1. Fine grade areas to achieve final contours indicated on site plan.
2. Adjust contours to achieve positive drainage away from buildings. Provide uniform mounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
3. All lawn areas to receive seed and shall be left in a maximum of 1" before final grade. Contractor to coordinate operations with on-site Construction Manager.
4. Irregularly shaped areas shall be retained. Retain soil from the region, known as, bottom and soil, free from lumps, clay, toxic substances, roots, debris, vegetation, stones, containing no soil and back to brown in color.
5. All lawn areas to be fine graded, irrigation trenches completely cut, and final grade approved by the Owner's Construction Manager or Architect prior to installation.
6. All rock 3/4" diameter and larger, dirt clods, sticks, concrete spalls, etc. shall be removed prior to placing topsoil and any final installation.
7. Contractor shall provide (1") one inch of imported topsoil on all areas to receive lawn.

SOLID SOO NOTES

1. Fine grade areas to achieve final contours indicated. Lower areas to receive. Approx. 1" below final desired grade in planting areas and 1" below final grade in turf areas.
2. Adjust contours to achieve positive drainage away from buildings. Provide uniform mounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
3. All lawn areas to receive seed and shall be left in a maximum of 1" before final grade. Contractor to coordinate operations with on-site Construction Manager.
4. Contractor to coordinate with on-site Construction Manager for availability of existing layout.
5. Plant and by hand to cover indicated area completely. Insure edges of soil and turf. Top dress paths by hand with topsoil to 1/8 inch.
6. Roll grass areas to achieve a smooth, even surface. Free from unusual undulations.
7. Water and thoroughly so on and operation progresses.
8. Contractor shall maintain all lawn areas until final acceptance. This shall include, but not limited to, mowing, watering, weeding, mulching, cleaning and repairing dead or bare areas to keep plants in a vigorous, healthy condition.
9. Contractor shall guarantee establishment of an acceptable turf area and shall provide replacement from local supply if necessary.
10. If installation occurs between September 1st and March 1st, all lawn areas to be overseeded with Winter Turfgrass, at a rate of 20 lbs/1000 sq. ft. per 1000 sq. ft. of lawn.

PROCESS SET - FOR REVIEW ONLY

REVISION

ON 12.20.2014

These documents are NOT FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION.

They were prepared by, or under the supervision of:

Chris M. Townsend, T.S. L.S. 40242

SMR Landscape Architects, Inc.

SMR
landscape architects, inc.
10101 South Loop
Dallas, Texas 75225
Tel: 214.971.0200
Fax: 214.971.0201
Email: info@smr-lai.com



WARD ARCHITECTURE PLLC
809 CHEEK SPARGER ROAD, SUITE 118
COLLEEVILLE, TEXAS 76034

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

Sheet: CITY COMMENTS: 001/001/14

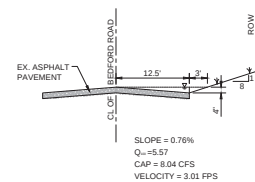
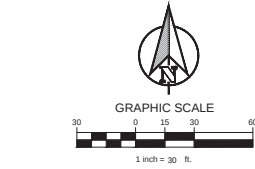
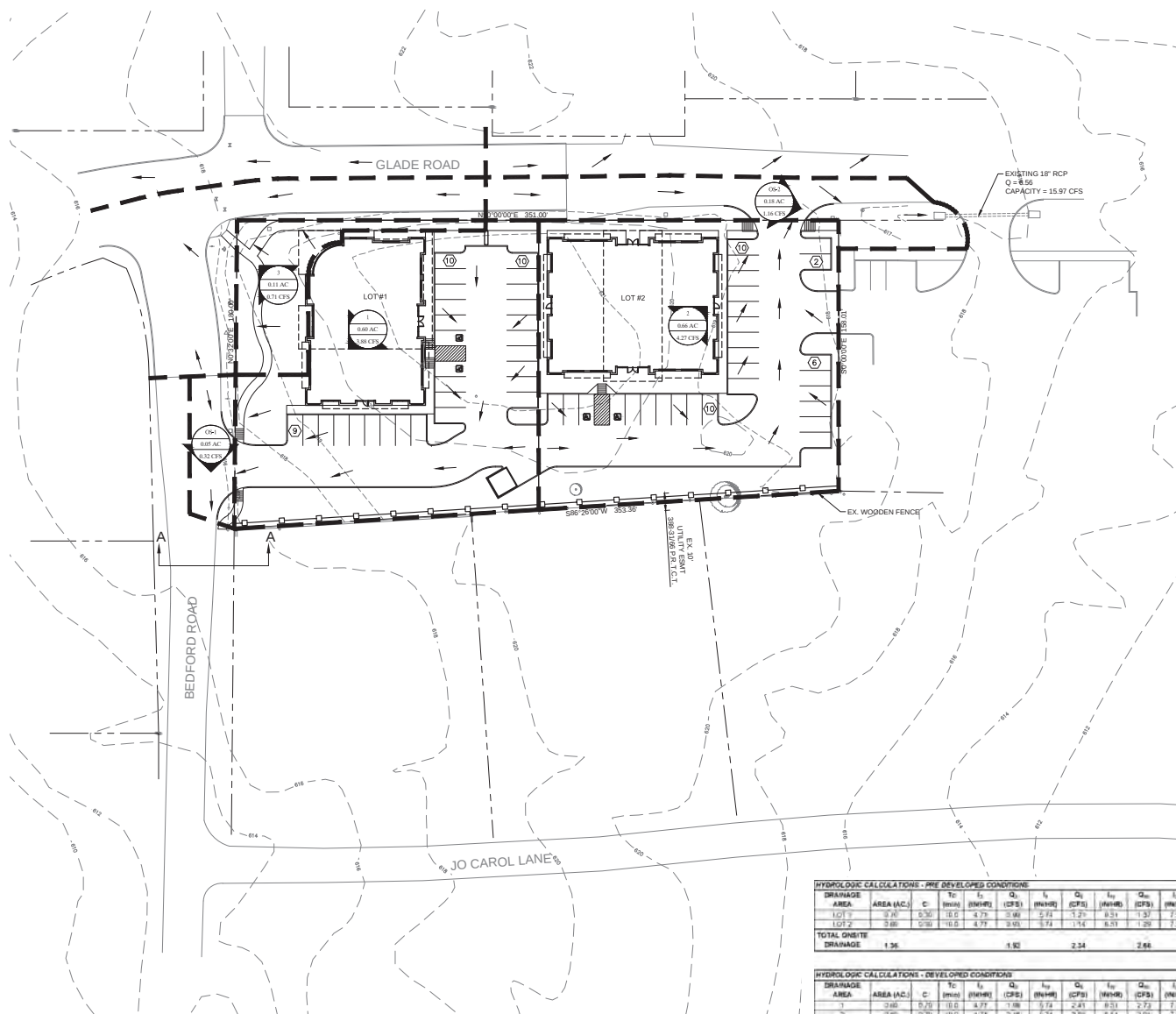
Sheet Title:

LANDSCAPE PLAN

L.1

Sheet Number:

PLOTTED BY: CLAYMOORE
 PLOT DATE: 6/13/2014 2:07 PM
 LOCATION: \\CLAYMOORE\PROJECTS\PROJECTS\2014-030 BYD COLLEYSVILLE OFFICE\CADD\EXHIBIT\Z-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 FIRM NO. 46439C0095K, 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 OR ANY OF THE STRUCTURES THEREON ARE SAFE FROM FLOOD DAMAGE OR FLOOD LOSS. ON CERTAIN 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

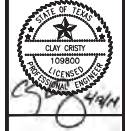
HYDROLOGIC CALCULATIONS - PRE DEVELOPMENT CONDITIONS														REMARKS
DRAINAGE AREA	AREA (AC)	C	Tc (min)	I ₁ (mm/hr)	I ₂ (CFS)	I ₃ (mm/hr)	Q ₁ (CFS)	I ₄ (mm/hr)	Q ₂ (mm/hr)	I ₅ (mm/hr)	Q ₃ (CFS)	I ₆ (mm/hr)	Q ₄ (CFS)	
LOT 1	0.20	0.30	0.0	4.75	0.06	5.74	1.25	0.31	1.37	7.55	1.25	0.40	1.76	0.24
LOT 2	3.66	0.30	-0.5	4.75	3.65	5.74	1.74	6.51	1.28	7.55	1.49	9.65	1.86	0.25
TOTAL DRAINAGE	1.96				1.92		2.34		2.66		3.48			1.77

HYDROLOGIC CALCULATIONS - DEVELOPED CONDITIONS															
DRAINAGE AREA	Q ₁	T ₁	Q ₂	T ₂	Q ₃	T ₃	Q ₄	T ₄	Q ₅	T ₅	Q ₆	T ₆	Q ₇	REMARKS	
(AC)	(CFS)	(min)	(CFS)	(min)	(CFS)	(min)	(CFS)	(min)	(CFS)	(min)	(CFS)	(min)	(CFS)		
1	0.60	0.75	0.0	3.77	1.08	5.74	2.41	8.51	2.72	7.60	5.17	8.40	5.5	3.36	DRAIN TO REEFING HOSE
2	0.60	0.75	0.0	3.77	1.08	5.74	2.41	8.51	2.72	7.60	5.17	8.40	5.5	3.36	DRAIN TO REEFING HOSE
3	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
4	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
5	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
6	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
7	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
8	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
9	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
10	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
11	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
12	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
13	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
14	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
15	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
16	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
17	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
18	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
19	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
20	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
21	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
22	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
23	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
24	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
25	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
26	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
27	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
28	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
29	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
30	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
31	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
32	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
33	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
34	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
35	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
36	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
37	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
38	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
39	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
40	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
41	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
42	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
43	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
44	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
45	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
46	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
47	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
48	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
49	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
50	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
51	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
52	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
53	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
54	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
55	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
56	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
57	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
58	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
59	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
60	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
61	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
62	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
63	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
64	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
65	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
66	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
67	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
68	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
69	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
70	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
71	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
72	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
73	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
74	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
75	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
76	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
77	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
78	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
79	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
80	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
81	0.11	0.70	10.0	4.77	2.36	5.78	4.60	6.51	5.50	7.35	6.00	9.40	9.05	3.24	DRAIN TO REEFING HOSE
82	0.11	0.70	10.												

CLAY MOORE ENGINEERING

1105 CHERRY SPRINGER RD. SUITE 45
LEVEAUE, TX 75046
PHONE: 817.383.6692
WWW.CLAYMOOREENG.COM

TICKETS REGISTRATION #123899



**BYD DEVELOPMENT
GLADE & BEDFORD
COLLEYVILLE, TX**

DRAINAGE EXHIBIT

DESIGN:	BJK
DRAWN:	BJK
CHECKED:	CLC
DATE:	6/13/2024
SHEET	
X-2	
File No.	2024-030

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.

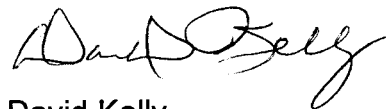
The second reading and public hearing being conducted on the 7th day of October 2008.

ATTEST:



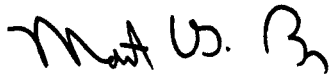
Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:



Matthew C. G. Boyle
City Attorney

EXHIBIT "B" - Conceptual Site Plan

1117 GLADE ROAD

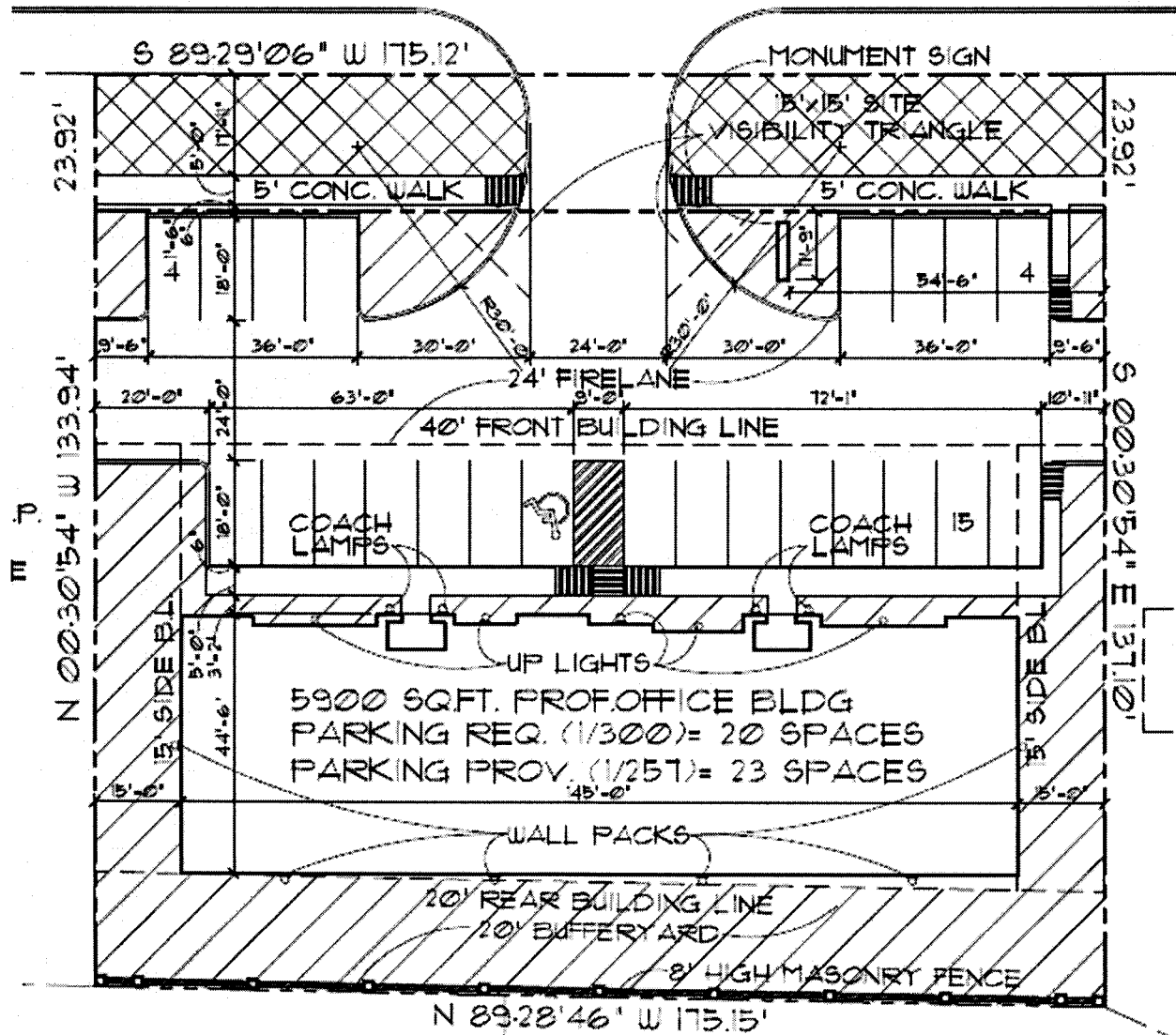
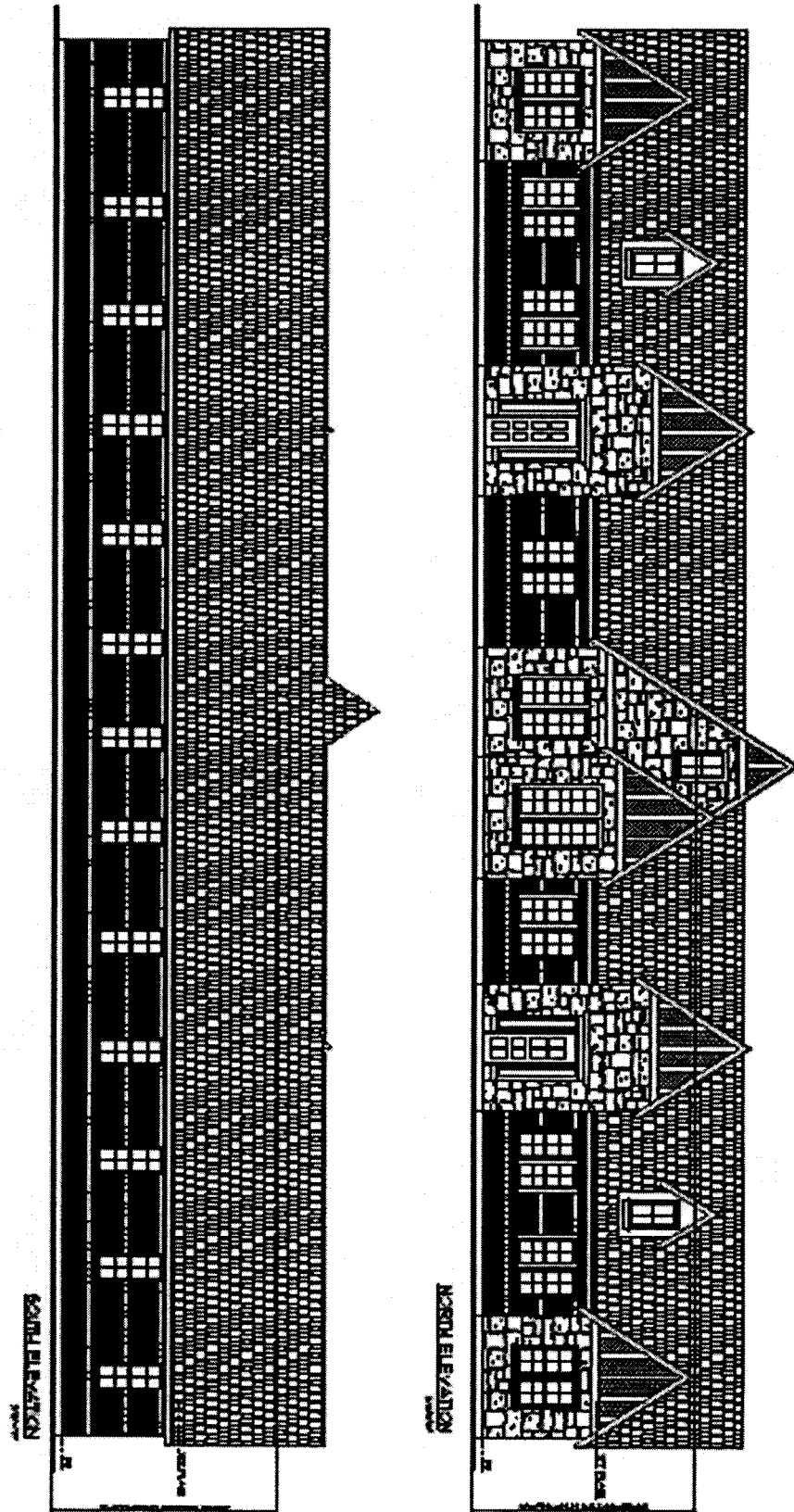


EXHIBIT "C" - Building Elevations



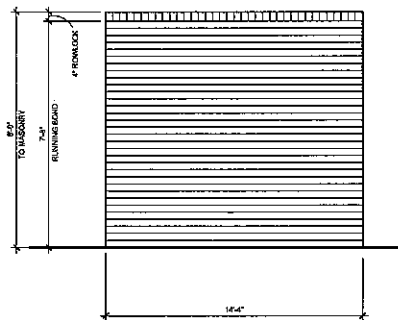
Conceptual Building Elevations - Southeast Corner of Bedford Road and Glade Road



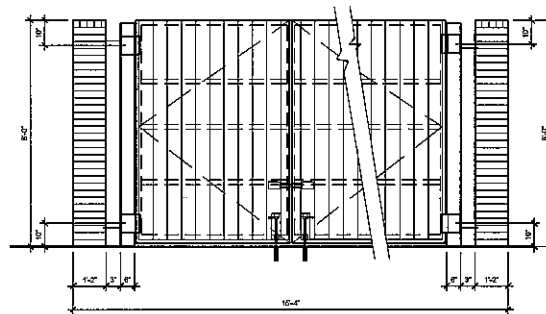
Conceptual Building Elevation - View from Glade Road



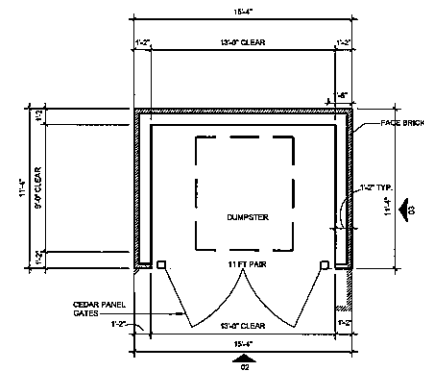
Trash Enclosure



03 SIDE SCREEN WALL ELEVATION
SCALE: 1/2" = 1'-0"



02 FRONT SCREEN WALL ELEVATION
SCALE: 1/2" = 1'-0"



01 DUMPSTER ENCLOSURE FLOOR PLAN
SCALE: 1/4" = 1'-0"

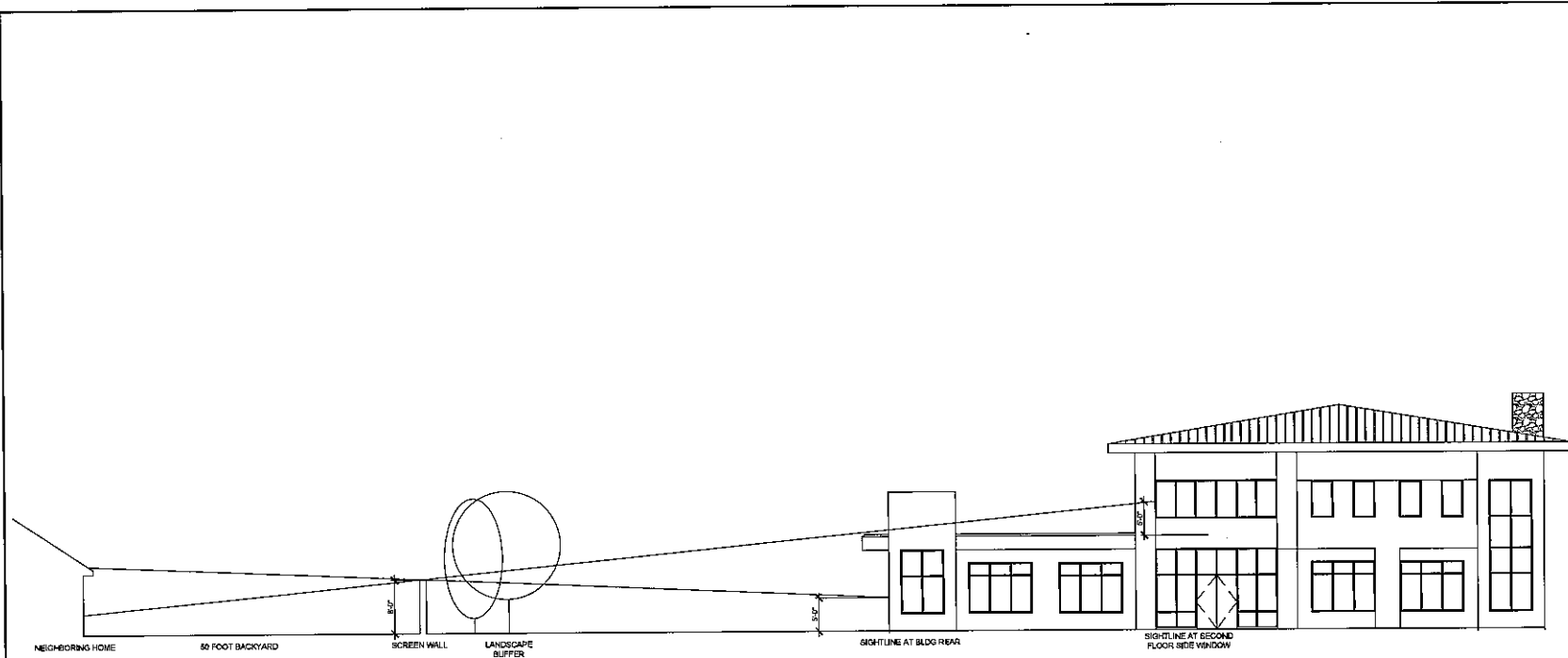


BYD DEVELOPMENT
NEW OFFICE BUILDING
GLADE ROAD AND BEDFORD ROAD
COLLEGEVILLE, TEXAS 76034

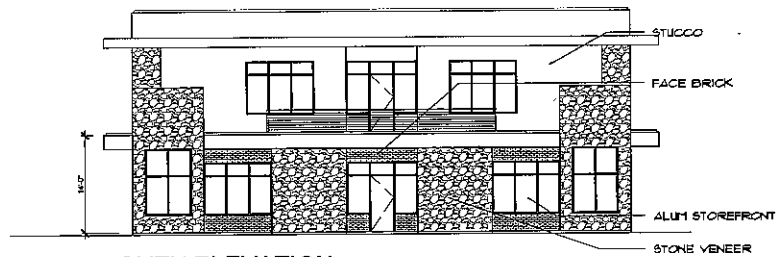
TRASH ENCLOSURE

A3.04

Rear Elevation Sightline



SITE SECTION



SOUTH ELEVATION



SCALE: 1/8" = 1'-0"



WARD ARCHITECTURE PLLC
400 CHEEK SPARKER ROAD, SUITE 114
COLLEYVILLE, TEXAS 76034

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

Project: PLD SUBMITTAL

Sheet Title: REAR ELEVATION
SITE SIGHTLINE

A3.03

Sheet Number

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 19th day of August 2014.

The second reading and public hearing being conducted on the 2th day of September 2014.

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

ATTEST:

CITY OF COLLEYVILLE

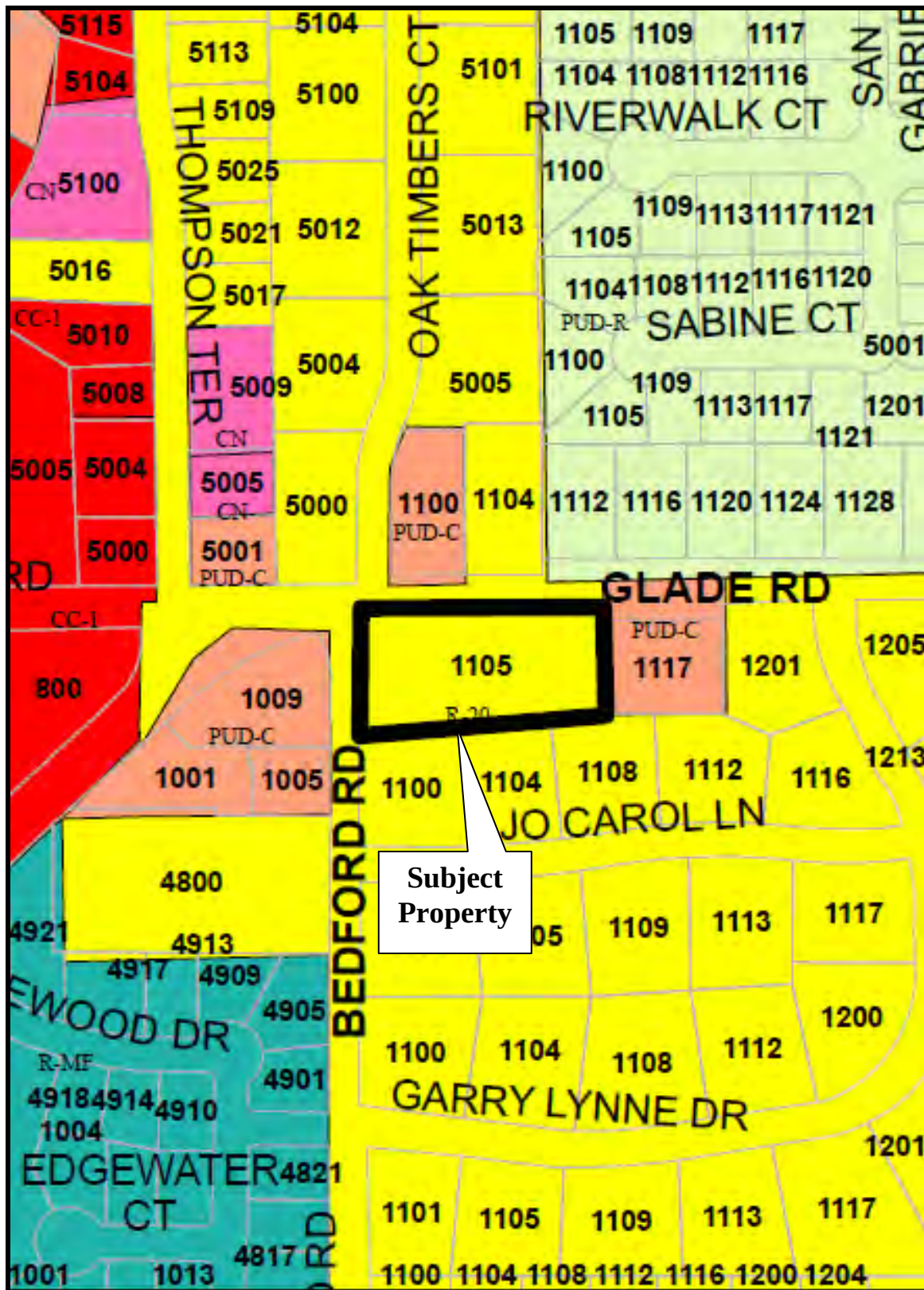
Amy Shelley, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit "A" – Location and Zoning Map



[illegible]